



Division of Land / Environmental Review

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012



Volume I

FINAL ENVIRONMENTAL IMPACT REPORT

WEST LOS ANGELES COMMUNITY PLAN AREA

10131 Constellation Boulevard

ENV-2004-6269-EIR

State Clearinghouse No. 2005051145

Council District 5

THIS DOCUMENT COMPRISES THE SECOND AND FINAL PART OF THE ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE PROJECT DESCRIBED. THE DRAFT EIR WHICH WAS PREVIOUSLY CIRCULATED FOR PUBLIC REVIEW AND COMMENT COMPRISES THE FIRST PART.

Project Address: 10131 Constellation Boulevard, Century City, CA 90067-4603

Project Description: Project Permit (Pursuant to the Century City North Specific Plan), Vesting Tentative Tract Map, Site Plan Review Findings, revision of an existing covenant and agreement with the City, Haul Route Permit and any other ministerial or discretionary permits to construct 483 residential condominium units in three separate buildings: two 47-story towers and one 12-story building. The two towers would each contain 194 units and would be approximately 570 feet above grade. The 12-story building would contain 95 units and would be approximately 135 feet above grade. A one-story recreational facility centered around a swimming pool would serve to connect the two 47-story towers. The Project would include at least 1.7 acres of open space, including a landscaped feature at the corner of Avenue of the Stars and Constellation Boulevard. The total proposed floor area is approximately 1,292,358 square feet and a total of 1,208 parking spaces would be provided. The Project is located on a 5.5-acre site in the C2-2-O zone. The Project will also include the demolition of approximately 39,000 square feet of gross floor area including offices, bank and drive-through bank facility, restaurant and nightclub; the majority of the site is undeveloped.

APPLICANT:

Century City Realty LCC

PREPARED BY:

Environmental Review Section

Los Angeles City Planning Department

April 2006

EAF NO.: ENV-2004-6269-EIR

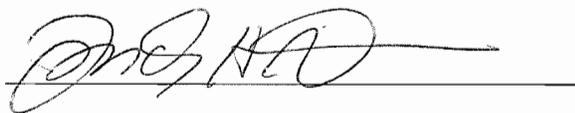
SCH NO.: 2005051145

PROJECT NAME: 10131 Constellation Boulevard

RECOMMENDATION FOR EIR CERTIFICATION

Pursuant to California Code of Regulations, Title 14, Section 15090, this EIR has been completed in compliance with the California Environmental Quality Act and current State and City Guidelines and based on information available may be accepted and considered prior to making a final decision on the project. The decision-maker or making body must certify that it has reviewed and considered the information contained in this Environmental Impact Report prior to making such decision.

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I. SUMMARY

A. INTRODUCTION

In accordance with Sections 15088, 15089, and 15132 of the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA Guidelines), the City of Los Angeles, as Lead Agency, has prepared the Final Environmental Impact Report (Final EIR) for the proposed 10131 Constellation Boulevard Project (Project).

This Final EIR comprises the second and final part of the Environmental Impact Report (EIR) for the Project. The Draft EIR for the 10131 Constellation Boulevard Project, previously circulated for public review and comment, comprises the first part, and is available for review at the Department of City Planning, 200 North Spring Street, Room 750, Los Angeles, CA 90012; and at the City of Los Angeles (City) Planning Department website: <http://cityplanning.lacity.org>.

This Final EIR consists of the following components:

Section I: A comprehensive summary of the Project, including a brief description of the Project, a summary of each of the environmental impacts analyzed, all recommended mitigation measures, and a discussion of the Project alternatives.

Section II: Mitigation Monitoring and Reporting Program (MMRP). The MMRP reflects any changes that occurred as a result of the agency and public review of the Draft EIR.

Section III: Corrections and Additions to the Draft EIR. Corrections and Additions to the Draft EIR address certain minor inaccuracies and provide additional analysis or information, where required. Changes to any Draft EIR mitigation measures are also described in this section.

Section IV: Responses to written comments received during the public review period, November 10, 2005, through January 13, 2006. This section provides a written response for each and every written comment submitted to the City during the Draft EIR public review period. This section also includes a summary matrix that lists the name and addresses of every person, organization, or public agency that commented on the Draft EIR and identifies in summary each of the topics addressed in the commenting letter. In addition, a set of topical responses are presented that comprehensively address the key issues raised by multiple individuals who commented on the Draft EIR.

B. PROPOSED PROJECT

This Final EIR examines the potential environmental impacts of constructing and operating the 10131 Constellation Boulevard Project, a residential project containing 483 residential condominium units in two 47-story residential towers and one 12-story residential building. The two towers would each contain 194 units and would reach a height of approximately 570 feet above grade. The 12-story building would contain 95 units and would reach a height of approximately 135 feet above grade. A one-story recreational facility, centered around a swimming pool, would connect the two towers. The Project would include at least 1.7 acres of open space, including a landscaped plaza at the northeast corner of Avenue of the Stars and Constellation Boulevard. Total floor area would be approximately 1,292,358 square feet (net). The Project is located on an approximately 5.5-acre site in the C2-2-O zone in the Century City area. Total floor area would not exceed 6.0 (6:1 FAR). The Project would also provide a total of 1,208 parking spaces within an on-site four-level subterranean structure. Construction of the Project would require the demolition of approximately 39,000 gross square feet of existing commercial uses, including a bank and drive-through bank facility, offices, restaurant, and nightclub uses, as well as surface parking lots. Project implementation would require various approvals, including but not limited to a Project Permit (pursuant to the Century City North Specific Plan (CCNSP)), a Vesting Tentative Tract Map and Site Plan Review findings, revision of an existing access covenant and agreement with the City, and Haul Route approval.

C. AUTHORIZATION AND FOCUS

This EIR has been prepared at the direction and under the supervision of the City of Los Angeles Planning Department in accordance with Section 15161 of the State CEQA Guidelines and, as such, serves as an informational document for the general public and the Project's decision-makers. The City is the Lead Agency for the Project, and under CEQA Statute Section 21067, is responsible for the preparation and distribution of the EIR and has the principal responsibility for approving the Project. This EIR shall be used in connection with all other permits and all other approvals necessary for the construction and operation of the Project. This EIR shall be used by the City of Los Angeles Department of Planning, Department of Building and Safety, Department of Transportation, and Department of Public Works, including the Bureaus of Engineering and Sanitation, City Council of the City of Los Angeles, and all other responsible public agencies that must approve activities undertaken with respect to the Project.

This EIR evaluates the environmental impacts determined by the City to be potentially significant and discusses the manner in which the Project's significant effects can be reduced or avoided through the implementation of mitigation measures. Impacts that cannot be mitigated to a level below significance are considered significant unavoidable adverse impacts. In accordance with Section 15130 of the State CEQA Guidelines, this EIR also includes an

examination of the effects of cumulative development in the vicinity of the proposed Project. Cumulative development includes all anticipated future projects that, in conjunction with the proposed Project, may result in a cumulative impact. In addition, this EIR evaluates the extent to which environmental effects could be reduced or avoided through the implementation of feasible alternatives to the proposed Project. Furthermore, the City is responsible for certifying the EIR and adopting any mitigation measures needed to address the Project's significant environmental impacts. For projects that result in any unmitigated or under-mitigated significant environmental effects, the City may, after making a series of findings, certify the EIR upon adoption of a Statement of Overriding Considerations pursuant to CEQA Guidelines Section 15093.

In the Initial Study, the City determined that implementation of the proposed Project may, either by itself or in conjunction with past, present, and reasonably foreseeable future development in the vicinity, have significant effects in the following areas:

- Land Use;
- Aesthetics/Views;
- Shade/Shadow;
- Light and Glare;
- Transportation/Circulation;
- Air Quality;
- Noise;
- Hydrology/Water Quality;
- Hazardous Materials; and
- Public Services (Police and Fire Protection, Schools, Libraries, and Parks and Recreational Facilities).

The City determined that the proposed Project would not have the potential to cause significant impacts in the following areas: Agricultural Resources, Biological Resources, Geology/Soils, Mineral Resources, Population/Housing, and Utilities. Therefore, these areas were not examined in this EIR.

D. BACKGROUND OF THE PROPOSED PROJECT

The approximately 5.5-acre Project site is largely vacant and underutilized in the context of the highly urbanized Century City environment. Historically, the Project site was used for various purposes, including oil production, which comprised the majority of the site, and commercial uses. Oil production was terminated in 1991, and wells were abandoned in accordance with current California Department of Oil and Gas and Geothermal Resources (DOGGR) standards. The portion of the Project site used for oil production has remained vacant to the present time. The south and west edges of the Project site are developed with a bank and drive-through bank facility, restaurant, and nightclub uses, as well as surface parking lots. The Project would utilize the largely vacant site for development of a landmark residential project, consistent with the high-rise buildings and density of existing surrounding land uses.

E. AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

Potential areas of controversy and issues to be resolved by the City include issues known to be of concern to the community and issues raised in the comments to the Project's NOP. Issues known to be of concern to the community include traffic, land use compatibility, visual quality, views, shade/shadow, construction air quality, construction noise, infrastructure capacity, and hazardous materials. Additional issues raised in response to the NOP include on-site driveway capacity, cut-through traffic, and mitigation monitoring and enforcement.

F. PUBLIC REVIEW PROCESS

As previously discussed, the City circulated an NOP for the proposed project on May 24, 2005. During the following 30-day comment period, 15 letters were received. The NOP and letters received during the NOP comment period are included in Appendix A of the Draft EIR.

The Draft EIR was circulated for a total of 65 days, between November 10, 2005, and January 13, 2006. Of these, three days (Thanksgiving, Christmas, and New Years Day) constituted legal holidays. As such, public review occurred for 62 non-holiday days, which is more than twice the minimum review period established under CEQA. The public review period is consistent with CEQA Guidelines Section 15105(a), which require a public review period of not less than 30 days, or longer than 60 days, except under unusual circumstances.

G. SUMMARY OF ALTERNATIVES

The Draft EIR examined five alternatives to the proposed project: (1) No Project; (2) Reduced Project—Elimination of the 12-story building; (3) Alternative Use—Office Building (4) Alternative Use—Hotel; and (5) Alternative Site.

Alternative 1: No Project

The No Project Alternative assumes that the Project would not be developed and that the existing land uses within the Project site would remain unchanged (i.e., bank and drive-through bank facility, restaurant, and nightclub uses, as well as surface parking lots). Under the Alternative 1 “No Project” scenario, no new uses would be developed at the Project site. Accordingly, this Alternative would be equivalent to the conditions discussed under existing conditions for each category analyzed in this Draft EIR. Since no development would occur, environmental impacts associated with construction would be less under the No Project alternative than under the proposed Project. This Alternative would avoid the Project’s unavoidable significant impacts relative to construction noise and air quality. However, the No Project Alternative would have a greater contribution to future cumulative base traffic conditions, mobile emissions, and mobile noise than the Project, since existing traffic at the site is greater than under the Project. In addition, the No Project alternative would not implement the housing goals of the Los Angeles General Plan and SCAG’s Regional Comprehensive Plan and Guide (RCPG), including contribution to the City’s future housing needs, as well as the location of housing near existing transportation systems and places of employment. In addition, the No Project alternative would not achieve the objective of the Project to create a residential development in Century City or fulfill the intent of the CCNSP in the use of the currently underutilized site. Also, the No Project Alternative would not result in the elimination of any potential residual hazardous soils on the former oil production site, as would the Project.

CEQA Guidelines Section 15126.6(e)(3)(B) indicates that the No Project Alternative may discuss predictable actions by others, such as some other project if the project under consideration were not to occur. Based on the various land use designations and zoning that apply to the Project site, allowable uses include commercial (retail, office, hotel) and residential uses. The CCNSP limits the intensity of development based upon the number of available Cumulative Automobile Trip Generation Potential (CATGP) Trips. Alternatives 2, 3 and 4, which are described below, represent three scenarios of development that could occur under the Project site’s existing land use designations and zoning on the site.

Alternative 2: Reduced Project—Elimination of the 12-Story Building

Alternative 2 is a Reduced Density Alternative that reduces the proposed density by eliminating the proposed 12-story building, which is located along the north and east edges of the Project site. The two 47-story residential towers would remain in their proposed locations, in

which Tower 1 would remain on the west side of the Project site along Avenue of the Stars and Tower 2 would remain in the front, center of the Project site along Constellation Boulevard. The configurations and design of the two tower buildings would be the same as proposed in the Draft EIR Project Description. The elimination of the 12-story building would reduce the Project's total residential uses by 95 units, to a total of 388 units. The elimination of the 12-story building represents an approximate 20 percent reduction in total residential units. The unused land area that would, otherwise, have been occupied by the footprint of the 12-story building would be maintained as landscaped open space. Compared with the proposed Project, Alternative 2 would have incrementally less environmental impact in the areas of traffic, mobile-source air emissions, mobile-source noise levels, and demand on public services, except for schools, when compared to the proposed Project, since it represents a reduction in housing density. Impacts relative to schools would be similar under Alternative 2 when compared with the Project as LAUSD forecasts that students would not be generated by housing units such as those proposed to occur in the 12-story building. With the elimination of the 12-story building, this Alternative would also have greater open space than the proposed Project. Impacts associated with City of Los Angeles and SCAG housing goals would be similar, although the policy objectives would be realized at an incrementally diminished level. Furthermore, construction of Alternative 2 would not reduce the Project's unavoidable and significant noise and air quality impacts generated during construction.

Alternative 3: Alternative Use—Commercial Office Building

Alternative 3 would be an alternate use that would be developed on the Project site, instead of the proposed Project. Alternative 3 assumes the development of approximately 261,000 square feet of commercial office uses, with no residential uses. The office floor area is based on the number of Trips allocated to the Project site, as set forth in the CCNSP. Based on the Trip factors set forth in the CCNSP, approximately 261,000 square feet of commercial office uses would be developed. The proposed office use would be developed as one 15-story building, which would be located and oriented toward the Avenue of the Stars and Constellation Boulevard intersection. The proposed office building would occupy approximately 6.5 percent of the Project site, with the remainder of the approximately 5.5-acre Project site maintained as landscaped open space, walkways, driveways, and a pedestrian path. Because of the reduced amount of physical development, Alternative 3 would have less environmental impact than the proposed Project with regard to visual resources, light, glare, shade/shadow, and open space. However, construction of Alternative 3 would not reduce the Project's unavoidable and significant noise and air quality impacts generated during construction. Alternative 3 would also not meet the housing goals of the Los Angeles General Plan and SCAG's RCPG, including contribution to the City's future needed housing and the location of housing near existing transportation systems and places of employment. Also, since Alternative 3 would generate more traffic than the Project, impacts associated with traffic, mobile-source air emissions, and mobile-source noise levels would be greater. In addition, Alternative 3 would not achieve the

objective of the proposed Project to create a residential development in Century City. However, Alternative 3 would generate less demand on public schools and libraries.

Alternative 4: Alternative Use—Hotel

Alternative 4 consists of another alternate use that would be developed on the Project site, instead of the proposed Project. Alternative 4 assumes the development of a 15-story, 365-room hotel, with ancillary retail uses. The number of hotel rooms, as is the case with the office use under Alternative 3, is based on the number of vehicle trips allocated to the Project site, as set forth in the CCNSP. Based on hotel trip-generation factors, daily trips generated by 365 hotel rooms would be consistent with the CCNSP's trip allocation. Due to the reduced amount of physical development, approximately 5 acres of the 5.5-acre site would be maintained as landscaped open space, walkways, driveways, and a pedestrian path. As a result, Alternative 4 would have less environmental impacts than the proposed Project in the areas of visual resources, light, glare, shade/shadow, and open space. As the hotel would likely have more illuminated signs than the Project, development under this Alternative would generate more nighttime glare from this signage. Alternative 4 would also not meet the housing goals of the Los Angeles General Plan and SCAG's RCPG, including contribution to the City's future needed housing and the location of housing near existing transportation systems and places of employment. Construction of Alternative 4 would not reduce the Project's unavoidable and significant noise and air quality impacts generated during construction. Also, Alternative 4 would generate more traffic than the Project and, thereby, greater impacts associated with traffic, mobile-source air emissions, and mobile-source noise levels. In addition, this Alternative would not achieve the objective of the Project to create a residential development in Century City.

Alternative 5: Alternative Location

Alternative 5 assumes that the Project would not be developed at the Project site and would be moved to another location. Under this Alternative, the Alternative would be constructed according to the Project's design and intensity, with the same floor area and mix of uses, including 483 residential condominium units in two 47-story towers and one 12-story building. Criteria for a suitable alternative location include adequate size, existing under-utilization, and availability. A survey of alternative sites in Century City determined that no location within the Century City area would meet the criteria for use as an alternative location for the proposed Project. Another requirement for a feasible alternative site location is that the alternative site would serve the same, or similar, target market.

The purpose of the evaluation of an alternative location is to ascertain if changing the location of a project to another location would reduce or eliminate environmental impacts that may be unique to a particular locale. In order to comply with CEQA Section 15126.6(f)(2), an alternative site located in the vicinity of the intersection of Bundy Drive and Olympic Boulevard, specifically 1901, 1929, 1931, and 1933 Bundy Drive and 12333 West Olympic Boulevard in the

City of Los Angeles, was selected for analysis. Existing uses at the alternative site consist of a 141,912-square-foot office, manufacturing, and distribution facility and three single-story office buildings with a combined floor area of 84,456 square feet (i.e., total existing building square footage of 226,368 square feet).

Alternative 5 and the Project would have similar levels of traffic generation, air quality impacts, mobile noise, and demand on public services. As with the Project, Alternative 5 would meet City of Los Angeles and SCAG housing goals by contributing to the City's future needed housing and locating that housing near existing transportation systems and places of employment. However, due to the existing community plan industrial designation and zoning of the Alternative 5 site, this Alternative would be inconsistent with the regulatory environment. As such, a plan amendment, a zone change, and a height district change would be required. If a plan amendment, a zone change, and a height district change were approved, Alternative 5 would strongly contrast with the lower FAR of the surrounding area. Therefore, Alternative 5 would have a significant and greater land use compatibility impact than the proposed Project. The open space impact would be less under Alternative 5, since the Alternative Site is almost double the size of the Project site and would, thus, provide more open space. However, due to the stark contrast in scale and height between the proposed towers and low-rise residential uses north of Olympic Boulevard, and between the proposed towers and the low- and mid-rise character of commercial uses on Olympic Boulevard, Alternative 5 would have greater visual quality impacts. Also due to the high visibility of the towers relative to surrounding low-rise development, light and glare impacts would be potentially higher. In addition, shade/shadow impacts on single-family homes located to the north, northeast, and northwest of Alternative 5 would occur, due to the proximity of these uses. Construction air quality and noise impacts would also be greater, due to the proximity of a large number of sensitive receptors (residential uses). In addition, Alternative 5 would not achieve the objective of the Project to create a residential development in Century City.

Environmentally Superior Alternative

The State CEQA Guidelines require the identification of an environmentally superior alternative to the proposed Project and, if the environmentally superior alternative is the "No Project Alternative," the identification of an environmentally superior alternative from among the remaining alternatives. An environmentally superior alternative is an alternative to the Project that would reduce and/or eliminate the significant, unavoidable environmental impacts associated with the Project without creating other significant impacts and without substantially reducing and/or eliminating the environmental benefits attributable to the Project.

Selection of an environmentally superior alternative is based on an evaluation of the extent to which the alternatives reduce or eliminate the significant impacts associated with the Project, and on a comparison of the remaining environmental impacts of each alternative.

Through the comparison of the environmental characteristics and potential impacts of each of the alternatives, Alternative 2 is concluded to have a lesser degree of environmental effect than any of the other Project alternatives, exclusive of the No Project Alternative. As Alternative 2 would have incrementally less impact relative to the Project and other evaluated alternatives, CEQA requires that this alternative be deemed as environmentally superior. Although Alternative 2 would not meet all of the basic objectives of the Project, it would, nonetheless, partially achieve most of the Project's basic objectives. It should be noted that, other than the No Project Alternative, no alternative would reduce the Project's significant, unavoidable construction air quality and noise impacts to levels that are less than significant.

H. SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

1. Land Use

a. Environmental Impacts

(1) Land Use Compatibility

The proposed Project would introduce high- and mid-rise residential uses into the Century City commercial core. The proposed residential use would be considered neither encroaching nor incompatible with adjacent commercial uses since it would not impede the continuation of existing operations at adjacent commercial uses or cause a disruption of the existing operation of the adjacent office buildings and parking structures. The Project would also be consistent with Century City's pattern of mid- and high-rise tower structures located on large individual lots. The Project's 6:1 FAR, setbacks between structures, and extensive landscaping along the public streets and sidewalks would be in character with adjacent and surrounding land uses. The Project would provide a pedestrian path along its eastern boundary and upgrade landscaping along the public streets and sidewalks, including development of landscaped open space at the corner of Avenue of the Stars and Constellation Boulevard. The Project would be consistent with the scale, intensity, and pedestrian-orientation of Century City, and, as such, land use compatibility impacts would be less than significant.

(2) Consistency of the Project with Zoning and Land Use Plans and Policy

The proposed residential use, which would locate housing within an area of high activity, existing infrastructure, transit, bicycle routes, pedestrian pathways, and pedestrian access, would be consistent with the Project site's Los Angeles General Plan Regional Center designation, as well as applicable housing policies. The Project would also support the City's General Plan Transportation Element Bikeway Plan by locating residential uses within an urban center and in close proximity to existing bike paths. The Project would be consistent with the West Los Angeles Community Plan policies to reduce congestion by developing new housing in proximity

to adequate services and facilities, to cause no loss of existing housing or displacement of residents, to encourage pedestrian-oriented design and structures with a high level of quality and compatibility with existing uses, to provide open space, and to encourage multi-family housing in commercial zones that have the potential for such use. The Project would be consistent with the shade/shadow, pedestrian walkway, and architectural requirements of the CCNSP. The Project would require 3,646.65 CATGP Trips,¹ which would be consistent with the CCNSP allocation of 3,654.181 CATGP Trips for this site.² The Project would be consistent with the applicable growth policies of SCAG's RCPG, including, but not limited to, locating residential development in proximity to major employment centers and locating residential development in a centralized area served by existing transportation systems. Since the Project would be consistent with applicable land use policies, impacts relative to land use plans would be less than significant.

The Project is consistent with the requirements of the existing C2-2-O zoning, including the number of permitted residential units, floor area, setbacks, open space, and parking requirements. The Project would also comply with an irrevocable offer to dedicate for a future street widening along Constellation Boulevard at Avenue of the Stars without reducing required open space on the Project site. The Project would also be consistent with the City's methane building regulations and with Los Angeles Municipal Code (LAMC) standards for driveway access, parking stall dimensions, and loading areas. Because the Project would be consistent with the requirements of the LAMC, impacts associated with compliance with the LAMC would be less than significant.

b. Mitigation Measures

The proposed Project would not result in significant impacts associated with land use compatibility, division of an existing community, or consistency with regulatory land use plans and guidelines. Therefore, no mitigation measures are required.

c. Level of Significance After Mitigation

The proposed Project would be compatible with the land use, scale, density, and intensity of adjacent and surrounding existing development. In addition, the Project would not create a division or disruption of an established community. Finally, the Project would be consistent with

¹ Based on a trip factor of 7.55 trips per dwelling unit, as set forth in Section 2 of the Century City North Specific Plan, and a total of 483 dwelling units.

² The Project site includes both parcels 7 and 8 in the Century City North Specific Plan Trip Allocation Chart. The total Project site allocation of 3,654.181 CATGP trips is based on a total of 1,541.190 Phase II trips on Parcel 7 and a total of 2,112.991 potential replacement trips on Parcel 8.

the existing land use regulatory framework, including the City's General Plan Framework, the General Plan Transportation Element, the West Los Angeles Community Plan, the CCNSP, SCAG's RCPG, and the LAMC. Therefore, the proposed Project would have impacts that are less than significant with regard to land use compatibility and regulations. Thus, no unavoidable and significant land use impacts would occur.

d. Cumulative Impacts

Development of the identified related projects is anticipated to occur in accordance with the City's adopted plans and regulations, or be mitigated to the extent feasible so as not to result in any undesirable land use impacts. All new development within the CCNSP and the Century City South Specific Plan (CCSSP) would comply with the CATGP Trip limitations of these plans, as well as other applicable local and regional land use policies and zoning, or be mitigated to the extent feasible so as not to result in any undesirable land use impacts. The use of replacement and transferred trips would additionally limit new development within Century City. The CCNSP and CCSSP contemplated and allowed for CATGP Trips to be replaced and transferred among and between properties in these Specific Plan areas. Accordingly, any new development and land use changes that may occur as a result of such actions would be consistent with the CCNSP and CCSSP. With the mandatory implementation of the CCNSP and CCSSP and other City regulations, no cumulative significant impacts relative to land use compatibility or land use plans are anticipated as a result of the Project or of development that would occur from CATGP Trip exchange and replacement and other related projects.

2. Traffic and Circulation

a. Environmental Impacts

(1) Construction Impacts

Project construction would generate traffic from construction worker travel, as well as the arrival and departure of trucks delivering construction materials to the Project site and the hauling of debris and exported soils generated by on-site demolition and excavation activities. Both the number of construction workers and trucks would vary throughout the Project's construction period. It is anticipated that the majority of the Project's construction workers would arrive and depart the Project site during off-peak hours (i.e., arrive prior to 7:00 A.M. and depart before 4:00 P.M.) and that the majority of haul truck traffic would be distributed evenly across the workday and would not exceed the level of peak-hour trips generated by existing uses. In addition, the approval of the truck haul route(s) by the City would assure that truck haul trips would occur along major roadways and, thus, not result in adverse impacts to residential neighborhoods. Since the construction work force would likely be from all parts of the Los

Angeles region, worker and truck traffic would be largely oriented toward major arterials and freeways, and the number of truck trips during any particular hour of the day would be a fraction of existing on-site traffic, construction traffic impacts are concluded to be less than significant.

Lane and sidewalk closures, utility line construction, and flagging or stopping of traffic to accommodate trucks entering and exiting the Project site could have implications with regard to response times for emergency vehicles. Since street construction and access to the Project site would be primarily located on Constellation Boulevard, a short connector between Century Park East and Century Park West, it is not anticipated that construction on this street would impede any pass-through emergency vehicles. Local access on Constellation Boulevard would be available throughout the construction phases, since no street closures would occur and access to adjoining uses and the Project site would be available at all times. Since blockage or a significant slowing of emergency vehicles is not anticipated, the Project's construction activities, with regard to emergency access, would be less than significant.

In the event sidewalks are closed during Project construction, alternative sidewalk routes and signalized crossings would continue to be available along the west side of Avenue of the Stars and along the south side of Constellation Boulevard to allow pedestrian access to local businesses. Project construction would not impede vehicle access to the adjacent parking structures throughout the Project's construction period. Bus stops for the MTA, LADOT Commuter Express, Santa Monica, Culver City, Santa Clarita, and Antelope Valley Transit are located in close proximity to the Project, and a bus layover facility is located at the MGM Plaza building, approximately 0.125 mile west of the Project site. Since alternative bus stops are located within 0.25 mile of the Project site and pedestrian and vehicle access to all places of business adjacent to the Project site would be available throughout Project construction, the impact of the Project relative to the temporary closure of sidewalks or bus stops would be less than significant.

(2) Operational Impacts

Future cumulative base traffic conditions, which are comprised of existing traffic from the identified related projects and an ambient growth factor of 1.5 percent per year to 2010, are forecasted to result in 17 of the 32 study intersections operating at levels of service (LOS) E or F during the A.M. or P.M. peak hours, or both. Total daily traffic and P.M. peak-hour traffic generated by the Project would be less than total daily traffic and P.M. peak-hour traffic generated by the existing commercial uses on the Project site. The Project would result in a net decrease of 148 trips during the P.M. peak hour and a net increase of 47 trips during the A.M. peak hour. Although 17 of the study intersections are also forecasted to operate at LOS E or F during the A.M. or P.M. peak hours, or both, under 2010 cumulative base plus Project conditions, the Project would not increase the volume-to-capacity (V/C) ratio of any study intersection operating at LOS E or F by more than 0.01. Since the Project would not exceed traffic impact thresholds at

any of the study intersections during either the A.M. or P.M. peak hours, the Project's traffic impacts would be less than significant, and, thus, no mitigation measures are required.

The Project would generate less than 50 vehicle trips through the Congestion Management Program (CMP) monitoring stations nearest the Project site during the A.M. or P.M. peak hour (i.e., Santa Monica Boulevard/Wilshire Boulevard and Beverly Glen Boulevard/Wilshire Boulevard). Thus, the impact of the Project on CMP arterials would be less than significant. The Project is also forecasted to result in a net increase of approximately four additional trips on the Santa Monica Freeway CMP freeway monitoring stations and a net increase of approximately two additional trips on the San Diego Freeway CMP freeway monitoring stations during the A.M. peak hour. During the P.M. peak hour, a net decrease in freeway trips is forecasted. Since the Project would add fewer than 150 trips to any of the freeway segments during the A.M. or P.M. peak hours in the vicinity of the study area, the impact of the Project on freeway CMP stations would also be less than significant.

The Project would generate a net reduction of daily trips from the estimated level of daily trips generated by the existing uses and, as such, impacts on local residential streets would be less than significant. The Project's three access driveways, including two driveways on Constellation Boulevard and a right-turn-only driveway on Avenue of the Stars, would operate at service levels ranging from LOS B to LOS D. Since none of these service levels would exceed LOS E or F, the impact of the Project relative to driveway access is also concluded to be less than significant.

b. Mitigation Measures

Project development would result in impacts that are less than significant, with regard to intersection capacity, CMP monitoring locations, access to the Project site, or transit. Thus, no mitigation measures are required.

c. Significance After Mitigation

No significant and unavoidable traffic impacts would occur with the development of the proposed Project. Furthermore, the Project would reduce P.M. peak-hour traffic by approximately 148 trips. While Project development would result in a net increase of 47 trips during the A.M. peak hour, this level of increase would not result in any significant and unavoidable traffic impacts.

d. Cumulative Impacts

(1) Construction

The 49 identified related projects are dispersed throughout the Project's traffic study area and would draw upon a workforce from all parts of the Los Angeles region. In general, the majority of the construction workers at each of these related projects are anticipated to arrive and depart the individual construction sites during off-peak hours (i.e., arrive prior to 7:00 A.M. and depart before 4:00 P.M.), thereby avoiding generating trips during the A.M. and P.M. peak traffic periods. Although the majority of construction worker trips generally occur during off-peak hours, because the construction of the related projects could occur within the same timeframe as Project construction impacts are concluded to be significant and unavoidable. The excavation and grading phases for each of the related projects would generate the highest number of haul truck trips at the related project sites. The haul truck routes for applicable related projects would be approved by the City according to the location of the individual construction site and the ultimate haul destination. The City's established review process would take into consideration overlapping construction projects and would balance haul routes to minimize the impacts of cumulative hauling on any particular roadway. However, since hauling associated with related projects could occur concurrently with hauling associated with the Project, cumulative impacts associated with hauling are concluded to be significant and unavoidable.

Five of the 49 identified related projects are located along Avenue of the Stars or Constellation Boulevard, or in the area nearest the Project site. It is anticipated that construction activities attributed to the five identified related projects, in conjunction with the proposed Project, would not cause a sufficient disruption to roadway capacity so as to result in a limitation to emergency access. As such, no cumulative impacts associated with the impediment of emergency vehicles due to construction activities on the streets adjacent to the Project site would occur. The identified related projects would also be required by the City to incorporate traffic control and access measures, with the intent of preserving through access on streets adjoining the individual construction sites. As such, cumulative impacts relative to emergency access on the local and regional street network, due to construction activities, are concluded to be less than significant.

It is anticipated that construction activities attributed to the five identified related projects, in conjunction with the proposed Project, would not cause a sufficient disruption to roadway capacity so as to result in a limitation to pedestrian and vehicle access. As such, the related projects would not cause a cumulative impact relative to pedestrian and vehicle access on the streets and sidewalks adjacent to the Project site. In addition, cumulative impacts relative to the relocation of bus stops in the Project vicinity are also anticipated to be less than significant.

(2) Operation

Cumulative impacts on study intersections from ambient growth and related projects have been incorporated into the future cumulative base analysis. During Year 2010 with cumulative base conditions, 17 of the 32 study intersections would be operating at LOS E or F during the A.M. or P.M. peak hours, or both. It is anticipated that the related projects that would materially contribute to cumulative growth would be required, on an individual basis, to mitigate potentially significant traffic impacts to the extent possible. However, since no guarantee exists that mitigation measures would be implemented with the identified related projects, it is conservatively concluded that cumulative development would yield a significant cumulative traffic impact on intersection operations.

Five of the 49 identified related projects are located in proximity of the Project site on Avenue of the Stars or Constellation Boulevard. Operational traffic associated with the five identified projects is not anticipated to substantially increase the use of local streets in the vicinity of the Project site so as to cause a cumulatively significant impact. Furthermore, as most of the 49 related projects are located along major and secondary highways, vehicle trips associated with those related projects are not anticipated to use local streets in the Project vicinity. As such, the cumulative traffic impact of the related projects, combined with the Project's traffic, on local streets in the vicinity of the Project site, is concluded to be less than significant. Therefore, for the same reasons, the cumulative effect of the related projects on the Project's driveway access would also be less than significant.

The related projects would likely generate an increase in overall transit riders, the majority of whom would use the Wilshire Boulevard transit corridor. Buses that use the Wilshire Boulevard transit corridor do not generally serve Century City. Since most related project riders would not use the same buses as the Project's riders, the majority of the related projects would not contribute to a cumulative transit impact, relative to the proposed Project. Under City of Los Angeles transportation and land use policies, the concentration of new employment and housing projects in close proximity to transit services and the potential growth in transit demand is positive. Since transit services, such as the Wilshire and Santa Monica Transit corridors, are anticipated to be expanded in the Project study area as anticipated growth occurs, increased ridership attributable to the related projects, in conjunction with the proposed Project, would not exceed the capacity of such systems. As such, cumulative impacts relative to transit systems would be less than significant.

3. Visual Resources

a. Environmental Impacts

(1) Visual Quality

(a) Construction

Construction of the proposed Project would involve the demolition and removal of two existing structures, surface parking lots, chain link fencing, and vegetation, including street trees along Avenue of the Stars and Constellation Boulevard. The removal of onsite vegetation and street trees would reduce the visual quality of the adjoining streets during Project construction and, thereby, remove existing features or elements that contribute to the valued visual character and image of Century City. Although the Project's construction site would be screened, the pedestrian interface along a construction site and work-in-progress visible above the fencing are generally not considered attractive since construction sites have a general aspect of untidiness and are devoid of landscaping and architectural detail. Haul truck activity may also be considered an aesthetic consequence of construction. However, no haul trucks would traverse any local residential streets. Therefore, the impact of construction trucks would not significantly impact the visual quality of the area, since major roadways are intended to accommodate a range of vehicle types, including trucks incidental to construction and deliveries. Construction on other sites in the Project vicinity has been ongoing in recent years and such activities would not substantially contrast with the existing visual character of the surrounding area. Construction activities would be relatively short term, and while they are concluded to be significant, with the incorporation of the recommended mitigation measures, the impact of construction activities on visual quality would be less than significant.

(b) Operation

The Project would result in greater density and building mass at the Project site than what occurs under existing conditions. However, the Project's design features and quality of development would support the existing style and image of this area of Century City. The Project's buildings and landscaped open space would be developed with high-quality architectural design and as formal landscaped areas, consistent with Century City's valued aesthetic image. The Project would also contribute to the existing profile of high-rise structures within Century City's core area. Located in the center of existing high-rise buildings, the Project would be less contrasting with adjacent low-rise uses farther to the north, east, and west than existing buildings, and would contribute to the diversity of Century City's valued backdrop and skyline. Therefore, the impact of the Project, in relation to the visual character of the area, would be less than significant.

The Project, which would provide landscaped public access areas and other pedestrian amenities within an existing regional center, enhance pedestrian activity, and improve the quality of development in the public realm, would be consistent with the City's General Plan Framework design policies. The Project would also be developed according to detailed architectural planning and design, and would also feature extensive landscaping in both private and public areas. Since the Project would be compatible with the quality and scale of surrounding development and would enhance the existing high-quality architecture and landscaping of Century City, it would be substantially consistent with the West Los Angeles Community Plan's urban design policies. The Project would also be consistent with all visual quality requirements of the CCNSP, including policies related to shade/shadow, screening of mechanical equipment, and parking structure design. The Transportation Element of the City's General Plan designates Avenue of the Stars as a Scenic Highway. The Project would maintain the same high quality of landscape and architectural design characterizing Century City along the Avenue of the Stars corridor and, as such, would be consistent with the City's applicable Scenic Highway policies. Since the Project would comply with the City's applicable urban design policies, the impact of the Project, relative to policy and regulatory compliance, would be less than significant.

(2) View Impacts

(a) Public Views

Public views in Century City include long-range views of the Hollywood Hills and the Westwood skyline along northbound Century City streets, near-views of the Century City high-rises and landscape from the Avenue of the Stars pedestrian bridge and public sidewalks, and views of the highly articulated Century City skyline from streets and communities surrounding Century City. As viewed from surrounding public streets, including Santa Monica, Olympic, and Pico Boulevards, and from the City of Beverly Hills, the Project would not block any valued views. In addition, the Project would not be aligned to block northerly views along the north-south streets in Century City, including Avenue of the Stars, and, therefore, would not block views toward the Hollywood Hills and the Westwood skyline. Furthermore, the Project would not add substantial mass or a sense of encroachment relative to low-rise development in Beverly Hills. Since the Project would not block or diminish public views, the impact of the Project relative to this view location would be less than significant. Views from adjacent public plazas and sidewalks, which are currently available over portions of the Project site, would be blocked by future development. However, the pedestrian scale and amenities provided by the Project, as well as the architecture of the Project, would offset any impacts that may occur due to the view blockage of nearby buildings from the sidewalks. Therefore, the Project would result in an impact that is less than significant, relative to impacts on public views.

(b) Private Views

The valued views of Century City from residential areas are the articulated skyline and prominent architecture of Century City's high-rise buildings. Due to the location of the Project in the Century City core and intervening existing high-rise structures, the Project would not add substantial mass or a sense of encroachment relative to residential neighborhoods adjacent to Century City. Also, in combination with other high-rise buildings, the Project's vertical articulation and architectural design would contribute to the architectural interest of the view and would be consistent with the nature and the quality of the existing view. The Project would partially impact views of portions of Century City high-rise buildings from multiple-family residences south of the Project site, however, other prominent existing tower buildings would continue to be visible, and the Project would contribute to the dimension and articulation of the skyline. Therefore, the impact of the Project on views from residential neighborhoods and from the Los Angeles Country Club would be less than significant.

Surrounding commercial office buildings, hotels, and private recreational facilities also constitute private view locations that may be affected by Project development. The buildings nearest the Project site would experience the greatest view impact since the proximity increases the proportion of the field of view that the Project occupies. Varying degrees of view impact would also occur in relation to high-rise buildings located farther from the Project site. Due to distance, however, the potential view impact would be less substantial in relation to buildings located farther from the Project, since the Project would fill a smaller proportion of the field of view. Although view impacts would occur in relation to adjacent high-rise office buildings, the view impact would not be deemed significant since the threshold of significance relative to views, based on the factors listed in the Los Angeles CEQA Threshold Guide, does not provide regulatory protection to individual views available from commercial properties. Therefore, the impact of the Project relative to view impacts on commercial locations would be less than significant.

(3) Light and Glare

The Project's building façades would be clad in high-quality building materials, including non-reflective glass. On-site lighting would consist of low-level accent lighting, as well as some pole-mounted fixtures with shields to limit spillover of lighting onto adjacent properties. Signage for the Project would be only for building identification purposes, as well as to facilitate Fire Department access to the site. The Project would not include any illuminated advertising signs, brightly illuminated signs, or movable signs. Light spillage from windows and architectural, security, and landscape lighting would increase ambient nighttime lighting over existing conditions, but have a low glare potential and minimal effect. Lighting would not be great enough to interfere with the performance of an activity at the Century Plaza Hotel or adjacent office buildings. Although architectural lighting and window spillage would be visible

from off-site locations, these light sources are not close enough to off-site buildings to substantially alter the character of off-site areas.

Glare impacts generally occur when the sun is located behind a viewer and reflects off a building's surface. While Project windows would be non-reflective glass, building accents may include metal or other highly polished surfaces. However, the reflection from these materials for motorists traveling northbound on Avenue of the Stars toward the Project site would be minimal. No glare impacts would occur for motorists traveling southbound on Avenue of the Stars, as the sun would be in front of these drivers. Intervening mid- and high-rise buildings would reduce the Project's potential for reflected glare, as seen from east- and west-bound streets. With the use of non-reflective glass in the construction of the tower walls, no glare impacts from reflected light would occur that would interfere with an off-site activity. Therefore, since light and glare from the Project's lighting would not alter the character of the adjacent residential neighborhood, and light and glare impacts would not interfere with off-site activities, light and glare impacts would be less than significant.

(4) Shade/Shadow Impacts

The Project's potential shade/shadow impacts are analyzed based on the thresholds/requirements set forth in the City of Los Angeles' CEQA Thresholds Guide and those set forth in the CCNSP. Due to the density of high-rise structures in Century City, existing buildings create an extensive existing pattern of shading, particularly for those locations within close proximity to the buildings themselves. Notwithstanding, new off-site shading attributable to the proposed Project would occur on portions of the Los Angeles Country Club Golf Club during the morning hours. A strip of the Beverly Hills High School campus, east of Century City, and portions of several residential lots along Robbins Drive and Young Drive, west of Moreno Drive in the City of Beverly Hills, would be newly shaded during the afternoon hours. The maximum duration of shading of residential areas during the winter solstice would not exceed one hour between the hours of 9:00 A.M. and 3:00 P.M., and no new shading would occur during the prescribed period on any shadow-sensitive locations, such as residences, on the spring or fall equinoxes or summer solstice. Under the CCNSP criteria, no detached, single-family residential neighborhoods would experience more than 2 hours of new shading during the hours of 8:00 A.M. and 8:00 P.M. during any of the four seasons. As such, Project shading impacts would be less than significant.

b. Mitigation Measures

With the implementation of the Project's architectural and landscape design features, visual resource impacts would be less than significant. Although no significant impacts regarding visual quality and light and glare have been identified, the following mitigation measures are recommended:

Mitigation Measure C-1: 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 any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

Mitigation Measure C-2: The Applicant shall prepare a street tree plan to be reviewed and approved by the City's Department of Public Works, Street Tree Division. All plantings in the public right-of-way shall be installed in accordance with the approved street tree plan.

Mitigation Measure C-3: The Applicant shall install a tree canopy along the Project's Avenue of the Stars street frontage and Constellation Boulevard street frontage. Tree installation, including number and location of trees, species type, and tree size, shall be completed to the satisfaction of the Street Tree Division of the Department of Public Works.

Mitigation Measure C-4: The Project shall provide public outdoor spaces along Avenue of the Stars and Constellation Boulevard accessible from the public sidewalk. These open space areas may include a plaza with seating areas and gardens that shall be suitable as a public gathering space.

Mitigation Measure C-5: All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the City of Los Angeles Department of Planning.

Mitigation Measure C-6: The Property shall be maintained to be clean and free of debris and rubbish, and any graffiti from walls shall be removed pursuant to LAMC Sections 91.810F, 91.8904.1, and 91.1707-E.

Mitigation Measure C-7: New sidewalks along the Project's Avenue of the Stars and Constellation Boulevard frontages shall be paved with concrete or other safe, non-slip material to create a distinctive pedestrian environment.

Mitigation Measure C-8: A pedestrian walkway accessible to the public shall be constructed along the eastern boundary of the Project site. The pedestrian walkway shall be paved with concrete or other safe, non-slip material.

Mitigation Measure C-9: All ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances shall be incorporated into the architectural concept for the Project.

Mitigation Measure C-10: All exterior windows and glass used on the building surfaces shall be non-reflective glass. Any metal or other reflective surface materials shall be installed below the line-of-sight relative to sun reflection on adjacent roadways.

Mitigation Measure C-11: All pedestrian lighting in the public right-of-way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

Mitigation Measure C-12: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

Mitigation Measure C-13: Any street or pedestrian lighting installed by the Project in the public right-of-way shall be compatible with the existing design for street furniture and street lighting along Century City's public streets.

Mitigation Measure C-14: All pole-mounted light fixtures on the Project's private property or within the public right-of-way shall be shielded to limit spillover of lighting onto adjacent properties and to minimize glare.

Mitigation Measure C-15: Signage for the Project shall consist of Project identification and wayfinding signs. With the exception of construction/sales signs, no other commercial signage shall be permitted, unless approved by the City.

Mitigation Measure C-16: All ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line of sight of pedestrians and motorists.

Mitigation Measure C-17: All new utility lines and connections shall be constructed underground.

Mitigation Measure C-18: Trash collection areas would be contained in the loading dock at ground level in a collection area screened from view by a solid masonry wall.

c. Unavoidable Adverse Impacts

(1) Visual Quality

The Project would remove eight mature street trees in good to fair condition along Avenue of the Stars and replace these trees with high-branched canopy trees and high-quality

landscaping. The Project would also contribute to Century City's high-quality architecture and landscape and enhance the urban skyline, and have impacts that are less than significant resulting from the degree of contrast associated with height, bulk, setbacks, and signage. In addition, the Project would be consistent with all applicable urban design guidelines and regulations of the General Plan Framework, the West Los Angeles Community Plan, the Century City North Specific Plan, and the scenic highway requirements of the City's General Plan Transportation Element. Therefore, the Project would have an impact that is less than significant, and no unavoidable visual quality/aesthetics impacts would occur.

(2) Views

The Project would cause no significant view impacts relative to public and private view locations north, south, east, and west of Century City and the Project site. The Project's view impacts are relative to the location of the Project and existing prominent high-rise buildings. For instance, when the Project is viewed behind a prominent high-rise, it is farther from the view location than the intervening building, and appears relatively lower in height and less likely to block other structures. Viewed from several locations at the periphery of Century City, the Project could generally be presented in a background location due to the distance of the Project from the off-site vantage point and the central location of the Project site within the central area of Century City. Therefore, no significant and unavoidable view impacts would occur.

(3) Light and Glare

The Project would introduce an increased level of light and glare to the Project site than under existing conditions, due to transparent surfaces (window glass) in the residential tower buildings and lighting associated with architectural, security, and landscape lighting. During full occupancy, ambient nighttime lighting would be greater than under existing conditions due to spillover from tower windows during the evening hours. The Project's building façades would be clad in high-quality building materials, including non-reflective glass. The significance of light and glare impacts is determined according to the degree to which Project lighting would substantially alter the character of off-site areas surrounding the Project, and the degree to which light and glare would interfere with the performance of an off-site activity. Although architectural lighting and spillover lighting from Project windows would be visible from off-site locations, these light sources are not close enough to any off-site building that would be sensitive to these light sources and thus, would not substantially alter the character of off-site areas. Also due to the distance of off-site buildings from the Project site, any light and glare from architectural lighting, landscape lighting, or signage would not be anticipated to interfere with the performance of an activity at off-site locations. Since building exteriors would feature non-reflective glass and ambient light or potential glare increases would not be great enough to change the character or interfere with activities at off-site areas, the Project would have an impact that is less than significant, and no unavoidable light and glare impacts would occur.

(4) Shade/Shadow

The Project would not exceed the shade/shadow thresholds established by either the City's CEQA Thresholds Guide or the CCNSP. Therefore, no significant and unavoidable shade/shadow impacts would occur.

d. Cumulative Impacts

Five of the 49 related projects are located within Century City and thus have the potential to result in cumulative visual impacts. The balance of the related projects are located sufficiently distant to the Project site so as to not result in changes to the visual environment within which the Project is located. Only four of the five related projects are situated so as to cause a cumulative impact that has not already been addressed in the preceding analysis of the Project's impacts on the visual environment. Specifically, the analysis of the 2000 Avenue of the Stars project (Related Project #17) was incorporated into the analysis of Project impacts above. The four projects that require further analysis are the Westfield Century City shopping mall renovation (Related Project #11), the Fox Studio expansion (Related Project #13), the Constellation Boulevard and Avenue of the Stars project (Related Project #12) and the redevelopment of the St. Regis Hotel (Related Project #18). Other than the St. Regis project, none of the other related projects are located in the Century City core or would be located close enough to the Project site to enter the same field of view. The St. Regis project at 2055 Avenue of the Stars would be located within the same field of view as the Project. However, the visual quality of Avenue of the Stars would not significantly change since, as viewed from Avenue of the Stars, the St. Regis project would replace an existing high-rise building within a broad landscaped setback with another high-rise building within a broad landscaped setback. Although the St. Regis building height would increase from 318 feet to 480 feet, increased building height would not create new view impacts, since no valued views are currently available above the existing St. Regis building.

The related projects in Century City, in conjunction with the proposed Project, would enhance and reinforce the Avenue of the Stars' scenic highway designation as they would provide additional interest to the existing high-rise character of this street whose scenic highway value is defined by the high rises located along its length in conjunction with its broad landscaped median. As these related projects reinforce the visual character of Century City, as is the case with the proposed Project as well, cumulative impacts on visual quality are concluded to be less than significant. With regard to views, the related projects are either located in the foreground of the viewsheds from private residential property locations, with the Project located behind, and would occur in a manner consistent with conditions forecasted, or are not located within the same line-of-sight or field of view as the Project. In any case, the Project would not contribute to a cumulative impact as it would occur in the broader Century City context for potentially affected view locations. Therefore, the Project combined with the related projects

would cause a less than significant cumulative view impact associated with blocked views from prominent view locations, including public streets, off-site residential neighborhoods, and the Los Angeles Country Club golf course. In addition, the Project in combination with the related projects that would be constructed along the Avenue of the Stars scenic highway, would not cause any cumulative impacts related to visual quality.

Development of the proposed Project as well as the other related projects located in the Century City core would introduce new or expanded sources of artificial light in Century City. As the Project area is an existing highly urbanized center, the additional artificial light sources represented by these projects are not of a sufficient magnitude to alter the existing characteristics of the artificial light environment that currently exists within Century City. Due to the distance of the related projects from the Century City core, the lighting of the Project and these other related projects would not exceed the established thresholds of significance. As a result, cumulative artificial light impacts are concluded to be less than significant. As the building materials to be used in the development of the proposed Project result in a less than significant glare impact unto themselves, it is anticipated that the related projects within the immediate vicinity of the Project site would utilize building materials, although anticipated to be different than those used at the Project site, that would not be of a character so as to cause a cumulative glare impact. As such, cumulative glare impacts are concluded to be less than significant. As such, any increase in light and glare as a result of cumulative projects would not be great enough to interfere with off-site activities and a less than significant impact would result.

No cumulative shade/shadow impacts would occur, relative to sensitive uses, since no related projects are located adjacent to the Project site or within close enough proximity to the Project site so as to cause a cumulative impact.

4. Air Quality

a. Environmental Impacts

(1) Construction

Construction activities have the potential to create air quality impacts through the use of heavy-duty construction equipment, emissions from construction traffic, and fugitive dust emissions. Mobile-source emissions, primarily nitrogen oxides (NO_x), would result from the use of construction equipment such as dozers, loaders, and cranes. During the finishing phase, paving operations and the application of architectural coatings (i.e., paints) and other building materials would release reactive organic compounds (ROC). Daily emissions of ROC, NO_x, carbon monoxide (CO), particulate matter less than 10 microns in diameter (PM₁₀), and sulfur oxides (SO_x) would be considered adverse but less than significant, as the estimated net

emissions for these pollutants would fall below their respective SCAQMD significance thresholds.

The closest sensitive receptor to the Project site is Century City Hospital, located approximately 700 feet east-southeast of the Project site. Maximum Project emissions at this location would remain below applicable SCAQMD localized significance thresholds. As such, localized impacts that may result from construction-period air pollutant emissions would be less than significant.

The greatest potential for toxic air contaminant (TAC) emissions during Project construction would be related to diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk, or the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer. The Project would not result in a long-term substantial source of TAC emissions, nor would there be residual emissions after construction that would materially contribute to a corresponding individual cancer risk. Therefore, Project-related toxic emission impacts during construction would be less than significant. Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents. Via mandatory compliance with SCAQMD Rule 1113, no construction activities or materials are proposed that would create objectionable odors, and impacts associated with construction odor would be less than significant.

(2) Operational Impacts

Regional air pollutant emissions associated with proposed Project operations would be generated by the operation of on-road vehicles and the consumption of electricity and natural gas. Since it is not possible to isolate where electricity is produced, these emissions are conservatively considered to occur within the Basin and to be regional in nature. With the reduction in vehicle traffic, compared to existing conditions, a net reduction in regional CO and PM₁₀ emissions would occur, SO_x emissions would be negligible, and NO_x and ROC emissions would not exceed their respective SCAQMD regional significance thresholds. If diesel-fired generators were installed for emergency power, these generators, except during a blackout, would be operated for only a few hours per month for routine testing and maintenance. Operation would be controlled by SCAQMD Rules 201, 202, and 203, and machinery would be subject to SCAQMD Regulation XIII emissions criteria. Compliance with SCAQMD Rules and Regulations regarding stationary-source combustion equipment would ensure that contributions to localized PM₁₀ concentrations remain below its significance threshold. Therefore, mobile emission and diesel impacts would be less than significant.

If concurrent construction and operation of the Project were to occur, concurrent construction and operational emissions of CO, PM₁₀, NO_x, ROC, and SO_x, would be considered adverse, but less than significant, since the levels of these emissions would fall below their respective SCAQMD regional significance thresholds.

The primary source of potential air toxics (TACs) associated with operations include diesel PM₁₀ from delivery trucks (e.g., truck traffic on local streets and on-site truck idling) and emergency backup generators. Forecasted emissions are not of a sufficient magnitude to cause a significant impact with regard to the release of TACs. The Project would not include any uses identified by the SCAQMD as being associated with odors. As the residential activities would not be a source of odors, odor impacts would be less than significant.

The Project would meet AQMP consistency criteria, since no violations of the state and federal carbon monoxide standards are projected to occur during long-term operation. The Project would be consistent with the population, housing, and employment assumptions that were used in the development of the AQMP. The Project is located in an area of existing public infrastructure and in proximity to adequate services, and the Project encourages pedestrian activity. As such, the Project would be consistent with the AQMP. The Project would also meet City of Los Angeles General Plan Air Quality Element and the Clean Air Program policies, since development at the proposed site location offers the opportunity to redevelop an underutilized site with residential uses in the middle of a highly urbanized regional employment center, via the use of existing infrastructure, locating a residential development in proximity to existing regional and local transit facilities, and the Project's location near existing commercial uses that would meet many of the needs of the Project's future residents. As the proposed Project would be consistent with City of Los Angeles air quality policies, the Project would be consistent with the City's Air Quality Element.

b. Mitigation Measures

The following mitigation measures are: (1) intended to implement requirements of SCAQMD Rule 403 (Fugitive Dust); and (2) set forth a program of air pollution control strategies designed to reduce the proposed Project's air quality impacts to the extent feasible during construction. The Project would not result in any significant impacts during Project operations. As such, no mitigation measures are necessary.

Mitigation Measure D-1: General contractors shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403.³

³ SCAQMD Rule 403 requirements are detailed in Appendix D of the Draft EIR.

Mitigation Measure D-2: All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.

Mitigation Measure D-3: General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would turn their engines off when not in use to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

Mitigation Measure D-4: Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.

Mitigation Measure D-5: All construction vehicles shall be prohibited from idling in excess of ten minutes, both on- and off-site.

Mitigation Measure D-6: The Applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations.

Mitigation Measure D-7: All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

Mitigation Measure D-8: All materials transported off-site shall be securely covered to prevent an excessive amount of dust, to the extent necessary.

c. Level of Significance after Mitigation

(1) Construction

Project construction would not result in net regional emissions that exceed SCAQMD regional significance thresholds for CO, ROC, NO_x, PM₁₀, and SO_x, and as such, impacts with respect to these pollutants during construction would be less than significant.

No notable impacts related to TAC emissions during construction are anticipated to occur for the proposed Project. As such, potential impacts would be less than significant.

The proposed Project is not anticipated to generate a substantial amount of objectionable odor emissions during construction. Via mandatory compliance with SCAQMD Rules, no construction activities or materials are proposed that would create objectionable odors. As such, potential impacts would be less than significant.

(2) Operation

During its operational phase, the proposed Project would not result in regional emissions that exceed the SCAQMD's significance thresholds. Thus, impacts are concluded to be less than significant. No significant impacts related to local CO concentrations would occur for the proposed Project. Project development would also be consistent with the air quality policies set forth in the SCAQMD's AQMP and the City's General Plan Air Quality Element, resulting in an impact that is less than significant. The proposed Project is also not anticipated to include any notable TAC emission sources. As such, potential impacts from proposed Project TAC emissions would be less than significant. Via compliance with industry standard odor control practices, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines, potential impacts that could result from any potential odor source would be less than significant.

d. Cumulative Impacts

(1) Construction

The Project's regional construction emissions are less than significant; however, there is a high probability that construction-period mass regional emissions from related projects, when combined with proposed Project emissions, would cumulatively exceed their respective SCAQMD daily significance thresholds. As such, cumulative impacts to air quality during proposed Project construction would be significant and unavoidable.

While cumulative regional construction emissions are conservatively concluded to be significant, cumulative localized emissions are anticipated to be less than significant, since the identified related projects are located sufficiently distant from the Project site so as to preclude localized cumulative emissions and the Project's localized construction emissions are concluded to be less than significant. Any related project that has the potential to emit notable quantities of TACs would be regulated by the SCAQMD such that TAC emissions would be negligible. Thus, TAC emissions from the related projects are anticipated to be less than significant individually, as well as cumulatively, in conjunction with the proposed Project. Potential sources that may emit odors during construction activities at each related project would include the use of architectural coatings and solvents. Via mandatory compliance with SCAQMD Rules, it is anticipated that construction activities or materials used in the construction of the related projects would not create objectionable odors. Thus, cumulative odor impacts would be less than significant.

(2) Operation

If all cumulative projects are individually consistent with the growth assumptions upon which the SCAQMD's AQMP is based, then future development would not impede the attainment of ambient air quality standards and cumulative air quality impacts would be less than significant. The related projects, which are largely residential, restaurant, retail/commercial, and institutional developments, would not represent a substantial source of TAC emissions, which are typically associated with large-scale industrial, manufacturing, and transportation hub facilities. However, the proposed Project and each of the related projects would likely generate minimal TAC emissions related to the use of consumer products and landscape maintenance activities, among other things. SCAQMD rules have resulted in and will continue to result in substantial Basin-wide TAC emissions reductions. As such, cumulative TAC emissions during long-term operations would be less than significant. Neither the Project nor any of the related projects have a high potential to generate odor impacts. Any related project that may have a potential to generate objectionable odors would be required by SCAQMD Rule 402 (Nuisance) to implement Best Available Control Technology to limit potential objectionable odor impacts to a level that is less than significant. Thus, cumulative odor impacts would be less than significant.

5. Noise

a. Environmental Impacts

(1) Construction Noise

(a) On-Site Construction Noise

Construction would require the use of a number of pieces of heavy equipment, such as bulldozers, backhoes, cranes, loaders, and concrete mixers, and both heavy- and light-duty trucks for delivery to and the export of debris and other related construction materials from the Project site. Composite construction noise from multiple pieces of construction equipment working concurrently, during the heavier initial periods of construction is projected as 86 dBA L_{eq} at a distance of 50 feet, 80 dBA at 100 feet, and 74 dBA at 200 feet. As such, for brief durations when construction activities occur along or near the Project site perimeter during the initial stages of construction activity, the maximum noise level would be approximately 77 dBA L_{eq} (1-hour) at the Century Plaza Hotel property line closest to the Project site. When added to the existing daytime ambient noise level of 66 dBA, this would result in an intermittent noise level increase of 11 dBA L_{eq} (1-hour).

During the latter stages of construction activity, these maximum noise level increases would be reduced. During the latter stages of the site preparation/excavation phase construction activity would occur below street level within an excavated cavity, and as such, the earthen wall would serve as a sound barrier to break the line of sight between construction activity and the closest Century Plaza Hotel property line. This would reduce the maximum noise level increase, at the Century Plaza Hotel property line, to about 2 dBA L_{eq} (1-hour) above the existing daytime ambient noise level. During the structure erection phase of Project construction, the vast majority of noise-generating activities would occur from within a more central area of the Project site, and as a result, the maximum noise level increase at the Century Plaza Hotel property line would be about 5 dBA L_{eq} (1-hour) above the existing daytime ambient noise level.

Noise from construction would cause the ambient noise level to exceed the 5-dBA significance threshold. As such, construction-period noise impacts would be significant without the incorporation of mitigation measures.

(b) Off-Site Construction Noise

In addition to on-site construction noise, haul trucks, delivery trucks, and construction workers would require access to the Project site throughout the construction period. While construction workers would arrive from many parts of the region and, thus, from different directions, haul trucks and delivery trucks would generally travel to the Project site from the San Diego Freeway (I-405), Santa Monica Boulevard, and Avenue of the Stars. As such, this route would avoid all of the noise-sensitive uses that are present within the Project vicinity. In addition, construction traffic would not occur during the noise-sensitive late evening and nighttime hours. Since there is no potential for construction traffic to impact any noise-sensitive land use, off-site construction noise would be less than significant.

(2) Construction Vibration

Ground-borne vibrations would be generated primarily during site clearing and grading activities on site and by off-site haul-truck travel vibrations. Since vibration velocities diminish in amplitude with distance from the source, vibrations from bulldozer and heavy truck operations is shown to be 0.089 PPV and 0.076 PPV, respectively, at a distance of 25 feet. At 75 feet from the source of activity, typical heavy construction equipment vibration velocities range from 0.001 to 0.124 inch/sec PPV. The PPV from impact pile driving at 25 feet would be approximately 0.644 inch/sec. As each of these values is below the 2.0 inch/sec PPV significance threshold, and no vibration-sensitive receptors are located within 25 feet of potential pile driving activity, vibration impacts associated with construction would be less than significant.

(3) Operation Noise (Post-Construction)

The Project site is currently exposed to noise levels that range from 63.8 dBA to 68.8 dBA Community Noise Equivalent Level (CNEL), due primarily to roadway traffic volumes along Avenue of the Stars and Constellation Boulevard. At times, the baseline ambient noise level currently exceeds the City-recommended noise standard (65 dBA CNEL) for the siting of multi-family residential dwelling units. With respect to the existing community noise environment, the siting of residential uses on the Project site could result in a significant impact without the incorporation of mitigation measures. With respect to Project impacts to neighboring noise-sensitive receptor locations, Project-specific noise sources considered herein include roadway noise; mechanical equipment/point sources (i.e., loading dock and trash pick-up areas); parking facilities; and rooftop helipad-related noise.

(a) Off-Site Roadway Noise

Daily trip generation attributable to the Project site would be reduced, when compared to existing on-site conditions, as a result of Project development. Although potential changes to local traffic distribution patterns could cause noise level increases along some local roadway segments, there would be no Project-related noise level increases along any of the analyzed roadway segments. In addition, the largest cumulative traffic-related noise impact is anticipated to occur along the segment of Empyrean Way, west of Avenue of the Stars, where the roadway noise level increase would be 1.7 dBA CNEL. As this falls below the 5 dBA CNEL significance threshold, both Project-level and cumulative roadway noise level increases would be less than significant.

(b) Stationary Point-Source Noise

(i) Mechanical Equipment Rooms

The proposed Project would require mechanical equipment such as HVAC systems and an emergency generator, which are both capable of generating high noise levels. Project design features, including enclosure of all mechanical equipment, would ensure that all equipment noise levels comply with City of Los Angeles Noise Ordinance requirements, for both daytime (65 dBA) and nighttime (60 dBA) operation at the Project's property line. In addition, implementation of Project design features would ensure that any noise level increase remains below the 5-dBA significance threshold at all sensitive receptor locations. As such, impacts associated with mechanical equipment would be less than significant.

(ii) Loading Dock and Refuse Collection/Recycling Areas

The proposed Project would have three loading dock and refuse collection/recycling areas, which are capable of generating a noise level as high as 75 dBA (50-foot reference distance). The closest noise-sensitive use to any of the three loading dock locations is the Century Plaza Hotel, which is approximately 650 feet southwest of the loading dock proposed near Constellation Boulevard. This loading dock and refuse collection/recycling area would be shielded from the Century Plaza Hotel by a masonry wall. Based on the reference noise level estimate of 75 dBA L_{eq} (1-hour) at 50 feet, and taking into account at least 10 dBA of wall attenuation, noise generated in the loading dock area could potentially increase the daytime and nighttime ambient noise level of 66.3 dBA L_{eq} and 58.5 dBA L_{eq} , respectively, at the Century Plaza Hotel property line by less than 1 dBA (L_{eq}). Project design features, including full or partial enclosure of all outdoor loading dock and trash/recycling areas, would ensure that noise level increases would not exceed the 5-dBA L_{eq} (1-hour) significance threshold at the closest or any other off-site noise-sensitive receptor location. As such, impacts associated with loading dock and refuse collection activities would be less than significant.

(iii) Miscellaneous Rooftop Equipment

Individual air handling units and exhaust fans would be located on building rooftops in order to provide for ventilation and air circulation. Parapet screens would shield/enclose all such rooftop equipment. Project design features, including the enclosure or screening of rooftop mechanical equipment, would ensure that all rooftop equipment noise levels comply with City of Los Angeles Noise Ordinance requirements, for both daytime (65 dBA) and nighttime (60 dBA) operation at the nearest adjacent property line. In addition, implementation of Project design features would ensure that any noise level increase remains below the 5-dBA significance threshold at all sensitive receptor locations. As such, impacts associated with miscellaneous rooftop equipment would be less than significant.

(iv) Parking Facility Noise Levels

Various noise events would also occur within the proposed parking structures and surface parking and valet areas. The activation of car alarms, sounding of car horns, slamming of car doors, engine revs, and tire squeals would occur periodically. Automobile movements would comprise the most continuous noise source and would generate a noise level of approximately 65 dBA at a distance of 25 feet. Car alarm and horn noise events, which generate maximum noise levels as high as 69 dBA at a reference distance of 50 feet, would occur less frequently. However, due to the fact that the proposed parking facility would be subterranean with no unobstructed openings that face toward any noise-sensitive receptor location, there is no potential for parking facility-related noise to exceed the 5-dBA L_{eq} (1-hour) significance threshold at any off-site receiver location. Furthermore, noise attributable to vehicle operations

occurring on the on-site surface roadways that provide access to the three residential structures would not exceed the established significance thresholds at any noise-sensitive receptor location, because of the limited number of vehicles in this area on an hourly basis and because the on-site structures would partly shield this noise source from traveling off the Project site. As such, impacts associated with parking structure noise would be less than significant.

(v) Rooftop Helipad Noise Levels

The proposed Project would include one or more buildings that would require an emergency helipad pursuant to LAMC requirements. As such, these helipads would be used for emergency purposes only. Due to infrequent and the emergency nature of such a use, adverse noise impacts related to helipad uses would be less than significant.

(vi) Composite Noise Level Impacts from Proposed Project Operations

An evaluation of noise from all proposed Project sources (i.e., composite noise level) was conducted to conservatively ascertain the potential maximum Project-related noise level increase that may occur at the noise-sensitive receptor locations included in this analysis. Based on a review of the noise-sensitive receptors and the Project's noise sources, the only noise-sensitive location wherein composite noise impacts could occur is at the Century Plaza Hotel. Due to a combination of distance and the presence of intervening structures that would serve as noise barriers, the only Project noise source that could potentially affect off-site noise-sensitive locations included in this analysis is roadway noise, the potential impacts of which are fully analyzed above. As stated above, since local roadway traffic volumes would be reduced with development of the proposed Project, noise from Project-related traffic volumes would actually lead to lower noise levels within the general Project vicinity. The closest noise-sensitive use to the Project site is the Century Plaza Hotel. Primary Project noise sources that could potentially affect the Century Plaza Hotel include roadway traffic volumes, parking structure-related noise events, and loading dock/refuse collection area noise events. Overall, there would likely be a net decrease in noise transference from the Project site to the Century Plaza Hotel property as a result of Project development. As such, the composite noise level impact to the Century Plaza Hotel, as well as all other sensitive receptors in the Project area, would be less than significant.

(4) Operations-Period Vibration

The main vibration sources during operation would be passenger vehicle circulation within the proposed subterranean parking facility, on-site refuse/delivery truck activity, and on-site loading dock/refuse collection area activity. No stationary equipment would result in high vibration levels. Vibration levels at 12 parking structures were measured to quantify typical vibration velocities generated by vehicles within the structures and on the surrounding roadways. The maximum measured vibration at these representative locations was 0.002 inch per second

root mean square (RMS) velocity at a reference distance of approximately 35 feet. The maximum measured vibration due to refuse/delivery truck circulation was 0.008 inch per second RMS at a reference distance of approximately 15 feet. And finally, the maximum measured vibration due to loading dock/refuse collection area activities was less than 0.002 inch per second RMS at a reference distance of approximately 35 feet. These levels indicate that potential vibration impacts from all proposed Project sources at the closest structure locations would be less than the perceptibility significance threshold of 0.01 inch per second RMS. As such, vibration created by Project operations would be less than significant.

b. Mitigation Measures

As noise associated with on-site construction activity would have the potential to result in a significant impact, the following measures are recommended to minimize construction-related noise impacts:

Mitigation Measure E-1: During the initial stage of construction (site demolition and site preparation/excavation) and when construction activities are within 200 feet of the southwestern boundary of the site, a temporary, 8-foot, ½-inch-thick plywood fence shall be erected at the southwest corner of the Project site extending 200 feet along Constellation Boulevard and Avenue of the Stars.

Mitigation Measure E-2: Exterior construction activities shall be limited to Monday through Friday from 7:00 A.M. to 6:00 P.M., and from 8 A.M. to 6 P.M. on Saturdays.

Mitigation Measure E-3: Pile drivers shall be equipped with noise control having a minimum quieting factor of 10 dBA.

Mitigation Measure E-4: Construction loading and staging areas shall be located on-site and away from noise-sensitive uses to the extent feasible.

Mitigation Measure E-5: The Applicant shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of the Project site.

To preclude a noise impact upon the future residents of the Project site, the following mitigation measure is recommended:

Mitigation Measure E-6: Construct all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Avenue of the Stars and Constellation Boulevard with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a Sound Transmission Class of 45, subject to field testing, as defined in the UBC Standard No. 35-1, 1982 edition. City of Los Angeles sign-off shall be required prior to obtaining a building permit. The Applicant, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound insulation satisfactory to the City.

c. Level of Significance After Mitigation

(1) Construction

The noise reduction measures prescribed in Mitigation Measure E-1 would achieve a minimum 5-dBA noise reduction along areas of the Century Plaza Hotel property where the line-of-sight to ground-level construction activity that occurs on the Project site is broken. This would reduce the maximum noise level increase of 11 dBA that would occur at the closest Century Plaza Hotel property line during site demolition and the initial stage of grading/excavation to approximately 7 dBA. During the latter stages of site grading/excavation activity, the maximum noise level increase would be reduced to about 1 dBA L_{eq} (1-hour) or less, due to the fact that construction activity would occur below street level, and as such, the earthen wall would serve as a sound barrier to break the line of sight between on-site construction activity and the closest Century Plaza Hotel property line. Noise level increases would continue to exceed the 5-dBA significance threshold at the Century Plaza Hotel property line during brief periods of site demolition and initial stages of site grading/excavation activities. During all other phases of construction, impacts would be less than significant. Furthermore, noise level increases at the Century Plaza Hotel building façade would be less than significant during the duration of construction activities; and the interior noise levels of 47 dBA to 49 dBA would remain typical of interior dwelling space noise levels.

Mitigation Measure E-2 would preclude construction-period noise impacts from occurring during the noise-sensitive nighttime periods, or at any time on Sundays. Noise level reductions attributable to Mitigation Measures E-3 through E-5 and Project design features (e.g., use of noise mufflers and on-site storage of construction equipment) are not easily quantifiable, but implementation of such measures would reduce the noise level impact associated with construction activities to the extent practicable. Nevertheless, Project construction activities would intermittently increase the daytime noise levels at the Century Plaza Hotel property line during the brief periods of site demolition and initial stages of site grading/excavation activities by more than the 5-dBA significance threshold. As such, noise impacts during construction are

concluded to be significant and unavoidable at this location. Construction noise impacts at all other analyzed noise-sensitive receptors are forecasted to be less than significant.

(2) Operations

Project development would not result in any significant noise impacts to off-site receptors during long-term Project operations. With implementation of Mitigation Measure E-6, on-site residents would not be exposed to inappropriately high noise levels from off-site activity (i.e., vehicle traffic on Avenue of the Stars and Constellation Boulevard), and, thus, an impact that is less than significant would occur.

d. Cumulative Impacts

All of the identified related projects have been considered for the purposes of assessing cumulative noise impacts. 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. Due to the rapid attenuation characteristics of ground-borne vibration, there is no potential for a cumulative construction- or operational-period impact with respect to ground-borne vibration to occur.

(1) Construction-Period Noise

Construction-period noise for the proposed Project and each related project (that has not yet been built) would be localized. In addition, it is likely that each of the related projects would comply with the respective local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible. However, since noise impacts due to construction of the Project would be significant on its own, noise impacts due to construction of the Project in combination with any of the related projects is also concluded to be significant.

(2) Operational-Period Noise

The Project site and surrounding area have been developed with uses that have previously generated, and will continue to generate, noise from a number of community noise sources including vehicle travel, mechanical equipment (e.g., HVAC systems), and lawn maintenance activities. Each of the 49 related projects that have been identified within the general Project vicinity would also generate stationary-source and mobile-source noise due to ongoing day-to-day operations. All related projects are of a residential, retail, commercial, or institutional nature, and these uses are not typically associated with excessive exterior noise; however, each project would produce traffic volumes that are capable of generating a roadway noise impact. As

discussed previously, traffic volumes from the proposed Project and the 49 related projects, combined with ambient growth traffic were evaluated. Cumulative traffic volumes would result in a maximum increase of 1.7 dBA CNEL along the segment of Empyrean Way, west of Avenue of the Stars. As this noise level increase would be below the conservative 3-dBA CNEL significance threshold, roadway noise impacts due to cumulative traffic volumes would be less than significant.

Due to LAMC provisions that limit stationary-source noise from items such as roof-top mechanical equipment and emergency generators and existing noise levels in the Project area, cumulative 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. 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.

6. Hazards and Hazardous Materials

a. Environmental Impacts

(1) Closed Oil Wells and Methane

(a) Construction

The Project site was previously used for oil production and, as such, the potential exists for residual oil, light petroleum components, and methane and hydrogen sulfide to be encountered during construction. On-site oil well casings, which were previously closed pursuant to current DOGGR regulations, may have to be altered to accommodate the depth of the Project's excavation. Any alterations would be performed according to DOGGR review and approval. In addition, field technicians would monitor the soil as it is being excavated with an organic vapor analyzer and field instruments. Any excavated soil contaminated with hydrocarbon materials would be stockpiled separately and evaluated with more detailed testing. Contaminated soil would be properly treated and disposed of in accordance with applicable regulations. Also, due to the potential for methane build-up in confined spaces, air monitoring would be conducted during all subsurface work activities. Potential impacts would be reduced to safe levels during construction through standard procedures for the protection of construction workers, including implementation of the State of California, Occupational Safety and Health Administration's (Cal/OSHA's) Safety and Health Regulations for Construction. Potential effects would be sufficiently localized so that impacts to off-site building occupants or visitors to the area would not occur. Compliance with applicable regulations would reduce impacts associated with soil contaminants and methane gas to levels that are less than significant.

(b) Operation

The Project site is located within a City-designated methane zone. Therefore, there is the potential to expose future Project residents to methane. The Project's design would include a methane mitigation system in compliance with the City's Methane Seepage Regulations and the specifications of the Los Angeles Department of Building Safety. Construction of subterranean garages over closed oil wells would be required for site development. All construction in the vicinity of closed oil wells would be performed in accordance with DOGGR construction site plan review. Compliance with applicable regulations would reduce impacts associated with former oil field activities and methane and hydrogen sulfide to levels that are less than significant.

(2) Asbestos and Lead-Based Paint**(a) Construction**

Potential exposure to asbestos containing materials (ACM) and lead-based paint, which are conservatively assumed to be present in the existing on-site structures, could occur during demolition and removal of materials. SCAQMD Rule 1403 requires that pre-demolition building surveys be performed to identify regulated asbestos-containing building materials. Applicable legal requirements relating to the removal of ACM and building demolition activities include advance notices to regulatory oversight agencies, extensive training for workers, and detailed requirements relating to the ongoing containment, management and disposal of the asbestos containing material. Removal of lead-based paints is subject to comprehensive State of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Demolition workers are at the greatest risk of adverse health exposures; however, their potential risk is addressed through the requirements set forth in CCR Title 8, Section 1532.1, which provides for exposure limits, exposure monitoring, and respiratory protection and mandates good working practices by workers exposed to lead. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with the applicable provisions of the California Health and Safety Code. Compliance with applicable regulations would reduce impacts associated with ACM and other contaminants to levels that are less than significant.

(b) Operation

No hazards relating to ACM and lead-based paint would be present during Project operation, and, as such, potential exposure to these materials would be less than significant.

(3) Handling, Storage, Transport, and Disposal of Hazardous Materials

(a) Construction

Construction of the Project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. Hazardous building materials may include liquid caustics and sealants. All potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Compliance with applicable regulations would reduce impacts associated with the transport, use, or disposal of hazardous materials to levels that are less than significant.

(b) Operation

Operation would involve the limited use and storage of landscaping chemicals, cleaning supplies, and paints/solvents used for typical residential building maintenance. The use and storage of such materials would occur in compliance with applicable standards and regulations, and, as such, would not pose a significant hazard to the public or the environment. Therefore, impacts associated with the use and storage of hazardous materials would be less than significant.

(4) Contamination from Off-Site Sources

A Phase I Environmental Site Assessment Records Review conducted for the Project site identified a leaking underground storage tank (LUST) site within a 0.5-mile radius at 9975 Santa Monica Boulevard.⁴ Any release from this location would not impact the Project site, since the LUST site is located several hundred feet to the northeast of the Project site, and the case was closed in 1992. There is no record or indication of any spills, releases, or contamination on adjacent properties that could impact the Project site. Based on the Phase I Environmental Site Assessment Records Review, no identified environmental conditions exist that has a potential to impact the Project site, and impacts are, thus, concluded to be less than significant.

(5) Airport Safety

The Project's two residential towers would be approximately 570 feet above grade and would be required to comply with FAA regulations, including Form 7460-1, Notice of Proposed Construction or Alteration, and lighting or marking of buildings higher than 200 feet above

⁴ *The Phase I indicated that the site is not listed in any of the 52 databases researched.*

ground level. Compliance with FAA regulations would reduce impacts associated with airport safety to levels that are less than significant.

b. Mitigation Measures

Even though the proposed Project would result in an impact that is less than significant with regard to hazards and hazardous materials, the following mitigation measures are recommended, given the importance of the issue, to ensure compliance with all applicable regulations.

Mitigation Measure F-1: During subsurface excavation activities, including borings, trenching, and grading, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including methane and hydrogen sulfide.

Mitigation Measure F-2: Prior to issuance of building permits, the Applicant shall comply with applicable requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

Mitigation Measure F-3: Construction contracts shall include provisions requiring continuous compliance with all applicable federal, state, and local government regulations and conditions related to hazardous materials and waste management.

Mitigation Measure F-4: Any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed in accordance with applicable regulatory requirements. If contamination is discovered during grading activities, grading within such an area shall be temporarily halted and redirected around the area until the appropriate evaluation and follow-up measures are implemented so as to render the area suitable for grading activities to resume.

Mitigation Measure F-5: All required notifications applicable to building height and related potential lighting requirements shall be completed and submitted to the appropriate agency. In addition, FAA recommendations regarding marking and/or lighting requirements shall be incorporated into the building design.

c. Level of Significance after Mitigation

The proposed Project would not expose people or structures to substantial risk resulting from the release or explosion of gaseous emissions, or from an exposure to a health hazard in

excess of applicable regulatory standards. The implementation of the identified mitigation measures would assure that this would occur. As such, Project impacts with regard to hazards and hazardous materials would be less than significant.

d. Cumulative Impacts

Forty-nine related projects are planned or are under construction in the Project area. Asbestos, and other related hazardous materials, such as lead-based paint, are no longer in common use, but these substances may be present in the older buildings that are located within the sites of the identified related projects. As with the proposed Project, all renovation and demolition activity associated with the related projects would be subject to compliance with SCAQMD Rule 1403, and Cal/OSHA hazardous materials handling procedures. Compliance with existing regulations and mitigation measures would be conducted during permit processing and construction site inspection by the applicable responsible agencies. With monitoring and compliance with federal, state, and local regulations and procedures, the potential for cumulative impacts related to accidental releases of asbestos or exposure to listed hazardous materials would be less than significant. With regard to operations, all of the related projects would be required to comply with applicable regulations with regard to the handling, storage, and transport of hazardous materials. In addition, all of the related projects would also be required to comply with the applicable FAA regulations regarding aircraft safety. As a result, development of the related projects is anticipated to occur in accordance with adopted plans and regulations. Therefore, no significant cumulative hazards or hazardous materials impacts are anticipated.

7. Water Quality

a. Environmental Impacts

(1) Construction

Contaminated soils from the prior use of the Project site for oil production were previously remediated. Since contamination in soils would be the source of groundwater contamination, the quality of existing on-site groundwater would be consistent with state and federal standards. However, if residual contaminants were present in the soils, dust calming and precipitation waters could come in contact with exposed on-site soils during site construction. General construction activities may also increase or mobilize potential pollutants on- or off-site, as these waters could percolate through the soil into the groundwater or be discharged from the Project site into the storm drain system. During the construction phase of the Project, activities would be subject to the NPDES Construction General Permit requirements, which include a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would specify Best Management Practices (BMPs) to reduce the level of potential discharges of stormwater pollutants from the

Project site. Via compliance with the SWPPP, potential contamination of stormwater discharge would be reduced to levels that are less than significant.

The depth to on-site groundwater is approximately 61 to 80 feet below ground surface (bgs), as measured from the current street level. Since the proposed subterranean parking structure would result in excavation down to 50 feet bgs, the potential to encounter groundwater during excavation exists. Any encountered groundwater would be tested in accordance with NPDES permit requirements. If the groundwater were found to contain contaminants, the groundwater would be treated before release. Thus, compliance with all NPDES Permit requirements would reduce potential groundwater contamination to levels that are less than significant.

(2) Operation

Surface water runoff from the Project site is directed into an extensive stormwater collection system, which drains into the Ballona Creek Flood Control Channel. Development would result in an increase in on-site impermeable surface areas, although approximately 1.7 acres of open space would impede the rate of surface water flows across the Project site by allowing percolation into the landscape soils. Site-generated runoff would be directed into catch basins, constructed as part of the proposed Project, which would convey water to the existing storm drain system. The proposed Project is not anticipated to increase peak runoff discharge rates to an extent that would cause an increased potential for downstream erosion or flooding. In addition, the Project would comply with the requirements of the NPDES Development Planning Program and, as required by the City's SUSMP, would incorporate BMPs that are designed to reduce the potential pollutants of concern in the surface water runoff generated by the Project site. BMPs may include the detention and treatment of surface water runoff prior to discharge to the local storm drain system. Through the incorporation of the requisite BMPs, development of the Project would improve the quality of the existing water discharge from the Project site. Therefore, impacts associated with surface water runoff would be less than significant.

b. Mitigation Measures

Even though the Project would result in an impact that is less than significant with regard to water quality, given the importance of the issue, the following mitigation measures are recommended to ensure compliance with applicable regulations.

Mitigation Measure G-1: The Project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, EPA, and local agencies regarding water quality.

Mitigation Measure G-2: The Project shall implement stormwater Best Management Practices (BMPs) to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be provided.

Mitigation Measure G-3: All storm drain inlets and catch basins within the Project area shall be stenciled with prohibitive language (such as “NO DUMPING—DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping.

Mitigation Measure G-4: The legibility of signs and stencils discouraging illegal dumping shall be maintained.

Mitigation Measure G-5: Materials used on site with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar containment system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

Mitigation Measure G-6: The Homeowners Association shall prepare and execute a covenant and agreement (Department of City Planning General form (CP-6770)) satisfactory to the Department of City Planning binding the owners to post-construction maintenance of all structural BMPs in accordance with the SUSMP.

c. Level of Significance after Mitigation

Project impacts to water quality would be less than significant.

d. Cumulative Impacts

Urban development associated with the 49 related projects could potentially contribute point and non-point source pollutants to surface water or groundwater resources, resulting in a cumulative impact to water quality. However, all new developments of land where construction activities would occur over more than one acre would be required to comply with the NPDES requirements during construction and operation, including the development and implementation of SWPPPs and SUSMPs. Thus, each qualifying related project would be evaluated individually to determine appropriate BMPs and treatment measures to avoid impacts to surface and groundwater quality. With the incorporation of these measures, it is anticipated that the development of the identified related projects would not result in water quality impacts beyond acceptable regulatory levels. As discussed, development of the Project is actually anticipated to

improve the quality of the water discharged from the Project site in comparison to existing conditions. Therefore, cumulative impacts to water quality are anticipated to be less than significant, based on compliance with existing regulations and applicable requirements.

8. Public Services

8.1. Fire Services

a. Environmental Impacts

(1) Construction

Traffic associated with construction activities would potentially affect emergency fire and EMS access on adjacent streets. Construction activities may also increase the demand for LAFD services. Construction activities may cause the occasional exposure of combustible materials, such as wood, plastics, sawdust, coverings, and coatings, to heat sources. Heat or fire sources may include machinery and equipment sparking, exposed electrical lines, welding activities, chemical reactions in combustible materials and coatings, and lighted cigarettes. While these sources of potential impacts may occur, the Project would comply with all applicable Occupational Safety and Health Administration (OSHA) and State Fire and Building Codes regarding site safety. In addition, construction managers and personnel would also be trained in emergency response and fire safety, and on-site fire suppression equipment specific to construction activities would be maintained. The Project would maintain a 7-day, 24-hour patrol and nighttime security lighting to reduce the potential for trespassing and vandal acts. With the implementation of code-required safety features, the demand on the LAFD would not exceed the capacity of the “first in” district so that construction activities would not require the need for existing fire services to be expanded or relocated. Therefore, construction impacts on fire services would be less than significant.

(2) Operational Impacts

(a) Access, Fire Flow, and Hydrant Requirements

The Project would comply with all applicable access, fire flow, and hydrant requirements, as set forth in the City Fire Code. For example, the Project would provide a posted, 25-foot-wide fire lane along the north and east boundaries of the Project site and install one hydrant per 100,000 square feet of land at intervals of 300 to 450 feet. In addition, fire hydrants would be placed within 300 feet of all first-story units, as required. No physical constraints exist to preclude the compliance of the Project with the requirements of the Fire Code, including distances from existing fire stations, availability of water, or the Project’s site

plan and design. The Project would also comply with mandatory fire safety features identified in the City Building Code, including sprinklers, fire walls, and dedicated emergency command centers in all high-rise buildings. In order to determine if the existing water system is adequate to meet fire flow demand, the DWP Water Operations Division would conduct a flow study prior to the issuance of any building permits. Although it is anticipated that the existing water conveyance system is capable of delivering the Project's requisite fire flow, the results of the flow study may require improvements to the local water conveyance system, including temporary street disruption for trenching. If so, these improvements would be completed by the Los Angeles Department of Water and Power (LADWP) in accordance with standard practices and procedures, which have been developed to minimize impacts to the community. With Code compliance, impacts associated with access, fire flow, and hydrants would be less than significant.

(b) Capability of Existing Fire Services

Fire Station No. 92 is located 1.5 miles from the Project site. As such, the Project would be consistent with LAFD distance requirements. The fire district served by FS No. 92 has a SCAG forecasted 2010 population of 38,698, of which the Project represents an increase of approximately 2.5 percent. The Project's population increase would result in approximately 76 incidents per year, based on current per capita rates in the FS No. 92 district. Since adequate capacity to respond to additional calls exists at FS No. 92, the Project would not exceed the staff and equipment capabilities of the existing station or require the expansion of the existing station or construction of a new fire station. Therefore, the Project would result in an impact that is less than significant in relation to the capability of existing fire services.

b. Mitigation Measures

Although Project impacts would be less than significant, the following are included as mitigation measures in order ensure compliance with the City's requirements. The following recommendations of the Fire Department relative to fire safety shall be incorporated, unless otherwise approved, into the building plans where feasible.

Mitigation Measure H.1-1: Adequate off-site public and on-site private fire hydrants shall be required. Their number and location shall be determined after the Fire Department's review of the plot plan.

Mitigation Measure H.1-2: Private streets and entry gates shall be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Mitigation Measure H.1-3: The Applicant shall submit plot plans indicating access roads and turning areas for Fire Department approval.

Mitigation Measure H.1-4: During demolition, Fire Department access shall remain clear and unobstructed.

Mitigation Measure H.1-5: Fire lanes, where required, and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane greater than 700 feet in length or secondary access shall be required.

Mitigation Measure H.1-6: All access roads, including fire lanes, shall be maintained in an unobstructed manner; removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC.

Mitigation Measure H.1-7: Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Mitigation Measure H.1-8: Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space shall be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface on the roadway.

Mitigation Measure H.1-9: No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway, of an improved street, access road, or designated fire lane.

Mitigation Measure H.1-10: Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

Mitigation Measure H.1-11: Adequate public and private fire hydrants shall be required.

Mitigation Measure H.1-12: Access for Fire Department apparatus and personnel to and into all structures shall be required.

Mitigation Measure H.1-13: The Fire Department may require additional vehicular access where the buildings exceed 28 feet in height.

Mitigation Measure H.1-14: Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Mitigation Measure H.1-15: Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words “Private Street and Fire Lane” within the private street easement.

Mitigation Measure H.1-16: No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel. Exception: Dwelling unit travel distance shall be computed to the front door of the unit.

Mitigation Measure H.1-17: The Project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved.

c. Level of Significance After Mitigation

The implementation of the aforementioned mitigation measures would further ensure, as well as reduce, the Project’s impacts on the delivery of fire protection services to the Project site to levels that are less than significant. Thus, no unavoidable significant impacts are anticipated with respect to fire services.

d. Cumulative Impacts

Six of the 49 related projects, consisting of commercial and office uses, the expansion of two existing schools, and residences are located in the FS No. 92 “first in” service area. These uses would generate an incremental increase in demand for fire services. There is one residential project other than the Project located in this district. The service population from the Project and the related project would increase by 1,278 (980 + 298), which represents an increase of 3.3 percent. The total demand for fire services of the related projects combined with the Project would comprise a small percentage of the existing demand. Considering the relatively low demand on FS No. 92 under existing conditions, the impact of the related projects in relation to the service capacity of the existing “first in” station would be less than significant. All other related projects are located within the service districts of other LAFD stations in the surrounding area, including FS No. 58 on Robertson Boulevard, FS No. 71 on Beverly Glen Boulevard, FS No. 37 on Veteran Avenue, and FS No. 59 on Santa Monica Boulevard and, as such, would not result in a cumulative impact with the Project as these stations would only respond in the case of an atypical emergency. In addition, all related projects would comply with LAMC Fire Code

and Building Code regulations pertaining to fire safety, access, and fire flow. Therefore, the Project, combined with the identified related projects, would result in a less than significant cumulative impact, relative to fire and EMS services.

8.2. Police Services

a. Environmental Impacts

(1) Construction Impacts

Short-term construction activities, such as lane and sidewalk closures, and utility line construction, could have implications in relation to response time for emergency vehicles due to travel time delays. Other implications of construction include reduced travel time due to flagging or stopping of traffic to accommodate trucks entering and exiting the Project site during construction. Construction activities would also generate traffic associated with the movement of construction equipment, hauling of demolition and graded materials, and employee traffic. Due to the potential for increased response times for emergency vehicles, the LAPD would be notified of the times of day and locations of any traffic slowing or lane closures. Traffic management personnel (flag persons) would be trained to assist in emergency response by restricting or controlling the movement of traffic that could interfere with emergency vehicle access. With coordination between the Project's construction managers and the LAPD, the potential impact of construction on emergency access would be reduced to a level that is less than significant. Potential theft associated with on-site storage of construction equipment and building materials may increase demand on police services and would be addressed with increased site security. With the implementation of proposed safety and security measures, impacts associated with emergency access and demand on police services would be less than significant.

(2) Operational Impacts

The population growth attributed to the Project would incrementally reduce the existing police officer per resident ratio. With the addition of 980 new residents, the officer per resident ratio in the West Los Angeles Division would be reduced from 1 officer per 911 residents to 1 officer per 915 residents. However, since arrest rates per officer are lower in the West Los Angeles Division than in the West Bureau and Citywide, population may not be the only contributing factor in the demand for police services. The annual average arrests per officer are an indicator of demand for police protection and other services. The annual average arrest rate per officer generated by the Project would be less than the West Bureau and the Citywide annual average arrest rate; thus, the Project would not exceed the capability of the LAPD to serve the

Project site. Therefore, the impact of the Project relative to police services would be less than significant.

b. Mitigation Measures

The operation of the Project would not result in any significant impacts relative to the capacity of the LAPD to serve the Project. However, the following mitigation measures would reduce any impacts due to construction activities and would further reduce the effects of the operation of the Project relative to police services.

Mitigation Measure H.2-1: During the Project's construction phase, the Applicant shall develop and implement an Emergency Procedures Plan, including notification to the LAPD of any lane closures or other road construction.

Mitigation Measure H.2-2: During the Project's construction phase, the Applicant shall ensure adequate emergency access to adjacent uses.

Mitigation Measure H.2-3: During the Project's construction phase, the Applicant shall implement security measures including security fencing, lighting, and the use of a 7-day, 24-hour security patrol.

Mitigation Measure H.2-4: The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit on crime prevention features appropriate to the design of the Project.

Mitigation Measure H.2-5: Entryways, elevators, lobbies, and parking areas shall be well illuminated and designed with a minimum of visual dead space to eliminate areas of concealment.

Mitigation Measure H.2-6: Upon completion of the Project, the Applicant shall provide the West Los Angeles Division Commanding Officer with a diagram of each portion of the property, including access routes and provide additional information, as requested by the LAPD, that might facilitate police response.

c. Level of Significance After Mitigation

With the implementation of the Project's design features and recommended mitigation measures, impacts to police services would be less than significant.

d. Cumulative Impacts

Of the 49 related projects, six projects include residential uses within the LAPD West Los Angeles Division service area. These projects would provide a total of 1,516 new residents, and the division service area population would increase to 228,498. With this increase, the sworn officer per resident ratio would incrementally decrease from 1 officer per 911 residents to 1 officer per 921 residents. In accordance with existing statistical data, the Project and related projects would yield a total of approximately 81 crimes per year and approximately 34 total arrests. With the same number of officers as under existing conditions, the ratio of total arrests per officer would increase from 12.56 per officer to 12.78 per officer. This ratio would be approximately 35 percent less than the 19.66 annual average arrests per officer in the West Bureau and approximately 6 percent less than the 13.59 annual average arrests per officer, Citywide. As the annual average arrests per officer are an indicator of demand for police protection and other services, and the annual average arrest rate per officer generated by the combined Project and related projects would be less than the West Bureau and the Citywide annual average arrest rate, the Project and related projects would not exceed the capability of the LAPD to serve cumulative development. Therefore, cumulative impacts with regard to police protection services would be less than significant.

With regard to construction activities, no significant cumulative impacts associated with emergency access in and around the Project site would occur since the related projects are not located adjacent to or in close enough proximity to the Project site so as to cause a cumulative impact. Furthermore, the related projects are anticipated to maintain secure sites during the respective construction periods, so that the construction of the combined projects in the City of Los Angeles would not result in a demand on police services greater than the existing capability of the LAPD. Therefore, cumulative construction impacts with regard to emergency vehicle access and police services would be less than significant.

8.3. Schools

a. Environmental Impacts

According to LAUSD student generation factors, the Project would generate approximately 31 students, consisting of 13 elementary school students, 8 middle school students, and 10 high school students. Due to the anticipated demographics of the future residents of the Project, this forecast of the Project's student generation is likely to overstate the actual impacts of the Project. Specifically, it is anticipated that the future residents of the Project would be older in age and therefore less likely to generate school age children. Furthermore, the anticipated selling prices for the on-site units would require higher income residents, and to the extent that school age children are present, they are most likely to attend private schools rather than the public schools that serve the Project area. Even though the Project's student generation

forecast is likely to overstate the Project's actual student generation, this forecast is the basis of the analysis as it would identify greater impacts than those that are likely to occur, and thus constitutes a conservative analysis of the Project's potential impacts on LAUSD facilities.

Notwithstanding, the schools that would potentially serve the Project site, with the exception of Westwood Charter Elementary, are all forecasted to be operating below capacity in 2009 (i.e., the latest year for which forecast data is available). The Westwood Charter Elementary School is forecasted to be operating over capacity by 12 seats in 2009. With the addition of 13 new students generated by proposed Project, the school would exceed its capacity by approximately 25 seats. The 8 middle school students generated by the proposed Project would attend either Ralph Waldo Emerson Middle School or Webster Middle School with estimated excess capacities of 475 and 446, respectively. In addition, the Project would add 10 students to University Senior High School's enrollment, leaving a remaining 2009 capacity of 1,513 students. The middle and high schools that would serve the Project site have sufficient available capacity to accommodate the 18 students generated by the proposed Project. Therefore, the increased enrollment attributable to the proposed Project would not exceed existing 2009 school capacities at these schools and would not require the construction of new facilities, a major reorganization of students or classrooms, or changes to the single-track school calendar. The payment of the requisite school facility development fees would offset potential impacts to Westwood Charter Elementary attributable to the Project. As a result, Project development would result in an impact that is less than significant to the LAUSD schools that serve the Project site.

b. Mitigation Measures

The Applicant would be required to pay new school facility development fees at the time of building permit issuance in the amount of approximately \$4.8 million (based on current fees).⁵ Pursuant to California Government Code Section 65995, the payment of the developer fees, as required by State law, provides full and complete mitigation of the Project's impacts on school facilities. Therefore, no other mitigation measures are required.

c. Level of Significance After Mitigation

Potential impacts to LAUSD middle and high schools associated with the proposed Project, based on available forecasted capacity within existing facilities, would be less than significant. Furthermore, while the students generated by the proposed Project would add to the forecasted over-capacity conditions at Westwood Charter Elementary School, pursuant to the provisions of Government Code Section 65995, the Project's impact on school facilities is fully

⁵ *Using the current fee structure, \$4,771,170.00 would be paid for the 1,292,358 square feet of residential construction, and \$32,616.00 would be paid for 362,400 square feet of parking structure construction.*

mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. As the Project Applicant is required to pay school facility development fees, potential Project impacts to schools are concluded to be less than significant. Therefore, potential impacts to all LAUSD school facilities attributable to the proposed Project would be less than significant.

d. Cumulative Impacts

As the Project would not impact schools within the attendance boundaries, other than those identified above, cumulative impacts related to schools were considered only for projects within the same attendance boundaries as the schools identified to serve the Project. Cumulative impacts were assessed utilizing LAUSD Student Generation Rates for multi-family and owner-occupied condominiums (i.e., single family attached) units were used as they are reflective of the type of development associated with the identified projects. Thus, the identified related projects would generate a total of 2,270 students: 932 Elementary, 699 Middle, and 639 High School. The generation of students from the related projects in combination with students generated by the proposed Project would result in a potentially significant impact to all of the identified LAUSD schools as existing school capacities would be exceeded. School capacity can be increased by the use of portable or modular classrooms and the implementation of year-round or multi-track school calendar. Portable classrooms are generally used to relieve overcrowded schools and are designed to accommodate 25 students per portable unit for elementary schools and 30 students per portable unit for middle and high schools. Implementing year-round and multi-track calendars also serve to increase school capacity by roughly one-third. However, the school facility development fees that would be paid by all new development, under the provisions of Government Code Section 65995, would constitute full mitigation of the impacts of these new developments, thereby reducing individual and cumulative Project impacts to a level that is less than significant.

8.4. Parks and Recreation

a. Environmental Impacts

The Project would provide approximately 1.7 acres of open space, including landscaped outdoor areas and indoor recreational amenities for its residents as well as providing a variety of public outdoor spaces along the Project's street frontages and a pedestrian walkway along the eastern side of the Project site. The Project has been designed to comply with LAMC open space requirements and would provide a minimum of 1.7 acres of open space including at least 1.2 acres of common open space and 0.5 acre of private open space, as required by the LAMC. As such, open space impacts relative to LAMC requirements would be less than significant. Under the parkland dedication requirements set forth in LAMC Section 17.12 and the Quimby Act, the Project would be required to provide a maximum of 3 acres of parkland per 1,000 residents.

With 980 projected residents, the Project would not meet the Quimby Act's maximum land dedication requirement. Since the Project would not meet the Quimby Act's maximum requirement, potential for a significant impact on parks and recreation exists.

b. Mitigation Measures

The Project, as proposed, would not meet the land dedication requirement pursuant to Government Code Section 66477 (Quimby Act). As such, the following mitigation measure would serve to meet the requisite dedication of land:

Mitigation Measure H.4-1: The Project Applicant shall do one or more of the following: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to said in-lieu fees.

c. Level of Significance After Mitigation

Potential significant impacts to park and recreational facilities associated with the proposed Project, based on the maximum requirements established under the Quimby Act, would be reduced to a level that is less than significant via compliance with Mitigation Measure H.4-1. As the Project would comply with the open space requirements set forth in LAMC Section 12.21 and is anticipated to comply with the parkland dedication requirements set forth in LAMC Section 17.12, no mitigation measures are required relative to LAMC requirements. Thus, the Project would meet the demand for services as addressed through those provisions. Therefore, potential impacts to park and recreational facilities attributable to the proposed Project would be less than significant.

d. Cumulative Impacts

Six of the 49 identified related projects are located within a 2-mile radius of the Project site and are residential in nature or have residential components. The total population for the six related projects is estimated to be 1,516, based on the year 2003 forecasted average household size for the Community Plan area.

The 980 residents for the Project, plus the 1,516 residents associated with the identified related projects would result in a cumulative population increase of approximately 2,496 residents. The estimated park space requirement to meet the standards for the additional population would be as follows: 3.03 acres to meet the PRP's short- and intermediate-range standards for community and neighborhood parks (2 acres per 1,000 residents) and approximately 4.55 acres to meet the 3-acres-per-1,000-residents standard, per Quimby requirements, or in-lieu payments as applicable. As each related Project would comply with the

requirements established under the Quimby Act and LAMC Sections 12.21 and 17.12, potential park and open space impacts of the related projects, individually and cumulatively in conjunction with the proposed Project, would be reduced to levels that are less than significant.

8.5. Libraries

a. Environmental Impacts

The Los Angeles Public Library (LAPL) system provides library services to all areas of the City of Los Angeles. While no public libraries are located within Century City, the LAPL has identified the Westwood Branch Library and the Palms–Rancho Park Branch Library as libraries that would potentially serve the Project site. The Westwood Branch Library is 12,500 square feet in size and has a target service population of 69,154. The current forecast of the local community population is 47,844. The Westwood Branch Library has 12 staff positions and a collection of 49,500. The Palms–Rancho Park Branch Library is 10,500 square feet in size and has a target population of 46,300 people. The Palms–Rancho Park Branch has 12.25 staff positions and a collection of 46,300 volumes.⁶ The current forecasted local community population is 46,300 and, thus, equals the target population for this library.

The LAPL bases the service population for a branch upon census tracts that are assigned to that branch. The forecasted 2010 population for the Westwood Branch is 55,144 persons, and the forecasted 2010 population for the Palms–Rancho Park Branch is 52,986 persons. For the purposes of this analysis, it is assumed that all Project residents would utilize the Westwood Branch Library, as it is located closer to the Project site. The forecasted 2010 population of 55,144 for the Westwood Branch Library, combined with the Project's estimated population of 980, would be 56,124 people. As the Westwood Branch Library has a target service population of 69,154, development of the Project would not cause an increase in the community population that would exceed the LAPL-defined target service population. Therefore, impacts associated with library services would be less than significant.

b. Mitigation Measures

No significant impacts relative to City library services would occur; therefore, no mitigation measures are required.

⁶ LAPL Library Facilities Division, FAX to PCR Services Corporation from Rona Berns, May 4, 2005.

c. Unavoidable Adverse Impacts

No significant and unavoidable adverse impacts relative to City library facilities and services would occur as a result of the Project.

d. Cumulative Impacts

Six of the identified 49 related projects include residential units and are located in the Westwood Library service area. These projects would provide a total of 747 residential units with a forecasted population of 1,516 persons. With the addition of the Project's estimated population of 980, the total new residents in the Westwood Branch Library service area would be 2,496. Added to the projected population of 55,144 persons in the Westwood community, the total service population for the Westwood Branch Library would be approximately 57, 640 persons. Therefore, cumulative growth anticipated in the community, including the proposed Project, would not cause a future population that would exceed the Westwood Branch Library target service population. Therefore, it is concluded that the Project's cumulative impact relative to the Westwood Branch Library would be less than significant.

II. MITIGATION MONITORING AND REPORTING PROGRAM

1. INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared in accordance with Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines, which require adoption of a Mitigation Monitoring and Reporting Program for all projects for which an Environmental Impact Report or Mitigated Negative Declaration has been prepared. Specifically, Section 21081.6 of the Public Resources Code states: “the [lead] agency shall 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... [and that program]... shall be designed to ensure compliance during project implementation.” The City of Los Angeles, Department of City Planning is the Lead Agency for the proposed Project.

The MMRP that was presented as Appendix B to the Draft EIR has been updated to reflect changes requested by the LAFD in response to the Draft EIR (see Section II, Corrections and Additions, of this Final EIR). The MMRP describes the procedures for the implementation of all of the mitigation measures identified in the EIR for the proposed Project. It is the intent of the MMRP to: (1) verify satisfaction of the required mitigation measures of the EIR; (2) provide a methodology to document implementation of the required mitigation; (3) provide a record of the Monitoring Program; and (4) identify monitoring responsibility.

The MMRP lists mitigation measures according to the same numbering system contained in the Draft EIR sections. Each mitigation measure is categorized by topic, with an accompanying discussion of the following:

- The enforcement agency (i.e., the agency with the authority to enforce the mitigation measure);
- The monitoring agency (i.e., the agency to which mitigation reports involving feasibility, compliance, implementation, and development operation are made); and
- The phase of the project during which the mitigation measure shall be monitored (i.e., prior to issuance of a building permit, construction, or occupancy).

The Applicant shall be obligated to demonstrate that compliance with the required mitigation measures has been effected. All departments listed below are within the City of Los

Angeles unless otherwise noted. The entity responsible for the implementation of all mitigation measures shall be the Applicant unless otherwise noted.

a. Land Use

No land use mitigation measures are identified in the EIR.

b. Traffic and Circulation

No traffic and circulation mitigation measures are identified in the EIR.

c. Visual Resources

Mitigation Measure C-1: 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 any such temporary barriers and walkways are maintained in a visually attractive manner throughout the construction period.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure C-2: The Applicant shall prepare a street tree plan to be reviewed and approved by the City's Department of Public Works, Street Tree Division. All plantings in the public right-of-way shall be installed in accordance with the approved street tree plan.

Enforcement Agency: Department of Public Works, Street Tree Division

Monitoring Agency: Department of Public Works, Street Tree Division

Monitoring Phase: Plan check and construction

Mitigation Measure C-3: The Applicant shall install a tree canopy along the Project's Avenue of the Stars street frontage and Constellation Boulevard street frontage. Tree installation, including number and location of trees, species type, and tree size, shall be completed to the satisfaction of the Street Tree Division of the Department of Public Works.

Enforcement Agency: Department of Public Works, Street Tree Division

Monitoring Agency: Department of Public Works, Street Tree Division

Monitoring Phase: Plan check and construction

Mitigation Measure C-4: The Project shall provide public outdoor spaces along Avenue of the Stars and Constellation Boulevard accessible from the public sidewalk. These open space areas may include a plaza with seating areas and gardens that shall be suitable as a public gathering space.

Enforcement Agency: Department of Planning

Monitoring Agency: Department of Planning

Monitoring Phase: Prior to issuance of certificate of occupancy

Mitigation Measure C-5: All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the City of Los Angeles Department of Planning.

Enforcement Agency: Department of Planning

Monitoring Agency: Department of Planning

Monitoring Phase: Prior to issuance of certificate of occupancy

Mitigation Measure C-6: The Property shall be maintained to be clean and free of debris and rubbish, and any graffiti from walls shall be removed pursuant to LAMC Sections 91.810F, 91.8904.1, and 91.1707-E.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Operation

Mitigation Measure C-7: New sidewalks along the Project's Avenue of the Stars and Constellation Boulevard frontages shall be paved with concrete or other safe, non-slip material to create a distinctive pedestrian environment.

Enforcement Agency: Department of Planning

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Site plan review, prior to issuance of certificate of occupancy

Mitigation Measure C-8: A pedestrian walkway accessible to the public shall be constructed along the eastern boundary of the Project site. The pedestrian walkway shall be paved with concrete or other safe, non-slip material.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of certificate of occupancy

Mitigation Measure C-9: All ground-level building fixtures, including, but not limited to, security gates, landscape light fixtures, pedestrian lights, air intake shafts, and other appurtenances shall be incorporated into the architectural concept for the Project.

Enforcement Agency: Department of Planning

Monitoring Agency: Department of Planning

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-10: All exterior windows and glass used on the building surfaces shall be non-reflective glass. Any metal or other reflective surface materials shall be installed below the line-of-sight relative to sun reflection on adjacent roadways.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-11: All pedestrian lighting in the public right-of-way shall be approved by the Bureau of Street Lighting and shall be tested in accordance with the requirements of the Bureau of Street Lighting.

Enforcement Agency: Department of Public Works, Bureau of Street Lighting

Monitoring Agency: Department of Public Works, Bureau of Street Lighting

Monitoring Phase: Prior to issuance of a building permit and certificate of occupancy

Mitigation Measure C-12: Architectural lighting shall be directed onto the building surfaces and have low reflectivity to minimize glare and limit light onto adjacent properties.

Enforcement Agency: Department of Public Works, Department of Building and Safety

Monitoring Agency: Department of Public Works, Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-13: Any street or pedestrian lighting installed by the Project in the public right-of-way shall be compatible with the existing design for street furniture and street lighting along Century City's public streets.

Enforcement Agency: Department of Public Works, Bureau of Street Lighting

Monitoring Agency: Department of Public Works, Bureau of Street Lighting

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-14: All pole-mounted light fixtures on the Project's private property or within the public right-of-way shall be shielded to limit spillover of lighting onto adjacent properties and to minimize glare.

Enforcement Agency: Department of Public Works, Bureau of Street Lighting and Department of Building and Safety

Monitoring Agency: Department of Public Works, Bureau of Street Lighting and Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-15: Signage for the Project shall consist of Project identification and wayfinding signs. With the exception of construction/sales signs, no other commercial signage shall be permitted, unless approved by the City.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-16: All ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment shall be screened from the line of sight of pedestrians and motorists.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

Mitigation Measure C-17: All new utility lines and connections shall be constructed underground.

Enforcement Agency: Department of Public Works

Monitoring Agency: Department of Public Works

Monitoring Phase: Prior to issuance of the certificate of compliance

Mitigation Measure C-18: Trash collection areas would be contained in the loading dock at ground level in a collection area screened from view by a solid masonry wall.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of a building permit

d. Air Quality

Construction

Mitigation Measure D-1: General contractors shall implement a fugitive dust control program pursuant to the provisions of SCAQMD Rule 403.⁷

Enforcement Agency: Southern California Air Quality Management District

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

⁷ SCAQMD Rule 403 requirements are detailed in Appendix D of the Draft EIR.

Mitigation Measure D-2: All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-3: General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would turn their engines off when not in use to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-4: Electricity from power poles rather than temporary diesel- or gasoline-powered generators shall be used to the extent feasible.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-5: All construction vehicles shall be prohibited from idling in excess of ten minutes, both on- and off-site.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-6: The Applicant shall utilize coatings and solvents that are consistent with applicable SCAQMD rules and regulations.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-7: All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure D-8: All materials transported off-site shall be securely covered to prevent an excessive amount of dust, to the extent necessary.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Operations

No operational Air Quality mitigation measures are identified in the EIR.

e. Noise

Construction Noise

Mitigation Measure E-1: During the initial stage of construction (site demolition and site preparation/excavation) and when construction activities are within 200 feet of the southwestern boundary of the site, a temporary 8-foot, ½ inch thick plywood fence shall be erected at the southwest corner of the Project site extending 200 feet along Constellation Boulevard and Avenue of the Stars.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure E-2: Exterior construction activities shall be limited to Monday through Friday from 7:00 A.M. to 6:00 P.M., and from 8 A.M. to 6 P.M. on Saturdays.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure E-3: Pile drivers shall be equipped with noise control having a minimum quieting factor of 10 dBA.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure E-4: Construction loading and staging areas shall be located on-site and away from noise-sensitive uses to the extent feasible.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure E-5: The Applicant shall designate a construction relations officer to serve as a liaison with surrounding property owners who is responsible for responding to any concerns regarding construction noise. The liaison's telephone number(s) shall be prominently displayed at multiple locations along the perimeter of the Project site.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Operational Noise

Mitigation Measure E-6: Construct all exterior walls, floor-ceiling assemblies (unless within a unit), and windows having a line of sight (30 degrees measured from the horizontal plane) of Avenue of the Stars and Constellation Boulevard with double-paned glass or an equivalent and in a manner to provide an airborne sound insulation system achieving a Sound Transmission Class of 45, subject to field testing, as defined in the UBC Standard No. 35-1, 1982 edition. City of Los Angeles sign-off shall be required prior to obtaining a building permit. The Applicant, as an alternative, may retain an engineer registered in the State of California with expertise in acoustical engineering, who shall submit a signed report for an alternative means of sound insulation satisfactory to the City.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of certificate of occupancy

f. Hazards and Hazardous Materials

Mitigation Measure F-1: During subsurface excavation activities, including borings, trenching, and grading, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including methane and hydrogen sulfide.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure F-2: Prior to issuance of building permits, the Applicant shall comply with applicable requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure F-3: Construction contracts shall include provisions requiring continuous compliance with all applicable federal, state, and local government regulations and conditions related to hazardous materials and waste management.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure F-4: Any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed in accordance with applicable regulatory requirements. If contamination is discovered during grading activities, grading within such an area shall be temporarily halted and redirected around the area until the appropriate

evaluation and follow-up measures are implemented so as to render the area suitable for grading activities to resume.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure F-5: All required notifications applicable to building height and related potential lighting requirements shall be completed and submitted to the appropriate agency. In addition, FAA recommendations regarding marking and/or lighting requirements shall be incorporated into the building design.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of building permit

g. Water Quality

Mitigation Measure G-1: The Project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, EPA, and local agencies regarding water quality.

Enforcement Agency: Regional Water Quality Control Board

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure G-2: The Project shall implement stormwater Best Management Practices (BMPs) to retain or treat the runoff from a storm event producing 0.75 inch of rainfall in a 24-hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be provided.

Enforcement Agency: Department of Public Works, Bureau of Engineering

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Construction

Mitigation Measure G-3: All storm drain inlets and catch basins within the Project area shall be stenciled with prohibitive language (such as “NO DUMPING—DRAINS TO OCEAN”) and/or graphical icons to discourage illegal dumping.

Enforcement Agency: Department of Public Works, Bureau of Engineering

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Prior to issuance of a certificate of occupancy

Mitigation Measure G-4: The legibility of signs and stencils discouraging illegal dumping shall be maintained.

Enforcement Agency: Department of Public Works, Bureau of Engineering

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Operation

Mitigation Measure G-5: Materials used on site with the potential to contaminate stormwater shall be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater containment system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

Enforcement Agency: Department of Public Works, Bureau of Engineering

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Construction and Operation

Mitigation Measure G-6: The Homeowners Association shall prepare and execute a covenant and agreement (Department of City Planning General form (CP-6770)) satisfactory to the Department of City Planning binding the owners to post-construction maintenance of all structural BMPs in accordance with the SUSMP.

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of Public Works, Bureau of Engineering

Monitoring Phase: Prior to issuance of a certificate of occupancy

h. Public Services

(1) Fire

Mitigation Measure H.1-1: Adequate off-site public and on-site private fire hydrants shall be required. Their number and location shall be determined after the Fire Department's review of the plot plan.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-2: Private streets and entry gates shall be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-3: The Applicant shall submit plot plans indicating access road and turning areas for Fire Department approval.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-4: During demolition, Fire Department access shall remain clear and unobstructed.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Construction

Mitigation Measure H.1-5: Fire lanes, where required, and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane greater than 700 feet in length or secondary access shall be required.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-6: All access roads, including fire lanes, shall be maintained in an unobstructed manner; removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Operation

Mitigation Measure H.1-7: Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-8: Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space shall be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface on the roadway.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-9: No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway, of an improved street, access road, or designated fire lane.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-10: Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-11: Adequate public and private fire hydrants shall be required.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-12: Access for Fire Department apparatus and personnel to and into all structures shall be required.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Operation

Mitigation Measure H.1-13: The Fire Department may require additional vehicular access where the buildings exceed 28 feet in height.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-14: Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-15: Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words “Private Street and Fire Lane” within the private street easement.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-16: No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel. Exception: Dwelling unit travel distance shall be computed to the front door of the unit.

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.1-17: The Project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved .

Enforcement Agency: Fire Department

Monitoring Agency: Fire Department

Monitoring Phase: Prior to issuance of certificate of occupancy, operation

(2) Police

Mitigation Measure H.2-1: During the Project's construction phase, the Applicant shall develop and implement an Emergency Procedures Plan, including notification to the LAPD of any lane closures or other road construction.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.2-2: During the Project's construction phase, the Applicant shall ensure adequate emergency access to adjacent uses.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.2-3: During the Project's construction phase, the Applicant shall implement security measures including security fencing, lighting, and the use of a 7-day, 24-hour security patrol.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Construction

Mitigation Measure H.2-4: The Applicant shall consult with the Los Angeles Police Department Crime Prevention Unit on crime prevention features appropriate to the design of the Project.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.2-5: Entryways, elevators, lobbies, and parking areas shall be well illuminated and designed with a minimum of visual dead space to eliminate areas of concealment.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure H.2-6: Upon completion of the Project, the Applicant shall provide the West Los Angeles Division Commanding Officer with a diagram of each portion of the property, including access routes and provide additional information, as requested by the LAPD, that might facilitate police response.

Enforcement Agency: Police Department

Monitoring Agency: Police Department

Monitoring Phase: Prior to issuance of a certificate of occupancy

(3) Schools

No school mitigation measures are identified in the EIR. The Applicant would pay development fees to fund new school facility construction per the provisions of Government Code 65995 at the time building permits are issued by the City.

(4) Parks and Recreation

Mitigation Measure H.4-1: The Project Applicant shall do one or more of the following: (1) dedicate additional parkland such that the Project would provide a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to said in-lieu fees.

Enforcement Agency: Department of City Planning

Monitoring Agency: Department of City Planning

Monitoring Phase: Prior to issuance of building permit

(5) Libraries

No library mitigation measures are identified in the EIR.

MISCELLANEOUS MEASURES FROM INITIAL STUDY (APPENDIX A OF THE DRAFT EIR)

Mitigation Measure I-1: During excavation and grading, if archaeological or paleontological resources are uncovered, all work in that area shall cease and be diverted so as to allow for a determination of the value of the resource. Construction activities in that area may commence once the uncovered resources are collected by an archaeologist or paleontologist, as appropriate, and properly processed.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-2: Project excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes to channel runoff around the site shall be constructed. In addition, channels with grass shall be lined, or roughened pavement shall be used, to reduce runoff velocity.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Prior to issuance of building permit

Mitigation Measure I-3: During construction, appropriate erosion control and drainage devices shall be incorporated into the Project to the satisfaction of the Building and Safety Department, Grading Division. Examples of such devices include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses that will shield and bind the soil in areas where construction is not immediately planned.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-4: During construction, stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-5: All construction wastes shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-6: Leaks, drips and spills occurring during Project construction shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-7: During construction, material spills shall be cleaned up using dry cleanup methods whenever possible. Material spills shall not be handled via pavement hose down.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-8: During construction, the Applicant shall assure that all dumpsters are covered and maintained. Uncovered dumpsters shall be placed under a roof or covered with tarps or plastic sheeting.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-9: During construction, gravel approaches shall be used where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

Mitigation Measure I-10: During construction, all vehicle/equipment maintenance, repair, and washing shall be directed away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

Enforcement Agency: Department of Building and Safety

Monitoring Agency: Department of Building and Safety

Monitoring Phase: Construction

III. CORRECTIONS AND ADDITIONS

Corrections and Additions to the Draft EIR are a function of the comments received on the Draft EIR during the public review period of November 10, 2005 through January 13, 2005. Where comments resulted in additional study or modification of information contained in the Draft EIR this information is presented as a Correction and Addition to the Draft EIR. The Corrections and Additions section provides a means by which the corrections and changes in the Draft EIR are presented in one place.

II. PROJECT DESCRIPTION

- a. Volume I, Section II. Project Description, page 60, third paragraph, first sentence, replace “35,000 square feet” with “39,000 square feet.”
- b. Volume I, Section II. Project Description, page 77, second paragraph, first sentence, replace “35,000 square feet” with “39,000 square feet.”

III.A OVERVIEW OF ENVIRONMENTAL SETTING

There are no corrections and additions to this section of the Draft EIR.

III.B CUMULATIVE DEVELOPMENT

There are no corrections and additions to this section of the Draft EIR.

IV.A LAND USE AND PLANNING

- a. Volume I, Section IV.A. Land Use, page 95, fourth paragraph, first sentence, replace “35,000 square feet” with “39,000 square feet.”
- b. Volume I, Section IV.A, Land Use and Planning, page 124, replace the analysis of Project consistency with West Los Angeles Community Plan Policy 1-2.1 with the following:

“**Consistent.** The Project would locate high-density residential uses within an existing high density commercial area, which is served by existing transit, utility, street, and highway infrastructure. MTA transit lines, LADOT commuter express lines, and other regional bus lines and primary bus services in the Santa Monica Boulevard Transit Parkway are immediately available to serve the Project site. Therefore, the Project would be consistent with this policy.”

IV.B TRAFFIC AND CIRCULATION

- a. Volume I, Section IV.B, Traffic and Circulation, page 143, second paragraph. Replace the paragraph with the following:

“Manning Avenue is located west and southwest of Century City. Manning Avenue is a local street north of Wilshire Boulevard, a secondary highway between Wilshire Boulevard and Santa Monica Boulevard, a local street between Santa Monica Boulevard and Pico Boulevard, a collector street between Pico Boulevard and Ashby Avenue, a local street between Ashby Avenue and Butterfield Road, a collector street between Butterfield Road and Motor Avenue, and a secondary highway southeast from Motor Avenue to National Boulevard.”

- b. Volume I, Section IV.B, Traffic and Circulation, page 143, third paragraph: Replace the paragraph with the following:

“Overland Avenue is a Class II major highway located to the west of Century City. South of Pico Boulevard, Overland Avenue provides two lanes in each direction in addition to left-turn lanes. Overland Avenue, which terminates at Santa Monica Boulevard, is a designated secondary highway between Pico Boulevard and Santa Monica Boulevard. One lane is provided in each direction between Pico Boulevard and Santa Monica Boulevard.”

- c. Volume I, Section IV.B.1, Traffic and Circulation, page 151, first full paragraph. Replace the second sentence with the following:

“The transit plaza serves as a layover facility and is located at the south side of Constellation Boulevard one block west of the Project site. Bus stops are located on Constellation Boulevard directly across Avenue of the Stars from the Project site and within a short walking distance from the Project site.”

- d. Volume I, Section IV.B, Traffic and Circulation, page 158, first paragraph. Replace the second sentence with the following:

“Manual counts were conducted for the existing intersection of the private alley and Constellation Boulevard for two hours in the morning (7 to 9 A.M.) and two hours in the afternoon (4 to 6 P.M.) on Thursday, August 5, 2004.”

- e. Volume I, Section IV.B, Traffic and Circulation, page 164, fourth paragraph. Replace the last sentence on page 164 with the following:

“As such, hauling activities during any hourly period would not exceed the level of peak-hour trips, including 117 A.M. peak-hour trips and 332 P.M. peak-hour trips, generated by existing uses and, as such, would not generate a significant traffic increase.”

- f. Volume I, Section IV.B, Traffic and Circulation, page 167, first paragraph. Replace the second and third sentences with the following:

“The total trips generated by the Project and net change in trips would be 1,971 trips less with the Project than under existing conditions. Although the Project would result in a net decrease of 148 trips during the P.M. peak hour, the Project would result in a net increase of 47 trips during the A.M. peak hour.”

- g. Volume I, Section IV.B, Traffic and Circulation, page 168, replace Table 11, Project Estimated Trip Generation, with Revised Table 11 as presented on page 80.
- h. Volume I, Section IV.B, Traffic and Circulation, page 169, replace Table 12, Future Intersection Level of Service Analysis, with Revised Table 12 as presented on pages 81 through 83.
- i. Volume I, Section IV.B, Traffic and Circulation, page 177, second complete paragraph. Replace the second and third sentences with the following:

“Furthermore, the Project would reduce existing total average daily traffic (ADT) by approximately 1,971 trips and P.M. peak-hour traffic by approximately 148 trips. A net increase of 47 trips would occur during the A.M. peak hour; however, this level of increase would not result in any significant and unavoidable traffic impacts.”

IV.C VISUAL QUALITIES

- a. Volume I, Section IV.C, Visual Resources, page 266, second paragraph. Modify the paragraph to read as follows.

“Five of the 49 related projects are located within Century City and thus have the potential to result in cumulative visual impacts. The balance of the related projects are located sufficiently distant to the Project site so as to not result in changes to the visual

Revised Table 11

**Trip Generation Estimate (Revised Existing SF)
10131 Constellation Boulevard Residential Project/Century City**

Land Use	Size	ITE Code ^a	Daily Rate	Trip Generation Rates ^a						Trip Rate Unit	Daily Trips	Estimated Trip Generation																	
				A.M. Peak Hour			P.M. Peak Hour					A.M. Peak Hour			P.M. Peak Hour														
				Rate	% In	% Out	Rate	% In	% Out			In	Out	Total	In	Out	Total												
PROPOSED PROJECT																													
Condominium Units – Tower 1	194 units	232	4.18	0.34	19%	81%	0.38	62%	38%	Per unit	811	13	53	66	46	28	74												
Condominium Units – Tower 2	194 units	232	4.18	0.34	19%	81%	0.38	62%	38%	Per unit	811	13	53	66	46	28	74												
Condominium Units – 12-story building	95 units	232	4.18	0.34	19%	81%	0.38	62%	38%	Per unit	397	6	26	32	22	14	36												
Total Proposed	483 units										2019	32	132	164	114	70	184												
EXISTING USE TO BE REMOVED																													
Bank: Retail Bank ^b	8.952 ksf	A.M. – 912/P.M. – TIMP	246.49	12.34	56%	44%	43.63	50%	50%	1,000 sf	2,207	62	48	110	196	195	391												
Less Pass-by Credit ^c Office ^b	-20% 6.738 ksf	A.M. – 710/P.M. – TIMP	11.01	1.55	88%	12%	2.84	17%	83%	1,000 sf	(441) 74	(912) 9	(10) 1	(22) 10	(39) 3	(39) 16	(78) 19												
Restaurant ^d	23.901 ksf	931 (Daily + A.M.)	89.95	0.81	605	405	Empirical			1,000 sf	2,150	11	8	19	*	*	*												
Total Existing	39.591 ksf										3,990	70	47	117	160	172	332												
NET INCREMENTAL TRIPS											(1,971)	(38)	85	47	(46)	(102)	(148)												

* Negligible

^a Source: Institute of Transportation Engineers (ITE), "Trip Generation, 7th Edition," 2003, unless otherwise noted. Source or P.M. peak hour rates for existing bank and office building: City of Los Angeles "West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP)," adopted March 8, 1997. The WLA TIMP does not provide a trip rate for the high-rise condominiums such as the proposed project, therefore LADOT has determined that the ITE trip generation rate should be used for such purposes as permitted by the WLA TIMP.

^b The entire ground floor (8,338 sf) of the existing bank building plus the drive-through facility (0.614 sf) is retail bank and entire second floor (6,738 sf) is office space.

^c Source: Los Angeles Department of Transportation. "Traffic Study Policies and Procedures, Attachment H, LADOT Policy on Pass-by Trips," March 2002.

^d Restaurant trip generation during peak hours is assumed to be employee, loading, and service trips only, since the restaurant is not open for dinner and the nightclub does not open until 8 P.M. Kaku Associates conducted a comparative analysis of the empirical data provided by the "Century Supper Club" and the ITE trip generation rate. According to the empirical data, number of employees arriving for the 9:00 A.M. to 6:00 P.M. shift (30 employees on a weekday) was converted to 20 vehicle trips using an average vehicle ridership (AVR) ratio of 1.5. One delivery vehicle was estimated to arrive and depart during the A.M. peak hour. This would result in a total of 22 trips in the A.M. peak hour with 21 inbound and one outbound trip. Since ITE rates were found to be more conservative during the A.M. peak hour, they were used for the analysis. Also, A.M. peak hour trips were split into inbound/outbound trips using the percentage split stated in San Diego Association of Governments (SanDAG) since the ITE data does not provide an in/out split of the A.M. peak hour.

Source: Kaku Associates, 2006

Revised Table 12

Future Intersection Level Of Service Analysis

No.	Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative plus Project		Project Increase in V/C	Significant Project Impact
			V/C or Delay	LOS	V/C or Delay	LOS		
1	Beverly Glen Blvd & Wilshire Blvd ^a	A.M.	1.078	F	1.077	F	-0.001	NO
		P.M.	1.197	F	1.195	F	-0.002	
2	Overland Ave & Santa Monica Blvd (N) ^a	A.M.	1.169	F	1.168	F	-0.001	NO
		P.M.	1.138	F	1.137	F	-0.001	
3	Overland Ave & Santa Monica Blvd (S) ^a	A.M.	0.369	A	0.369	A	0.000	NO
		P.M.	0.516	A	0.516	A	0.000	
4	Beverly Glen Blvd & Santa Monica Blvd (N) ^a	A.M.	1.202	F	1.201	F	-0.001	NO
		P.M.	1.238	F	1.234	F	-0.004	
5	Beverly Glen Blvd & Santa Monica Blvd (S) ^e	A.M.	0.401	A	0.401	A	0.000	NO
		P.M.	0.503	A	0.503	A	0.000	
6	Century Park West & Santa Monica Blvd (S) ^a	A.M.	1.115	F	1.111	F	-0.004	NO
		P.M.	1.063	F	1.058	F	-0.005	
7	Club View Dr & Santa Monica Blvd (N) ^e	A.M.	0.183	A	0.183	A	0.000	NO
		P.M.	0.350	A	0.350	A	0.000	
8	Avenue of the Stars & Santa Monica Blvd (N) ^a	A.M.	1.414	F	1.418	F	0.004	NO
		P.M.	1.030	F	1.013	F	-0.017	
9	Avenue of the Stars & Santa Monica Blvd (S)	A.M.				^c		NO
		P.M.						
10	Century Park East & Santa Monica Blvd (N) ^a	A.M.	1.185	F	1.174	F	-0.011	NO
		P.M.	0.875	D	0.865	D	-0.010	
11	Century Park East & Santa Monica Blvd (S)	A.M.				^c		NO
		P.M.						
12	Wilshire Blvd & (CMA) Santa Monica Blvd (N) ^d (ICU) (CMA) (ICU)	A.M.	1.590	F	1.589	F	-0.001	NO
		A.M.	1.362	F	1.360	F	-0.002	
		P.M.	1.594	F	1.590	F	-0.004	
		P.M.	1.283	F	1.278	F	-0.005	

Revised Table 12

Future Intersection Level Of Service Analysis

No.	Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative plus Project		Project Increase in V/C	Significant Project Impact
			V/C or Delay	LOS	V/C or Delay	LOS		
13	Wilshire Blvd & Santa Monica Blvd (S) ^d (ICU) (CMA) (ICU)	A.M.	1.577	F	1.578	F	0.001	NO
		A.M.	1.456	F	1.456	F	0.000	
		P.M.	1.340	F	1.336	F	-0.004	
		P.M.	1.251	F	1.248	F	-0.003	
14	Century Park West & Constellation Blvd ^a	A.M.	0.612	B	0.611	B	-0.001	NO
		P.M.	0.410	A	0.401	A	-0.009	
15	Avenue of the Stars & Constellation Blvd ^a	A.M.	0.773	C	0.798	C	0.025	NO
		P.M.	0.874	D	0.851	D	-0.023	
16	Century Park East & Constellation Blvd ^a	A.M.	0.548	A	0.551	A	0.003	NO
		P.M.	0.633	B	0.638	B	0.005	
17	Overland Ave & Olympic Blvd ^a	A.M.	1.634	F	1.635	F	0.001	NO
		P.M.	1.538	F	1.532	F	-0.006	
18	Beverly Glen Blvd & Olympic Blvd ^a	A.M.	1.068	F	1.064	F	-0.004	NO
		P.M.	1.072	F	1.069	F	-0.003	
19	Century Park West & Olympic Blvd ^a	A.M.	0.961	E	0.965	E	0.004	NO
		P.M.	1.306	F	1.292	F	-0.014	
20	Avenue of the Stars & Olympic Blvd (WB Ramps) ^a	A.M.	0.597	A	0.594	A	-0.003	NO
		P.M.	0.527	A	0.505	A	-0.022	
21	Avenue of the Stars & Olympic Blvd (EB Ramps) ^a	A.M.	0.517	A	0.514	A	-0.003	NO
		P.M.	0.459	A	0.458	A	-0.001	
22	Century Park East & Olympic Blvd ^a	A.M.	0.934	E	0.934	E	0.000	NO
		P.M.	0.977	E	0.973	E	-0.004	
23	Spalding Dr & Olympic Blvd ^{b,d} (CMA) (ICU) (ICU)	A.M.	1.214	F	1.212	F	-0.002	NO
		A.M.	1.325	F	1.324	F	-0.001	
		P.M.	1.028	F	1.025	F	-0.003	
		P.M.	1.088	F	1.085	F	-0.003	
24	Avenue of the Stars & Galaxy Way ^b	A.M.	0.447	A	0.447	A	0.000	NO
		P.M.	0.649	B	0.652	B	0.003	

Revised Table 12

Future Intersection Level Of Service Analysis

No.	Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative plus Project		Project Increase in V/C	Significant Project Impact
			V/C or Delay	LOS	V/C or Delay	LOS		
25	Avenue of the Stars & Empyrean Way ^e	A.M.	0.545	A	0.543	A	-0.002	NO
		P.M.	0.468	A	0.471	A	0.003	
26	Overland Ave & Pico Blvd ^a	A.M.	1.479	F	1.479	F	0.000	NO
		P.M.	1.457	F	1.453	F	-0.004	
27	Patricia Ave & Pico Blvd ^a	A.M.	0.793	C	0.795	C	0.002	NO
		P.M.	0.725	C	0.723	C	-0.002	
28	Beverly Glen Blvd & Pico Blvd ^a	A.M.	0.864	D	0.867	D	0.003	NO
		P.M.	0.737	C	0.734	C	-0.003	
29	Motor Ave & Pico Blvd ^a	A.M.	1.442	F	1.440	F	-0.002	NO
		P.M.	1.453	F	1.448	F	-0.005	
30	Avenue of the Stars & Pico Blvd ^a	A.M.	1.064	F	1.063	F	-0.001	NO
		P.M.	0.938	E	0.937	E	-0.001	
31	Century Park East & Pico Blvd ^a	A.M.	0.821	D	0.818	D	-0.003	NO
		P.M.	0.785	C	0.780	C	-0.005	
32	Motor Ave & Manning Ave ^b	A.M.	1.076	F	1.075	F	-0.001	NO
		P.M.	0.873	D	0.869	D	-0.004	

^a Intersection is currently operating under the ATSAC & ATCS system.

^b Intersection is currently operating under the ATSAC system only.

^c Intersection will not exist in the future with the construction of the Santa Monica Parkway.

^d Intersections that are under the jurisdiction of the City of Beverly Hills. These intersections are analyzed using both the Critical Movement Analysis (CMA) methodology used by the City of Los Angeles, and the Intersection Capacity Utilization (ICU) methodology used by the City of Beverly Hills to determine intersection V/C ratio.

^e Unsignalized intersection.

Source: Kaku Associates, February 2006

environment within which the Project is located. Only four of the five related projects are situated so as to cause a cumulative impact that has not already been addressed in the preceding analysis of the Project's impacts on the visual environment. Specifically, the analysis of the 2000 Avenue of the Stars project (Related Project #17) was incorporated into the analysis of Project impacts above. The four projects that require further analysis are the Westfield Century City shopping mall renovation (Related Project #11), the Fox Studio expansion (Related Project #13), the Constellation Boulevard and Avenue of the Stars project (Related Project #12) and the redevelopment of the St. Regis Hotel (Related Project #18). None of the other related projects are located in the Century City core or would be located close enough to the Project site to enter the same field of view. The St. Regis project at 2055 Avenue of the Stars would be located within the same field of view as the Project. Although the visual quality of Avenue of the Stars would not significantly change since, as viewed from Avenue of the Stars, the St. Regis project would replace an existing high-rise building within a broad landscaped setback with another high-rise building within a broad landscaped setback. Although the St. Regis building height would increase from 318 feet to 480 feet, increased building height would not create new view impacts, since no valued views are currently available above the existing St. Regis building.

The related projects in Century City, in conjunction with the proposed Project, would enhance and reinforce the Avenue of the Stars' scenic highway designation as they would provide additional interest to the existing high-rise character of this street whose scenic highway value is defined by the high rises located along its length in conjunction with its broad landscaped median. As these related projects reinforce the visual character of Century City, as is the case with the proposed Project as well, cumulative impacts on visual quality are concluded to be less than significant. With regard to views, the related projects are either located in the foreground of the viewsheds from private residential property locations, with the Project located behind, and would occur in a manner consistent with conditions forecasted, or are not located within the same line-of-sight or field of view as the Project. In any case, the Project would not contribute to a cumulative impact as it would occur in the broader Century City context for potentially affected view locations. Therefore, the Project combined with the related projects would cause a less than significant cumulative view impact associated with blocked views from prominent view locations, including public streets, off-site residential neighborhoods, and the Los Angeles Country Club golf course. In addition, the Project in combination with the related projects that would be constructed along the Avenue of the Stars scenic highway, would not cause any cumulative impacts related to visual quality.

Development of the proposed Project as well as the other related projects located in the Century City core would introduce new or expanded sources of artificial light in Century City. As the Project area is an existing highly urbanized center, the additional

artificial light sources represented by these projects are not of a sufficient magnitude to alter the existing characteristics of the artificial light environment that currently exists within Century City. Due to the distance of the related projects from the Century City core, the lighting of the Project and these other related projects would not exceed the established thresholds of significance. As a result, cumulative artificial light impacts are concluded to be less than significant. As the building materials to be used in the development of the proposed Project result in a less than significant glare impact unto themselves, it is anticipated that the related projects within the immediate vicinity of the Project site would utilize building materials, although anticipated to be different than those used at the Project site, that would not be of a character so as to cause a cumulative glare impact. As such, cumulative glare impacts are concluded to be less than significant. As such, any increase in light and glare as a result of cumulative projects would not be great enough to interfere with off site activities and a less than significant impact would result.

No cumulative shade/shadow impacts would occur, relative to sensitive uses, since no related projects are located adjacent to the Project site or within close enough proximity to the Project site, so as to cause a cumulative impact.”

IV.D AIR QUALITY

- a. Volume I, Section IV.D., Air Quality, page 290, replace Table 22, Maximum Project-Related Operational Emissions, with Revised Table 22 as presented on page 86.
- b. Volume I, Section IV.D., Air Quality, page 299, add the following mitigation measures:

“Mitigation Measure D-7: All loads shall be secured by trimming, watering, or other appropriate means to prevent spillage and dust.

Mitigation Measure D-8: All materials transported off-site shall be securely covered to prevent an excessive amount of dust, to the extent necessary.”

Revised Table 22

**Maximum Project-Related Operational Emissions
(Pounds per Day)**

Emission Source	CO	NO_x	PM₁₀	ROC	SO_x
Existing Use Emissions					
Mobile	389	47	35	29	<1
Area	2	<1	<1	<1	<1
Stationary	1	5	<1	<1	1
Total Existing	392	52	35	30	1
Proposed Use Emissions					
Mobile	156	18	20	17	<1
Area	1	<1	<1	24	<1
Stationary	2	15	<1	<1	<1
Total Project	161	33	21	42	1
Net Project Emissions					
Net Mobile	(233)	(29)	(15)	(12)	<1
Net Area	2	<1	<1	23	<1
Net Stationary	3	10	<1	<1	<1
Total Net ^d	(231)	(19)	(14)	12	<1
SCAQMD Significance Threshold	550	55	150	55	150
Difference	(781)	(74)	(164)	(43)	(150)
Significant?	No	No	No	No	No

^a Mobile emissions calculated using the URBEMIS2002 emissions model. Model output sheets are provided in Appendix A of this Final EIR.

^b Area sources include landscape fuel consumption, residential consumer products and miscellaneous sources (e.g., among other things, commercial solvent usage (e.g., detergents, cleaning compounds, glues, polishes, and floor finishes), delivery and loading dock equipment.) Worksheets are provided in Appendix A of this Final EIR.

^c Emissions due to Project-related electricity generation and natural gas consumption, calculated based on guidance provided in the SCAQMD CEQA Air Quality Handbook. Worksheets are provided in Appendix A of this Final EIR.

^d Net emissions are negative due to the fact that the average daily number of vehicle trips (and their related mobile-source emissions) would decrease under development of the proposed Project when compared to the "no project" condition, where existing land uses would remain on the Project site.

Source: PCR Services Corporation, 2006.

IV.E NOISE

- a. Volume I, Section IV.E, Noise, page 322, add the following to the bottom of Table 30:

Type of Equipment	Sound Levels at Maximum Engine Power with Mufflers dBA at Indicated Distance			
	25 feet	50 feet	100 feet	200 feet
Pile Driver (Impact)	107	101	95	89
Pile Driver (Sonic)	102	96	90	84

- b. Volume I, Section IV.E, Noise, page 332, replace Mitigation Measure E-3 with the following:

“Mitigation Measure E-3: Pile drivers shall be equipped with sound blankets or noise control having a minimum quieting factor of 10 dBA”

IV.F HAZARDS AND HAZARDOUS MATERIALS

There are no corrections and additions to this section of the Draft EIR.

IV.G WATER QUALITY

- a. Volume I, Section IV.G, Water Quality, page 347, second complete paragraph, first sentence, replace “35,000 square feet” with “39,000 square feet.”

IV.H.1 FIRE PROTECTION

- a. Volume I, Section IV.H.1, Public Services, Fire Protection, page 369. Replace Table 36 with Revised Table 36 on page 88:
- b. Volume I, Section IV.H.1, Fire Services, pages 369, first paragraph, first full sentence on page 369, replace “Santa Monica Freeway” with “San Diego Freeway.”
- c. Volume I, Section IV.H.1, Fire Services, page 370, first full sentence, replace “east” with “west.”
- d. Volume I, Section IV.H.1, Fire Services, page 373, second full paragraph, fourth sentence, replace “4,000” with “4,500.”

Revised Table 36

City Fire Facilities Within the Vicinity of the Project Site

City Fire Facility	Distance	Service Area	24-Hour Staffing	Equipment
Fire Station No 92 10556 W. Pico Boulevard	1.7 miles	2.83 sq. mi.	11	Task Force Truck and Engine Company Paramedic Supervisor
Fire Station No. 58 1556 S. Robertson Boulevard	1.8 miles	3.64 sq. mi.	10	Task Force Truck and Engine Company
Fire Station No. 71 107 S. Beverly Glen Boulevard	2.6 miles	5.50 sq. mi.	4	Paramedic Engine Company

Source: City of Los Angeles Fire Department, Douglas L. Barry, Assistant Fire Marshal, November 8, 2005.

- e. Volume I, Section IV.H.1, Fire Services, page 374, second full paragraph. Replace the first sentence with the following:

“The City Fire Department has set the required fire-flow for this Project at 4,500 gallons per minute (gpm) from four fire hydrants flowing simultaneously.”

- f. Volume I, Section IV.H.1, Fire Services, page 375, second full paragraph. Replace the seventh sentence with the following:

“Both stations have similar staffing and equipment; additional capacity exists at FS No. 92 to respond to more calls than under existing conditions and, possibly, to as many calls as answered by FS No. 58”.

- g. Volume I, Section IV.H.1, pages 376 to 377. Replace Mitigation Measures H.1-1 through H.1-11 with the following:

“Mitigation Measure H.1-1: Adequate off-site public and on-site private fire hydrants shall be required. Their number and location shall be determined after the Fire Department’s review of the plot plan.

Mitigation Measure H.1-2: Private streets and entry gates shall be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Mitigation Measure H.1-3: The Applicant shall submit plot plans indicating access roads and turning areas for Fire Department approval.

Mitigation Measure H.1-4: During demolition, Fire Department access shall remain clear and unobstructed.

Mitigation Measure H.1-5: Fire lanes, where required, and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane greater than 700 feet in length or secondary access shall be required.

Mitigation Measure H.1-6: All access roads, including fire lanes, shall be maintained in an unobstructed manner; removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the LAMC.

Mitigation Measure H.1-7: Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Mitigation Measure H.1-8: Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space shall be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface on the roadway.

Mitigation Measure H.1-9: No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway, of an improved street, access road, or designated fire lane.

Mitigation Measure H.1-10: Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

Mitigation Measure H.1-11: Adequate public and private fire hydrants shall be required.

Mitigation Measure H.1-12: Access for Fire Department apparatus and personnel to and into all structures shall be required.

Mitigation Measure H.1-13: The Fire Department may require additional vehicular access where the buildings exceed 28 feet in height.

Mitigation Measure H.1-14: Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Mitigation Measure H.1-15: Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words “Private Street and Fire Lane” within the private street easement.

Mitigation Measure H.1-16: No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along the path of travel. Exception: Dwelling unit travel distance shall be computed to the front door of the unit.

h. Volume I, Section IV.H.1 Fire Services, page 377. Replace Mitigation Measure H.1-12 with the following:

“Mitigation Measure H.1-17: The Project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles, unless otherwise approved.”

i. Volume I, Section IV.H.1, Fire Services, page 378, first full paragraph. Replace the third sentence with the following:

“As such, the service population and this related project (Related Project No. 18) would increase by 1,670 (980 + 298), which represents an increase of 4.3 percent (1,690: 38,698).”

IV.H.2 POLICE

a. Volume I, Section IV.H.2. Police Services, page 382, second complete paragraph, first sentence, replace “35,000 square feet” with “39,000 square feet.”

IV.H.3 SCHOOLS

a. Volume I, Section IV.H.3, Schools, page 400, replace Table 42, Cumulative Impacts on LAUSD Facilities, with Revised Table 42 as presented on page 91.

IV.H.4 PARKS AND RECREATION

a. Volume I, Section IV.H.4, Parks and Recreation, page 405, replace Figure 57 with that shown on page 92.

**(Revised) Table 42
Cumulative Impacts on LAUSD Facilities**

A. Residential Development				
School Level	Units	Student Generation Factor^a		Total Student Generation
Elementary	147	0.2089		31
Middle	747	0.0942		70
High	747	0.0891		67
Total Students Generated by Residential Uses				168

B. Commercial Development				
Land Use	Amount of Proposed Development			
	Within Elementary School District	Within Middle School Districts	Within High School District	Employee Density Factor^b
Office (sq.ft.)	2,125,412	3,211,065	2,385,253	250
Retail (sq.ft.)	71,000	210,000	210,000	375
Movie Studio (sq.ft.)	360,000	360,000	360,000	500
Fast Food Restaurant (sq.ft.)	2,250	2,250	2,250	120
Restaurant (sq.ft.)	0	(7,507)	(7,570)	375
Movie Theater (sq.ft.)	0	45,963	45,963	5,000
School (sq.ft.)	0	179,000	179,000	1,000
Gas Station (No. pumps)	0	6	6	3
Hotel (Rooms)	0	(66)	(66)	0.9
Total Floor Area (sq. ft.)	2,558,662	224,903	224,903	

Land Use	Forecasted Employment		
	Elementary School District	Within Middle School Districts	Within High School District
Office	8,502	12,844	9,541
Retail	189	560	560
Movie Studio	720	720	0
Fast Food Restaurant	19	19	19
Restaurant	0	(20)	0
Movie Theater	0	9	9
School	0	179	179
Gas Station	0	2	2
Hotel	0	(59)	0
Total Employees	9,430	131	10,231

School Level	Employees	Employee Student Generation Factor	Total Employee Student Generation	Total Students with Residential Generated Students
Elementary	8,502	0.106	901	932
Middle	12,844	0.049	629	699
High	9,541	0.060	572	639
Total Students Generated by Employees			2102	
Total Students				2,270

^a David Taussig and Associates, Inc., SGR Study, Los Angeles Unified School District, July 2004.

^b Factors generated by LAUSD and PCR Services Corporation from the Institute of Transportation Engineers, Trip Generation Manual, 6th Edition, 1997.

Source: PCR Services Corporation, 2006.

LEGEND

Los Angeles

- 1** Cheviot Hills Park and Recreation Center
2551 Motor Avenue
- 2** Holmby Park and Armand Hammer Golf Course
601 Club View Drive
- 3** Palms Park
2950 Overland Avenue
- 4** Rancho Park and Golf Course
10460 West Pico Boulevard
- 5** Robertson Recreational Center
1641 Preuss Road
- 6** Schachter (Irving) Park
2599 Beverlywil Drive
- 7** Westwood Recreational Center
1350 S. Sepulveda Boulevard
- 8** Reynier Park
2803 Reynier Avenue

Beverly Hills

- 9** Beverly Gardens Park
Along Santa Monica and Wilshire Boulevards
 - 10** La Cienega Park
8400 Gregory Way
 - 11** Roxbury Park
471 S. Roxbury Dr
- Project site

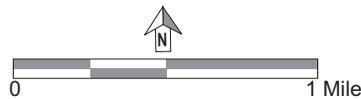
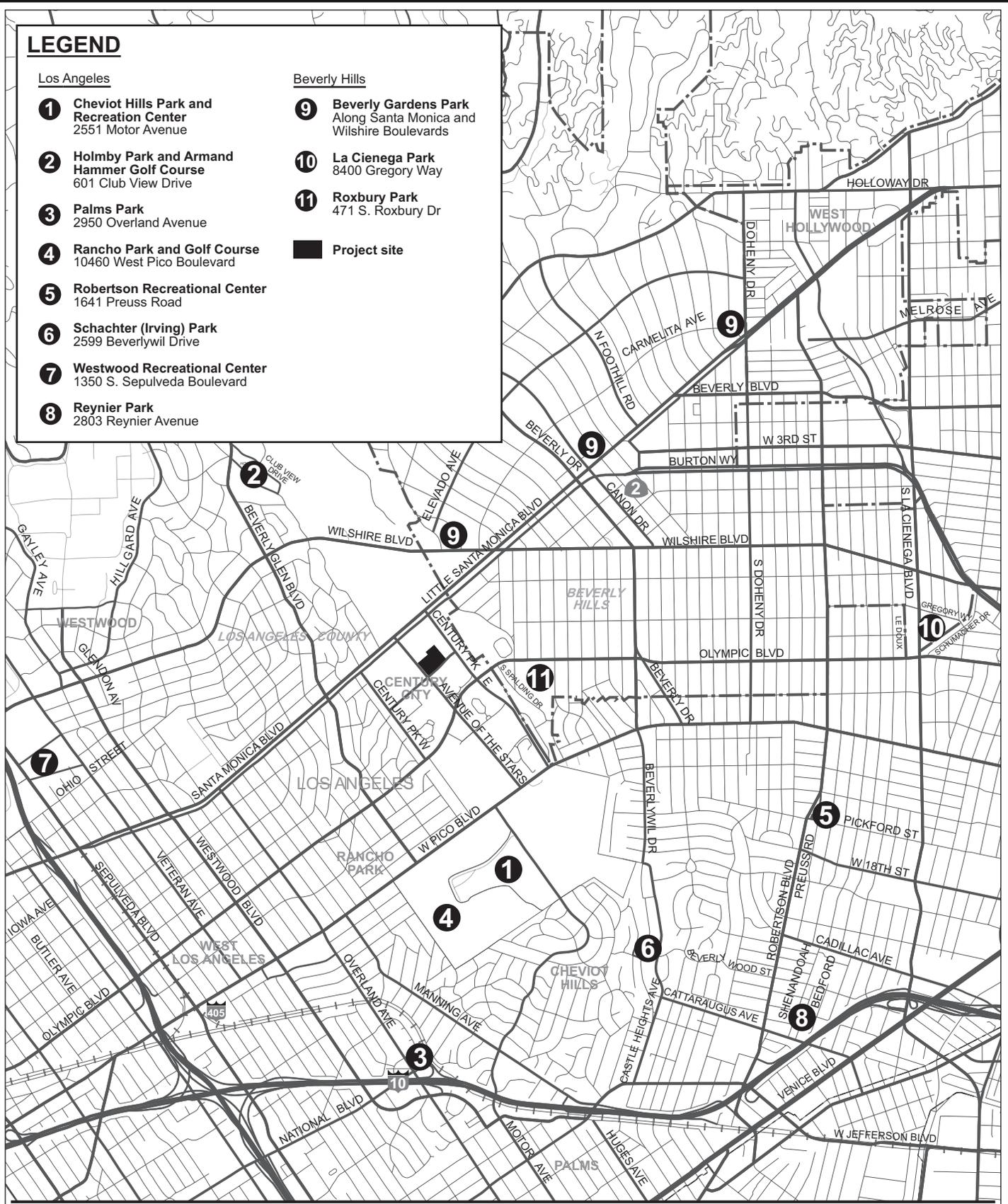


Figure 57 (Revised)
Revised Locations of Parks
and Recreational Facilities

Source: PCR Services Corporation, 2006

- b. Volume I, Section IV.H.4, Parks and Recreation, page 411, revise Table 43 to read as follows: “Total Useable Open Space Required (sq. ft.) 73,800.”

IV.H.5 LIBRARIES

There are no corrections and additions to this section of the Draft EIR.

V. ALTERNATIVES TO THE PROPOSED PROJECT

- a. Volume I, Section V. Alternatives, page 423, Table 46, fourth column, second row. Change “35,000” to “39,000.”
- b. Volume I, Section V. Alternatives, page 426, first paragraph, third sentence, replace “35,000” with “39,000.”
- c. Volume I, Section V. Alternatives, page 441, first paragraph. Replace the last sentence with the following:

“Since Alternative 2 development would consist of two tower buildings characteristic of existing surrounding high-rise buildings, and would provide similar amenities to the Project, including landscaping, enclosed trash collection, and subterranean parking, it would be similar to the Project in relation to compatibility with surrounding uses. However, Alternative 2 would increase the setback between the Project’s proposed buildings and the existing Watt Plaza high-rise buildings. Therefore, in relation to Watt Plaza, Alternative 2 would have less land use compatibility impact. Alternative 2 would continue to be similar to the Project in relation to land use compatibility with other surrounding commercial uses.”

- d. Volume I, Section V., Alternatives, page 442, second full paragraph, replace with the following:

“As with the proposed Project, the development of Alternative 2 would be aesthetically beneficial. However, the elimination of the loft building would change the unity and balance of the site plan and the distinctive character of the Project’s central entrance plaza. From adjacent streets, including Avenue of the Stars, the intersection of Avenue of the Stars and Constellation Boulevard, and much of the frontage along Constellation Boulevard, views across the open space created by the removal of the loft building would be blocked by the Project’s proposed tower buildings and the recreational amenities building, located in the southwest portion of the Project site. This open area would, however, be visible from Constellation Boulevard at the eastern edge of the Project site, from the pedestrian pathway, and

from the east and north driveway entrances. Views from the pedestrian walkway and Constellation Boulevard into the open area left by the removal of the loft building would be generally blocked by privacy fencing, since the removal of the loft building would leave the Project's interior plaza exposed along the pedestrian path and a section of Constellation Boulevard. Since this open area would not be visible from most of the adjacent public street frontage and, since the loft building is a minor component of the aesthetic elements of the Project, which include the high-rise residential towers and public landscaping, the removal of the loft building would create a minor change relative to the quality of the overall design of the Project, as viewed from Constellation Boulevard. The removal of the loft building would also open views into the Project's central plaza and of its towers from the adjacent Watt Plaza. In this case, the beneficiaries of the Reduced Density Alternative would be the occupants of Watt Plaza, a limited, non-public population. In relation to the appearance of the Project from adjacent public streets and pedestrian walkway, the visual quality of Alternative 2 would be similar to the Project."

VI. OTHER CEQA CONSIDERATIONS

There are no corrections and additions to this section of the Draft EIR.

VII. REFERENCES

There are no corrections and additions to this section of the Draft EIR.

VIII. LIST OF PREPARERS

There are no corrections and additions to this section of the Draft EIR.

IV. RESPONSES TO WRITTEN COMMENTS

CEQA Guidelines Section 15088(a) states that “The lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The lead agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” In accordance with these requirements, this Section of the Final EIR provides responses to each of the written comments received regarding the Draft EIR. Table 1, which starts on page 96 provides a summary of the issues raised in response to the Draft EIR.

Table 1
Written Comments Summary
Draft EIR

LETTER No.	PROJECT DESCRIPTION	A. LAND USE	B. TRAFFIC AND CIRCULATION	C. VISUAL RESOURCES	D. AIR QUALITY	E. NOISE	F. HAZARDS AND HAZARDOUS MAT.	G. WATER QUALITY	H.1 FIRE PROTECTION	H.2 POLICE	H.3 SCHOOLS	H.4 PARKS AND RECREATION	H.5 LIBRARIES	ALTERNATIVES	OTHER	COMMENTS
SUMMARY OF WRITTEN COMMENTS																
City Of Los Angeles Neighborhood Councils																
1	Steve Twining, President Bel Air Beverly Crest Neighborhood Council 1525 Sepulveda Blvd., Suite #5 Los Angeles, CA 90025		•												•	
2	Sharon Howard, Bel-Air Beverly Crest Neighborhood Council 1525 Sepulveda Blvd., Suite #5 Los Angeles, CA 90025														•	
3	Westside Neighborhood Council P.O. Box 64370 Los Angeles, CA 90064	•	•						•	•	•				•	
City of Los Angeles Departments																
4	Douglas L. Berry, Assistant Fire Marshall City Of Los Angeles Fire Department								•							

Table 1 (Continued)
Written Comments Summary
Draft EIR

LETTER No.	SUMMARY OF WRITTEN COMMENTS	PROJECT DESCRIPTION	A. LAND USE	B. TRAFFIC AND CIRCULATION	C. VISUAL RESOURCES	D. AIR QUALITY	E. NOISE	F. HAZARDS AND HAZARDOUS MAT.	G. WATER QUALITY	H.1 FIRE PROTECTION	H.2 POLICE	H.3 SCHOOLS	H.4 PARKS AND RECREATION	H.5 LIBRARIES	ALTERNATIVES	OTHER	COMMENTS
State of California																	
5	Terry Roberts Director, State Clearinghouse State of California Governor's Office of Planning and Research State Clearinghouse and Planning Unit 1400 Tenth Street P.O. Box 3044 Sacramento, CA 95812-3044															•	
Regional Agencies																	
6	Southern California Association of Governments Brian Wallace, Associate Regional Planner 818 West Seventh St., 12th Fl. Los Angeles, CA 90017-3435															•	

Table 1 (Continued)
Written Comments Summary
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Private Organizations																	
7	Westside Coalition of Community Associations 10131 Constellation Blvd.		•	•		•	•	•	•	•	•	•	•	•		•	
8	Aaron M. Cohen Vice President ABM Janitorial Services 1875 Century Park East, Suite 1165 Los Angeles, CA 90067															•	
9	Dale J. Goldsmith Armbruster & Goldsmith LLP 10940 Wilshire Boulevard, Suite 2100 Los Angeles, CA 90024	•	•	•	•	•	•	•	•	•	•				•	•	

Table 1 (Continued)
Written Comments Summary
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10	Susan Bursk, President/CEO Century City Chamber of Commerce 2029 Century Park East, Concourse Level, Los Angeles, CA 90067															•	
11	Century Woods Condominium Association Robert Schnell, President 2100 Century Park West Los Angeles, CA 90067			•												•	
12	Douglas P. Carstens Chatten-Brown & Carstens 3250 Ocean Park Boulevard, Suite 300 Santa Monica, CA 90405		•	•	•	•	•	•				•				•	

Table 1 (Continued)
Written Comments Summary
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13	Manning Area Protection Association Steering Committee: 2618 Manning Avenue Los Angeles, CA 90064			•		•	•									•	
14	Southwest Regional Council of Carpenters Mike McCarron, Executive Secretary-Treasurer 533 S. Fremont Ave., 10th Flr. Los Angeles, CA 90071															•	
15	TOPA Management Company 1900 Avenue of the Stars, Suite 880 Los Angeles, CA 90067-4218			•			•										

Table 1 (Continued)
Written Comments Summary
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16	Aviv L. Tuchman Tuchman & Associates Attorneys at Law 1000 Wilshire Boulevard, Suite 1600 Los Angeles, CA 90017	•	•	•	•			•					•		•	•	
17	Barbara L. Broide President Westwood South of Santa Monica Blvd. Homeowners Association Post Office Box 64213 Los Angeles, CA 94464			•												•	
Private Individuals																	
18	Barbara Abrash Ockykiss@aol.com			•													
19	Richard Ackerman Apollo Real Estate Advisors, LP 10250 Constellation Boulevard, Suite 2900 Los Angeles, CA 90067															•	

Table 1 (Continued)
Written Comments Summary
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20	Diane J. Anderson 13908 El Espejo Road La Mirada, CA 90638															•	
21	Lucie Bava 2946 Motor Avenue Los Angeles, CA 90064															•	
22	Lawrence and Kathryn Bernstein 10463 Tennessee Avenue Los Angeles, CA 90064			•												•	
23	Jonathan A. Brod jonbrod@pacbell.net	•		•	•											•	
24	Patrick Browne Angela Browne 1714 Warnull Ave. Los Angeles, CA 90024			•													
25	Shannon Burns 2305 Overland Avenue Los Angeles, CA 90064		•	•												•	

Table 1 (Continued)
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26	Jean Bushnell 10348 Eastborne Ave. Los Angeles, CA 90024			•													
27	Patricia A. Butler 2106 Parnell Avenue Los Angeles, CA 90025			•												•	
28	Nathan L. Chroman 1369 S. Ensley Avenue Los Angeles, CA 90024															•	
29	Robert J. Cimiluca 2210 Overland Ave Los Angeles, Ca 90064			•												•	
30	Patricia & Ira Cohen 1606 Club View Drive Los Angeles, CA 90024			•													
31	Bennett and Marilyn Cohon 1906 Prosser Avenue Los Angeles, CA 90025			•												•	

Table 1 (Continued)
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32	Pierre Denis 2907 Dunleer Place Los Angeles, CA 90064			•												•	
33	Allen L. Drapkin, D.D.S., F.A.G.D 1617 Warnull Ave. Los Angeles, CA 90024															•	
34	Charles Edelsohn P.E. 10334 Wilkins Ave. Los Angeles, CA 90024			•				•								•	
35	Marlene Felix 2724 Midvale Avenue Los Angeles, CA 90084			•						•	•	•	•			•	
36	Ivan Finkle 10340 Rochester Avenue Los Angeles, CA 90024			•												•	

Table 1 (Continued)
Written Comments Summary
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37	Steve & Susan Fiske 10736 Esther Ave. Los Angeles, CA 90064			•													
38	Marlene Frankel 10530 Tennessee Ave. L.A., CA 90064			•												•	
39	Lance Garber, Laurie Bickove 10312 Cheviot Drive L.A., CA 90064			•													
40	Eugene Golden Suite 203 6022 Wilshire Boulevard Los Angeles, CA 90056			•												•	
41	Raymond H. Goldstone, Esq. 10535 Missouri Avenue Los Angeles, CA 90025-5943		•	•												•	

Table 1 (Continued)
Written Comments Summary
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42	Lewis Hall 10313 Cheviot Drive Los Angeles, CA 90064			•													
43	Steven Heller 2012 Pelham Avenue Los Angeles CA 90025		•	•												•	
44	JaneAnne Jeffries Johnson 2320 Greenfield Avenue Los Angeles, CA 90064-1908			•													
45	Nicandro and Elizabeth Juarez 2735 Midvale Avenue Los Angeles, CA 90064			•												•	
46	Mrs. Donald L. Keene 530 Club View Drive Los Angeles, CA 90024			•												•	
47	Mary & Dennis Kopp 2340 Veteran Avenue Los Angeles, CA 90064		•	•												•	

Table 1 (Continued)
Written Comments Summary
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48	Larry J. Kosmont, CRE 2760 Dunleer Place Los Angeles, CA 90064			•													
49	Budd Lehman 1815 Westholme Ave Los Angeles, CA 90025															•	
50	Howard Lesner, Executive Director Sinai Temple 10400 Wilshire Boulevard Los Angeles, CA 90024-4602			•												•	
51	Mel Leventhal 9111 Monte Mar Dr. Los Angeles, CA 90035			•												•	
52	Joan Little 1527 Club View Drive Los Angeles, CA 90024			•				•		•	•					•	

Table 1 (Continued)
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53	Ruth Loomis 1833 Fairburn Ave. #306 Los Angeles, CA 90025			•												•	
54	Vincent J. Marella 1701 Club View Drive Los Angeles, CA 90024			•			•			•	•					•	
55	Annette and Boris Marks 10508 Wilkins Ave. Los Angeles, CA 90024			•												•	
56	Janie Marlowe 12th Floor 1200 Century Park East Century City, CA 90067															•	
57	Catherine da Gama c/o Morris 10790 Wilshire Blvd., #1004 Los Angeles, CA 90024			•												•	

Table 1 (Continued)
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58	Mrs. William Morris 10790 Wilshire Boulevard, #1004 Los Angeles, CA 90024															•	
59	Talia Nosrati 2762 Selby Avenue Los Angeles, CA 90064			•													
60	Gary W. Phillips Maileen W. Phillips 1308 Comstock Avenue Los Angeles, CA 90024															•	
61	Bettijane Pike 10808 Richland Ave. Los Angeles, CA 40064		•	•												•	
62	Inge Quaglino ingeq@juno.com			•												•	
63	Mary Lou Rane, Ph.D. 10332 Eastborne Avenue Los Angeles, CA 90024			•		•	•									•	

Table 1 (Continued)
Written Comments Summary
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64	Janet and Joe Reichmann 1429 Comstock Avenue Los Angeles, CA 90024																
65	Diana S. Post Terry A. Reichelderfer, M.D. 1404 Comstock Avenue Los Angeles, CA 90024			•												•	
66	Anggela Rinaldi 2965 Motor Avenue			•												•	
67	William M. Ryan 1448 Comstock Avenue Los Angeles, CA 90024			•												•	
68	Nancy Samovar <nancy@courtcharts.com>			•		•			•	•	•	•	•			•	
69	Nancy Samovar <nancy@courtcharts.com> 3001 Motor Avenue Los Angeles 90064			•				•									

Table 1 (Continued)
Written Comments Summary
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70	Dr. and Mrs. Robert E. Scott 1552 Ensley Avenue Los Angeles, CA 90024			•													
71	Diane C. Siegel 10455 Kinnard Avenue Los Angeles, CA 90024			•												•	
72	Constance Courage Shimiaei Bahman Shimiaei 1916 Midvale Avenue Los Angeles, CA 90025			•												•	
73	Joshua Silver 1833 Fairburn Ave. #306 Los Angeles, CA 90025			•												•	
74	D. M. Simmons, PhD 10319 Cheviot Drive Los Angeles, CA 90064			•													

Table 1 (Continued)
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75	Ms. Lauren Strogoff and family 10346 Rochester Ave. Los Angeles, CA 90024			•												•	
76	David Ting 2331 Greenfield Avenue Los Angeles, CA 90064			•													
77	Dr. & Mrs Robert F. Tobias 1927 Thayer Ave Los Angeles, CA 90025-5924			•											•		
78	Marilyn Tusher 2557 Midvale Avenue Los Angeles, CA 90064			•												•	
79	Florence Verger 1362 Comstock Ave. Los Angeles, CA 90024			•												•	

Table 1 (Continued)
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80	Peter M. Weil 10250 Constellation Boulevard Nineteenth Floor Los Angeles, CA 90067															•	
81	Alexis Wieland 2647 Glendon Avenue Los Angeles, CA 90064			•													
82	Judith and Barton Wolin 2160 Century Park East #1111 Los Angeles, CA 90067															•	

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
1. INTRODUCTION

The following topical responses have been prepared in order to address certain questions and summarize certain analyses regarding topics raised during the public comment period for the Draft EIR. The responses contained in this section are referred to, as appropriate, in Section IV.B, Comments Received on the Draft EIR.

The following subjects are addressed in this section:

- Topical Response No. 1: Traffic Study Methodology—This topical response provides an overview of the methodology used to evaluate potential traffic impacts;
- Topical Response No. 2: Project Trip Generation—This topical response provides an overview of the vehicular trip generation methodologies used to determine potential traffic impacts;
- Topical Response No. 3: Traffic Impacts—This topical response discusses the traffic impacts of the Project;
- Topical Response No. 4: Additional Analysis with Reduced Existing Trip Credit—This topical response analyzes the Project’s potential traffic impacts if the trip credits for the existing on-site uses are reduced from those approved by the Los Angeles Department of Transportation (LADOT);
- Topical Response No. 5: Parking Supply—This topical response addresses the parking demand and code required parking;
- Topical Response No. 6: Pedestrian Corridor—This topical response reviews the design and features of the pedestrian corridor;
- Topical Response No. 7: Project Consistency with the Century City North Specific Plan (CCNSP)—This topical response discusses the consistency of the proposed Project with the applicable provisions of the CCNSP;
- Topical Response No. 8: View Impacts—This topical response reviews the potential impacts of the Project on views of, and over, the Project site;

- Topical Response No. 9: Construction Impacts—This topical response provides an overview of the potential construction related impacts, including, air quality, traffic, noise, and dust;
- Topical Response No. 10: Cumulative Impacts—This topical response provides a summary of the cumulative analyses as presented in the Draft EIR as well as the Project’s cumulative impacts when evaluated in the context of an expanded related projects list; and
- Topical Response No. 11: Summary of Corrections and Additions—This topical response provides a summary of the corrections and additions to the Final EIR.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 1 – TRAFFIC STUDY METHODOLOGY

The analysis of potential traffic impacts associated with the Project is provided in Technical Appendix C and summarized in Section IV.B, Traffic and Circulation, of the Draft EIR. The analysis was prepared in accordance with guidelines set forth by the Los Angeles Department of Transportation (LADOT), the agency responsible for transportation review in the City of Los Angeles.

An extensive study area was developed so that the full range of potential impacts of the Project on the local and regional roadway network could be determined. In consultation with LADOT, thirty-two intersections were analyzed specifically for potential Project impacts on the local and regional roadway network. Refer to the Draft EIR Volume I for a listing of these intersections. The methodology used for the analysis and evaluation of traffic operations at each study intersection is based upon procedures developed for determining operating characteristics of an intersection in terms of the quality of traffic flow.

Existing traffic conditions were assessed for the 2005 base year. The Santa Monica Transit Parkway construction project currently underway, however, is causing abnormal traffic conditions along Santa Monica Boulevard and other major streets in the area, such as Wilshire Boulevard and Olympic Boulevard, including temporary changes in lane configurations along Santa Monica Boulevard, temporary reductions in traffic volumes along Santa Monica Boulevard, and shifts of traffic to other routes. Recent traffic counts taken after the start of the Santa Monica Parkway construction indicate that peak period traffic volumes along Santa Monica Boulevard in the Century City area have declined from between 18 percent and 47 percent depending upon direction and peak hour. Therefore, in order to provide an accurate and conservative analysis, LADOT determined that because the traffic counts for the 2000 Avenue of the Stars project were conducted in 2001 and 2002, prior to the commencement of the construction activity on Santa Monica Boulevard, traffic data from that approved traffic study should be used as the base data for the purpose of assessing operating conditions. This data was then adjusted to represent year 2005 conditions by applying an ambient growth factor of 1.5 percent per year and adding growth from related projects actually constructed between the count base year and 2005. By applying an ambient growth factor and accounting for projects actually constructed between the count base year and the 2005 base year, the traffic study for the Project conservatively calculates existing traffic conditions. Further explanation, including the peak hour traffic data and the list of related projects constructed between the count base year and the 2005 base year, is provided in the traffic study set forth in the Draft EIR.

Consistent with LADOT policy, an annual traffic volume growth factor of 1.5 percent was applied to the 2005 base year data to project future conditions for 2010. In addition to the application of the annual ambient growth traffic factor, future (2010) without project traffic volumes at the study intersections were derived by forecasting the traffic generated by other known related development projects in the area. Refer to Table 3 beginning on page 89 of Section III, General Description of the Environmental Setting, of the Draft EIR Volume I for the list of related projects.

Together, the application of the annual ambient traffic growth factor and consideration of traffic from other related projects provides the future baseline (2010) from which the potential Project traffic impacts were measured. The future traffic projections in the traffic study incorporate assumptions regarding the effect of the Santa Monica Parkway project on traffic patterns in the study area.

The methodology used for the analysis and evaluation of traffic operations at each study intersection is based on procedures outlined in the Transportation Research Board Circular 212, Interim Materials on Highway Capacity consistent with LADOT requirements. In the discussion of the Critical Movement Analysis (CMA) for signalized intersections, procedures were developed for determining operating characteristics of an intersection in terms of the “Level of Service” (LOS) provided for different levels of traffic volume and other variables, such as the number of traffic signal phases. Level of Service describes the quality of traffic flow. Levels of Service A to C denote conditions in which traffic operations are proceeding quite well, with no interruptions in traffic flow due to traffic volumes. Level D, a more constrained condition, is the level for which a metropolitan area street system is typically designed. Level E represents volumes at or near roadway capacity, which will result in possible stoppages of momentary duration and occasional unstable flow. Level F is a forced-flow condition, which occurs when a facility is overloaded and vehicles experience stop-and-go traffic with delays of long duration.

The existing conditions traffic analysis has been conducted pursuant to standard LADOT policy, the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and CEQA. In addition, operating conditions at study intersections in the City of Beverly Hills were also evaluated using the Intersection Capacity Utilization (ICU) method consistent with requirements of the City of Beverly Hills.

The traffic study uses standard Institute of Transportation Engineers (ITE) trip generation rates for high-rise condominiums (ITE code 232) to estimate trips for new Project uses, ITE trip and WLA TIMP generation rates to estimate trip credits for the existing bank and office uses on the Project site, and ITE trip generation rates to estimate trip credits for daily and A.M. peak hour uses for the existing restaurant on the Project site. No existing trips were estimated or taken as a credit for the existing restaurant for the P.M. peak hours because the restaurant is presently open for lunch and in the evening as a nightclub use, but is closed during the P.M. peak hour of traffic.

The LADOT Traffic Study Policies and Procedures (Standard LADOT Methodology) manual states that for an existing use to receive credit, it must have been in place for at least six months within the past two years. The existing uses at the Project site were validated by LADOT.

The CCNSP is the ordinance that governs development in Century City. The intent of this plan is to impose regulations that assist in assuring orderly development and redevelopment and provide adequate transportation and other public facilities. Under the CCNSP, Cumulative Automobile Trip Generation Potential (CATGP) determines how much development can occur on a given site. For existing buildings that will be demolished in the reuse of a site, CATGP is determined based on existing floor area, as defined under the CCNSP. CATGP is not, however, relevant for purposes of a CEQA analysis of traffic impacts of a project, which are determined by using standard LADOT methodology as explained above.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 2 – PROJECT TRIP GENERATION

To assess the potential traffic impacts, the Project was analyzed according to procedures specified in the WLA TIMP, and Standard LADOT Methodology. The trip rates used in the traffic analysis for the existing uses and the proposed Project have been reviewed and approved by LADOT. Refer to Table 11 on page 168 of Section IV.B, Traffic and Circulation, of the Draft EIR Volume I for the estimated trip generations for the existing and Project uses. See also Correction and Addition No. IV.B.e, Section III, Corrections and Additions, of the Final EIR for an updated table of trip generation for the existing and Project uses.

Pursuant to the methodologies described above, the Draft EIR compares the proposed Project's traffic generation to the amount of traffic being generated by the current development on the Project site. This comparison takes into account the differing uses of the existing uses and the proposed development, whereby each use is evaluated as to trip generation for daily, A.M. peak hour, and P.M. peak hour traffic generation.

The traffic study uses standard Institute of Transportation Engineers trip generation rates for high-rise condominiums (ITE code 232) to estimate trips for the new project uses, ITE and WLA TIMP trip generation rates to estimate trip credits for the existing bank and office uses on the Project site, and ITE trip generation rates to estimate trip credits for daily and A.M. peak hour uses of the existing restaurant on the Project site. No existing trips were estimated or taken as a credit for the existing restaurant for the P.M. peak hour, since the restaurant is presently open for lunch and in the evening as a nightclub use, but is closed during the P.M. peak hour of traffic.

The ITE rates include all trips generated by the high-rise condominium units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. Use of the ITE high-rise condominium rates was validated through an analysis of actual trip generation determined from driveway in/out counts conducted at the following four existing condominium developments: (1) 2160/2170 Century Park East in Century City, (2) Remington condominium development at 10727 Wilshire Boulevard, (3) Wilshire Regent at 10501 Wilshire Boulevard, and (4) Blair House at 10490 Wilshire Boulevard. The counts at the first two locations were conducted on three different days at each location in support of the 10131 Constellation Boulevard traffic study: Wednesday, August 10, 2005, Wednesday, October 19, 2005, and Thursday, November 17, 2005. The counts at the latter two locations were counted in May 2005 as part of the traffic study for the 2055 Avenue of the Stars Condominiums EIR (St. Regis site). The observed trips were compared to the number of units at

each development to derive empirical trip generation rates, and the empirical rates were compared to the high-rise residential condominium rates from ITE.

The following table summarizes the average trip generation rates per unit across the observed locations and compares it to the ITE high-rise rates per unit for high-rise condominiums:

<u>Location</u>	<u>AM Peak Hour Trips Per Unit</u>	<u>PM Peak Hour Trips Per Unit</u>
2160/2170 CPE	0.29	0.28
Remington	0.29	0.40
Wilshire Regent	0.17	0.16
Blair House	0.24	0.53
Empirical Average	0.25	0.34
ITE High-Rise Rate	0.34	0.38

As can be seen, the average rate for the four sites is less than the ITE rate for high-rise condominiums during both the A.M. and P.M. peak hours, validating the use of the ITE rates in the Draft EIR.

Section 4.C.2.b of the WLA TIMP allows for the use of an alternative method to estimate trips when a use is not listed in Appendix A of the WLA TIMP. High-rise condominium is not listed as a use in Appendix A of the WLA TIMP. Therefore, because the Project proposes high-rise condominiums, in accordance with the WLA TIMP, ITE high-rise rates, rather than WLA TIMP standard condominium rates, were used.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 3 – TRAFFIC IMPACTS

Compared to existing conditions, the Project would result in a net decrease of trips on a daily basis and during the P.M. peak hour and a new increase of about 47 trips during the A.M. peak hour. See Section IV.B, Traffic and Circulation, of the Draft EIR and Section III, Corrections and Additions No. IV.B.f and IV.B.g of the Final EIR.

Existing conditions and projected future conditions at the thirty-two study intersections are summarized in the Draft EIR. As indicated therein, by the year 2010, sixteen of the thirty-two study intersections in the area are anticipated to operate at an F level of service as a result of ambient growth and development of related projects. Twelve of these intersections would be operating at an F level of service in both A.M. and P.M. peak hours.

Major or key intersections at which there are capacity constraints and streets most likely to be used by Project traffic were the locations selected for analysis as directed by LADOT. Based on the less than significant impacts at all of the study intersections adjacent to or closer to the Project site, it can be reasonably estimated that there would not be a significant impact caused by the Project at the intersections that are further away from the Project site.

Based on Standard LADOT Methodology, the Project would not have a significant impact at any of the study intersections during either the A.M. or P.M. peak hours. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

The analysis also concluded that the Project impacts would be less than significant on local residential streets, on driveway access, and on the Congestion Management Program (CMP) freeway, arterial, and transit systems.

In response to the concerns expressed by many commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are significantly reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 4 - ADDITIONAL ANALYSIS WITH REDUCED EXISTING TRIP CREDIT

To assess the potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and the LADOT Traffic Study Policies and Procedures manual (Standard LADOT Methodology). The traffic study uses standard Institute of Transportation Engineers (ITE) and WLA TIMP trip generation rates to estimate trip credits for the existing bank and office uses on the Project site and ITE trip generation rates to estimate trip credits for daily and A.M. peak hour uses of the existing restaurant on the Project site. No existing trips were estimated or taken as a credit for the existing restaurant for the P.M. peak hour since the restaurant is presently open for lunch and in the evening as a nightclub use, but is closed during the P.M. peak hour of traffic. The trip rates used in the traffic analysis for the existing uses and the proposed Project were reviewed and approved by the Los Angeles Department of Transportation.

Nevertheless, in recognition of the concerns expressed by many commentors regarding the level of trip credit used in the Draft EIR for the existing land uses on the Project site, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented herein.

Comments Nos. 6-109 and 6-112 provided the commentor's opinion regarding a different assessment of the number of trips generated by the existing uses on the Project site, as follows: 600 daily trips, 22 trips during the A.M. peak hour, and 38 trips during the P.M. peak hour. The commentor's opinion about the number of actual existing trips is inconsistent with standard City policy and industry policy for determining trip credits for existing uses. Notwithstanding, the additional analysis conducted herein uses these numbers and is referred to as the "Brohard Analysis."

Table 2 on page 123 presents the estimated net Project trip generation with the reduced trip credits of 600 daily, 22 A.M. peak hour, and 38 P.M. peak hour trips under the Brohard Analysis. As indicated in Table 2, under this alternative set of assumptions, the Project would generate a net increase of approximately 1,419 daily trips, 142 trips during the A.M. peak hour, and 146 trips during the P.M. peak hour. These trips were assigned to the street system using the same trip distribution pattern discussed in the Draft EIR. Figures 1 through 4 on pages 124 through 127 present the resultant Project trips at the study intersections and the cumulative plus Project trips

Table 2

**Trip Generation Estimate
10131 Constellation Boulevard Residential Project/Century City
Additional Analysis With Reduced Existing Trip Credit**

Land Use	Size	Trip Generation Rates ^a								Estimated Trip Generation							
		ITE ^a Code	Daily Rate	A.M. Peak Hour			P.M. Peak Hour			Trip Rate Unit	Daily Trips	A.M. Peak Hour Trips			P.M. Peak Hour Trips		
				Rate	% In	% Out	Rate	% In	% Out			In	Out	Total	In	Out	Total
PROPOSED PROJECT																	
Condominium Units - Tower 1	194 units	232	4.18	0.34	19%	81%	0.38	62%	38%	per unit	811	13	53	66	46	28	74
Condominium Units - Tower 2	194 units	232	4.18	0.34	19%	81%	0.38	62%	38%	per unit	811	13	53	66	46	28	74
Condominium Units - 12-story Building	95 units	232	4.18	0.34	19%	81%	0.38	62%	38%	per unit	397	6	26	32	22	14	36
Total Proposed	483 units										2,019	32	132	164	114	70	184
EXISTING USE TO BE REMOVED																	
Bank: Retail Bank and Office	15.690 ksf	As Estimated Per Comment No. 7112									300	11	3	14	14	16	30
Restaurant	23.901 ksf	As Estimated Per Comment No. 7-112									300	8	*	8	*	8	8
Total Existing											600	19	3	22	14	24	38
NET INCREMENTAL TRIPS											1,419	13	129	142	100	46	146

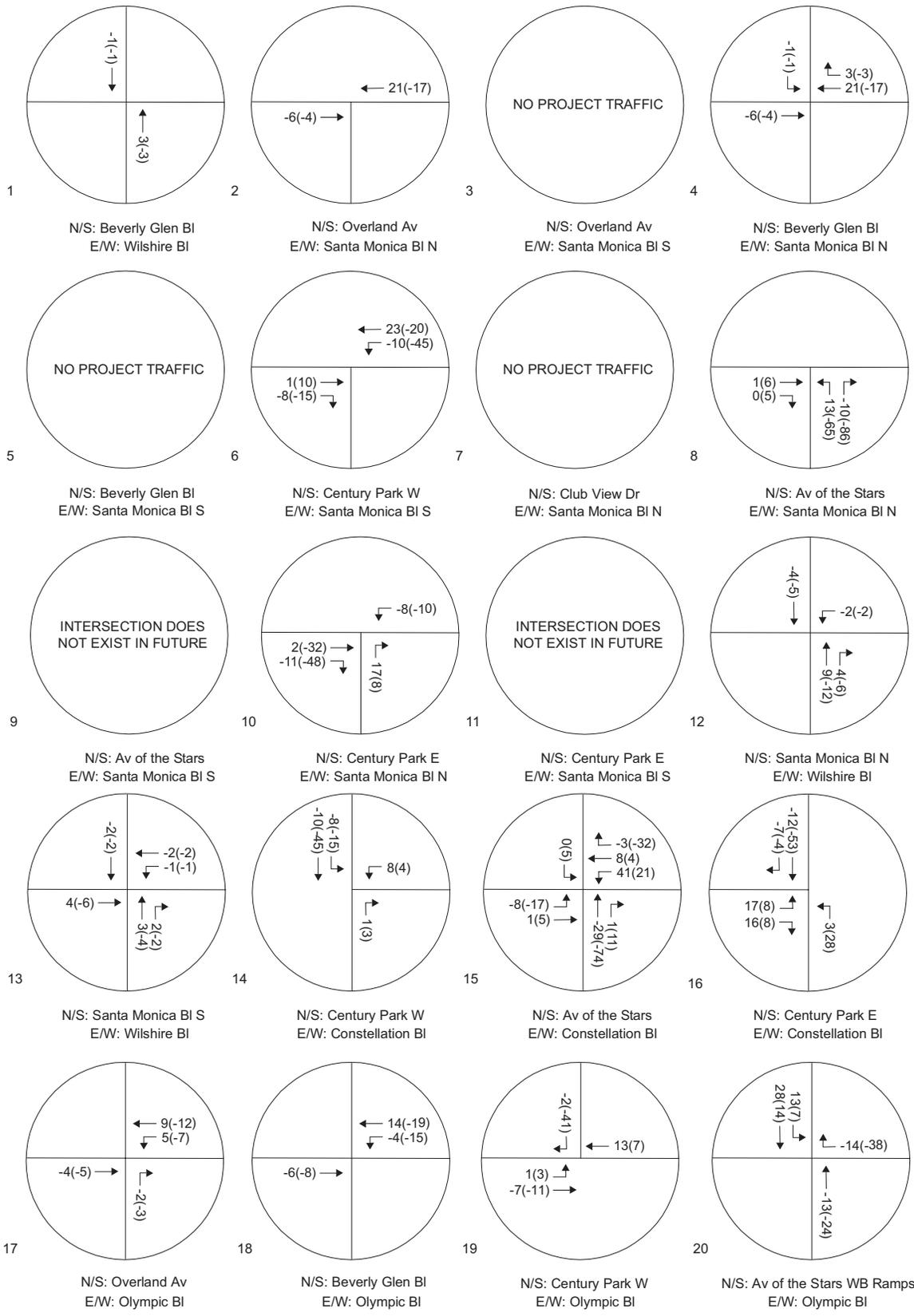
Notes:

* Negligible.

^a Source: Institute of Transportation Engineers (ITE), "Trip Generation, 7h Edition" 2003, unless otherwise noted.

Source for P.M. peak hour rates for existing bank and office building: City of Los Angeles, "West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP)," Adopted March 8, 1997.

The WLA TIMP does not provide a trip rate for high-rise condominiums such as the proposed Project, therefore LADOT has determined that the ITE trip generation rate should be used for such purpose, as permitted by the WLA TIMP.



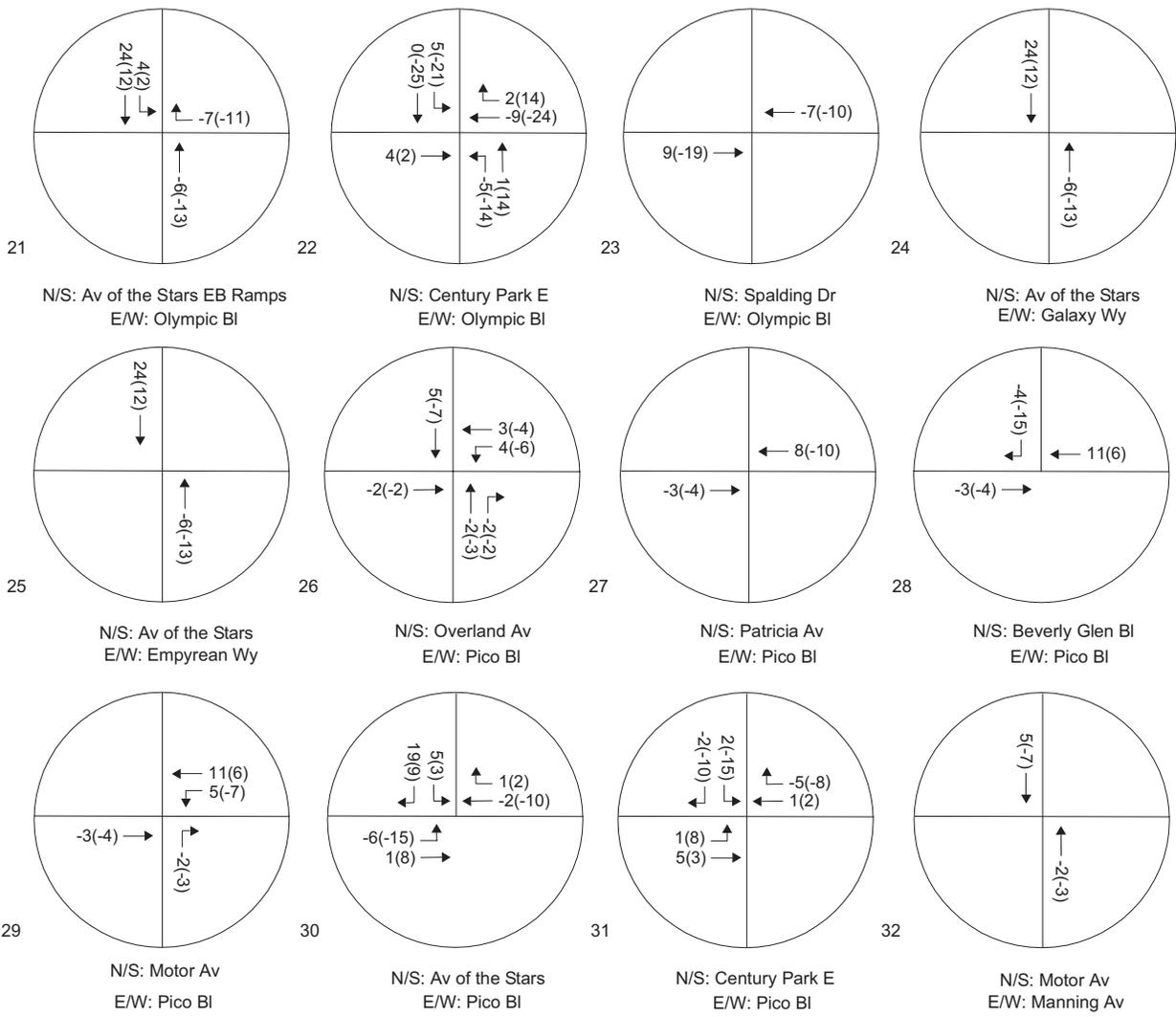
NOTE: XXX(XXX) - AM(PM) PEAK HOUR TRAFFIC VOLUMES



Not to scale

Source: KAKU Associates, 2006

Figure 1
Project Trips at the Study Intersections
(Intersections Nos. 1-20)



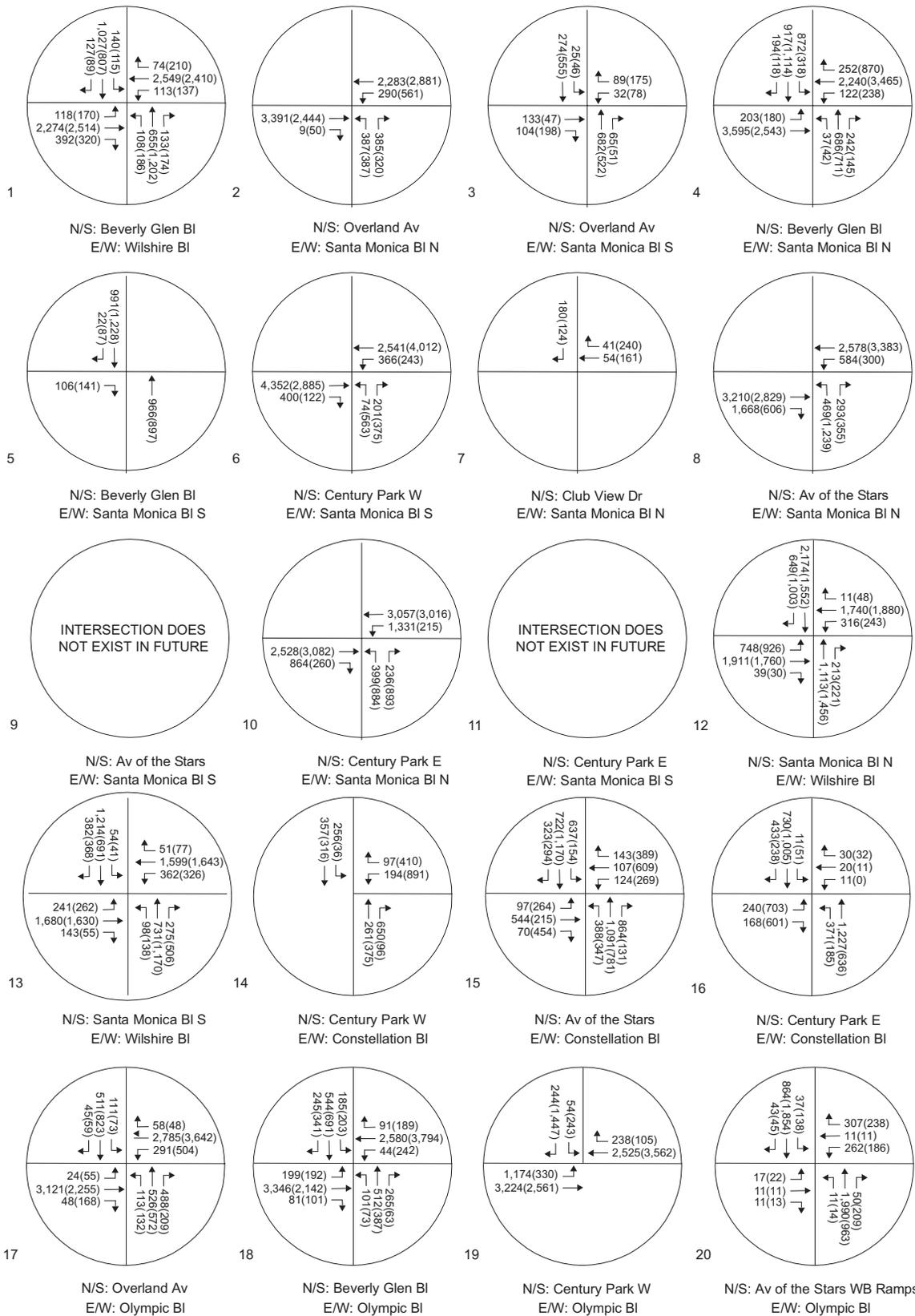
NOTE: XXX(XXX) - AM(PM) PEAK HOUR TRAFFIC VOLUMES



Not to scale

Source: KAKU Associates, 2006

Figure 2
Project Trips at the Study Intersections
(Intersections Nos. 21-32)



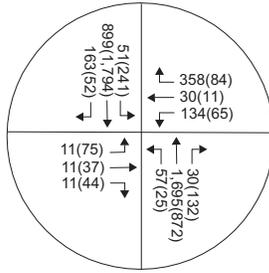
NOTE: XXX(XXX) - AM(PM) PEAK HOUR TRAFFIC VOLUMES



Not to scale

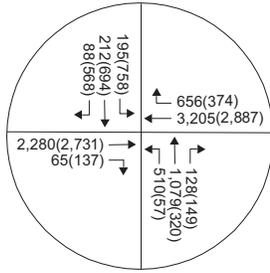
Source: KAKU Associates, 2006

Figure 3
Project Plus Cumulative Trip
at the Study Intersections
(Intersections Nos. 1-20)



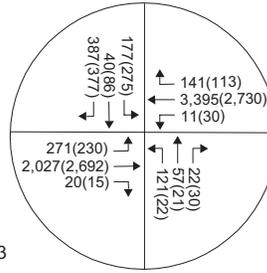
21

N/S: Av of the Stars EB Ramps
E/W: Olympic BI



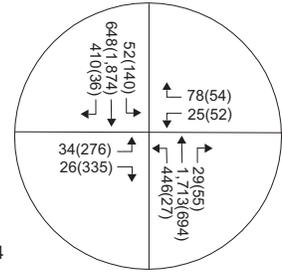
22

N/S: Century Park E
E/W: Olympic BI



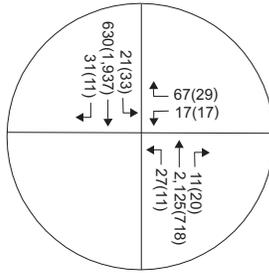
23

N/S: Spalding Dr
E/W: Olympic BI



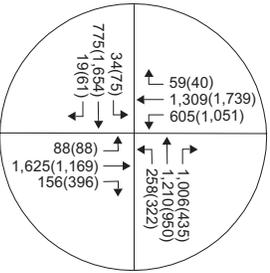
24

N/S: Av of the Stars
E/W: Galaxy Wy



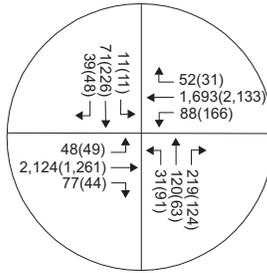
25

N/S: Av of the Stars
E/W: Empeyan Wy



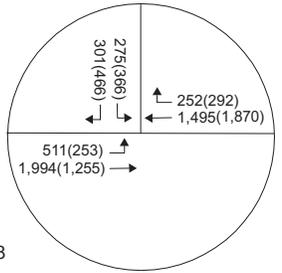
26

N/S: Overland Av
E/W: Pico BI



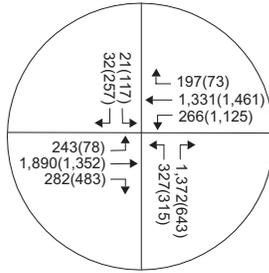
27

N/S: Patricia Av
E/W: Pico BI



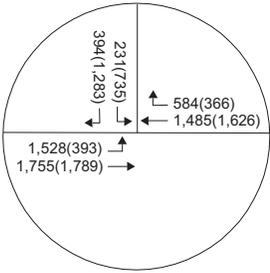
28

N/S: Beverly Glen BI
E/W: Pico BI



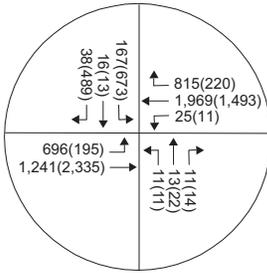
29

N/S: Motor Av
E/W: Pico BI



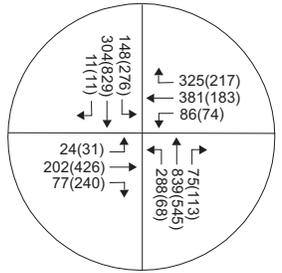
30

N/S: Av of the Stars
E/W: Pico BI



31

N/S: Century Park E
E/W: Pico BI



32

N/S: Motor Av
E/W: Manning Av

NOTE: XXX(XXX) - AM(PM) PEAK HOUR TRAFFIC VOLUMES



Not to scale

Source: KAKU Associates, 2006

Figure 4
Project Plus Cumulative Trip
at the Study Intersections
(Intersections Nos. 21-32)

at the study intersections, respectively, for the Brohard Analysis. (The cumulative traffic volumes used in this analysis include the additional related projects identified since the Notice of Preparation for the Draft EIR, as discussed in Topical Response No. 10-Cumulative Impacts.)

Intersection Analysis Under the Brohard Analysis

Table 3 on page 129 presents the estimated Year 2010 intersection levels of service with the reduced existing trip credits. As indicated in the table, under the Brohard Analysis, an adverse impact would be projected for one intersection: Avenue of the Stars/Constellation Boulevard. In consultation with LADOT, the Project Applicant has identified a potential improvement that would alleviate this impact. The potential improvement is as follows:

- Avenue of the Stars & Constellation Boulevard - Provide a second westbound left-turn lane on the Constellation Boulevard approach. The proposed improvement would be achieved by widening the north side of the east leg of the intersection (utilizing the existing irrevocable offer to dedicate for future street purposes along the Constellation Boulevard Project frontage at Avenue of the Stars), restriping the westbound approach to shift the existing right-turn lane and two through lanes northerly, and striping a second westbound left-turn lane. Modify traffic signal to provide overlapping left-turn phasing on the east-west Constellation Boulevard approaches.

The Project Applicant has agreed voluntarily to implement the improvement identified above. As shown in the following table, with this improvement, the one adverse impact under the Brohard Analysis would be reduced to a less than significant level:

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Adverse Project Impact	Cumulative Plus Project With Improvement		Project Change in V/C	Adverse Project Impact
		V/C	LOS	V/C	LOS			V/C	LOS		
15 Avenue of the Stars & Constellation Blvd	A.M.	0.773	C	0.804	D	0.031	YES	0.763	C	-0.010	NO
	P.M.	0.874	D	0.884	D	0.010	NO	0.884	D	0.010	NO

Local Residential Street Analysis Under the Brohard Analysis

The City of Los Angeles criteria for determination of significance of a project impact on a local residential street is based on the percentage increase in daily traffic on the street caused by the project. Since the Project is expected to generate a net reduction in daily trips from the

Table 3
Future Intersection Level of Service Analysis
Under the Brohard Analysis

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Adverse Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*1 Beverly Glen Blvd & Wilshire Blvd	A.M.	1.078	F	1.078	F	0.000	NO
	P.M.	1.197	F	1.197	F	0.000	NO
*2 Overland Ave & Santa Monica Blvd (N)	A.M.	1.169	F	1.170	F	0.001	NO
	P.M.	1.138	F	1.143	F	0.005	NO
*3 Overland Ave & Santa Monica Blvd (S)	A.M.	0.369	A	0.369	A	0.000	NO
	P.M.	0.516	A	0.516	A	0.000	NO
*4 Beverly Glen Blvd & Santa Monica Blvd (N)	A.M.	1.202	F	1.203	F	0.001	NO
	P.M.	1.238	F	1.240	F	0.002	NO
5 Beverly Glen Blvd & Santa Monica Blvd (S) ³	A.M.	0.401	A	0.401	A	0.000	NO
	P.M.	0.503	A	0.503	A	0.000	NO
*6 Century Park West & Santa Monica Blvd (S)	A.M.	1.115	F	1.115	F	0.000	NO
	P.M.	1.063	F	1.066	F	0.003	NO
7 Club View Dr & Santa Monica Blvd (N) ³	A.M.	0.183	A	0.183	A	0.000	NO
	P.M.	0.350	A	0.350	A	0.000	NO
*8 Avenue of the Stars & Santa Monica Blvd (N)	A.M.	1.414	F	1.423	F	0.009	NO
	P.M.	1.030	F	1.032	F	0.002	NO
*9 Avenue of the Stars & Santa Monica Blvd (S)	A.M.						
	P.M.						
*10 Century Park East & Santa Monica Blvd (N)	A.M.	1.185	F	1.186	F	0.001	NO
	P.M.	0.875	D	0.883	D	0.008	NO

Table 3 (Continued)

**Future Intersection Level of Service Analysis
Under the Brohard Analysis**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Adverse Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*11 Century Park East & Santa Monica Blvd (S)	A.M. P.M.			1			
12 Santa Monica Blvd (N) & Wilshire Blvd ²	(CMA) A.M.	1.590	F	1.591	F	0.001	NO
	(ICU)	1.362	F	1.363	F	0.001	NO
	(CMA) P.M.	1.594	F	1.596	F	0.002	NO
	(ICU)	1.283	F	1.284	F	0.001	NO
13 Santa Monica Blvd (S) & Wilshire Blvd ²	(CMA) A.M.	1.577	F	1.580	F	0.003	NO
	(ICU)	1.456	F	1.458	F	0.002	NO
	(CMA) P.M.	1.340	F	1.343	F	0.003	NO
	(ICU)	1.251	F	1.254	F	0.003	NO
*14 Century Park West & Constellation Blvd	A.M.	0.612	B	0.619	B	0.007	NO
	P.M.	0.410	A	0.422	A	0.012	NO
*15 Avenue of the Stars & Constellation Blvd	A.M.	0.773	C	0.804	D	0.031	YES
	P.M.	0.874	D	0.884	D	0.010	NO
*16 Century Park East & Constellation Blvd	A.M.	0.548	A	0.561	A	0.013	NO
	P.M.	0.633	B	0.655	B	0.022	NO
*17 Overland Ave & Olympic Blvd	A.M.	1.634	F	1.640	F	0.006	NO
	P.M.	1.538	F	1.543	F	0.005	NO
*18 Beverly Glen Blvd & Olympic Blvd	A.M.	1.068	F	1.069	F	0.001	NO
	P.M.	1.072	F	1.073	F	0.001	NO
*19 Century Park West & Olympic Blvd	A.M.	0.961	E	0.965	E	0.004	NO
	P.M.	1.306	F	1.307	F	0.001	NO

Table 3 (Continued)

**Future Intersection Level of Service Analysis
Under the Brohard Analysis**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Adverse Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*20 Avenue of the Stars & Olympic Blvd (WB Ramps)	A.M.	0.597	A	0.605	B	0.008	NO
	P.M.	0.527	A	0.558	A	0.031	NO
*21 Avenue of the Stars & Olympic Blvd (EB Ramps)	A.M.	0.517	A	0.518	A	0.001	NO
	P.M.	0.459	A	0.467	A	0.008	NO
*22 Century Park East & Olympic Blvd	A.M.	0.934	E	0.939	E	0.005	NO
	P.M.	0.977	E	0.983	E	0.006	NO
**2 3 Spalding Dr & Olympic Blvd ²	(CMA) A.M.	1.214	F	1.214	F	0.000	NO
		(ICU) 1.325	F	1.325	F	0.000	NO
	(CMA) P.M.	1.028	F	1.030	F	0.002	NO
		(ICU) 1.088	F	1.090	F	0.002	NO
*24 Avenue of the Stars & Galaxy Way	A.M.	0.447	A	0.447	A	0.000	NO
	P.M.	0.649	B	0.652	B	0.003	NO
25 Avenue of the Stars & Empyrean Way ³	A.M.	0.545	A	0.545	A	0.000	NO
	P.M.	0.468	A	0.471	A	0.003	NO
*26 Overland Ave & Pico Blvd	A.M.	1.479	F	1.482	F	0.003	NO
	P.M.	1.457	F	1.461	F	0.004	NO
*27 Patricia Ave & Pico Blvd	A.M.	0.793	C	0.797	C	0.004	NO
	P.M.	0.725	C	0.727	C	0.002	NO
*28 Beverly Glen Blvd & Pico Blvd	A.M.	0.864	D	0.868	D	0.004	NO
	P.M.	0.737	C	0.737	C	0.000	NO

Table 3 (Continued)

**Future Intersection Level of Service Analysis
Under the Brohard Analysis**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Adverse Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*29 Motor Ave & Pico Blvd	A.M.	1.442	F	1.443	F	0.001	NO
	P.M.	1.453	F	1.457	F	0.004	NO
*30 Avenue of the Stars & Pico Blvd	A.M.	1.064	F	1.066	F	0.002	NO
	P.M.	0.938	E	0.944	E	0.006	NO
*31 Century Park East & Pico Blvd	A.M.	0.821	D	0.822	D	0.001	NO
	P.M.	0.785	C	0.786	C	0.001	NO
*32 Motor Ave & Manning Ave	A.M.	1.076	F	1.077	F	0.001	NO
	P.M.	0.873	D	0.875	D	0.002	NO

Notes:

* Intersection is currently operating under ATSAC & ATCS system.

** Intersection is currently operating under ATSAC system only.

¹ Intersection will not exist in the future with the construction of Santa Monica Parkway.

² Intersection under City of Beverly Hills jurisdiction. Analyzed using both Critical Movement Analysis (CMA) methodology used by City of Los Angeles, and Intersection Capacity Utilization (ICU) methodology used by City of Beverly Hills to determine intersection V/C ratio.

³ Unsignalized Intersection.

estimated level of trips generated by the existing land uses on the Project site, the Draft EIR concluded that the Project would not have a significant impact on local residential streets.

However, an additional analysis has been conducted of the potential for a Project impact on local residential streets with the reduced existing trip credit under the Brohard Analysis. A specific analysis has been conducted for Motor Avenue and a more general analysis for all other local residential streets in the vicinity of Century City. Per the Los Angeles Department of Transportation's (LADOT's) Traffic Study Policies and Procedures manual (Standard LADOT Methodology), a local residential street shall be deemed significantly impacted based on an increase in the projected average daily traffic (ADT) volume:

Projected Average Daily Traffic with Project (Final ADT)	Project-Related Increase In ADT
0 to 999	16 percent or more of final ADT (for projects in the WLA TIMP, use 120 or more trips)
1,000 or more	12 percent or more of final ADT
2,000 or more	10 percent or more of final ADT
3,000 or more	8 percent or more of final ADT

Motor Avenue is classified by the City of Los Angeles as a collector street between Pico Boulevard and Manning Avenue, whereas the LADOT residential street criteria apply to local residential streets. Nevertheless, an analysis was conducted to determine whether the traffic generated by the Project would have a residential street impact on Motor Avenue, utilizing the LADOT criteria for local residential streets.

A recent 24-hour machine count conducted on Motor Avenue north of Manning Avenue on September 27th, 2005, shows that Motor Avenue carries a daily traffic volume of approximately 15,083 vehicles in both directions.

With the reduced credit for existing trips, the proposed Project would generate a net increase of approximately 1,419 daily trips. Per the distribution pattern approved by LADOT for the traffic study and shown in Figure 20 on page 173 of the Draft EIR, 6% of the Project trips are assumed to use Motor Avenue south of Pico Boulevard. This would translate to 85 daily trips added to Motor Avenue, which is approximately 0.6% of the final (existing plus Project) daily volume on Motor Avenue. Concluding from the above analysis, using the LADOT significance criteria, the Project would not have a significant impact on Motor Avenue even with the reduced existing trip credit under the Brohard Analysis.

The WLA TIMP establishes a minimum threshold of 120 or more daily trips before a Project impact on a local residential street would be considered significant. 120 trips represents 8.5% of the 1,419 net daily trips for the Project with the reduced existing trip credit. It is not anticipated that 8.5% of the Project's daily trips would use any single residential street in the vicinity of Century City. Therefore, the Project would not be expected to have a significant impact on residential streets even with the reduced existing credit for trips under the Brohard Analysis.

Freeway Analysis Under the Brohard Analysis

An additional analysis has been conducted of the potential for Project impacts on the freeway system with the reduced existing trip credit under the Brohard Analysis. This analysis is presented in Table 4 on page 134. As indicated in Table 4, the analysis concludes that the Project

Table 4
Freeway Mainline Level of Service Analysis
Under the Brohard Analysis

Freeway	Segment	AM/PM	LANES & CAPACITY				EXISTING CONDITIONS (YEAR 2005)						CUMULATIVE CONDITIONS (YEAR 2010)						Project Trips		CUMULATIVE PLUS PROJECT (2010)						SIGNIFICANT IMPACT			
			# of Lanes		Capacity ¹		North/Westbound			South/Eastbound			North/Westbound			South/Eastbound					North/Westbound			South/Eastbound			North/Westbound		South/Eastbound	
			N/WB*	S/EB*	N/WB	S/EB	Volume ²	V/C	LOS**	Volume ²	V/C	LOS**	Volume ³	V/C	LOS**	Volume ³	V/C	LOS**	NB/WB	SB/EB	Volume ³	V/C	LOS**	Volume ³	V/C	LOS**	Project V/C change	Signif. Impact?	Project V/C change	Signif. Impact?
10	Between Centinela Av & I-405 Interchange	AM	4.5	4.5	9,900	9,900	8,356	0.844	D	7,599	0.768	C	8,983	0.907	D	8,169	0.825	D	14	1	8,997	0.909	D	8,170	0.825	D	0.002	No	0.000	No
		PM	4.5	4.5	9,900	9,900	7,866	0.795	D	8,663	0.875	D	8,456	0.854	D	9,313	0.941	E	5	11	8,461	0.855	D	9,324	0.942	E	0.001	No	0.001	No
10	Between I-405 Interchange & Overland Avenue	AM	4.5	4.5	9,900	9,900	8,967	0.906	D	8,156	0.824	D	9,640	0.974	E	8,767	0.886	D	9	1	9,649	0.975	E	8,768	0.886	D	0.001	No	0.000	No
		PM	4.5	4.5	9,900	9,900	8,442	0.853	D	9,297	0.939	E	9,075	0.917	D	9,994	1.009	F(0)	3	7	9,078	0.917	D	10,001	1.010	F(0)	0.000	No	0.001	No
10	Between Overland Av & Robertson Bl	AM	4.5	5	9,900	11,000	9,510	0.961	E	8,650	0.786	D	10,224	1.033	F(0)	9,298	0.845	D	1	5	10,225	1.033	F(0)	9,303	0.846	D	0.000	No	0.001	No
		PM	4.5	5	9,900	11,000	8,954	0.904	D	9,860	0.896	D	9,625	0.972	E	10,600	0.964	E	4	2	9,629	0.973	E	10,602	0.964	E	0.001	No	0.000	No
10	Between Robertson Bl & La Cienega Bl	AM	4.5	5	9,900	11,000	9,341	0.944	E	8,495	0.772	D	10,041	1.014	F(0)	9,133	0.830	D	1	12	10,042	1.014	F(0)	9,145	0.831	D	0.000	No	0.001	No
		PM	4.5	5	9,900	11,000	8,794	0.888	D	9,684	0.880	D	9,453	0.955	E	10,411	0.946	E	9	4	9,462	0.956	E	10,415	0.947	E	0.001	No	0.001	No
405	Between I-10 Interchange & Olympic Bl	AM	4.5	4.5	9,900	9,900	11,597	1.171	F(0)	9,257	0.935	E	12,467	1.259	F(1)	9,951	1.005	F(0)	1	12	12,468	1.259	F(1)	9,963	1.006	F(0)	0.000	No	0.001	No
		PM	4.5	4.5	9,900	9,900	9,852	0.995	E	10,715	1.082	F(0)	10,591	1.070	F(0)	11,519	1.164	F(0)	9	4	10,600	1.071	F(0)	11,523	1.164	F(0)	0.001	No	0.000	No
405	Between Olympic Bl & Santa Monica Bl	AM	4.5	4.5	9,900	9,900	12,498	1.262	F(1)	9,977	1.008	F(0)	13,436	1.357	F(2)	10,725	1.083	F(0)	1	13	13,437	1.357	F(2)	10,738	1.085	F(0)	0.000	No	0.002	No
		PM	4.5	4.5	9,900	9,900	10,618	1.073	F(0)	11,548	1.166	F(0)	11,414	1.153	F(0)	12,414	1.254	F(1)	10	5	11,424	1.154	F(0)	12,419	1.254	F(1)	0.001	No	0.000	No
405	Between Santa Monica Bl & Wilshire Bl	AM	5.5	5.5	12,100	12,100	10,483	0.866	D	7,436	0.615	C	11,269	0.931	E	7,994	0.661	C	6	1	11,275	0.932	E	7,995	0.661	C	0.001	No	0.000	No
		PM	5.5	5.5	12,100	12,100	9,594	0.793	D	10,196	0.843	D	10,314	0.852	D	10,960	0.906	D	2	5	10,316	0.853	D	10,965	0.906	D	0.001	No	0.000	No

Notes:
* A half-lane indicates an auxiliary lane or HOV lane in this section of freeway.
** F(0) through F(3) represent gradations of LOS F.
¹ Capacity of 2,200 vehicles per hour per lane assumed.
² Existing volumes based on counts from Caltrans 2004 Traffic Volumes on California State Highways and grown by 1.5%.
³ Cumulative Base (Year 2010) traffic volumes were derived from Existing (Year 2005) Volumes grown by 1.5% per year for 5 years)

would add between one and 14 trips in any given direction to segments of the Santa Monica and San Diego Freeways in the vicinity of the study area with the reduced credit for existing uses, resulting in V/C changes of 0.000 to 0.002. This level of change would be far below the significance criteria established in the Los Angeles County Congestion Management Program (CMP) (0.020 V/C change at LOS F). Thus, the Project would not have an impact on the freeway system even with the reduced existing trip credit.

Transit Analysis Under the Brohard Analysis

A transit impact analysis was conducted as part of the Draft EIR in accordance with the methodology set forth in Section D.8.4 of the Los Angeles County CMP. This methodology assumes an average vehicle ridership (AVR) factor of 1.4 in order to estimate the number of person trips to and from a site, and then provides guidance regarding the percent of person trips assigned to public transit depending on the type of use (commercial/other versus residential) and the proximity to transit services. The nearest designated CMP transit corridor is Santa Monica Boulevard. Since the Project site is located approximately one-quarter mile from these services, the CMP guidelines estimate that approximately 5% of Project person trips may use public transit to travel to and from the site.

With a reduced credit for existing trips, the proposed Project would generate a net increase of approximately 142 vehicles during the A.M. peak hour and 146 vehicles during the P.M. peak hour. Applying the AVR factor of 1.4 to the estimated vehicle trips results in an estimated increase of approximately 199 and 204 person trips during the A.M. and P.M. peak hours, respectively. Finally, assuming the 5% transit mode split suggested in the CMP, this results in the conclusion that the Project could add approximately ten new transit person trips during both the A.M. and P.M. peak hours. At this level of increase, and in light of the high level of transit service serving the Century City area, Project impacts on the regional transit system would be less than significant.

Summary

The Draft EIR analyzed the Project traffic impacts using standard LADOT trip generation rates and procedures, and traffic impacts were found to be less than significant. Nevertheless, in response to concerns that the trips generated by existing uses on the Project site are less than those estimated in the Draft EIR, an additional analysis was conducted of potential Project trips and traffic conditions with a lesser level of trip credit for existing uses at the levels suggested in Comment Nos. 7-109 and 7-112. Even with this reduced level of credit, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system. The Project Applicant has voluntarily agreed to make improvements to the Constellation Boulevard/Avenue of the Stars intersection immediately adjacent to the Project frontage that would eliminate any potential adverse impact at that location under the Brohard Analysis.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 5 - PARKING SUPPLY

As discussed in Appendix C and summarized in Section II, Project Description of the Draft EIR Volume I, the Project would provide a total of 1,208 parking spaces within an on-site four-level subterranean parking structure.

The total code required parking for the proposed Project pursuant to LAMC Section 12.21-A4(a) is 966 spaces (two spaces per each dwelling unit). The City of Los Angeles Planning Department memorandum regarding Residential Parking Policy for Division of Land—No. AA 2000-1—dated May 24, 2000, however, establishes a standard for new condominiums of two spaces per unit plus 0.25 spaces per unit for guest parking in non-congested areas, and 0.5 spaces per unit for guest parking in parking congested areas. This standard would require 1,208 parking spaces, which is equal to the number proposed to be provided on-site using 0.5 spaces per unit for guest parking (or 242 guest parking spaces).

Valet services and a concierge would be located on the plaza level at each building entrance. It is anticipated that the valet attendants would be available at all times to assist residents and guests and transport vehicles to dedicated spaces in the subterranean parking facility. In addition, residents and employees (e.g., building staff or household employees in individual units) would be able to self-park on-site and would have access to additional parking in the garage located at 2030 Century Park West, where employees of the Project would be offered reduced parking rates. There are approximately 3,000 parking spaces in the parking garage located at 2030 Century Park West, which is owned and controlled by the Project Applicant. Currently, a large portion of these spaces are unused on a daily basis and could be made available for this Project.

Loading docks would be provided for each building. It is anticipated that service and delivery vehicles would utilize the loading docks.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 6 - PEDESTRIAN CORRIDOR

Pedestrian activity is an important element of any urban environment, particularly within centers of activity such as Century City. The importance of pedestrian activity within the Century City area is reflected in a number of policies set forth in the City's General Plan Framework Element, West Los Angeles Community Plan, and the Century City North Specific Plan (CCNSP). Figure 1 of the CCNSP identifies a system of Pedestrian Walkways and Crossings that link the blocks within the portion of the Specific Plan area north of Olympic Boulevard.

The proposed Project includes a number of design features that support the overall pedestrian environment within Century City and implement the provisions of the CCNSP, the City's General Plan Framework Element, and the West Los Angeles Community Plan. Project design features that support and enhance pedestrian activity within Century City include upgraded landscaping along the public streets and sidewalks along both Avenue of the Stars and Constellation Boulevard. This landscaping program includes elements such as a canopy of shade trees, flower gardens, water features, landscaping lighting features, broad landscaped setbacks, and streetscape amenities. The Project would also provide two open space areas, accessible to pedestrians along Avenue of the Stars and Constellation Boulevard. The plaza at the corner of Avenue of the Stars and Constellation Boulevard would contain water features, seating areas, and a series of stepped gardens that would serve as a public gathering space. The provision of public spaces within the Project site would continue an existing pattern within Century City of landscaped gathering places at the corners of major boulevards and street crossings. Furthermore, edges of the Project that front Avenue of the Stars and Constellation Boulevard would be architecturally designed to provide visual interest and articulation at the pedestrian level. Through the incorporation of landscaped areas and walkways linked to adjacent land uses, the Project would provide a pedestrian-friendly environment and would enrich the street life by encouraging walking connections between adjacent uses.

In compliance with the CCNSP, the Project would also provide an on-site Pedestrian Walkway that would connect with the existing and proposed network of pedestrian walkways within the Century City commercial center. At the Project site, the CCNSP calls for a Pedestrian Walkway along the site's eastern boundary. A cross-section of the proposed Project's Pedestrian Walkway is provided in Section IV.A, Land Use, Figure 18, on page 115 of the Draft EIR. As shown in the CCNSP and in Section IV.A, Land Use, Figure 15, on page 106 of the Draft EIR, this walkway connects to the overall system via a mid-block Pedestrian Crossing across

Constellation Boulevard to the south and continues off the Project site to the north before connecting to an east-west Pedestrian Walkway that leads to Pedestrian Crossings across Avenue of the Stars and Century Park East. As such, the Project's pedestrian pathway would be consistent with existing pathways and pedestrian features located throughout Century City. The Pedestrian Walkway would also incorporate landscape elements along the pathway to create a pleasant environment and to encourage use of the pathway. Furthermore, to assure public safety, the Project's Pedestrian Walkway as well as the Project's other public open space areas would be visible from the street and sidewalk and would be appropriately lit.

The proposed Project is consistent with all applicable provisions of the CCNSP with regard to implementing the on-site portion of the required Pedestrian Walkway. As explained in Topical Response No. 7, Project Consistency with the Century City North Specific Plan, the Project is also consistent with all applicable provisions of the CCNSP. As a result, the Project would provide a benefit to the community by further facilitating pedestrian movement within Century City. Furthermore, no aspect of Project construction or operations would impede the Pedestrian Walkway and Pedestrian Crossing contemplated by the CCNSP that are north and south of the Project site, respectively.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 7 – PROJECT CONSISTENCY WITH THE CENTURY
CITY NORTH SPECIFIC PLAN

Section IV.A, Land Use, of the Draft EIR includes a detailed analysis of the Project's consistency with the provisions of the Century City North Specific Plan. Specifically, Table 5 on pages 129 to 132 of the Draft EIR provides an analysis of Project consistency with the applicable individual policies set forth in the CCNSP. These analyses conclude that the Project as proposed would be consistent with the applicable policies of the CCNSP and, therefore, the land use impacts relative to this land use plan would be less than significant.

The purpose of the CCNSP is to assure orderly development and to provide street capacity and other public facilities adequate for the intensity and design of development in Century City by establishing phases for construction within the Specific Plan Area. In addition to the provision of a Pedestrian Walkway, which is discussed in detail in Topical Response No. 6, Pedestrian Corridor, key elements of the CCNSP include regulating the allowable development within the Project site; regulating impacts of the Project on the vehicular circulation system by, among other things, providing for the allocation of motor vehicle trips to individual development sites; establishing limitations on the extent to which new development can cause shade/shadow impacts; requiring the provision of pedestrian amenities; and requiring the screening of mechanical equipment. Each of these key elements is addressed in the following bullet points:

- **Allowable Floor Area:** The CCNSP establishes a maximum floor area ratio (FAR) of six to one for the Project site (i.e., six square feet of floor area for each square foot of site area). The buildable area of the Project site is approximately 215,393 square feet. The total floor area of the Project's three structures would be approximately 1,292,358 square feet. Thus, the total floor area would be six times greater than the land area which equates to an FAR of 6:1. Therefore, the Project's FAR would be consistent with the 6:1 FAR permitted under the CCNSP.
- **Cumulative Automobile Trip Generation Potential (CATGP):** The Project site is identified as Parcels 7 and 8 within the City's CCNSP Trip Allocation Chart. According to the Los Angeles City Planning Department's CATGP trip allocation tables as of August 1, 2005, a total of 1,541.190 Phase II CATGP trips are currently available on Parcel 7 and 2,112.991 potential replacement trips would be generated by demolishing the existing buildings on Parcel 8. Thus, a total of 3,654.181 CATGP

- trips are allocated to the Project site. Applying the trip factor of 7.55 trips per dwelling unit, as set forth in Section 2 of the CCNSP, the proposed Project would generate 3,646.65 CATGP Trips. Thus, Project development would generate CATGP trips that are less than those allocated to the Project site.
- **Shade/Shadow Conditions:** As explained in Section IV.C, Visual Resources, of the Draft EIR, depending upon the season, the maximum duration of shading impacts from the Project would be from 30 minutes to one hour. New off-site shading attributable to the proposed Project would occur on portions of the Los Angeles Country Club golf course during the morning hours, while a strip of the Beverly Hills High School campus, east of Century City and portions of several residential lots along Robbins Drive and Young Drive, west of Moreno Drive in the City of Beverly Hills would be newly shaded during the afternoon hours on the winter solstice, the time period when Project shadow impacts are at their greatest. The maximum duration of shading of residential areas during the winter solstice would not exceed one hour between the hours of 9:00 A.M. and 3:00 P.M., and no new shading would occur during the prescribed period on any shadow-sensitive locations, such as residences, on the spring or fall equinoxes or summer solstice. Under the CCNSP criteria, no detached, single-family residential neighborhoods would experience more than two hours of new shading during the hours of 8:00 A.M. and 8:00 P.M. during any of the four seasons. As such, Project shading impacts would be less than significant.
 - **Pedestrian Amenities:** The proposed Project, as described in Topical Response No. 6, provides a wide variety of publicly accessible pedestrian amenities as well as implementing the Pedestrian Walkway along the Project site's eastern boundary as identified in Figure 1 of the CCNSP (see Figures 15 and 18, Draft EIR Section IV.A, Land Use, pages 106 and 115). As stated in detail in Topical Response No. 6, Pedestrian Corridor, Project design features that support and enhance pedestrian activity within Century City include upgraded landscaping along the public streets and sidewalks along both Avenue of the Stars and Constellation Boulevard as well as three open space areas, accessible to pedestrians along Avenue of the Stars and Constellation Boulevard. The provision of public spaces within the Project site would continue an existing pattern within Century City of landscaped gathering places at the corners of major boulevards and street crossings. Through the incorporation of landscaped areas and walkways linked to adjacent land uses, the Project would provide a pedestrian-friendly environment and would enrich the street life by encouraging walking connections between adjacent uses. The Project's Pedestrian Walkway, in compliance with the provisions of the CCNSP, would connect with the existing and proposed network of pedestrian walkways within the Century City commercial center. As such, the Project's Pedestrian Walkway would be consistent with existing pathways and pedestrian features located throughout Century City. The Project's Pedestrian Walkway would also incorporate landscaping

and lighting elements to create a pleasant environment and encourage the use of the Pedestrian Walkway.

- **Screening of Mechanical Equipment:** The Project has been designed to screen all ventilation, heating and air conditioning ducts, tubes, and other such mechanical equipment from the line of sight of pedestrians, motorists, and occupants of adjacent buildings.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 8 – VIEW IMPACTS

As described in Section IV.C, Visual Resources, of the Draft EIR, the Project has a less than significant impact on views. Section IV.C of the Draft EIR analyzes the Project's effect on views of, and over, the Project site, and considers views available from public as well as private viewing locations. The analysis focuses on the extent to which Project development would obstruct an existing view of a valued view resource. Existing features that represent Century City's valued view resources include its architecturally interesting, high quality tower buildings, extensive street landscaping, and unique skyline. Views from Avenue of the Stars, a designated Scenic Highway, are also considered a valued view resource within Century City itself. View resources of note also include long range views from the upper stories of the taller buildings in Century City. Depending on view location, views from Century City's high-rises may include the downtown Los Angeles skyline, the Westwood skyline, the Wilshire corridor, civic buildings in the City of Beverly Hills, the Los Angeles Country Club Golf Course, Hollywood Hills, the Hillcrest Country Club golf course, and broad views to the south and west, including Santa Monica Bay. Views of the Hollywood Hills and Westwood skyline are available through the corridors of northbound streets, such as Avenue of the Stars and Century Park West. However, no long-range views, or views of distant resources are visible through east-west oriented streets within Century City, due to the presence of existing intervening structures. Although valued views of the Hollywood Hills and the Westwood skyline are available along Century City's northbound streets, the quality of the viewshed is generally limited at the street level due to existing intervening buildings. As such, view opportunities improve as the elevation of the view location increases. Therefore, distant views of valued view resources are generally available only from the upper stories of Century City's taller high-rise buildings.

Public views in Century City include long-range views of the Hollywood Hills and the Westwood skyline along northbound Century City streets, near-views of the Century City high-rises and landscaping from the Avenue of the Stars pedestrian bridge and public sidewalks, and views of the highly articulated Century City skyline from streets and communities surrounding Century City. As viewed from surrounding public streets, including Santa Monica, Olympic, and Pico Boulevards, and from the City of Beverly Hills, the Project would not block any valued views. In addition, the Project would be aligned so as not to block northerly views along the north-south streets in Century City, including Avenue of the Stars, and, therefore, would not block views toward the Hollywood Hills and the Westwood skyline. Since the Project would not block or diminish public views, the impact of the Project relative to this view location would be less than significant. Views from adjacent public plazas and sidewalks, which are currently

available over portions of the Project site, would be blocked by future development. However, the pedestrian scale and amenities provided by the Project, as well as the architecture of the Project, would offset any impacts that may occur due to the view blockage of nearby buildings from the sidewalks. Therefore, the Project would result in a less than significant impact with regard to public views.

The valued views of Century City from private property, such as the residential areas located north/northwest and south/southwest of the Project site are the articulated skyline and prominent architecture of Century City's high-rise buildings. Due to the location of the Project in the Century City core and intervening existing high-rise structures, the Project would not add substantial mass or a sense of encroachment relative to residential neighborhoods within, and adjacent to, Century City. Also, in combination with other high-rise buildings, the Project's vertical articulation and architectural design would contribute to the architectural interest of the view and would be consistent with the nature and the quality of the existing view. The Project would partially impact views of portions of Century City's high-rise buildings from multiple-family residences south of the Project site, however, other prominent existing tower buildings would continue to be visible and the Project would contribute to the dimension and articulation of the skyline. Therefore, the impact of the Project on views from residential neighborhoods and from the Los Angeles Country Club would be less than significant.

Surrounding commercial office buildings, hotels, and private recreational facilities also constitute private view locations that may be affected by Project development. The buildings nearest the Project site would experience the greatest view impact since the proximity increases the proportion of the field of view that the Project occupies. Varying degrees of view impacts would also occur in relation to high-rise buildings located farther from the Project site. Due to distance, however, the potential view impact would be less substantial in relation to buildings located farther from the Project, since the Project would fill a smaller proportion of the field of view. Although view impacts would occur in relation to adjacent high-rise office buildings, the view impact would not be deemed significant since the threshold of significance relative to views, based on the factors listed in the Los Angeles CEQA Threshold Guide, does not provide regulatory protection to individual views available from commercial properties. Therefore, the impact of the Project relative to view impacts on commercial locations would be less than significant.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 9 – CONSTRUCTION IMPACTS

To assess the potential construction impacts associated with the Project, an analysis was conducted and is discussed by topic in Section IV., Environmental Impact Analysis, of the Draft EIR.

1. AIR QUALITY

An analysis of the Project construction and demolition air pollution emissions around the subject property is set forth in Section IV.D, Air Quality, of the Draft EIR. The analysis assessed potential air quality impacts during the Project's three construction phases – demolition, site grading/excavation, and building erection/finishing. The analysis addresses potential impacts with regard to criteria pollutants,⁸ air toxics, and odors.

The Project's construction emissions are calculated by subtracting the emissions that would be generated by the existing land uses without the Project, from the emissions generated by Project construction. Levels of individual criteria pollutants vary by construction phase, with NO_x and PM₁₀ emissions being greatest during the site grading/excavation phase, while CO and ROC emissions are greatest during the building erection/finishing phase. Daily construction emissions of ROC, NO_x, CO, PM₁₀, and SO_x would fall below their respective SCAQMD significance thresholds. The closest sensitive receptor to the Project site is Century City Hospital, located approximately 700 feet east-southeast of the Project site. Maximum Project emissions at this location would remain below applicable SCAQMD localized significance thresholds. All other sensitive receptors (i.e., residential areas and schools) are located further away from the Project site. As emissions decrease as the distance from the source increases, localized impacts at all residential and school locations would be less than those forecasted to occur at Century City Hospital. As such, localized impacts that may result from construction-period air pollutant emissions at all air quality sensitive receptors would be less than significant. Therefore, Project demolition and construction activities do not result in a significant short-term air quality impact.

⁸ *Criteria pollutants are those pollutants for which ambient air quality standards have been established. The five criteria pollutants analyzed are carbon monoxide (CO), nitrogen oxides (NO_x), reactive organic compounds (ROC), particulate matter less than 10 microns in diameter (PM₁₀), and sulfur oxides (SO_x).*

The greatest potential for toxic air contaminant (TAC) emissions during Project construction would be related to diesel particulate emissions associated with heavy equipment operations during grading and excavation activities. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of individual cancer risk, or the likelihood that a person exposed to concentrations of TACs over a 70-year lifetime will contract cancer. The Project would not result in a long-term substantial source of TAC emissions, nor would there be residual emissions after construction that would materially contribute to a corresponding individual cancer risk. Therefore, Project-related toxic emission impacts during construction would be less than significant.

Potential sources that may emit odors during construction include the use of architectural coatings and solvents. Via mandatory compliance with SCAQMD Rule 1113, no construction activities or materials are proposed that would create objectionable odors, and impacts associated with odors during Project construction would be less than significant.

Even though Project construction emissions are less than significant, a series of mitigation measures have been identified to reduce the Project's less than significant construction air quality impacts. In addition, the Project Applicant proposes to implement a voluntary construction management and mitigation plan, which would contain provisions designed to minimize any air quality impacts from Project construction to the extent feasible. The construction management and mitigation plan is attached as Appendix B of this Final EIR.

Of the 49 related projects, it is possible that some may have overlapping construction schedules with the Project and raise the issue of the significance of cumulative construction air quality impacts. The closest of these include the Constellation Place project, the Westfield Shoppingtown Century City Expansion, the St. Regis Redevelopment project, and the Fox Studio Expansion.

The construction schedules for each of the projects, as discussed on pages 300-302 of the Draft EIR, could coincide; however, because initiation and completion of the projects depend in part on economic and other unpredictable factors, any overlap is uncertain. For example, the Fox Studios project has been approved for some time, yet not all of the construction has been initiated. Further, construction impacts are short term, and would cease upon occupancy/opening of the related projects. It is unlikely that all of the identified related projects would be under construction simultaneously with their maximum possible emissions.

Further, it is noted that construction air quality emissions vary considerably from day to day, and the maximum-day emissions are assumed for purposes of this analysis. In addition, each of the related projects has been required to mitigate their impacts to the extent feasible. Thus, it is likely that actual air emissions would be less than predicted. In any case, the proposed

Project's contribution is substantially less than significant (the projected Project construction emissions of PM₁₀ are only 51% of the SCAQMD threshold, all other emissions are reduced). Notwithstanding, the related projects could commence construction during the same time frame and could result in a potentially significant cumulative air quality impact due to construction emissions.

2. CONSTRUCTION TRAFFIC

Section IV.B, Traffic and Circulation, of the Draft EIR explains that Project construction would generate traffic from construction worker travel, as well as the arrival and departure of trucks delivering construction materials to the Project site and the hauling of debris and exported soils generated by on-site demolition and excavation activities. Both the number of construction workers and trucks would vary throughout the Project's construction period. It is anticipated that the majority of the Project's construction workers would arrive and depart the Project site during off-peak hours (i.e., arrive prior to 7:00 A.M. and depart before 4:00 P.M.) and that the majority of haul truck traffic would be distributed evenly across the workday. During the construction phase of the Project, all trips generated by existing uses would be replaced by fewer trips and would include crew vehicles and haul trucks. Therefore, construction traffic impacts would be less than significant.

Additionally, the City of Los Angeles would approve specific haul routes for the transport of materials to and from the site during demolition and construction. Currently, the Project's haul route(s) is (are) not approved and is subject to the City's approval process. This process includes a public hearing and opportunities for the public to comment on the proposed route. Subject to approval, the general haul routes currently envisioned are as follows: (1) Avenue of the Stars north to Santa Monica Boulevard, and Santa Monica Boulevard west to the I-405 Freeway; (2) Avenue of the Stars south to Pico Boulevard, and Pico Boulevard west to the I-405 Freeway; and (3) Avenue of the Stars south to Pico Boulevard, Pico Boulevard west to Overland Avenue, and Overland Avenue south to the I-10 Freeway.

- Inbound: Approaching from the north, south, east or west, one or more of the following haul routes may be approved:
 - From the I-405 Santa Monica Boulevard exit, proceed east on Santa Monica Boulevard to Avenue of the Stars, proceed south to the Project site;
 - From the I-405 Southbound Olympic Boulevard/Pico Boulevard exit, proceed east on Pico Boulevard to Avenue of the Stars, proceed north to the Project site; or

- From the I-10 Overland Avenue exit, proceed north on Overland Avenue to Pico Boulevard, east on Pico Boulevard to Avenue of the Stars, and north on Avenue of the Stars to the Project site.
- Outbound: From the site, one or more of the following haul routes may be approved:
 - Proceed north on Avenue of the Stars to Santa Monica Boulevard, then west on Santa Monica Boulevard to the I-405 Freeway;
 - Proceed south on Avenue of the Stars to Pico Boulevard, then west on Pico Boulevard to the I-405 Freeway; or
 - Proceed south on Avenue of the Stars to Pico Boulevard, west on Pico Boulevard to Overland Avenue, and south on Overland Avenue to the I-10 Freeway.

Lane and sidewalk closures, utility line construction, and flagging or stopping of traffic to accommodate trucks entering and exiting the Project site could have implications with regard to response times for emergency vehicles. Since street construction and access to the Project site would be primarily located on Constellation Boulevard, a short connector between Century Park East and Century Park West, it is not anticipated that construction on this street would impede any pass-through emergency vehicles. Local access on Constellation Boulevard would be available throughout the construction phases, since no street closures would occur and access to adjoining uses and the Project site would be available at all times. Since blockage or a significant slowing of emergency vehicles is not anticipated, the Project's construction activities, with regard to emergency access, would be less than significant.

Alternative sidewalk routes and signalized crossings would continue to be available along the west side of Avenue of the Stars and along the south side of Constellation Boulevard to allow pedestrian access to local businesses. Project construction would not impede vehicle access to the adjacent parking structures throughout the Project's construction period. Bus stops for the MTA, LADOT Commuter Express, Santa Monica, Culver City, Santa Clarita, and Antelope Valley Transit are located in close proximity to the Project site, and a bus layover facility is located at the MGM Plaza building, approximately 0.125 mile west of the Project site. Since alternative bus stops are located within 0.25 mile of the Project site and pedestrian and vehicle access to all places of business adjacent to the Project site would be available throughout Project construction, the impact of the Project relative to the temporary closure of sidewalks or bus stops would be less than significant.

Even though impacts from construction on traffic and circulation would be less than significant, the Project Applicant proposes to implement a voluntary construction management and mitigation plan, which would contain provisions designed to minimize any traffic or

circulation impacts from Project construction to the extent feasible. See Appendix B of this Final EIR.

3. NOISE

Refer to Section IV.E, Noise, of the Draft EIR for an analysis of the impact of the Project on adjacent uses as well as impacts on uses along the haul route(s). Construction and demolition activities would generate increased noise levels at the multi-family residential and hotel uses in proximity to the Project site. Potentially significant impacts would be limited to the portions of the Century Plaza Hotel located closest to the Project site during on-site demolition activities and the initial stage of site grading/excavation activity. Construction noise impacts at all other sensitive receptor locations (i.e., all residential areas as well as Century City Hospital, the Los Angeles Country Club and Beverly Hills High School) would be less than significant. Construction hours would be limited by the City of Los Angeles Municipal Ordinance, which designates the hours of the day during which construction activities are appropriate. Section 41.40 Chapter IV (Public Welfare) of the LAMC prohibits noise generating construction activities that may disturb nearby hotel occupants or residents before 7:00 A.M. or after 9:00 P.M. Monday through Friday. The Planning Department further restricts construction to no later than 6:00 P.M. Monday through Friday. All construction activity within 500 feet of residences or hotels is restricted before 8:00 A.M. or after 6:00 P.M. on Saturday or any national holiday, and at anytime on Sunday. Construction and demolition activities for the Project shall only occur during the hours allowed. Therefore, construction and demolition activities would not affect people during normal sleep times. These restrictions are included as Mitigation Measure E-2 on page 332 of the Draft EIR. The Project would also be required to comply with Mitigation Measures E-1 and E-3 to E-5 on page 332 of the Draft EIR, which would reduce temporary noise impacts. However, the construction noise impact would continue to be significant at only the one location (Century Plaza Hotel) and the impact would only last for a limited duration of time.

In addition to on-site construction noise, haul trucks, delivery trucks, and construction workers would require access to the Project site throughout the construction period. While construction workers would arrive from many parts of the region and, thus, from different directions, haul trucks and delivery trucks would generally travel to the Project site from the San Diego Freeway (I-405), Pico or Santa Monica Boulevards, and Avenue of the Stars. As such, these routes would avoid all of the noise-sensitive uses that are present within the Project vicinity. In addition, construction traffic would not occur during the noise-sensitive late evening and nighttime hours. Since there is no potential for construction traffic to impact any noise-sensitive land use, off-site construction noise would not result in a significant noise impact.

As part of the voluntary construction management and mitigation plan proposed by the Project Applicant, the plan would include measures designed to minimize noise impacts from Project construction to the extent feasible. See Appendix B of this Final EIR.

4. DUST

Refer to Section IV.D, Air Quality, for a discussion regarding dust impacts. Temporary air quality impacts would result from Project construction and demolition activities. Air pollutants would be emitted by construction equipment and fugitive dust would be generated during demolition of the existing buildings on site. The greatest levels of air pollution emissions occur during peak periods of construction.

The net changes in pollutants generated by the demolition and construction of the Project are determined by subtracting the emissions that would be generated with the existing land uses from the modeled emissions. The Project results in a net reduction in emissions during demolition for all pollutants with the exception of NO_x. The projected net increase in NO_x emissions during demolition is 69 pounds per day. This is below the SCAQMD significance threshold of 100 pounds per day. Emissions from all other phases of construction would also be below the significance thresholds. Therefore, the Project does not result in a significant short-term air quality or dust impact.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 10 – CUMULATIVE IMPACTS

1. INTRODUCTION

This topical response has been prepared for two purposes. First, a number of the written comments submitted to the City regarding the proposed Project addressed concern over the impacts of cumulative development in, and around, the Century City area. The analysis of the Project's potential cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR and is summarized below for the benefit of those reviewing this Final EIR. The second purpose of this topical response is to address the cumulative impacts of the Project, taking into consideration additional related projects that have been identified subsequent to the issuance of the Project's Notice of Preparation (NOP). Specifically, the City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the related projects lists for the proposed Project and the St. Regis project indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR.

A summary of the cumulative analyses is presented first, and is followed by an analysis of the Project's cumulative impacts, taking into consideration the additional 19 related projects, as referenced above.

2. SUMMARY OF DRAFT EIR CUMULATIVE ANALYSES

As set forth in Section III.B, Cumulative Development, of the Draft EIR, the California Environmental Quality Act (CEQA) requires that the analysis of potential project impacts include cumulative impacts. As required in CEQA Guidelines Section 15130, the Draft EIR contains a cumulative analysis for each of the issue areas analyzed in the Draft EIR. In the case of this EIR, the environmental issues for which cumulative analyses have been conducted include Land Use, Traffic and Circulation, Visual Resources, Air Quality, Noise, Hazards and Hazardous Materials, Water Quality, Fire Protection, Police, Schools, Parks and Recreation, and Libraries. A list of other proposed development projects in the study area, including other condominium development within Century City, is provided in Table 2 on page 89 of the Draft EIR, and the locations of the related projects are shown on Figure 12 on page 12 of the Draft EIR.

Cumulative development includes 49 related projects, 19 of which are located in the City of Los Angeles and 30 of which are located in the City of Beverly Hills. Five related projects are located within Century City, including the Westfield Century City Shopping Mall Renovation (Related Project No. 11); 508,600 square feet of general office at Constellation Boulevard and Avenue of the Stars (Related Project No. 12), the Fox Studio expansion (Related Project No. 13), 2000 Avenue of the Stars (Related Project No. 17), and the St. Regis Redevelopment Project⁹ (Related Project No. 18). Related Project No. 12 is not a development project, but represents the remaining allocation of potential development rights under the CCNSP. Since the potential exists for the remaining CATGP allocation to be implemented, which would result in an increase in traffic, mobile air quality, mobile noise and other potential environmental impacts, the trips were evaluated in the Draft EIR as a related project.

In Section IV.A, Land Use, of the Draft EIR, the cumulative impacts analysis concludes that related projects located within Century City are consistent with the existing and proposed land use patterns and designations in the area. In addition, the related projects under consideration in the area surrounding the Project site would implement and support important local and regional planning goals and policies. Notwithstanding, it is anticipated that development of the related projects would be subject to the approval process in place in the jurisdiction within which the Project is located and that via these processes the potential impacts of the related projects would be addressed for the jurisdiction within which the Project is located and that via these processes the potential impacts of the related projects would be addressed. However, since CATGP Trips can be replaced and transferred among and between properties in the Century City North and Century City South Specific Plan areas, new development and land use changes could occur in patterns that are not possible to anticipate at present. However, with

⁹ *The St. Regis Development is also known as 2055 Avenue of the Stars Condominium Project.*

the mandatory implementation of the CCNSP and CCSSP, no cumulative impacts are anticipated as a result of development that could occur via CATGP Trip transfer and replacement.

The cumulative traffic analysis, which is provided in Section IV.B, Traffic and Circulation, of the Draft EIR, takes into account the 49 related projects, the Project, and an ambient growth factor of 1.5 percent per year for the Project study area. As indicated in Table 12 on page 169 of the Draft EIR, cumulative development would result in 17 intersections operating at LOS E or F. Although related projects contributing to cumulative growth would be required on an individual basis to mitigate potentially significant traffic impacts to the extent possible, no guarantee exists that mitigation measures would be implemented with the identified related projects. Therefore, the Draft EIR concludes that cumulative traffic impacts would be potentially significant (Draft EIR, Section IV.B, Traffic and Circulation, page 179). With regard to construction traffic, the Draft EIR addresses the cumulative effects of construction worker trips, hauling, emergency access during construction, pedestrian and vehicle access, and bus stop relocation. The Draft EIR concludes that since construction of the Project could occur concurrently with other related projects, cumulative impacts associated with worker trips and hauling are concluded to be significant and unavoidable (Draft EIR, Section IV.B, Traffic and Circulation, page 178). The cumulative impacts associated with emergency access, pedestrian and vehicle access, and bus stop relocation would be less than significant.

The cumulative visual resources analysis, which is provided in Section IV.C, Visual Resources, of the Draft EIR, identifies four related projects within the Century City area that would be within the field of view of travelers on Avenue of the Stars and could adversely affect the scenic highway designation of this street or impact existing views and vistas. (The analysis of the 2000 Avenue of the Stars project (Related Project # 17) was incorporated into the analysis of Project impacts.) As indicated in the Draft EIR, the related projects, in conjunction with the proposed Project, would enhance and reinforce the Avenue of the Stars' scenic highway designation as they would provide additional interest to the existing high-rise character of this street whose scenic highway value is defined by the high rises located along its length in conjunction with its broad landscaped median. Since the related projects would reinforce the visual character of Century City, as is the case with the proposed Project, cumulative impacts on visual quality are concluded to be less than significant. With regard to views, the related projects are located in the foreground of the viewsheds from private residential property locations, with the Project located behind; would occur in a manner consistent with forecasted conditions; or are not located within the same line-of-sight or field of view as the Project. The Project combined with the related projects would cause a less than significant cumulative view impact associated with blocked views from prominent view locations, including public streets, off-site residential neighborhoods, and the Los Angeles Country Club golf course. In addition, the Project in combination with the related projects that would be constructed along the Avenue of the Stars scenic highway, would not cause any cumulative impacts related to visual quality. With regard to an increase in ambient lighting in Century City, due to the distance of the related projects from

the Century City core, the lighting of the Project and the other related projects are concluded to result in a less than significant impact. With regard to glare, since the Project's building materials would result in a less than significant glare impact unto themselves, it is anticipated that the related projects within the immediate vicinity of the Project site would also utilize building materials, although anticipated to be different than those used at the Project site, that would not be of a character so as to cause a cumulative glare impact. As such, cumulative glare impacts are concluded to be less than significant. Due to the distance of the related projects from the Project site, impacts associated with shade/shadow are also concluded to be less than significant.

Section IV.D, Air Quality, of the Draft EIR includes among other analyses, an analysis of the Project's potential mobile and stationary air quality impacts associated along with an analysis of potential cumulative impacts. As indicated in the Draft EIR, while the Project's regional construction emissions would be less than significant, there is a high probability that construction-period mass regional emissions from related projects, when combined with proposed Project emissions, would cumulatively exceed their respective SCAQMD daily significance thresholds. However, while cumulative regional construction emissions are conservatively concluded to be significant, cumulative localized emissions are anticipated to be less than significant, since the identified related projects are located sufficiently distant from the Project site so as to preclude localized cumulative emissions and the Project's localized construction emissions are concluded to be less than significant. In addition, TAC emissions from the related projects are anticipated to be less than significant individually as well as in conjunction with the proposed Project. Finally, odor impacts from the related projects are anticipated to be less than significant unto themselves, as well as cumulatively in conjunction with the proposed Project. As indicated in the Draft EIR, the Project in combination with the related projects would not cumulatively exceed air quality thresholds during operations. Cumulative impacts with regard to compliance with the AQMP, as well as regional, TAC, and odor emissions would also be less than significant.

Section IV.E, Noise, of the Draft EIR contains an analysis of cumulative construction and operational noise. As indicated in the Draft EIR (pages 334 and 335), construction-period noise for the proposed Project and each related project, which has not yet been built, would be localized. Nonetheless, each of the related projects would have to comply with the local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible. If the related projects that are located within the Project vicinity are under construction during proposed Project construction, significant cumulative impacts could occur due to concurrent construction activities at multiple locations. On the other hand, cumulative operational noise impacts would be less than significant.

Section IV.F, Hazards and Hazardous Materials, of the Draft EIR provides an analysis of potential cumulative impacts relative to hazards and hazardous materials. As indicated in the Draft EIR, all renovation and demolition activity associated with the Project as well as the related projects would be required to implement existing SCAQMD and Cal/OSHA handling procedures. In regard to cumulative impacts associated with hazardous materials, the Draft EIR concludes that compliance with existing federal, state, and local regulations would reduce any potential cumulative impacts to less than significant levels.

Section IV.G, Water Quality, of the Draft EIR provides an analysis of potential cumulative impacts relative to water quality. The Draft EIR concludes that the implementation of existing water quality regulations, including NPDES permits, SWPPPs, and SUSMPs, would reduce any potentially significant cumulative water quality impacts to less than significant levels.

Section IV.H, Public Services, of the Draft EIR provides an analysis of potential cumulative impacts relative to fire protection, police, schools, parks and recreation, and libraries. In the analysis of cumulative impacts on fire services, the Draft EIR identifies six additional projects within the “first in” fire district for Fire Station No. 92. As indicated in the Draft EIR, an increase of 3.3 percent would occur in the Fire Station No. 92 service population. Since Fire Station No. 92 experiences relatively low demand, the increase of 1,278 people (980 associated with the Project and 298 from the related projects) is not anticipated to exceed the existing service capacity. Therefore, cumulative impacts to fire protection services would be less than significant.

Cumulative impacts on police services are based on the related projects and ambient growth within the LAPD West Los Angeles Division. Such growth would result in an increase in annual crimes from 12.65 crimes per officer to 12.78 crimes per officer. This increase would be approximately 35 percent less than the 19.66 crimes per officer in the West Bureau and, therefore, would be within the capacity of existing police services. As such, cumulative impacts on police services would be less than significant.

With regard to schools, as indicated in the Draft EIR, related projects would result in a total of 2,410 new students. The school facility development fees that would be paid by all new development, under the provisions of Government Code Section 65995 would constitute full mitigation of the impacts of these new developments, thereby reducing individual and cumulative Project impacts to a level that is less than significant.

In the evaluation of cumulative impacts on Parks and Recreation, the Draft EIR indicates that the related projects would generate a population of approximately 1,516 residents, combined with the Project’s 980 residents, for a cumulative total of 2,496 new residents. Impacts

associated with demand on parks and recreational space would be mitigated to less than significant levels through compliance with the Quimby Act and LAMC provisions.

With regard to libraries, as indicated in the Draft EIR, cumulative population growth would also increase the demand on library services. The introduction of 2,496 new residents, in addition to the projected library service population, would increase demand on library services to 57,630 persons. Since the target service population of the Westwood and Palms-Mar Vista Libraries is estimated to be 69,154 persons, cumulative impacts on existing library facilities are concluded to be less than significant.

3. EXPANDED CUMULATIVE ANALYSES

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars 147-unit condominium project (St. Regis Redevelopment Project). A comparison of the two related projects lists has been completed. The Draft EIR for the Project analyzed 67 related projects, including 49 projects on the related projects list and 18 projects that were built since 2002 and were incorporated into the development of the Project's baseline traffic conditions (see Appendix D to the Draft EIR Traffic Study). The St. Regis Draft EIR lists 66 related projects. With the exception of the Project, which is included on the St. Regis list as a related project, the St. Regis list includes 18 projects that were not included on the Project's related projects list. Of those 18 projects, 4 were completed since 2002 and were incorporated into the existing baseline for the Draft EIR. Therefore, the St. Regis Draft EIR list includes 14 projects that were not included in the Project's Draft EIR. Of the 14 projects, 6 projects are located outside of the two-mile radius used when defining the proposed Project's related projects list (i.e., projects beyond two miles are typically not specifically considered in traffic studies but rather are considered to be encompassed within the background ambient growth factor used in the preparation of future traffic forecasts). Please refer to Table 5 on page 156 and Figure 5 on page 157 for a description and location of each of the 15 additional related projects.

The remaining nine projects are all on the edges of the proposed Project's traffic study area, and beyond the intersections analyzed for the proposed Project. The closest of the projects on the east is east of Canon Drive, whereas the easternmost study intersections are Santa Monica/Wilshire and Spalding/Olympic. Those on the west are all either on or in the vicinity of Westwood Boulevard, whereas the westernmost study intersections are along Overland Avenue. Thus, they would not be expected to have a substantial effect on the Project's cumulative impacts. Nevertheless, additional analysis has been conducted of potential cumulative impacts with the inclusion of these additional related projects.

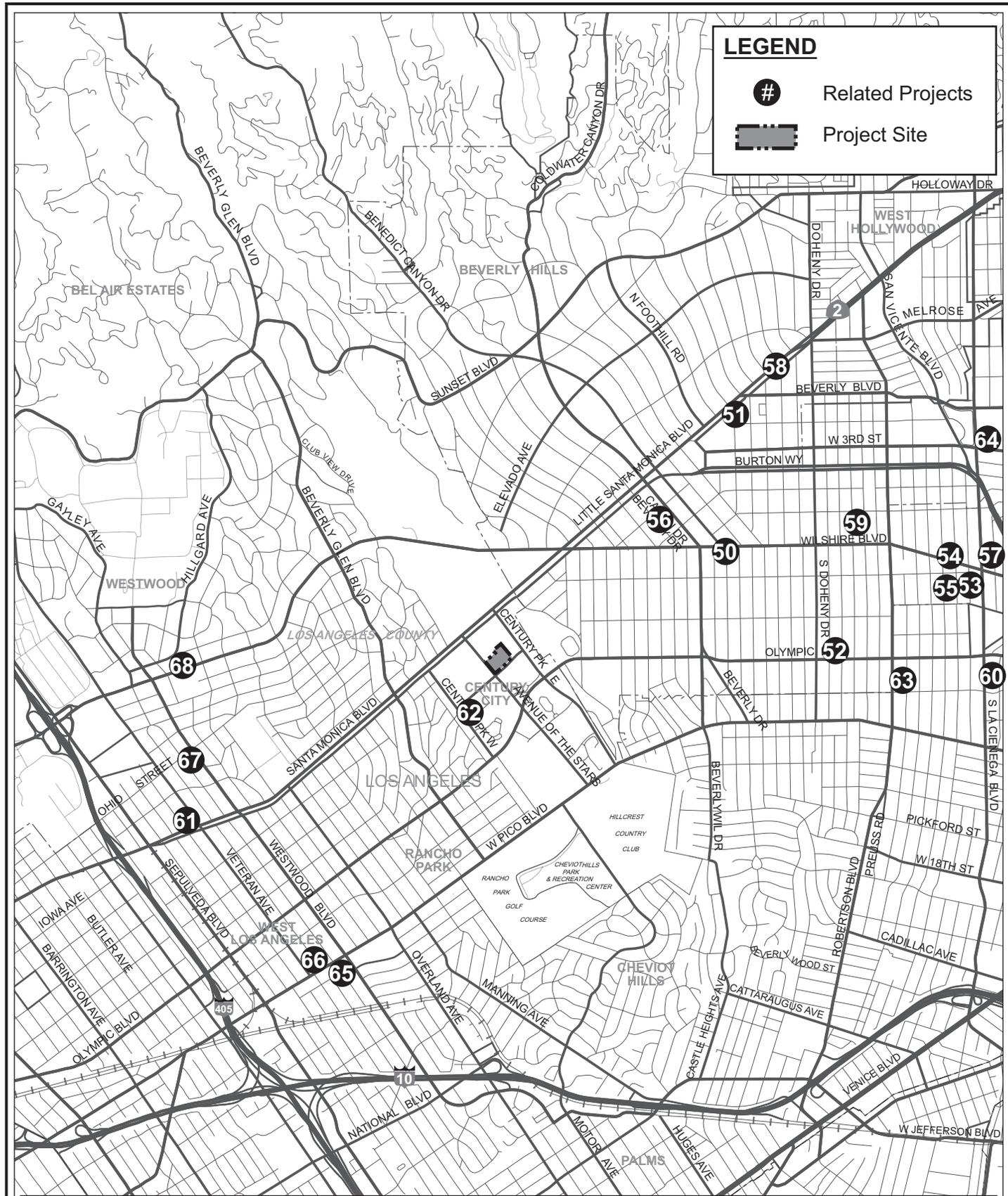
Table 5

Additional Related Projects

Project No.	Location	Amount of Development	Description	Jurisdiction
50	9355-9373 Wilshire Bl	Mixed-Use	Residential/Retail	Beverly Hills
51	400 Foothill Bl	53,000 sf	Automotive	Beverly Hills
52	9001 Olympic Bl	39,700 sf	Automotive	Beverly Hills
53	8536 Wilshire Bl	19,000 sf	Office	Beverly Hills
54	8600 Wilshire Bl	41,500 sf	Mixed-Use	Beverly Hills
55	8601 Wilshire Bl	37 Units	Apartments	Beverly Hills
56	326 N. Rodeo Dr	4,550 sf	Retail	Beverly Hills
57	155 N. Hamilton Dr	11 Units	Condominiums	Beverly Hills
58	450 N. Palm Drive	38 Units	Condominiums	Beverly Hills
59	115 N. Swall Dr	3 Units	Condominiums	Beverly Hills
60	1016 La Cienega Bl	11,085 sf	Retail	City of Los Angeles
61	10991 Santa Monica Bl	6 FP	Gas Station with Mart	City of Los Angeles
62	10270 Constellation Bl	791,000 sf	Office	City of Los Angeles
63	1062 Robertson Bl	84 Student 216 Student	Day Care Private School K-8	City of Los Angeles
64	3rd Street & La Cienega	65 Units 181 Units	Condominiums Assisted Living	City of Los Angeles
		20,000 sf	Retail Less Theaters	
65	10800 Pico Bl	Relocation	Theater	City of Los Angeles
66	10901 Santa Monica Bl	36 Units	Apartments	City of Los Angeles
67	1465 Westwood Bl	3,750 sf	Convenience Store less drug store	City of Los Angeles
68	10844 Lindbrook Av	42 Room	Hotel	City of Los Angeles

Source:

While the related projects list for the proposed Project was compiled as of the date of the Notice of Preparation, May 24, 2005, consistent with all CEQA requirements and is, thus, adequate under CEQA, to be conservative, all of the cumulative analyses included in the Project's Draft EIR have been updated to account for the additional related projects in the 2055 Avenue of the Stars EIR. The expanded cumulative analysis for the Project, therefore, includes a total of 81 related projects. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practice and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts, or in a substantial increase in the extent of the Project's cumulative impacts in comparison to the Draft EIR analyses. The revised cumulative analyses are as follows:



LEGEND

- # Related Projects
- █ Project Site

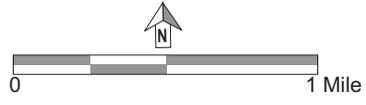


Figure 5
Locations of Additional
Related Projects

Source: KAKU Associates and PCR Services Corporation, 2005

A. Land Use

Development of all of the related projects, including the additional related projects, is anticipated to occur in accordance with adopted plans and regulations. Based on the information available regarding the additional related projects, it is reasonable to assume that the additional related projects would implement and support important local and regional planning goals and policies. Furthermore, it is anticipated that all of the additional related projects would be subject to the approval processes within the jurisdictions within which the additional related projects are located and during this process mitigation measures necessary to reduce potential land use impacts would be established. Therefore, no significant cumulative land use impacts are anticipated. Thus, the inclusion of the 15 additional related projects would not change the conclusion in the Draft EIR that the Project's cumulative land use impacts would be less than significant.

B. Traffic and Circulation

Table 6 on page 159 indicates the estimated trip generation for the additional related projects. Table 7 on page 160 presents the intersection levels of service (LOS) in 2010 at the 32 study intersections with the addition of traffic generated by the additional related projects. With the additional traffic, the same 17 study intersections are projected to operate at LOS E or F during the A.M. or P.M. peak hours or both under cumulative base (without project) conditions as were identified in the Draft EIR without the additional related projects. With the addition of Project-generated traffic to the cumulative conditions with the additional related projects, the Project would not create significant traffic impacts at any of the study intersections during either the A.M. or P.M. peak hours.

The analysis thus concludes that the addition of traffic generated by the additional related projects would not materially affect the cumulative conditions projected in the Draft EIR traffic study and would not alter the conclusions of the Project's cumulative impacts as presented in the Draft EIR.

C. Visual Resources

The additional related projects are sufficiently distant from the Project site such that cumulative impacts with regard to visual resources would not occur. Thus, the inclusion of the additional related projects would not change the conclusion in the Draft EIR that the Project's cumulative impacts with regard to visual resources would be less than significant.

Table 6

Trip Generation for the Additional Related Projects Within the Traffic Study Area

Proj #	Address	Size	Unit	Description	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
						In	Out	Total	In	Out	Total
50	9355-9373 Wilshire Boulevard	88	DU	Mixed-Use-Residential	516	6	33	39	31	15	46
				Mixed-Use-Retail	1,773	0	0	0	48	61	109
				<i>Subtotal</i>	2,289	6	33	39	79	76	155
51	400 Foothill Bl	53	KSF	New Car Sales	1,767	81	28	109	55	85	140
52	9001 Olympic Bl	39.7	KSF	New Car Sales	1,324	60	21	81	41	64	105
59	115 N. Swall Dr	3	DU	Condominiums	18	0	1	1	1	1	2
63	1062 Robertson Bl	84	Student	Day Care & Private School	751	117	98	215	79	85	164
65	10800 Pico Bl			Relocation of Theater & Shopping Center	2,045	0	0	0	82	70	152
66	10901 Santa Monica Bl	36	DU	Apartments & 8,485 sf retail	618	4	15	19	24	21	45
67	1465 Westwood Bl	3.75	KSF	Convenience Store less Drug Store	2,429	119	121	240	84	80	164
68	10844 Lindbrook Av	42	Room	Hotel	343	15	9	24	13	12	25
Total					11,584	402	326	728	458	494	952

Note: Of the 15 projects on the St. Regis Draft EIR related projects list that are not on the 10131 Constellation Boulevard Draft EIR list, six are outside of the two-mile radius used when defining the proposed Project's related projects list (projects beyond two miles are typically not specifically considered in traffic studies but rather are considered to be encompassed within the ambient growth factor).

Source: Trip generation data from related project trip generation, St. Regis Hotel Conversion Project traffic study, 2005.

Table 7

**Future Intersection Level of Service Analysis
With the Additional Related Projects**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Significant Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*1 Beverly Glen Blvd & Wilshire Blvd	A.M.	1.078	F	1.077	F	-0.001	NO
	P.M.	1.197	F	1.195	F	-0.002	NO
*2 Overland Ave & Santa Monica Blvd (N)	A.M.	1.169	F	1.168	F	-0.001	NO
	P.M.	1.138	F	1.136	F	-0.002	NO
*3 Overland Ave & Santa Monica Blvd (S)	A.M.	0.369	A	0.369	A	0.000	NO
	P.M.	0.516	A	0.516	A	0.000	NO
*4 Beverly Glen Blvd & Santa Monica Blvd (N)	A.M.	1.202	F	1.201	F	-0.001	NO
	P.M.	1.238	F	1.234	F	-0.004	NO
5 Beverly Glen Blvd & Santa Monica Blvd (S) ³	A.M.	0.401	A	0.401	A	0.000	NO
	P.M.	0.503	A	0.503	A	0.000	NO
*6 Century Park West & Santa Monica Blvd (S)	A.M.	1.115	F	1.111	F	-0.004	NO
	P.M.	1.063	F	1.059	F	-0.004	NO
7 Club View Dr & Santa Monica Blvd (N) ³	A.M.	0.183	A	0.183	A	0.000	NO
	P.M.	0.350	A	0.350	A	0.000	NO
*8 Avenue of the Stars & Santa Monica Blvd (N)	A.M.	1.414	F	1.417	F	0.003	NO
	P.M.	1.030	F	1.013	F	-0.017	NO
*9 Avenue of the Stars & Santa Monica Blvd (S)	A.M.			1			
	P.M.						
*10 Century Park East & Santa Monica Blvd (N)	A.M.	1.185	F	1.174	F	-0.011	NO
	P.M.	0.875	D	0.865	D	-0.010	NO

Table 7 (Continued)

**Future Intersection Level of Service Analysis
With St. Regis Related Projects Not Included in 10131 Constellation BI Traffic Study**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Significant Project Impact	
		V/C or Delay	LOS	V/C or Delay	LOS			
*11 Century Park East & Santa Monica Blvd (S)	A.M. P.M.			1				
12 Santa Monica Blvd (N) & Wilshire Blvd ²	A.M.	(CMA)	1.590	F	1.589	F	-0.001	NO
		(ICU)	1.362	F	1.360	F	-0.002	NO
	P.M.	(CMA)	1.594	F	1.591	F	-0.003	NO
		(ICU)	1.282	F	1.279	F	-0.003	NO
13 Santa Monica Blvd (S) & Wilshire Blvd ²	A.M.	(CMA)	1.577	F	1.578	F	0.001	NO
		(ICU)	1.456	F	1.456	F	0.000	NO
	P.M.	(CMA)	1.340	F	1.336	F	-0.004	NO
		(ICU)	1.251	F	1.248	F	-0.003	NO
*14 Century Park West & Constellation Blvd	A.M.		0.612	B	0.611	B	-0.001	NO
	P.M.		0.410	A	0.401	A	-0.009	NO
*15 Avenue of the Stars & Constellation Blvd	A.M.		0.773	C	0.798	C	0.025	NO
	P.M.		0.874	D	0.851	D	-0.023	NO
*16 Century Park East & Constellation Blvd	A.M.		0.548	A	0.553	A	0.005	NO
	P.M.		0.633	B	0.638	B	0.005	NO
*17 Overland Ave & Olympic Blvd	A.M.		1.634	F	1.635	F	0.001	NO
	P.M.		1.538	F	1.533	F	-0.005	NO
*18 Beverly Glen Blvd & Olympic Blvd	A.M.		1.068	F	1.064	F	-0.004	NO
	P.M.		1.072	F	1.069	F	-0.003	NO
*19 Century Park West & Olympic Blvd	A.M.		0.961	E	0.965	E	0.004	NO
	P.M.		1.306	F	1.292	F	-0.014	NO

Table 7 (Continued)

**Future Intersection Level of Service Analysis
With St. Regis Related Projects Not Included in 10131 Constellation BI Traffic Study**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Significant Project Impact	
		V/C or Delay	LOS	V/C or Delay	LOS			
*20 Avenue of the Stars & Olympic Blvd (WB Ramps)	A.M.	0.597	A	0.594	A	-0.003	NO	
	P.M.	0.527	A	0.505	A	-0.022	NO	
*21 Avenue of the Stars & Olympic Blvd (EB Ramps)	A.M.	0.517	A	0.514	A	-0.003	NO	
	P.M.	0.459	A	0.459	A	0.000	NO	
*22 Century Park East & Olympic Blvd	A.M.	0.934	E	0.934	E	0.000	NO	
	P.M.	0.977	E	0.973	E	-0.004	NO	
**23 Spalding Dr & Olympic Blvd ²	A.M.	(CMA)	1.214	F	1.212	F	-0.002	NO
		(ICU)	1.325	F	1.324	F	-0.001	NO
	P.M.	(CMA)	1.028	F	1.025	F	-0.003	NO
		(ICU)	1.088	F	1.085	F	-0.003	NO
*24 Avenue of the Stars & Galaxy Way	A.M.	0.447	A	0.447	A	0.000	NO	
	P.M.	0.649	B	0.652	B	0.003	NO	
25 Avenue of the Stars & Emyrean Way ³	A.M.	0.545	A	0.543	A	-0.002	NO	
	P.M.	0.468	A	0.471	A	0.003	NO	
*26 Overland Ave & Pico Blvd	A.M.	1.479	F	1.479	F	0.000	NO	
	P.M.	1.457	F	1.453	F	-0.004	NO	
*27 Patricia Ave & Pico Blvd	A.M.	0.793	C	0.795	C	0.002	NO	
	P.M.	0.725	C	0.723	C	-0.002	NO	
*28 Beverly Glen Blvd & Pico Blvd	A.M.	0.864	D	0.867	D	0.003	NO	
	P.M.	0.737	C	0.734	C	-0.003	NO	
*29 Motor Ave & Pico Blvd	A.M.	1.442	F	1.440	F	-0.002	NO	
	P.M.	1.453	F	1.447	F	-0.006	NO	

Table 7 (Continued)

**Future Intersection Level of Service Analysis
With St. Regis Related Projects Not Included in 10131 Constellation BI Traffic Study**

Intersection	Peak Hour	Cumulative Base (Year 2010)		Cumulative Plus Project (Year 2010)		Project Increase in V/C	Significant Project Impact
		V/C or Delay	LOS	V/C or Delay	LOS		
*30 Avenue of the Stars & Pico Blvd	A.M.	1.064	F	1.063	F	-0.001	NO
	P.M.	0.938	E	0.937	E	-0.001	NO
*31 Century Park East & Pico Blvd	A.M.	0.821	D	0.818	D	-0.003	NO
	P.M.	0.785	C	0.780	C	-0.005	NO
*32 Motor Ave & Manning Ave	A.M.	1.076	F	1.075	F	-0.001	NO
	P.M.	0.873	D	0.869	D	-0.004	NO

Notes:

* Intersection is currently operating under ATSAC & ATCS system.

** Intersection is currently operating under ATSAC system only.

¹ Intersection will not exist in the future with the construction of Santa Monica Parkway.

² Intersection under City of Beverly Hills jurisdiction. Analyzed using both Critical Movement Analysis (CMA) methodology used by City of Los Angeles, and Intersection Capacity Utilization (ICU) methodology used by City of Beverly Hills to determine intersection V/C ratio.

³ Unsignalized intersection.

D. Air Quality

Even though the additional related projects would comply with all applicable SCAQMD rules and regulations, cumulative impacts with the addition of the new related projects would result in a significant regional impact during construction consistent with the conclusion in the Draft EIR. The additional related projects are not anticipated to result in cumulative localized construction impacts as the new related projects are located far enough away from the Project site to cause such a cumulative impact. Through compliance with SCAQMD rules and regulations, the cumulative impacts of the additional related projects with regard to TAC and odor emissions during construction would be less than significant on an individual as well as cumulative basis.

As the SCAQMD's methodology for assessing regional operational air quality impacts focuses on the Project itself, rather than the Project in conjunction with the related projects, the additional related projects would have no effect on this aspect of the Project's cumulative impacts. In accordance with SCAQMD guidelines, a CO hotspot analysis was warranted for

only one intersection, Avenue of the Stars and Constellation Boulevard. Concentrations of CO at this intersection do not change as a result of the new traffic volumes. The same analysis and conclusions regarding TAC and odor emissions during construction also apply to operations. Therefore and in conclusion, the additional related projects do not alter the conclusions regarding the Project's cumulative air quality impacts as presented in the Draft EIR.

E. Noise

The additional related projects are located sufficiently distant from the Project site so as not to exacerbate the cumulative construction impacts identified in the Draft EIR. Therefore and as concluded in the Draft EIR, cumulative construction noise impacts would be significant. The same relationship also applies to stationary operational noise sources. With respect to cumulative traffic noise levels, the conclusion does not change as a result of the additional traffic attributable to the additional related projects. In conclusion, the additional related projects do not alter the conclusions regarding the Project's cumulative noise impacts as presented in the Draft EIR.

F. Hazards and Hazardous Materials

Development of the additional related projects would occur in accordance with all applicable federal, state and local regulations with regard to the need for remediation at each of the additional related project sites or with regard to the storage, handling and transport of hazardous materials. As such, the additional related projects do not change the Project's less than significant cumulative impacts with regard to hazards and hazardous materials.

G. Water Quality

Development of the additional related projects could potentially contribute point and non-point source pollutants to the surface or groundwater resources. However, all of the additional related projects involve the redevelopment of existing developed properties. As such, runoff and increased turbidity as a result of the development of the additional related projects would be considered less than significant. In addition, all new developments of land where construction activities would occur over more than one acre would be required to comply with the NPDES requirements during construction and operation, including the development and implementation of SWPPPs and SUSMPs. Thus, each qualifying related project would be evaluated individually to determine appropriate BMPs and treatment measures to avoid impacts to surface and groundwater quality. With the incorporation of these measures, it is anticipated that the development of the additional related projects would not result in water quality impacts beyond acceptable regulatory levels. Therefore, cumulative impacts to water quality with the additional

related projects are anticipated to be less than significant, based on compliance with existing regulations and their requirements for the incorporation of mitigation measures.

H. Public Services

H.1 Fire

Of the additional related projects, only Related Project No. 62 is located within the Fire Station No. 92 “first call” district. It is expected that Related Project No. 62 would be consistent with Fire Code and LAFD fire flow requirements. With consistency with Fire Code and LAFD requirements, and the available capacity of Station No. 92 to serve additional development, cumulative impacts on fire services with the addition of this one related project are anticipated to be less than significant. The inclusion of the additional related projects would not change the conclusion of non-significance in the Draft EIR.

H.2 Police

Of the additional related projects, none comprise residential uses within the LAPD West Los Angeles Division. As such, the additional related projects would not result in a cumulative increase in demand for the delivery of police services. The analysis of the cumulative impact on police services, as presented in the Draft EIR, which concluded that cumulative police impacts are less than significant, is unchanged with the inclusion of the additional related projects.

H.3 Schools

Of the additional related projects, none comprise residential uses within LAUSD service areas. However, additional commercial office and retail floor area would generate incrementally more elementary, middle and high school students than described in the Draft EIR. The Draft EIR concluded that cumulative development would exceed existing school capacities and that such impacts would be reduced to less than significance with the implementation of mandatory school development fees. Since school development fees would be required of all new development, the conclusion of a less than significant cumulative schools impact, as presented in the Draft EIR, would be unchanged with the inclusion of the additional related projects.

H.4 Parks and Recreation

Of the additional related projects, none comprise residential uses within the City of Los Angeles. Thus, the conclusion of a less than significant cumulative impact on parks and recreational facilities, as presented in the Draft EIR, is unchanged with the inclusion of the additional related projects.

H.5 Libraries

Of the additional related projects, none comprise residential uses within the City of Los Angeles library service area. Thus, the conclusion of a less than significant cumulative impact on library services, as presented in the Draft EIR, is unchanged with the inclusion of the additional related projects.

IV. RESPONSES TO WRITTEN COMMENTS
A. TOPICAL RESPONSES
TOPICAL RESPONSE NO. 11 – SUMMARY OF CORRECTIONS AND ADDITIONS

The City has evaluated the written comments received during the noticed comment period and prepared written responses. The responses are contained in Section IV.B of this Final EIR. The Final EIR examines issues discussed in the Draft EIR and incorporates additional mitigation measures agreed to by the Project Applicant to further reduce the Project's less than significant impacts. These measures have also been incorporated into the mitigation monitoring program, as presented in Section II of this Final EIR. The Final EIR (comprised of the Draft EIR, comments on the Draft EIR, written responses to those comments, corrections and additions, and the Mitigation Monitoring and Reporting Program [MMRP]) will be considered by the City Planning Commission at a public hearing.

All of the comments received on the Draft EIR have been reviewed and written responses have been prepared in accordance with CEQA. The Final EIR provides adequate and reasoned responses to all of the CEQA comments.

Pursuant to CEQA Guidelines Section 15088.5, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after notice is given, but before certification. The term "significant new information" includes the following: (1) "A new significant environmental impact would result from the project or from new mitigation measures proposed to be implemented;" (2) "A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;" (3) "A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents declined to adopt it;" (4) "The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."

The comments on the Draft EIR did not identify any of the following: (1) a new significant environmental impact, (2) a substantial increase in the severity of an environmental impact, (3) a feasible Project alternative or mitigation measure considerably different from the others previously analyzed that would clearly lessen the significant environmental impacts of the Project, but the Project's proponents declined to adopt it, or (4) that the Draft EIR was fundamentally and basically inadequate and conclusory in nature that public review and comment were precluded. In other words, there is no significant new information. Textual refinements and errata were identified in some of the comments (see Section III, Corrections and

Additions, to this Final EIR). These corrections and additions did not, however, change any of the impact conclusions in the Draft EIR. They merely clarify, amplify and/or make insignificant modifications to the analysis in the Draft EIR. In addition, the Project Applicant agreed to implement additional mitigation measures to further reduce the less than significant impacts of the Project. In conclusion, the Draft EIR is adequate and provided the public with a meaningful opportunity to comment upon the Project. Furthermore, no new significant information requiring recirculation has been identified.

IV. RESPONSES TO WRITTEN COMMENTS
B. COMMENTS RECEIVED ON THE DRAFT EIR

LETTER NO. 1

Steve Twining, President
Bel Air Beverly Crest Neighborhood Council
1525 Sepulveda Blvd., Suite #5
Los Angeles, CA 90025

COMMENT NO. 1-1

Review of the draft EIR document for the above Project has resulted in the identification of serious concerns related to the traffic study. The Bel-Air Beverly Crest Neighborhood Council fully supports the conclusions of the Westside Neighborhood Council and shares its concerns over the ramifications of such a project on the surrounding neighborhoods and area traffic flow.

RESPONSE NO. 1-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood Neighborhood Council are contained in Letter No. 3. Please refer to Response to Comment Nos. 3-1 through 3-6.

COMMENT NO. 1-2

- We question the DEIR's conclusion that the project will result in a decrease in peak afternoon hour trips.
- We question the calculations used to characterize the trips associated with existing uses and urge the City to require an accurate accounting of real trips associated with current uses.

RESPONSE NO. 1-2

Issues relating to the Project's traffic impacts and trip generation calculations are addressed in Topical Response Nos. 2 and 3. As discussed in these two topical responses, the methodology used in the Draft EIR traffic study is consistent with ITE and LADOT guidelines and conducted in consultation with the LADOT (see Final EIR Section IV.A, Topical Response Nos. 2 and 3). As such, the traffic report is considered a reliable forecast of existing and future conditions.

COMMENT NO. 1-3

- In addition, the City should take into account the cumulative impact of this project and other existing or planned developments in the area.

RESPONSE NO. 1-3

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR.

COMMENT NO. 1-4

We urge the City to help assure that our community has the relevant data to enable meaningful analysis. The data included in the JMB/Constellation Blvd. condo project is not adequate to do so.

We thank you for your consideration of these comments and appreciate the opportunity to speak on behalf of our constituents.

RESPONSE NO. 1-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the proposed Project, and was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures.

LETTER NO. 2

Sharon Howard, Office Manager
Bel-Air Beverly Crest Neighborhood Council
1525 Sepulveda Blvd., Suite #5
Los Angeles, CA 90025

COMMENT NO. 2-1

Regarding this Century City property development, the Bel-Air Beverly Crest Neighborhood Council unanimously approved a motion at their December meeting to seriously question the conclusions of the DEIR report.

The DEIR study claims and concludes that no impacts will be created by the 48 peak-hour dirt-hauling trips in and out of the Century City area, and that there would be no impact at the intersection of Beverly Glen and Sunset Boulevards. The study found no significant impacts, which the neighborhood council questions. We believe there will certainly be impacts and that mitigations of traffic must be considered.

We strongly suggest that the findings in this report are both insufficient and highly questionable. We urge further studies in the analysis of this pending project.

RESPONSE NO. 2-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the proposed Project, and was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures.

The threshold by which the significance of haul truck traffic is determined, is the "substantial delay or disruption of existing traffic and pedestrian flow" (Draft EIR, Section IV.B, page 159). In the evaluation of haul truck traffic (Draft EIR, Section IV.B, pages 164 and 165), the Draft EIR determined that daily trips (averaging 25 trips per hour) would be distributed evenly throughout the day. Therefore, haul truck traffic (and other construction traffic) would not exceed peak hour trips generated by uses to be removed from the Project site. Since peak hour trips would be less than the existing traffic baseline, the haul trucks would not cause substantial delays or disruption. The Draft EIR does not state that "no impacts" would be created by haul truck traffic, but that the projected haul truck trips would not exceed the threshold of significance identified in the Draft EIR. The Project's haul routes would be established in coordination with the City with input

from the Department of Building and Safety and LADOT to minimize congestion on public streets and highways. As discussed in the Draft EIR (page 165), haul trucks would be directed to use commercial streets and highways and, to the extent feasible, shall minimize the use of residential streets. The Draft EIR adequately addresses haul truck traffic and no further evaluation of this issue is warranted. Please refer also to Response to Comment No 7-24 regarding haul routes.

Issues relating to construction and haul route activity are also addressed in Topical Response No. 9-Construction Impacts. As concluded therein, construction traffic impacts would be less than significant (see Final EIR Section IV.A, Topical Response No. 9). Furthermore, all Project construction activities would occur in accordance with the Project's voluntary Construction Management and Mitigation Plan. A complete copy of the Project's Construction Management and Mitigation Plan is provided as Appendix B to this Final EIR.

LETTER NO. 3

WESTSIDE NEIGHBORHOOD COUNCIL
P.O. Box 64370
Los Angeles, CA 90064
(310) 474-2326
westsidenc@earthlink.net

COMMENT NO. 3-1

The Westside Neighborhood Council (WNC) is the certified neighborhood council for the "Neighborhood" in which the above-referenced JMB/ Constellation Boulevard Condominium Project ("Project") is proposed.

Review of the draft EIR document for the Project by a number of our local constituent groups and the WNC Public Safety and Traffic Committee has resulted in the identification of serious concerns related to the traffic study. As a result, at our January 12, 2006 meeting, the WNC approved that this letter be sent to the City in response to the project DEIR. It is our belief that the EIR for this and any other project should accurately reflect the true impacts of development on the community with an emphasis on traffic, schools, fire, police, land use and infrastructure issues. We are concerned that the traffic study makes conclusions about traffic that do not reflect the actual effect the Project will have on traffic in our Neighborhood.

RESPONSE NO. 3-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR evaluates the Project's environmental impacts on traffic (Draft EIR Section IV.B), schools (Draft EIR Section IV.H.3), fire protection (Draft EIR Section IV.H.1), and police services (Draft EIR Section IV.H.2), land use (Draft EIR Section IV.A), and other public services including parks and libraries (Draft EIR Section IV.H.4 and H.5). The analyses describe existing conditions and the effects of the Project on the service capacities of street intersections, schools, fire, and police facilities, parks, and libraries and provides an evaluation of land use impacts, including land use compatibility and consistency with applicable land use plans and regulations and sets forth all feasible mitigation measures to address potentially significant impacts. In addition, payment of new school facility development fees as required under California Government Code Section 65995 and payment of fees or dedication of land under the Quimby Act would further reduce impacts on schools and parks. Based on the Draft EIR analyses of traffic, police, fire, schools, parks, and library services, the impacts of the Project are concluded to be less than significant. Issues relating to traffic impacts are addressed in Topical Response No. 3. As discussed in the topical response, the methodology used in the Draft EIR traffic study is consistent with ITE and LADOT guidelines and

conducted in consultation with the LADOT (see Final EIR Section IV.A, Topical Response No. 3). As such, the traffic report is considered a reliable forecast of existing and future conditions.

COMMENT NO. 3-2

The project, as described in the DEIR, consists of:

- 483 luxury condominium units
- 1.3 million square feet
- Two 47-story towers and a 12-story loft building
- 980 new residents expected resulting in a population increase of 1.14% of the West Los Angeles residential population. Additional daytime population increases attributed to project visitors, management, maintenance and fitness center staff, condo house staff including: trainers, housekeepers, chefs, personal assistants, gardeners, etc.

The project replaces:

- A City National Bank business branch office whose hours are Monday through Thursday 9 am- 4 pm, Friday 9 am - 6 pm, closed on weekends with a separate 400 square foot drive through facility serving approximately 50 cars/day. The bank has 50 visitors and 25 employees per weekday.
- A nightclub that has at best approximately 2.5 events per week with most of its business on Friday and Saturday nights (well after peak travel hours).
- Bank and nightclub structures total 35,000 square feet
- Large areas of open space, including a former oil-drilling site.

RESPONSE NO. 3-2

The comment is generally correct in stating the scope of the proposed Project and existing uses. See also Response No. 7-8 below regarding the floor area of existing use. However, if the intent in listing the scope of the existing uses is to reflect existing trip credits, the listing is not accurate. For instance, no trip credits for the nightclub were used in the Draft EIR. In addition, pass-by reductions, in accordance with LADOT guidelines, were implemented for commercial uses (refer to Draft EIR, Section IV.B, page 155). The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). Also, please refer to Topical Response Nos. 1 to 4 as presented in Section IV.A of this Final EIR.

COMMENT NO. 3-3

We question the DEIR's conclusion that the project will result in a decrease in peak afternoon hour trips. The bank does not generate significant peak afternoon hour trips and the restaurant does not generate peak afternoon hour trips. How can the DEIR conclude that the proposed JMB project will result in a decrease of peak afternoon trips?

RESPONSE NO. 3-3

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for the Project and existing uses are consistent with ITE and LADOT guidelines and provide a reliable comparison with forecasted future trips, which are also estimated according to ITE guidelines (see Final EIR Section IV.A, Topical Response No. 2).

COMMENT NO. 3-4

We question the calculations used to characterize the trips associated with existing uses and urge the City to require an accurate accounting of real trips associated with current uses. As described in the DEIR, "the majority of the site is currently undeveloped and vacant." So, how can it generate 3,655 daily trips?

RESPONSE NO. 3-4

Issues relating to the methodology used in the Project's traffic analysis are addressed in Topical Response No. 1. As discussed therein, LADOT Traffic Study Policies and Procedures manual states that for an existing use to receive credit, it must have been in place for at least six months within the last two years. As this is the case with the existing on-site uses, appropriate trip credits were incorporated into the Project's traffic analysis. (see Final EIR Section IV.A, Topical Response No. 1).

COMMENT NO. 3-5

In addition, the City should take into account the cumulative impact of this project and other past, existing or planned developments in the area. No attempt has been made to assess obvious known conditions in a meaningful way.

RESPONSE NO. 3-5

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR.

COMMENT NO. 3-6

Our community relies on the EIR review process to identify key issues associated with development applications pending before the City. We also rely on the review process to identify meaningful mitigations and project conditions should a project be approved. Without accurate information, not only is the analysis of the EIR impossible, but also the related process of identifying mitigations and project conditions becomes moot. Not only is our community faced with a project whose true impacts have not been assessed, but also those who should be held responsible for funding and/or implementing mitigations avoid their duty to the community. As a result, the City and its residents are faced with absorbing impacts to services and infrastructure without the means to do so.

We urge the City to help assure that our community has the relevant data to enable meaningful analysis. The data included in the JMB/Constellation Blvd. condo project is not adequate to do so. The data must reflect reality.

We thank you for your consideration of these comments and appreciate the opportunity to speak on behalf of our constituents.

RESPONSE NO. 3-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the proposed Project, and was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR. See also Response to Comment Nos. 3-1 to 3-5 above.

LETTER NO. 4

Douglas L. Barry, Assistant Fire Marshall
CITY OF LOS ANGELES
Bureau of Fire Prevention and Public Safety

COMMENT NO. 4-1

Project Permit (Pursuant to the Century City North Specific Plan), Vesting Tentative Tract Map, Site Plan Review Findings, revision of an existing covenant and agreement with the City, Haul Route Permit and any other ministerial or discretionary permits to construct 483 residential condominium units in three separate buildings two 47-story towers and one 12-story loft building. The two towers would each contain 194 units and would be approximately 570 feet above grade. The loft building would contain 95 units and would be approximately 135 feet above grade. A one-story recreational facility centered around a swimming pool would serve to connect the two 47 story towers. The Project would include approximately 1.7 acres of open space, including a landscaped feature at the corner of Avenue of the Stars and Constellation Boulevard. The total proposed floor area is approximately 1,293,000 square feet and a total of 1,208 parking spaces would be provided. The Project is located on a 5 5-acre site in the C2-2-0 zone.

RESPONSE NO. 4-1

The comment correctly summarizes the Project and is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 4-2

The following comments are furnished in response to your request for this Department to review the proposed development:

A. Fire Flow

The adequacy of fire protection for a given area is based on required fire-flow, response distance from existing fire stations, and this Department's judgment for needs in the area. In general, the required fire-flow is closely related to land use. The quantity of water necessary for fire protection varies with the type of development, life hazard, occupancy, and the degree of fire hazard.

Fire-flow requirements vary from 2,000 gallons per minute (G.P.M.) in low Density Residential areas to 12,000 G.P.M in high-density commercial or industrial areas. A minimum residual water pressure of 20 pounds per square inch (P.S.I.) is to remain in the water system, with the required gallons per minute flowing. The required fire-flow for this project has been set at 4,500 G.P.M. from 4 fire hydrants flowing simultaneously

RESPONSE NO. 4-2

The setting of the required fire flow for the Project at 4,500 gallons per minute (gpm) has been incorporated into the Final EIR. Please refer to Correction and Addition Nos. IV.H.1.d and IV.H.1.e as presented in Section III, Corrections and Additions, of this Final EIR.

COMMENT NO. 4-3

B. Response Distance, Apparatus, and Personnel

The Fire Department has existing fire stations at the following locations for initial response into the area of the proposed development:

Fire Station No. 92
10556 W Pico Boulevard
Los Angeles, CA 90064
Task Force Truck and Engine Company
Paramedic Supervisor
Staff - 11
Miles - 1.7

Fire Station No. 58
1556 S. Robertson Blvd.
Los Angeles, CA 90035
Task Force Truck and Engine Company
Staff - 10
Miles - 1.8

Fire Station No. 71
107 S. Beverly Glen Blvd.
Los Angeles, CA 90024
Paramedic Engine Company
Staff - 4
Miles - 2.6

The above distances were computed to 10131 Constellation Boulevard.

RESPONSE NO. 4-3

The information presented in this comment supercedes the information presented in the Draft EIR, which was also provided by the Fire Department. Incorporating the information presented in this comment into the EIR's analysis of fire protection services does not change any of the conclusions presented in the Draft EIR. The information presented in this comment is incorporated into Section III of the Final EIR as Corrections and Additions No. IV.H.1.a.

COMMENT NO. 4-4

C. Firefighting Access

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

Private streets and entry gates will be built to City standards to the satisfaction of the City Engineer and the Fire Department

Submit plot plans indicating access road and turning area for Fire Department approval.

During demolition, the Fire Department access will remain clear and unobstructed.

Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Where access for a given development requires accommodation of Fire Department apparatus, minimum outside radius of the paved surface shall be 35 feet. An additional six feet of clear space must be maintained beyond the outside radius to a vertical point 13 feet 6 inches above the paved surface of the roadway

No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet

Adequate public and private fire hydrants shall be required.

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

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

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

Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.

No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

RESPONSE NO. 4-4

The comment modifies and clarifies Mitigation Measures H.1-1 through H.1-11 of the Draft EIR. Please refer to Correction and Addition No. IV.H.1.g as presented in Section III, Corrections and Additions, of this Final EIR.

COMMENT NO. 4-5

CONCLUSION

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles C.P.C. 19708.

For additional information, please contact Inspector Lynn McClain of the Construction Services Unit at (213) 482-6506.

RESPONSE NO. 4-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The comment also modifies and clarifies Mitigation Measure H.1-12 of the Draft EIR. Please refer to Correction and Addition No. IV.H.1.h as presented in Section III, Corrections and Additions, of this Final EIR.

LETTER NO. 5

Terry Roberts
Director, State Clearinghouse
State of California
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit
1400 Tenth Street
P.O. Box 3044
Sacramento, California 95812-3044

COMMENT NO. 5-1

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on January 6, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Document Details Report State Clearinghouse Data Base

SCH# 2005051145

Project Title 10131 Constellation Boulevard

Lead Agency Los Angeles, City of

Type EIR Draft EIR

Description 483 units contained in three separate buildings (two 47-story towers; one 12-story loft tower) on a 5.5 acre site.

Lead Agency Contact

Name Nicholas Hendricks

Agency City of Los Angeles

Phone 213-978-1355 **Fax**

email

Address 200 North Spring Street, Room 750

City Los Angeles *State* CA *Zip* 90012

Project Location

County Los Angeles

City Los Angeles, City of

Region

Cross Streets Constellation, Avenue of the Stars

Parcel No. 4319002054

Township Range Section Base

Proximity to:

Highways SR 405, IS 10

Airports LAX

Railways

Waterways

Schools

Land Use Commercial Uses (offices, banking, restaurant) C2-2-0/Regional Center Commercial

Project Issue Air Quality; Noise; Public Services; Recreation/Parks; Schools/Universities; Toxic/Hazardous; Traffic/Circulation; Water Quality; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Office of Emergency Services; California Highway Patrol; Caltrans, District 7; Department of Health Services; Integrated Waste Management Board; Regional Water Quality Control Board, Region 4; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 11/03/2005 *Start of Review* 11/06/2005 *End of Review* 01/06/2006

RESPONSE NO. 5-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. This comment acknowledges receipt of the Draft EIR by the State Clearinghouse, acknowledges that the City has complied with State Clearinghouse review requirements, pursuant to the California Environmental Act, and acknowledges that no state agencies submitted comments on the Draft EIR. No further response is required.

LETTER NO. 6

Southern California Association of Governments
Brian Wallace, Associate Regional Planner
818 West Seventh Street, 12th Floor
Los Angeles, CA 90017-3435

COMMENT NO. 6-1

Thank you for submitting the 10131 Constellation Boulevard for review and comment. As areawide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the 10131 Constellation Boulevard, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's November 1-30, 2005 Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1851. Thank you.

RESPONSE NO. 6-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 7

Westside Coalition of Community Associations

COMMENT NO. 7-1

We represent a large area west of Century City (see attached map) and have come together to oppose the 10131 Constellation Blvd. project as proposed in the EIR. We have reviewed the EIR and have extensive comments and concerns.

RESPONSE NO. 7-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The specific issues raised in this letter are addressed in Response to Comment Nos. 7-2 through 7-115.

COMMENT NO. 7-2

We also note in the first paragraph of the document that the text states that the city is the Lead Agency. Therefore, we will assume that requests for notification sent to the Lead Agency will be honored, no matter to what department they are made, and that the departments will share information regarding notifications and interested parties. We hereby request notification to each of our members of all future actions on this project, including but not limited to, public hearings, haul route hearings, and responses to comments.

RESPONSE NO. 7-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. All signatories to this letter are included on the City's mailing list that will be used to notify the public of all public hearings relating to the proposed Project.

COMMENT NO. 7-3

Our foremost comment is that this EIR is too flawed and inaccurate to adequately review. The traffic study overstates existing uses, the project does not have the development rights it purports to have, many environmental topics are not addressed in the EIR, and mitigation measures are lacking. We cannot assess whether the impacts of the project have been adequately addressed because they are not accurately stated to begin with. The EIR needs to be corrected and re-issued prior to any further project action or discretionary action by any portion of the Lead Agency.

RESPONSE NO. 7-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures.

The general comments raised with regard to the Project's traffic analysis, the Project's development rights, analyses included in the Draft EIR and the Project's mitigation measures are elaborated on later in the letter and as such are responded to in detail at that point.

Based on the comments received during the public review period, it is concluded that the City of Los Angeles complied with all CEQA requirements in the preparation of the Draft EIR and, therefore, has no legal obligation to recirculate the Draft EIR. Specifically, the responses to comments provided on the Draft EIR do not result in the disclosure of new significant information warranting the recirculation of the Draft EIR. According to CEQA, new information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid such an effect, including a feasible Project alternative, that the Project's proponents have declined to implement. Criteria that defines new significant information, and by which the recirculation of a Draft EIR is mandated, are listed in CEQA Guidelines Section 15088.5. These include:

- *A new significant environmental impact that would result from the project or from a new mitigation measure proposed to be implemented (Section 15088.5 [a][1]).*

No new significant environmental impacts would result from the proposed Project or from any new mitigation measures based on the comments received on the Draft EIR.

- *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance (Section 15088.5 [a][2]).*

The comments present no evidence of any substantial increases in environmental impacts identified in the Draft EIR that would need to be further mitigated as a result of the identified increase.

- *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it (Section 15088.5 [a][3]).*

The comments present no evidence that any new feasible alternatives or mitigation measures, different from the alternatives and mitigation measures presented in the Draft EIR, would clearly avoid all of the significant and unavoidable impacts of the Proposed Project.

- *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded (Section 15088.5 [a][3]).*

The Draft EIR provides a comprehensive and adequate analysis of the potential environmental impacts of the proposed Project. The content and the public review process of the Draft EIR provided substantial opportunity for meaningful public review and input.

As supported by substantial evidence in the public record, it is concluded that none of the four circumstances described above apply to the Draft EIR for the proposed Project. Furthermore, the corrections and additions in the Final EIR primarily clarify and make less than significant changes to the Draft EIR that do not alter the conclusions of the Draft EIR. The Draft EIR has disclosed the proposed Project's unavoidable and significant impacts and has recommended all known feasible mitigation measures; no new significant information as defined under CEQA Guidelines Section 15088.5 (a) has been identified; and the public has been given a meaningful opportunity to comment on these potential impacts. CEQA Guidelines requiring the recirculation of a Draft EIR under specific conditions are not applicable to the Draft EIR and, as such, the City has no legal obligation to recirculate the Draft EIR.

COMMENT NO. 7-4

Notwithstanding [sic] the comment above, we have listed our specific comments and concerns below. We reserve the right to add to these comments when corrections to the EIR are presented.

RESPONSE NO. 7-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The specific issues raised in the balance of this letter are addressed in Response to Comment Nos. 7-5 through 7-115.

COMMENT NO. 7-5

DEVELOPMENT RIGHTS

Page 5: Please clarify what the covenant and agreement changes are.

RESPONSE NO. 7-5

The proposed revisions to the existing covenant and agreement pertain to certain access easements across the Project site that require modification pursuant to the new site plan. While modifications to the exact provisions of the covenant and agreement would be proposed, the access rights embodied in those provisions would be unchanged.

COMMENT NO. 7-6

Page 11: The project is not consistent with the CCNSP. There is no such term as a "potential replacement trip" in the CCNSP.

RESPONSE NO. 7-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As described in Topical Response No. 7, the Project is consistent with the CCNSP. See Section IV.A of this Final EIR. The term "potential replacement trips" is used in the Draft EIR to refer to those Cumulative Automobile Trip Generation Potential (CATGP) trips that are associated with the existing on-site buildings (i.e., bank and drive-through bank facility, restaurant and nightclub uses) that would be demolished and then used for development of the proposed Project as permitted in the CCNSP. See Section 3.C.2 of the CCNSP.

COMMENT NO. 7-7

Page 11, B-24, and elsewhere: The trips listed are inaccurate for several reasons.

1. Parcel 7 totals reflect an improper transfer of 1141.819 trips from Parcel 9. As stated in the CCNSP, "No Trip may be transferred if it has previously been utilized on or transferred from the transferor site; ... Trips and Transferred Trips which have been transferred, but not utilized on the transferee site may be transferred to ANY OTHER lot within the Specific Plan area." [emphasis added] The improper transfer of trips reduces available trips (stated as 1541.190) by 1141.819 trips, which accounts for 151 units or 31% of the project. Parcel 7 should therefore only be allocated 399.371 trips.

RESPONSE NO. 7-7

The trips have been properly allocated to the Project site. According to records maintained by the City Planning Department, as of August 1, 2005, a total of 1,541.190 trips are available to Parcel 7 of the Project site, under Phase II of the CCNSP. The transfer of trips mentioned in the comment is set forth in the City's Century City Trip Allocation Chart. The covenant documenting the transfer of 1,141.819 trips for Parcel 7 to Parcel 9 was reviewed and approved by the Planning Department and the City Attorney's office as to form and legality. In addition, this covenant was recorded in the Official Records of the County of Los Angeles as Instrument No. 96-2053618 on

December 19, 1996. The covenant transferring the 1,541.190 trips from Parcel 9 to Parcel 7 was also reviewed and approved by the Planning Department and the City Attorney's office for form and legality. This covenant was also recorded in the Official Records of the County of Los Angeles as Instrument No. 04-0484335 on March 1, 2004. The allocation of 1,541.190 Phase II trips to Parcel 7 is accurate.

COMMENT NO. 7-8

2. The calculation of "potential replacement trips" for the existing uses is inconsistent with the stated existing uses. Specifically, the replacement trips given were derived by applying the drive through bank trip rate to the entire first floor of the bank at 192 trips per 1000 square feet and the remainder of the bank at 14 trips/1000 sf. The drive through is a separate structure. (See Page 4, 61, 79, 96, A-4: The existing uses are described as a bank AND drive-through bank facility, restaurant and nightclub. Page 96 goes further and says "City National Bank functions **in connection with** a drive-through banking facility...**The drive-through contains an asphalt driveway running from Constellation Boulevard to Avenue of the Stars.**" This makes it clear that the bank is separate from the drive-through and further identifies the drive-through as the separate structure.) Any replacement trips should be calculated at 14/1000 for the bank, 192/1000 for the actual drive-through building and 45/1000 for the restaurant. This calculation results in

- Drive-Through Bank: 400 sf x 192/1000=76.8 trips
- Office/Commercial (bank): 15,250 sf x 14/1000=213.50 trips
- Restaurant per trip chart = 793.485 trips

FOR A TOTAL OF 1083.785 TRIPS

Since the EIR states that 2112.991 replacement trips are available, the improper assumptions regarding replacement trips yields 1029.206 excess trips which account for 136 of the 483 units or 28% of the project. Parcel 8 should only provide 1083.785 trips.

3. Accurate trip calculations therefore only allow the project to use 399.371 + 1083.785 trips - a total of 1483.156. The EIR assumes a total allocation of 3,654.181. This is inaccurate and the project does not have the development rights to build as proposed.

4. In addition, it is the intention of the community to challenge the trip usage for the restaurant based on CCNSP section 6 as actual measured uses are less than CATGP trip rates.

5. Please demonstrate that trips were properly accounted for when the restaurant added canopy space and an enclosed dance floor.

6. The so-called "potential replacement trips" associated with parcel 8 show that the restaurant would generate 793.485 trips. This does not match the square footage given in the EIR. Please provide accurate square footages, and revised trip numbers.

RESPONSE NO. 7-8

Issues relating to consistency of the traffic analysis with the CCNSP are addressed in Topical Response No. 7. As concluded therein, the Project would be consistent with the CCNSP trip allocation for the Project site (see Final EIR Section IV.A, Topical Response No. 7).

The potential replacement trips identified for Parcels 7 and 8 were established in 1981 upon adoption of the Century City North Specific Plan (CCNSP). Based on the City's 1981 records, the square footages for the existing bank building and the restaurant were set forth as follows:

Existing Buildings	Square Footages	Applicable Trip Rate	Potential Replacement Trips
1. Bank Building - First Floor	6,393 s.f.	192 Trips/1000 s.f.	1,227.456 Potential Replacement Trips
2. Bank Building – Second Floor	6,575 s.f.	14 Trips/1000 s.f.	92.050 Potential Replacement Trips
3. Restaurant	17,633 s.f.	45 Trips/1000 s.f.	793.485 Potential Replacement Trips
Total Potential Replacement Trips			2,112.991 Potential Replacement Trips

These potential replacement trip numbers have not changed since 1981 and will be confirmed, if necessary, based on the applicable definition of floor area prior to change of use as provided for in the CCNSP. See Section 3.C.2 of the CCNSP. It should be noted that in 1981 no credit was taken for the drive-through bank teller structure, which would underestimate the number of available CATGP Trips that could be used at the Project site. Therefore, the 2,112.991 potential replacement trips identified in the City's Trip Allocation chart is an accurate and conservative accounting of available replacement CATGP Trips that could be used for the proposed Project along with the 1,541.190 Phase II CATGP Trips allocated to the Project site.

The existing buildings (restaurant, bank building, drive through bank facility) were surveyed by a civil engineer in December 2004 to determine Gross Floor Area, as defined by the Institute of Transportation Engineers (ITE) for purposes of the traffic study approved by the City. According to the ITE definition, Gross Floor Area "is the sum (in square feet) of the area of each floor level, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores and offices, that are included within the principal outside faces of exterior walls, not including architectural setbacks or projections. Included are all areas that have floor surfaces with clear standing head room (6 feet, 6 inches minimum) regardless of their use. If a ground-level area, or part thereof, within the principal outside faces of the exterior walls is not enclosed, this GFA is considered part of the overall square footage of the building. However, unroofed areas and unenclosed roofed-over spaces, except those contained within the principal outside faces of exterior walls, should be excluded from the area calculations." The definitions of Gross Floor Area (ITE) and Floor Area (CCNSP) are not

equivalent. Gross Floor Area under the ITE definition will generally be larger than floor area as defined under the CCNSP. In response to this comment, a second survey of the existing structures was undertaken in February 2006 to reconfirm the Gross Floor Area calculations for the Project site. As described in the attached letter report regarding the updated survey (see Appendix C of this Final EIR), the second survey resulted in the following floor area calculations for the existing buildings:

Existing Buildings	12/04 Survey	2/06 Survey	Difference
1. Bank Building - First Floor ¹⁰	9,150 s.f.	8,952 s.f.	-198 s.f.
2. Bank Building – Second Floor	6,700 s.f.	6,738 s.f.	+ 38 s.f.
3. Restaurant	19,754 s.f. (does not include basement)	23,901 s.f. (includes basement)	+ 4,147
Total Gross Floor Area	35,604 s.f.	39,591 s.f.	+ 3,987

Consistent with standard LADOT methodology, the traffic analysis has been rerun using the updated Gross Floor Area numbers. The conclusions for the traffic analysis are the same as those identified in the Draft EIR. Please refer to Correction and Addition Nos. II.a; II.b; IV.A.a; IV.B.g and h; IV.D.a; IV.G.a; IV.H.2.a; V.a; and V.b, Section III, Corrections and Additions, of this Final EIR.

The comment regarding CCNSP Section 6 is noted and incorporated into the Final EIR for the review and consideration of the City's decision makers prior to any approval action on the proposed Project.

Regarding the canopy space and the covered dance floor area of the restaurant use, these areas were not included for purposes of calculating the Gross Floor Area.

COMMENT NO. 7-9

Page 118: Objective 3.1.7 There are insufficient developments rights. See comments above for page 11.

¹⁰ According to the December 2004 survey, the first floor of the bank consisted of a total of 9,150 square feet (7,175 s.f. (bank) + 1,975 s.f. (remote teller)). According to the February 2006 survey, the first floor of the bank consists of a total of 8,952 square feet (8,338 s.f. (bank) + 614 s.f. (remote teller)).

RESPONSE NO. 7-9

Sufficient development rights exist to develop the Project as proposed and analyzed in the Draft EIR. As stated on page 118 of the Draft EIR, the Project is consistent with Policy 3.1.7 of the City's General Plan Framework (incorrectly referenced as Objective 3.1.7 in the comment) as the "Project would be consistent with the Trip replacement and allotment requirements of the CCNSP, as well as other criteria, pedestrian amenities, and shade/shadow." Response to Comment Nos. 7-6 through 7-8 and 7-10 through 7-12 clearly demonstrate and appropriately conclude that the analysis of the Project's potential replacement trips as presented in the Draft EIR remains valid. Therefore, there are sufficient development rights for the proposed Project. Refer also to Response to Comment No. 7-6 regarding the page 11 comments and to Topical Response No. 7, Project Consistency with the Century City North Specific Plan as presented in Section IV.A of this Final EIR..

COMMENT NO. 7-10

Page 118 and 127: Objective 3.2 The project does not reduce trips.

RESPONSE NO. 7-10

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, according to ITE and LADOT guidelines for existing and projected trip generation rates, the Project would reduce total daily trips and P.M. peak hour trips (see Final EIR Section IV.A, Topical Response No. 2).

COMMENT NO. 7-11

Page 130: Section 3.C.1.g The EIR's traffic study is fatally flawed and does not provide adequate information for the community or elected officials to determine actual project impacts. Please see TRAFFIC section below.

RESPONSE NO. 7-11

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR traffic study was conducted in accordance with ITE and LADOT guidelines, in coordination with the LADOT. It fully evaluates the Project's impact on 32 study intersections as well as related traffic and circulation issues (e.g., freeway impacts, access to the Project site, construction, etc.). Therefore, the Draft EIR provides adequate information for the community and elected officials to determine the Project's impacts. Refer to Responses to Comments Nos. 7-14 through 7-21, for responses relating to the traffic section below and to Topical Responses Nos. 1 through 3 as presented in Section IV.A of this Final EIR, regarding the Project's traffic impacts and analysis.

COMMENT NO. 7-12

Page 132: Section 3.C.2.a The trips are inaccurate. See comments for page 11.

RESPONSE NO. 7-12

Issues relating to consistency of the traffic analysis with the CCNSP are addressed in Topical Response No. 7. As concluded therein, the Project would be consistent with the CCNSP trip allocation for the Project site (see Final EIR Section IV.A, Topical Response No. 7). Therefore, no changes to the Project's traffic analysis based on consistency with the CCNSP is required. Refer also to Response to Comment No. 7-6 regarding the page 11 comments.

COMMENT NO. 7-13

Page 139: Policy 4.16 The project is not consistent with the CCNSP.

RESPONSE NO. 7-13

The Draft EIR's conclusion that the proposed Project is consistent with the CCNSP is correct (see Section IV.A, Table 5 and pages 127-128 of the Draft EIR). Topical Response No. 7, as presented in Section IV.A of this Final EIR, also provides a summary of the bases upon which the conclusion of Project consistency with the CCNSP has been reached.

COMMENT NO. 7-14**TRAFFIC**

For the reasons stated in the attached report from Art Kassan and Tom Brohard, Traffic Engineers, we believe the EIR overstates existing use traffic and understates project traffic. As a result, the traffic impacts throughout the EIR are inaccurate.

RESPONSE NO. 7-14

Specific responses to the comments referenced in this comment are provided as Response to Comment Nos. 7-106 through 7-115. Based on these responses, as well as the information set forth in Topical Response Nos. 2 through 4 (see Section IV.A, Topical Responses, of this Final EIR), the Project's traffic analysis is a reliable forecast of existing and future conditions.

COMMENT NO. 7-15

Page 147 and Table 8: It should be noted that each of the 8 north-south streets listed terminates at one end near the project area. This is important because the shortage of through north-south routes in the community burdens the few that exist. Furthermore, many of the intersections identified that show Level of Service C or better are those locations where streets terminate and there is no through traffic. This discussion does not meaningfully show the traffic situation.

RESPONSE NO. 7-15

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides an accurate representation of the traffic conditions. The traffic analysis presented on page 147 and in Table 8 of the Draft EIR noted that traffic conditions are currently congested at many locations within the study area, having estimated that 14 of the 32 study intersections currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

COMMENT NO. 7-16

page 164: 3rd para. "Peak Hour" is unrealistic. The reality is that intersections operate at LOS F at more than 2 hours per day. Also, saying that construction oriented traffic would use major arterials and freeways and therefore result in a less than significant traffic impact during peak commuter periods makes no sense. Peak commuter periods are when the arterials and freeways are busiest (by definition almost).

RESPONSE NO. 7-16

Many intersections in the study area do operate under congested conditions for more than two hours per day. However, this is not inconsistent with the discussion on page 164 of the Draft EIR regarding construction worker traffic impacts. The Draft EIR states that "the majority of the construction workers would arrive and depart the site during off-peak hours (i.e., arrive prior to 7:00 A.M. and depart between 3:00 and 4:00 P.M.)," which are in fact hours with lower traffic volumes than the morning peak hours after 7:00 A.M. and the afternoon peak hours after 4:00 P.M. It should also be noted that the traffic study analyzes the highest 60-minute period during the A.M. and P.M. peak hours to analyze conservatively the potential impacts of the Project. This in combination with the anticipated orientation toward major arterials and freeways is the reason why less than significant construction traffic impacts are anticipated during peak commuter travel periods.

COMMENT NO. 7-17

page 164, (ii) : This discussion of hauling impacts assumes that the existing trip generation is accurate (116 am peak trips and 338 pm peak trips). It posits that since those trips will be removed, the truck hauling trips of 25 per hour (avg) will not have an impact. However, since the traffic counts at the location have demonstrated that the current uses do not generate the peak morning or afternoon trips estimated in the EIR, the addition of 25 trips per hour will, at certain times, result in an increase in peak hour traffic, particularly since these trips are being made by large construction vehicles that occupy significantly more space than a trip generating vehicle. 25+ trips per hour of heavy trucks is extremely disruptive to traffic flow (restricted acceleration and maneuvering).

RESPONSE NO. 7-17

To assess potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and the LADOT Traffic Study Policies and Procedures manual (Standard LADOT Methodology). Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4 (see Section IV.A, Topical Responses, of this Final EIR).

The additional analysis assumes that the existing uses on the Project site generate approximately 600 daily trips, 22 trips during the A.M. peak hour, and 38 trips during the P.M. peak hour, consistent with the opinion of the commentor in Comment Nos. 7-109 and 7-112. With up to a maximum of 240 daily haul trips and an average of 25 haul trips per hour, the hauling activities during any hourly period would be approximately equivalent to the level of peak hour trips generated by the existing uses as expressed in Comment Nos. 7-109 and 7-112 and would be a less than significant impact even using the assumptions provided by the commentor.

COMMENT NO. 7-18

Page 174: The EIR states that there would be a net decrease in freeway trips in the PM peak. The existing uses do not generate PM peak trips. However, the residents, staff and visitors will.

RESPONSE NO. 7-18

To assess potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and the LADOT Traffic Study Policies and Procedures manual (Standard LADOT Methodology). See Topical Response Nos. 1 through 3 as presented in Section IV.A of this Final EIR. Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced, including an assessment of potential freeway impacts. This analysis is presented in Topical Response No. 4 (see Section IV.A, Topical Responses, of this Final EIR). The additional analysis concluded that the Project would not have a significant impact on the freeway system even with the reduced existing trip credit.

COMMENT NO. 7-19

Page 175: The conclusion is flawed as the project will increase daily traffic.

RESPONSE NO. 7-19

As stated in Response to Comment No. 7-18, the Project would have a less than significant traffic impact based on the analysis presented in the Draft EIR as well as under the scenario in which the trip credits for existing uses are reduced (see Topical Response No. 4, Section IV.A, Topical Responses, of this Final EIR). This conclusion applies to the full range of traffic issues, including, but not limited to, potential Project impacts on residential streets in proximity to the Project site.

COMMENT NO. 7-20

Table 12, page 169: If the trip numbers change (are accurate) then the project would add to an intersection that is already at LOS F. This should be significant no matter how small the increment.

RESPONSE NO. 7-20

Based on the information presented in Response to Comment No. 7-18, the Project's traffic analysis as presented in the Draft EIR is a reliable forecast of existing and future conditions. This conclusion remains valid even under the scenario in which the trip credits for existing uses are reduced (see Topical Response No. 4, Section IV.A, Topical Responses, of this Final EIR). As such, there is no change in the conclusions of the Draft EIR that Project development would have a less than significant impact with regard to intersection operations. Regarding the thresholds of significance, please refer to the impact criteria discussed on pages 160 and 161 of the Draft EIR.

COMMENT NO. 7-21

Page 268: The Air Quality analysis should be redone with revised and validated trip numbers.

RESPONSE NO. 7-21

No revisions to the air quality analyses presented in Section IV.D, Air Quality, of the Draft EIR are required as the traffic data upon which the air quality analyses are conducted remain valid. The conclusions of the Draft EIR's air quality analysis also remain valid even under the scenario in which the trip credits for existing uses are reduced as well as under the revised traffic analysis (see Correction and Addition No. IV.D.a, Section III, Corrections and Additions, of this Final EIR).

COMMENT NO. 7-22**TRANSIT**

Page 151 (e) and elsewhere: The discussion of the "Transit Plaza" is inaccurate and misleading. What exists at this location is (1) a bus layover facility that just opened a few months ago and at which LADOT buses are not allowed to stop. It has no route signs, benches, maps, lights, or anything else that make it a Transit Plaza, and (2) two bus stops on Constellation Blvd. that also

do not have route maps, schedules, fare information, or any amenities other than the bus stop sign. This location is neither a Transit Plaza nor transit friendly and the project cannot rely on this to mitigate potentially significant impacts. There are also no indications that there are nearby buses on Pico and Santa Monica Blvds. or how to get them.

RESPONSE NO. 7-22

The description of existing public transportation services on pages 151 and 152 of the Draft EIR mentions both the transit plaza and the various public bus lines serving the vicinity of the Project site. As noted in the comment, the transit plaza is a bus layover facility. It was not the intention of the Draft EIR to imply that the plaza was a full-service transit center. This clarification is incorporated into the EIR via Correction and Addition No. IV.B.c as presented in Section III, Corrections and Additions, of this Final EIR.

The comment states that the bus stops on Constellation Boulevard do not have any amenities other than the bus stop sign. There are a number of bus stops within a block of the Project site, including on the north side of Constellation Boulevard just west of Avenue of the Stars, on the south side of Constellation Boulevard west of MGM Plaza, on both sides of Constellation Boulevard just west of Century Park East, and on Avenue of the Stars north of Constellation Boulevard immediately adjacent to the Project site. Each of these stops includes a shelter, a bench, and signage listing the routes that serve the stop.

The Draft EIR does describe the numerous bus routes providing service within walking distance of the Project site. Although the Project site is well served by public transit, the Draft EIR does not rely on transit as a mitigation measure for Project impacts.

COMMENT NO. 7-23

Page 161(e): In addition to riders outnumbering busses, an impact would occur to transit riders if they were delayed or the routes disrupted. The continual construction in Century City and on Santa Monica Blvd. is having a long term adverse impact on transit riders.

RESPONSE NO. 7-23

The transit impact analysis presented in the Draft EIR was conducted using the methodology prescribed by the Congestion Management Program for Los Angeles County (Los Angeles County Metropolitan Transportation Agency, 2004) and impact threshold criteria contained in the City of Los Angeles CEQA Thresholds Guide (see Appendix C, Draft EIR, page 175). Based on these analyses the Project would have a less than significant impact on transit services.

Also, the Draft EIR concluded that, using the City's significance criteria, the Project would also have a less than significant impact on operating conditions at intersections within the study area. Therefore, it is concluded that the Project would also not significantly increase travel times for

buses traveling through these intersections. See page 175, Section IV.B, Traffic and Circulation, of the Draft EIR. The Draft EIR also considers the transit impact from related projects in Century City. See pages 177–180, Section IV.B of the Draft EIR.

COMMENT NO. 7-24

HAUL ROUTE

Page 323 (b): This noise discussion assumes one haul route, yet three were mentioned on page 164. Use of the route that follows Pico and Overland to access I-10 passes by several schools and should be analyzed or forbidden. For schools, daytime hours are noise sensitive.

Page 395 (c): The construction impact analysis only addresses the schools that the project would feed in to. It fails to discuss haul route impacts to the schools along Pico and Overland, i.e. Saint Timothy's, Temple Isaiah, Le Lycee, Overland ES, Notre Dame Academy, and Notre Dame ES, not to mention preschools at Palms Park and private preschools. Rancho Park, Palms Park and the Palms-Rancho library would also be affected. Nor are impacts to Beverly Hills HS addressed, which is directly adjacent to the eastern border of Century City.

RESPONSE NO. 7-24

Refer to Topical Response No. 9, Construction Impacts in Section IV.A of this Final EIR. As discussed in the Draft EIR (Section IV.8, page 165), haul route(s) for the Project has not been approved. The Draft EIR explains that the route is subject to the City's approval process. The process includes a public hearing and opportunities for the public to comment on the proposed haul routes. The Project's haul routes would be established in coordination with the City with input from the Department of Building and Safety and LADOT to minimize congestion to public streets and highways. Haul routes for construction materials shall, to the extent feasible, be restricted to truck routes approved by the City. Hauling trucks shall be directed to use commercial streets and highways, and, to the extent feasible, shall minimize the use of residential streets. The haul routes and staging areas for the Project would be established, to the extent feasible, to minimize the impact of construction traffic on nearby residential neighborhoods and schools.

These comments will be forwarded to the decision makers for review and consideration. Also refer to Section IV.B, Traffic and Circulation, of the Draft EIR, which states that the Project would not have a significant traffic impact. The 32 study intersections are included in many of the travel routes accessing the public and private schools in the West Los Angeles area, including those on Pico and Overland Boulevards and in Beverly Hills cited by the commentor. As there would be no significant Project traffic impacts at these intersections, the Project is not expected to significantly impact these schools from construction traffic. This traffic data was used in the analysis of construction vehicle noise. Refer to pages 323-325, Section IV.E, Noise, of the Draft EIR for an analysis of off-site construction noise. The noise increase from Project activity on all of

the roadway segments including those areas cited by the commentor were determined to be less than significant. Furthermore, during construction, peak-hour uses from existing uses would be eliminated. It is anticipated that during peak excavation periods, Project construction would generate up to 240 daily haul trips (i.e., average of 25 haul trips per hour). As such, hauling activities during any hourly period would not exceed the level of peak-hour trips generated by existing uses and, as such, would not generate a significant traffic increase. The conclusions of the Draft EIR traffic analysis have been validated by the revised traffic analysis (see Correction and Addition Nos. IV.B.g and h, Section III, Corrections and Additions, of this Final EIR).

COMMENT NO. 7-25

LAND USE

Page 106, 114, 116, 120, 129, and elsewhere: The project takes credit for compatibility with surrounding land uses, particularly stressing the pedestrian orientation of Century City and the pedestrian pathways. There is, in fact, no distinguishable pedestrian pathway as shown on Page 106. Yes, there are normal street sidewalks and crossings at intersections and midblock crossings to the shopping center at MGM Plaza and via the bridge over Avenue of the Stars. But there are no obvious paths or connections elsewhere, as implied, and there is no midblock crossing of Constellation Blvd. at the project site as shown. This is, in fact, a location where one can easily observe pedestrians jaywalking, particularly on days when the Farmer's Market is held. Without having seen the diagram in the EIR we would not have known of this "path system." Having tried to walk it, we can state that it does not exist as described. The project should not claim consistency with the pedestrian orientation of Century City, as there is no pedestrian path system or network.

As the CCNSP was adopted in 1981, isn't 25 years long enough for this walkway to have been made a reality? If JMB, a long time property owner in Century City and developer of MGM Plaza, is stretching to take credit for this phantom path system that they could have made a reality, our confidence in promises of future mitigation is very low.

Will the "upgraded landscaping" provide identification, lighting, or amenities for an entire network of paths? When will the developer take responsibility for the entire path system, not just allowing a little land on the side of their parcel be dedicated to this use? When will the developer construct the midblock crossing of Constellation?

RESPONSE NO. 7-25

Figure 15 on page 106 of the Draft EIR is a reprint of Figure 1 of the Century City North Specific Plan, and is referenced in the discussion of the Century City North Specific Plan (Section IV.A.b[1][e], Draft EIR, page 105). The pedestrian corridor shown in Figure 15 is not discussed in the EIR as an existing pedestrian corridor or as an existing system of walkways. The diagram of the

pedestrian corridor in the Specific Plan reflects the pedestrian corridor policies of the Specific Plan (Section 10, CCNSP, page 19), the intent of which is to create a “continuous pedestrian corridor” in the mid-block area centered on Avenue of the Stars and Constellation Boulevard. As stated on page 128 of the Draft EIR:

“Project development, pursuant to Section 10.B.3 of the CCNSP, is obligated to construct the pedestrian walkway within the easternmost portion of the Project site and, prior to the issuance of a building permit for the Project, dedicate or convey an easement for the on-site pedestrian walkway, provide covenants or other assurances satisfactory to the City Engineer that the pedestrian walkway will be completed, and demonstrate to the satisfaction of the City Engineer that any necessary substructure for the pedestrian crossing is adequately provided for in the construction plan. There is no current plan for the City to construct the pedestrian crossing across Constellation Boulevard south of the Project site. Project development is consistent with all applicable provisions of the CCNSP by implementing the on-site portion of the pedestrian walkway. As a result, Project development would provide a benefit with regard to facilitating pedestrian movement within Century City. Furthermore, no aspect of Project construction or operations would impede the pedestrian walkway and pedestrian crossing contemplated by the CCNSP. It is also important to note that the areas north and south of the Project site are not under the Applicant’s ownership or control.”

Furthermore, the interface of the pedestrian walkway with the Project would be landscaped and pedestrian lighting would be installed, as required. Also refer to Topical Response No. 7 (see Section IV.A, Topical Responses, of this Final EIR) for additional discussion regarding the Project’s proposed pedestrian corridor.

COMMENT NO. 7-26

Page 118, Objective 3.2: The project claims consistency with this objective by citing the pedestrian paths (phantom - see above) and components of the West Side Bicycle Plan on Santa Monica Blvd. and Avenue of the Stars. The bike plan shows both these streets as being Class II (bike lane). There is NO bike lane on either of these streets. These consistency claims should state whether the consistency is present (it isn't) or with future street improvements (as stated for Santa Monica Blvd.), or just not there (Avenue of the Stars). Even the description on page 143 does not mention a bike lane. The project should not claim that it is "facilitating a reduction in vehicle trips and miles traveled" when all it is doing is not impeding use of these streets.

RESPONSE NO. 7-26

The intent of General Plan Framework Objective 3.2 is to facilitate a reduction in vehicle miles by locating development (spatial distribution) in areas that provide opportunities for alternative transportation, such as walking, transit, and cycling. The Draft EIR (Table 3, Section

IV.A, page 118) does not state that bicycle paths are provided by the Project, but that the Project is located in the vicinity of the Santa Monica Boulevard and Avenue of the Stars components of the West Side Bicycle Plan. The determination of Project consistency with this policy is based on the Project facilitating a reduction in vehicle trips due to the opportunity of the Project's residents, due to the geographic location of the Project, to avail themselves of alternative transportation modes. Bicycle lanes are anticipated as a component of the Santa Monica Boulevard Transit Plan and are also anticipated by the City's Transportation Plan along Avenue of the Stars. The Draft EIR traffic report does not take any trip credits due to the availability of alternative travel modes, although, as stated in the finding of consistency, the Project's location facilitates the use of such modes. Since multi-modal transportation systems are available to the Century City community and the area is mixed-use in character, the location of the Project in this area, which does include pedestrian pathways, would certainly meet the objective of the General Plan Framework to facilitate a reduction in trips.

COMMENT NO. 7-27

Page 124, Policy 1-2.1: The project claims consistency with this policy by stating that that [sic] the project is served by shuttle buses. Page 151 does not list any shuttle buses, nor did an internet search of transit sites find any that the public can learn about and access. (We understand there is a FOX shuttle available to their employees.)

RESPONSE NO. 7-27

The comment is correct in that shuttle buses do not currently serve the Century City community. West Los Angeles Community Plan Policy 1-2.1 is to "locate higher densities near commercial centers and major bus routes where public service facilities and infrastructure will support this development" (Draft EIR, Table 4, page 124). Deleting the reference to shuttle buses does not alter the conclusion of the Draft EIR that the Project would be consistent with Policy 1-2.1. Please refer to Correction and Addition No. IV.A.b, Section III, Corrections and Additions, of this Final EIR.

COMMENT NO. 7-28

Page 133, Parking: While the project may exceed code-required parking for residents and guests, the nature of this luxury project strongly suggests that there will be many employees of the project and the residents (maintenance, gardeners, trainers, cleaning staff, household staff, etc.). What factors were used to account for these?

RESPONSE NO. 7-28

The Project's parking supply, as detailed in Topical Response No. 5 (see Section IV.A, Topical Responses, of this Final EIR), is sufficient to meet the needs of the full range of activities that would occur at the Project site.

COMMENT NO. 7-29**PUBLIC SERVICES/INFRASTRUCTURE**

The effects on infrastructure should be added to page 5, "Areas of Controversy".

RESPONSE NO. 7-29

The commentor's request has been incorporated into Section I.E. of the Final EIR.

COMMENT NO. 7-30***Water/Hydrology***

The project site clearly collects storm water and runoff, and may, based on the "high" groundwater levels cited in the EIR, also intercept the groundwater table. Although the document addresses the potential impact of dewatering the site and treating the groundwater (if necessary), it does not address the effect of the project potentially contaminating the groundwater or the loss of the groundwater resource.

RESPONSE NO. 7-30

Eleven borings were excavated to depths up to 80 feet in depth at the site in conjunction with a geotechnical investigation in October 2004. As stated in the Draft EIR (Section IV.G, Water Quality) groundwater aquifer levels were found to range from 60 to 75 feet below the ground surface. Temporary standpipes were installed in the exploratory borings and were monitored in August 2004 and February 2006. The groundwater aquifer level was found at a depth of 75 to 80 feet below ground surface as measured from street level. As anticipated in the Draft EIR (Volume I, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths above the groundwater table. These zones are associated with seasonal run-off. Given the depth to the regional groundwater aquifer, the Project is not anticipated to have an impact on the level or quality of any groundwater aquifer (see Appendix F of this Final EIR).

COMMENT NO. 7-31

There is no discussion of where runoff from the parking garage will be directed or how the wastewater from the garage will be treated. As noted in the EIR for Constellation Place (in the discussion of this site as an alternative), "storm water runoff from commercial areas may contain high concentration of heavy metals, coliform bacteria, oxygen demanding substances, and total suspended solids. This impact is potentially significant."

RESPONSE NO. 7-31

Two separate public storm drain systems are present in the Project area - one extends along Constellation Avenue on southeastern edge of the property and the other extends along Avenue of

the Stars on the southwestern edge of the property. Storm water run-off from the Project site would be apportioned to the appropriate storm drains. It is anticipated that most of the Project site runoff will be routed to the Avenue of the Stars storm drain. The storm drain system was designed for full buildout conditions. Development of the Project appears consistent with the original design of the storm drain system and should not cause impacts to its downstream capacity (see Appendix E of this Final EIR).

As stated in the Draft EIR (Section IV.G Water Quality), the Project would be subject to the requirements of the City's NPDES Municipal Separate Storm Sewer System (MS4), which for new development is the Standard Urban Storm Water Mitigation Plan (SUSMP), and the General Permit for Storm Water Discharges Associated with Construction Activity. As further noted in the Draft EIR, recently adopted Total Maximum Daily Loads (TMDLs) may impose additional reduction requirements for future SUSMPs. Mitigation Measures G-1 and G-2 of the Draft EIR provide that "The Project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, EPA and local agencies regarding water quality." Mitigation Measure G-2 provides that the Project would implement stormwater Best Management Practices (BMPs). This may include measures to reduce the total runoff volume from the Project site, such as through the use of the landscaped areas above the parking structure as described at page 360 of the Draft EIR. According to the Initial Study, the Project's open spaces on the interior and exterior of the site would potentially decrease the amount of run-off from the site as the vegetation and groundcover would have the capacity to absorb a substantial portion of the precipitation and run-off from adjacent impervious surfaces. Also, the open space areas would function as buffer areas that would decrease the rate of surface water flows across the site. Also, as discussed in the Initial Study, the Project would incorporate BMPs that would detain surface water run-off, as required by the City, either actively or passively, before discharging waters to the local storm drain system. Further, additional hydrological analysis of the Project site would be required by the City as part of the building permit process once the design and layout of the site is approved.

Furthermore, the comment misquotes the text from the Constellation Place EIR (see page 227 of the Constellation Place EIR). The Constellation Place EIR does not conclude a significant impact as indicated in the comment, but rather is stating that the Constellation Place project would be required to comply with National Pollution Discharge Elimination System (NPDES) requirements and that a Stormwater Pollution Prevention Plan (SWPPP) would need to be prepared. In fact, the Constellation Place EIR concludes that impacts relative to these issues for the Constellation Place project would be less than significant. A set of conclusions that also apply to the currently proposed 10131 Constellation Boulevard Project.

COMMENT NO. 7-32

The Initial Study (page B-20) states that groundwater is 75 feet below ground surface (bgs) and therefore the flow will not be affected. However, page 359 of the EIR states that high

groundwater levels may be 40 feet bgs so the flow might be affected and this impact has not been analyzed.

RESPONSE NO. 7-32

As noted in the Draft EIR, the reference to a 40-foot depth to groundwater is based on historical records on file with the California Department of Mines and Geology (CDMG). This information is superceded by site specific data collected in 2004 and 2006. As stated in the Draft EIR (Section IV.G Water Quality), in 2004 groundwater aquifer levels in exploratory borings were found to range from 60 to 75 feet below ground surface. Temporary standpipes were installed in the exploratory borings and were monitored in August 2004 and February 2006. The groundwater aquifer level was found at a depth of 75 to 80 feet below ground surface as measured from the street. As anticipated in the Initial Study of Draft EIR (Volume 1, Appendix A, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths. These zones are associated with seasonal run-off. Based upon the 2004 and 2006 water level measurements, the excavation for the proposed site improvements is not anticipated to extend to the level of the groundwater aquifer. However, as discussed in the Draft EIR (Section IV.G, Water Quality), the building excavations may encounter localized zones of perched water above the regional groundwater table. As stated in the Draft EIR, if groundwater is encountered during development, the groundwater will be tested and discharged in accordance with NPDES requirements. Since the proposed structures are not anticipated to extend to the level of the groundwater aquifer, no dewatering of the aquifer is anticipated. As further discussed in the Draft EIR (IV.F, Hazards and Hazardous Materials), the Project site is located within a City “Methane Zone.” All new buildings within a Methane Zone are required to install a methane mitigation system in compliance with the City Methane Seepage Regulations. The methane mitigation system required for the buildings may encounter water that may need to be periodically removed. Given the localized nature of the perched zones and limited influence of the infiltration and removal of the water, any construction dewatering or removal of water that accumulates in the methane collection piping is not anticipated to impact the level or quality of groundwater (see Appendix F of this Final EIR).

COMMENT NO. 7-33

Page 358 of the EIR lists the nearby storm drain inlets but fails to mention that none of them are actually adjacent to the property. According to IMap LA, the closest storm drain inlet is located at the corner of Century Park E [sic] and Constellation. A storm drain conduit runs directly under the property but it appears that ground water (rain water, hose water, etc.) is directed into the site and collects there. Unless the street grading is right, without a downstream (meaning down street) inlet, water collects and has nowhere to go, except sit there waiting for mosquitoes to breed. What improvements to the storm drain system will be made?

RESPONSE NO. 7-33

Historically, there apparently was a 24" storm drain (D-7809) that ran through the Project site beginning on the northeast side of the property at a brick manhole and catch basin located on the existing 10-foot sanitary sewer easement access road. This storm drain was abandoned during drainage improvements that occurred in 1962, but still appears on the City storm drain maps (see Appendix F of this Final EIR). The western edge of the Project site is currently drained by an existing 24" reinforced concrete pipe (RCP) that is connected to a 42" RCP storm drain beneath Avenue of the Stars. The southern edge of the property drains to an existing 18" RCP storm drain beneath Constellation Boulevard that drains to the east. Storm water run-off from the Project site would be apportioned to the appropriate storm drains. It is anticipated that most of the Project site runoff will be routed to the Avenue of the Stars storm drain. The storm drain system was designed for full buildout conditions. Development of the Project appears consistent with the original design of the storm drain system and should not cause impacts to its downstream capacity (see Appendix E of this Final EIR).

COMMENT NO. 7-34

The document does not disclose the presence of an isolated wetland on site. Hydrophytic vegetation is present (cattails and others) and the hydrology is clear. The wetland is supported by both runoff and, potentially, by groundwater (high groundwater levels of 30-40 feet below ground surface and the site is 20-40 feet below street level). This wetland may be connected to other waters by groundwater and contribute to the ecosystem's health by filtering pesticides and other pollutants for downstream waters.

The soils under the site may also be hydric and are described in the Initial Study Checklist (VI.d) as "fine grained alluvial soils consisting predominately of moderately to highly expansive clay soils."

Under the US Army Corps of Engineers Dredge and Fill permits, the law places the burden of proof squarely on a permit applicant to demonstrate that the destruction of any portion of a wetland is necessary. Where is this proof?

The cumulative impacts of "small" disturbances permitted under the general permits system have been severe in many watersheds, especially in Los Angeles and should be mitigated.

A RWQCB 401 Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects) may also be required. The rules and regulations apply to all "Waters of the State", including isolated wetlands and stream channels that may be dry during much of the year, have been modified in the past, look like a depression or drainage ditch, have no riparian corridor, or are on private land.

Mitigation Measure G-1 must include wetland mitigation such as creation, restoration, and preservation.

RESPONSE NO. 7-34

As detailed in the technical report prepared by Ryan Henry, B.S., Applied Biology dated February 27, 2006 (see Appendix D of this Final EIR), the Project site does not include an isolated wetland. Runoff from the Project site and areas adjacent to the site accumulates in the western end of the depression/basin area immediately surrounding the closed monitoring wells. Studies by Geosyntec Consultants and GeoKinetics, attached as Appendix E and F, respectively, have concluded that there is no underground source or other natural hydrologic source for this depression/basin area, and there is no hydrologic connection between the accumulated runoff in the depression/basin area and any other water source or waters of the United States. Groundwater in this area is found approximately 40 to 50 feet below the surface of this depression/basin area. The runoff accumulates from the Project site, an adjacent multi-story parking structure to the west, and a smaller parking lot located along the northwest edge of the basin, thereby artificially contributing hydrology to this depression/basin area. Soils along the bottom and sides of the depression/basin area consist of relatively impermeable clay, which results in surface water accumulation. Although the prolonged accumulation of runoff water in this depression/basin area has resulted in the presence of some hydrophytic vegetation, and may have artificially created reducing soil conditions, normal conditions do not exist within the area for hydric soil development and would not support hydrophytic vegetation. If the runoff water is routed into a storm drain or otherwise prevented from accumulating in the depression/basin area, the reducing soil conditions and hydrophytic vegetation would no longer be present. Because this is an isolated area, created by a temporary, artificial water source, it does not meet the criteria for a jurisdictional wetland and therefore no permits are required under either Section 404 or Section 401 of the federal Clean Water Act.

COMMENT NO. 7-35

Police and Fire

Page 375, first sentence: Regarding possible improvements to the water conveyance system that may be required, this sentence should read: Under standard City practices, these improvements would be completed by the LADWP **at the cost of the developer and/or building tenants**, in accordance..." There is no reason city taxpayers should pay for this.

Residents at the nearby Park Place condominium community report that water pressure is an area of concern requiring further investigation. While capacity in the area may be adequate to support additional development, water pressure and pumping capacity may be inadequate.

RESPONSE NO. 7-35

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Standard City practices provide that improvements to the local water conveyance system associated with a development Project would be completed at the cost of the developer. Therefore, no revision to the EIR is necessary.

With regard to water pressure and pumping, to ensure adequate pressure and pumping capacity, the Project would comply with the requirements of the City of Los Angeles Fire Department. As indicated in Comment No. 4-2, the required fire flow for the Project has been determined to be 4,500 gpm from four fire hydrants flowing simultaneously. Section IV.H.1, Fire, of the Draft EIR indicates that recently, the DWP Water Operations Division conducted a flow study in conjunction with a nearby Project that utilizes the same mains as would the proposed Project. The flow study determined that the existing water conveyance system is capable of delivering the requisite fire flow to the area. Thus, it is anticipated that fire flow to the Project site would be adequate as well. The existing system has a fire flow capacity of 9,000 gpm.¹¹ In addition, the Fire Department would review the Project prior to issuance of building permits and would ensure adequate water pressure is available. Also, as indicated in the Draft EIR, should unanticipated circumstances occur, whereby improvements to the local water conveyance system would be necessary, potential impacts attributable to implementing local water conveyance system improvements may include temporary traffic lane disruption during trenching, laying of pipe, backfilling, and street resurfacing. Under standard City practices, these improvements would be completed by the LADWP in accordance with their standard practices and procedures that have been developed to minimize any impacts to the community. It is also anticipated that compliance with LADWP's standard practices and procedures are sufficient to reduce potential impacts to less than significant levels.

COMMENT NO. 7-36

Page 375 (ii): Just because Station 92 is 1.5 miles from the project site does not mean no additional stations or station capacity need be constructed. The density of Century City is increasing. The analysis DOES NOT include the increased daytime population of the area when MGM Plaza and 2000 Avenue of the Stars or this project are at full occupancy. EMS calls can occur whether there are RESIDENTS or COMMUTERS in the buildings. Basing the analysis on census (i.e. resident) data is inadequate.

RESPONSE NO. 7-36

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

¹¹ *Final Environmental Impact Report, 2000 Avenue of the Stars, November 2002, page 199.*

As indicated in Comment No. 4-2 from the City Fire Department, the adequacy of fire protection for a given area is based on required fire flow, response distance from existing fire stations, and the Department's judgment for needs in the area. As explained in Section IV.H.1, Public Services—Fire, of the Draft EIR, Section 57.09.06 of the Fire Code sets the maximum distance from a high-density residential development to a fire station at 1.5 miles. Based on revised information provided by the Fire Department in Letter No. 4, Station 92 is located 1.7 miles from the Project site. Where a response distance is greater than 1.5 miles, all structures must be constructed with automatic fire sprinkler systems. As indicated in the Draft EIR, the Project would include an automatic sprinkler system. Therefore, as the Project would comply with all applicable Fire Code requirements, impacts with regard to fire protection services would be less than significant. Please also see Response to Comment No. 4-3. The Draft EIR also provides a cumulative analysis of fire impacts, taking into consideration the related projects referenced by the commentor, the Draft EIR concludes that there is a less than significant impact.

COMMENT NO. 7-37

Page 375 (ii): The sentence "Since both stations have the same staffing and equipment..." does not match Table 36 which states that Station 58 has a paramedic unit while Station 92 does not. Also, just because Station 58 answers more calls than Station 92, does not mean that 92 is able to answer more or that they are inefficient in some way. Other factors such as geography, density, dispatching, and equipment and personnel also factor in. Further, the ability of public safety personnel to reach incidents during peak travel hours is greatly compromised when traffic is gridlocked (and intersections are at Level of Service F). While the station may be located only 1.5 miles from Century City, the travel time can be lengthy.

RESPONSE NO. 7-37

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please refer to Correction and Addition No. IV.H.1.f as presented in Section III, Corrections and Additions, of this Final EIR. The City Fire Department reviewed the Draft EIR and provided clarifications, but did not disagree with the conclusions regarding fire impacts. See Comment Nos. 4-1 through 4-5. Further, as discussed in the Draft EIR (Section IV.B) and Topical Response Nos. 1 through 4 (see Section IV.A. of this Final EIR), the Project would not have a significant impact, therefore, the Project would not impact emergency response times.

COMMENT NO. 7-38

Table 42 of the Constellation Place EIR notes in regards to fire services that [the Proposed Project] "would increase demand for fire services. Fire protection services in the area are currently considered overburdened." It also states that demand would be the same for Alternative site F (the site of this project). Why does this document state that there would be no effect?

RESPONSE NO. 7-38

The analysis provided in the Constellation Place EIR was prepared in 1996 and as such is almost 10 years old. The analysis in the Constellation Place EIR analyzed fire protection impacts for a new office building of approximately 791,000 square feet. The Fire Department in that EIR noted that the office project required a fire flow of 12,000 gpm and a first-due engine company distance of within 0.75 miles. This was based on the fact that the new office project would result in “approximately 3,800 employees in Century City at peak periods” resulting “in the need for additional staffing at existing fire stations, additional equipment, or the addition or relocation of fire protection facilities.” (See Constellation Place Draft EIR, page 400). The same project needs were applied to the Alternative Site and the Constellation Place Draft EIR determined that the impacts were similar at both locations for the office project. As stated previously, for purposes of this new residential project, the Fire Department has determined that fire impacts are less than significant. The residential project has a number of differences compared with the office project analyzed in the Constellation Place EIR:

	Office Project	Residential Project
Required Fire Flow	12,000 gpm	4,500 gpm
First-Due Fire Station distance goal	0.75 miles	1.5 miles
Service population	3,800 employees	980 residents

These differences explain the different conclusions noted by the commentor.

As indicated in Response to Comment No. 7-36, the adequacy of fire protection for a given area is based on required fire flow, response distance from existing fire stations, and the Fire Department’s judgment regarding needs and service in the area. The analysis contained in the Draft EIR is based on information obtained from the Fire Department during the preparation of the document as well as in their Draft EIR comment letter (see Comment Letter No. 4). Furthermore, no information is provided in Letter No. 4 that suggests that the LAFD concludes that the Project would have anything other than a less than significant impact on the delivery of fire protection services to the Project site and surrounding areas.

COMMENT NO. 7-39

The increase of 2.5 percent in fire district population and 3.3 percent in calls from just one project is a significant usage of fire department response capacity. There is no discussion of first responder capability in the event of a major fire, earthquake, or other disaster.

RESPONSE NO. 7-39

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City’s decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the Project’s impacts on the provision of fire protection services. The analysis provided in the Draft EIR includes the first responder’s capability

in the event of a major fire. The City maintains emergency response plans in the event of an earthquake or other disaster. Project implementation would not have an adverse affect on the implementation of these plans (see Draft EIR, Appendix A, Project's Initial Study, Sections VII.g and XV.e).

COMMENT NO. 7-40

As shown in Table 38, LAPD is understaffed in the project area and surrounding communities. Adding density will exacerbate this problem and no mitigation or improvement of facilities or resources is offered in compensation for the cumulative effects of development.

RESPONSE NO. 7-40

Table 38 on page 382 of the Draft EIR provides a comparison of the population and officers per resident for the West Los Angeles Division, the West Bureau and Citywide. While the table shows that the number of officers is lower per number of residents in the West Los Angeles Division compared with the West Bureau and Citywide, this does not lead to the conclusion that the LAPD is understaffed in the Project area and surrounding communities. Population is not the only contributing factor in the demand for police services. As the analysis presented in Section IV.H.2, Police, of the Draft EIR goes on to show, although the Project would reduce the officer/resident ratio in the West Los Angeles Division, the arrest rates per officer are lower in the West Los Angeles Division than in the West Bureau and Citywide. Since the annual average arrest rate per officer generated by the Project would be less than the West Bureau and less than the Citywide annual average arrest rate, the Project would not exceed the capability of the LAPD to serve the Project site.

With regard to cumulative effects, the Draft EIR contains a cumulative analysis of potential impacts on police services on pages 387 and 388 of the Draft EIR. As indicated in the Draft EIR, six of the related projects would include residential uses within the LAPD West Los Angeles Division. Such growth would result in an increase in annual crimes from 12.65 crimes per officer to 12.78 crimes per officer. The level of crimes per officer, inclusive of cumulative development would still be approximately 35 percent less than the 19.66 crimes per officer in the West Bureau. On this basis it is concluded that cumulative impacts would be within the capacity of existing police services. As such, cumulative impacts on police services would be less than significant. In addition, no significant cumulative impacts associated with emergency access in and around the Project site would occur during construction since the related projects are not located adjacent to or in close enough proximity to the Project site so as to cause a cumulative impact. Furthermore, the related projects are anticipated to maintain secure sites during the respective construction periods, so that the construction of the combined projects in the City would not result in a demand on police services greater than the existing capability of the LAPD. Finally, the Traffic and Circulation analysis in Section IV.B.1 of the Draft EIR demonstrates that Project development would result in a less than significant impact with regard to emergency vehicle access and response times. Although additional traffic generated by the Project and related projects could potentially cause delays in

LAPD emergency response times, the impact of the Project relative to emergency access is evaluated in Section IV.B.1, Traffic and Circulation, and, based on that analysis, Project development would result in a less than significant cumulative impact with regard to emergency vehicle access. As no cumulative impacts would occur to police services, no mitigation measures are required.

COMMENT NO. 7-41

Table 42 of the Constellation Place EIR notes in regards to police services that [the Proposed Project] "would have a significant impact on police services". It also states that demand would be the same for Alternative site F (the site of this project). Why does this document state that there would be no effect?

RESPONSE NO. 7-41

As indicated in Response to Comment No. 7-38, above, the analysis provided in the Constellation Place EIR was prepared in 1996 and as such is almost 10 years old. Additionally, the Constellation Place EIR analyzed the impacts of a new office building that was approximately 791,000 square feet with different impacts related to police services. As indicated in Response to Comment No. 7-40, population is not the only contributing factor in demand for police services. The analysis contained in the Draft EIR is based on current information about this Project and reflects the information provided by the LAPD during the preparation of this EIR for a residential project.

COMMENT NO. 7-42

Page 386, 3rd para: Just because there is said to be a "less than significant" effect does not mean that cumulative effects (over time) should be ignored. When will that be addressed? Cumulative impacts are incremental effects that are cumulative considerable. [as defined by CEQA]. These impacts to LAPD and LAFD are not being mitigated.

RESPONSE NO. 7-42

As indicated in Response to Comment Nos. 7-38, 7-40, and 7-41 above, the cumulative analysis for police and fire services is provided on pages 377 and 378, and on 387 and 388 of the Draft EIR. In addition, the analysis presented in Section IV.B.1, Traffic and Circulation, of the Draft EIR also addresses this issue. As concluded in these Draft EIR analyses, Project development, on an individual and cumulative basis, would result in a less than significant impact with regard to emergency vehicle access and response times. Refer also to Topical Response No. 10, Cumulative Impacts, as presented in Section IV.A of this Final EIR.

COMMENT NO. 7-43***Schools***

Page 391 and elsewhere: It is incorrect to say that Westwood Charter ES is operating under capacity. According to the school, they must accept all students in the resident area. The district has predicted an increase of 50 children over the next 5 years, but has no plan for how to house them. Their enrollment is currently at 752, capacity being 775. However, their numbers in primary the last few years have been huge, with an extra class at both K and 1. As those children move up, they have no classroom space to accommodate them. For example, they may need another 2nd grade class next year, and another 4-5 class. There's no classroom space to expand and the yard and facilities are already at capacity as well. Portables have already been installed and staff parking is inadequate, forcing parking in the neighborhood. Therefore, the project will have an adverse impact and no mitigation is proposed.

RESPONSE NO. 7-43

As shown in Table 40 in Section IV.H.3, Schools, of the Draft EIR, the operational capacity of Westwood Charter Elementary School is 800 students and current enrollment is 750 students. As indicated in the Draft EIR, the Westwood Charter Elementary School is forecasted to be operating over capacity by 12 seats in 2009. With the addition of 13 new students generated by the proposed Project, the school would exceed its capacity by approximately 25 seats. This impact is clearly disclosed in the Draft EIR. Pursuant to the provisions of Government Code Section 65995, a project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued. The Project Applicant would pay the requisite school facility development fees at the time building permits for the Project are issued. As a result, Project development would result in an impact that is less than significant to the LAUSD schools that serve the Project site.

COMMENT NO. 7-44

Page 392: The EIR uses a vacancy rate of 5.5 percent for LAUSD. What is the rate for the census tracts that feed into Westwood Charter, Overland, or other nearby schools? If Westwood Gardens had a 5.5 percent vacancy rate, for example, there would be 34 vacant houses. This is absolutely not the case!

RESPONSE NO. 7-44

The data provided on page 392 in Section IV.H.3, Schools, of the Draft EIR, regarding vacancy rate is background data describing Districtwide conditions. The data is not used in the schools analysis to determine potential impacts from the Project. Therefore, no further analysis regarding vacancy rates is required.

COMMENT NO. 7-45

Page 395: It is incorrect to say that haul routes would not pass by any schools. They may not pass by the schools listed but a haul route that uses Pico and Overland to get to I-10 passes by the Temple Isaiah school, St. Timothy's, Le Lycee, Overland ES, Notre Dame ES, and Notre Dame Academy, in addition to a number of preschools. The trucks will have traffic, noise, safety, and air quality impacts at drop off and pick up times as well as during the learning day.

RESPONSE NO. 7-45

Issues relating to the Project's haul routes are raised in Comment No. 7-24. As stated in Response to Comment No. 7-24, and the Draft EIR (Section IV.B., page 165), the haul routes for the Project have not been approved. The Draft EIR explains that the routes are subject to the City's approval process. The haul routes for the Project would be established, to the extent feasible, to minimize the impact of construction traffic on nearby residential neighborhoods and schools. The 32 study intersections are included in many of the travel routes accessing the public and private schools in the West Los Angeles area, including those on Pico and Overland Boulevards and in Beverly Hills cited by the commentor. As there would be no significant Project traffic impacts at these intersections, the Project is not expected to significantly impact these schools from construction traffic. This traffic data was used in the analysis of construction vehicle noise. Refer to pages 323-325, Section IV.E, Noise, of the Draft EIR for an analysis of off-site construction noise. The noise increase from Project activity on all of the roadway segments including those areas cited by the commentor were determined to be less than significant. Furthermore, during construction, peak-hour uses from existing uses would be eliminated. It is anticipated that during peak excavation periods, Project construction would generate up to 240 daily haul trips that would be distributed evenly throughout the day (i.e., average of 25 haul trips per hour). As such, hauling activities during any hourly period would not exceed the level of peak-hour trips generated by existing uses and, as such, would not generate a significant traffic increase. Since peak hour trips would be less than the existing traffic baseline, the haul trucks would not cause substantial delays or disruption. The Draft EIR does not state that "no impacts" would be created by haul truck traffic, but that the projected haul truck trips would not exceed the threshold of significance identified in the Draft EIR (i.e., a substantial delay or disruption of existing traffic and pedestrian flow). Furthermore, the conclusions of the Draft EIR traffic analysis are validated by the revised traffic analysis. Please refer to Correction and Addition Nos. IV.B.g and h, as presented in Section III, Corrections and Additions, of this Final EIR.

Issues relating to construction and haul route activity are also addressed in Topical Response No. 9-Construction Impacts. As concluded therein, construction noise and air quality impacts would be less than significant (see Final EIR Section IV.A, Topical Response No. 9). Furthermore, all Project construction activities would occur in accordance with the Project's voluntary Construction Management and Mitigation Plan. A complete copy of the Project's Construction Management and Mitigation Plan is provided as Appendix B to this Final EIR.

The construction phase of the Project would not result in significant dust impacts. Refer to Section IV.D, Air Quality, which analyzes air quality construction impacts. Regardless, the uses listed in the comment are not adjacent to the Project site and are at too great a distance from the Project site to be affected by on-site dust impacts.

The Project construction vehicles would not cause significant dust impacts off-site. To reduce impacts further, the two mitigation measure have been added to ensure that dust does not escape from construction vehicles traveling on the haul route(s). Please refer to Correction and Addition No. IV.D.a, Section III, Corrections and Additions, of this final EIR. Specifically, Mitigation Measure D-7 requires that all loads be secured by trimming, watering, or other appropriate means to prevent spillage and dust. Mitigation Measure D-8 requires that all materials transported off-site shall be securely covered to prevent excessive amounts of dust, to the extent necessary. It is anticipated that certain trucks would not need to be covered given that they would not have any potential dust impacts (e.g., trucks carrying solid materials). For additional dust reducing mitigation measures, see Mitigation Measures D-1 through D-6.

In addition, the Project's haul routes would be established in coordination with the City with input from the Department of Building and Safety and LADOT to minimize congestion on public streets and highways. As discussed in the Draft EIR (page 165), haul trucks would be directed to use commercial streets and highways and, to the extent feasible, shall minimize the use of residential streets and/or streets that pass by schools, such as those identified in the comment. Based on the foregoing, it is concluded that the Draft EIR adequately addresses the potential environmental effects of haul truck traffic and no further evaluation of this issue is warranted. Please refer also to Response to Comment No 7-24 regarding haul routes.

COMMENT NO. 7-46

Page 397: Listing PWT schools as a factor in this case does not make sense since the elementary schools nearest the project (Overland, Westwood, and Fairburn) are not part of this program.

RESPONSE NO. 7-46

The PWT program was identified as but one of seven different ways in which the actual number of students generated by the proposed Project would be less than that forecasted in Table 41 on page 397 of the Draft EIR. Of particular note is that the analysis contained in the Draft EIR does not take into account options that could allow students generated by the Project to enroll in LAUSD schools away from their home attendance area. Furthermore, the benefits of the PWT program are not used to determine the potential impacts of the Project. Notwithstanding, any potential impact is mitigated to a less than significant level as explained on page 398 of Section IV.H.3, Public Services—Schools, of the Draft EIR.

COMMENT NO. 7-47

Page 398: The payment of fees as mitigation is misleading since there is no guarantee that the money will stay in the local school area or construct facilities at the affected school(s).

RESPONSE NO. 7-47

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. While the comment is correct with regard to the use of school fees, what is relevant with regard to the proposed Project is that the provisions of Government Code Section 65995 are very clear in establishing the fact that a Project's impact on school facilities is fully mitigated through the payment of the requisite school facility development fees current at the time building permits are issued and that no further mitigation is required.

COMMENT NO. 7-48

Page 399: The proposed use of mitigation measures such as portable classrooms and year round schedules is unacceptable since their use would create a significant impact as defined in the Thresholds of Significance on page 395.

RESPONSE NO. 7-48

The sentence in the cumulative analysis on page 399 of the Draft EIR regarding the use of portable classrooms is not a suggested mitigation measure but rather indicates methods that LAUSD has used in the past to accommodate the increase in student population. As indicated in the Draft EIR, the generation of students from related projects in combination with students generated by the proposed Project would result in a potentially significant impact to all of the aforementioned LAUSD schools as existing school capacities would be exceeded. However, as also indicated in the Draft EIR, pursuant to the provisions of Government Code Section 65995, the school facility development fees that would be paid by all new development would constitute a full mitigation of impacts of these new developments, thereby reducing individual and cumulative Project impacts to a level that is less than significant.

COMMENT NO. 7-49

Page 399 and Table 42, page 400: Table 42 has many blanks in it and does not show (as stated) that related projects would generate 2,410 students. There are NO TOTAL figures in Table 42 and no numbers for employee student generation. The complete table needs to be provided and then the opportunity for analysis and comment provided.

RESPONSE NO. 7-49

Numbers were inadvertently left off of Table 42 on page 400 of the Draft EIR. The correction is noted and is incorporated as Correction and Addition No. IV.H.3.a as presented in

Section III, Corrections and Additions, of this Final EIR. These numbers are discussed in the analysis presented in text form on page 399, Section IV.H.3, Public Services—Schools, of the Draft EIR. The calculation of 2,410 students reflects a total of 137 and 2,273 students generated by the residential and commercial Projects located within the attendance boundaries of the schools that would serve the Project site. The inclusion of the missing data does not alter the analysis or the conclusions contained in the cumulative discussion presented in Section IV.H.3, Schools, of the Draft EIR.

COMMENT NO. 7-50

Parks/Recreation

Page 407, para. 1: Private golf courses should not be included in the calculation of open space at all and public golf courses provide recreation for a very limited population due to costs to participate. The area surrounding Century City contains an unusually large number of golf courses (Rancho Park, Hillcrest CC, and the Los Angeles CC). However, their presence in the area does not serve the large majority of residents nor does it provide recreational space for children in the community. The evaluation should be done on parks accessible to the general population, in which case, West LA is far short of the goals of the PRP.

RESPONSE NO. 7-50

Public and private golf courses are not used in the analysis of Project impacts relative to parks and recreation. The information regarding public and private golf courses on page 407 of Section IV.H.4, Parks and Recreation, of the Draft EIR, is provided in the discussion of existing conditions.

COMMENT NO. 7-51

Page 408 (c. 1) Sidewalks should not be included as landscaped areas in the calculation of the 1.7 acres. These are streetscapes, not recreation spaces. Furthermore, descriptions of the proposals for the corner of Avenue of the Stars and Constellation call for stepped gardens. This sounds like the pedestrian will be faced with concrete walls and less greenery than hardscape.

RESPONSE NO. 7-51

Sidewalks have not been included in the calculation of open space. As indicated in Section IV.H.4, Parks and Recreation, of the Draft EIR, the Project would provide a minimum of 1.7 acres of open space including at least 1.2 acres of common open space and 0.5 acre of private open space. The open space calculation includes lands within the Project site boundary. As described in Section IV.H.4, Parks and Recreation, of the Draft EIR, the open space area at the corner of Avenue of the Stars and Constellation Boulevard would include a plaza with water features, seating areas and gardens, which would be available to the general public and would serve as a gathering space for pedestrians in the central area of Century City. The open space area would contain a series of

stepped gardens, which would serve to provide a pedestrian scale at the street level and a visual transition to the building. These stepped gardens would contain landscaping that would provide visual interest through vegetation color, texture and seasonal variety. Therefore, the stepped gardens would provide landscaping for the pedestrian and user of the space rather than a concrete wall. In addition, the Project's current design also calls for additional public open space areas located at the Project's southeastern corner along Constellation Boulevard, the landscaped pedestrian corridor along the Project site's eastern boundary, and the landscaped area at the Project's northwest corner along Avenue of the Stars that would also be available to the public.

COMMENT NO. 7-52

Page 409 (a) - 410: "The project includes ...1.7 acres of open space for its 980 residents." The 1.7 acres isn't available to the public (one can't park a car to get there, there is no place to throw a ball, and no place for a child to play at the corner of Constellation and Ave. of the Stars!) whereas the project residents can use other parkland. The project is not adding to the usable open space in the area. Furthermore, most of the open space and greenery will not be visible to pedestrians in the area.

RESPONSE NO. 7-52

Refer to Response to Comment No. 7-51. As sated in Response to Comment No. 7-51, 1.2 acres of the Project's open space acres would be common open space which would be available to the general public and serve as a gathering place for pedestrians in the central area of Century City. The provision of open space at the corner of Avenue of the Stars and Constellation Boulevard, which would include a plaza with water features, seating areas and gardens, would be very visible to pedestrians in the area. It is anticipated that residents of the Project as well as people within Century City would walk to and utilize this area.

COMMENT NO. 7-53

Table 43 says total usable open space required = 483 sq. feet. This is the number of units and should be corrected. The loophole of designating the lofts as only 2 habitable rooms seems to be a way of minimizing the open space requirements for the project. A requirement based on square footage would be more meaningful for this type of architecture.

RESPONSE NO. 7-53

The correct amount of usable open space required is 73,800 square feet. Please refer to Correction and Addition No. IV.H.4.b as presented in Section III, Corrections and Additions, of this Final EIR.

With regard to open space requirements, the comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Section 12.21 of the LAMC requires open space based on

the number of habitable rooms. The City Code does not base the requirement on square footage. As indicated on Table 43 on page 411 of the Draft EIR, the lofts do not have room divisions. Therefore, for purposes of the open space calculation, it is assumed that the lofts contain two habitable rooms (one main floor and one upper floor).

COMMENT NO. 7-54

Page 411(4): More park acreage, actual land purchase and dedication, must be required. Providing 1.7 acres of space not available to area residents and paying the Quimby fees (which should stay to improve local parks such as Rancho Park in Cheviot Hills, but don't) does not provide more park acreage. This mitigation measure only works if land is available and affordable in the area of the project. It would be meaningful mitigation if the project proponent provided park acreage to West LA. Otherwise there is still an adverse impact on the community and the PRP goals are not being met.

RESPONSE NO. 7-54

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

As indicated in Section IV.H.4, Parks and Recreation, of the Draft EIR the Project would meet the requirements of Section 12.21 of the LAMC through the provision of a minimum of 1.7 acres of open space on the Project site. The Project would also meet the parkland dedication requirement set forth in Section 17.12 of the LAMC through a combination of the 1.7 acres of open space and a credit for the on-site improvements. As indicated in the Draft EIR, 1.2 acres of the open space area on the site would be available to the public. However, the Project would not meet the Quimby Act's maximum requirement of 3 acres per 1,000 residents or the PRP short- and intermediate-range standard of 2 acres of parkland per 1,000 residents. Mitigation Measure H.4-1 provides methods in which the Project would meet the land dedication requirement pursuant to Government Code Section 66477 (Quimby Act). One of the options is the payment of fees. The payment of fees would reduce the potentially significant impacts to park and recreational facilities to a less than significant level.

COMMENT NO. 7-55

Discussion of the Pedestrian Corridor as recreation space is misleading. There is no recognizable walkway or promotion of walking as a recreational activity in Century City. The project should only take credit for this if the entire corridor is improved and usable.

RESPONSE NO. 7-55

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The proposed pedestrian pathway along the eastern side of the Project site parallel to the boundary between the Project site and the adjacent Watt Plaza buildings is discussed in Section IV.H.4, Parks and Recreation, of the Draft EIR, but is not included in the 1.7 acres of open space on the Project site. However, discussion of the amenity is relevant to the topic since walking is not only considered a means of transportation but is commonly considered a recreational activity. The primary purpose of the pedestrian pathway is to provide an alternative means for people to move around Century City with limited interface with vehicles. By implementing the proposed pathway on the site, the Project would enhance the pedestrian system in Century City. Refer also to Response to Comment No 7-25.

COMMENT NO. 7-56

CUMULATIVE

Cumulative effects are not just effects of this project with other (future) projects. They are also the effects of this project as the latest in a long string of projects that have impacts that are individually limited but now cumulatively considerable: traffic, park land, school capacity, noise, air quality, etc. As defined in the CEQA checklist, "Cumulatively considerable means that the incremental effects of a project are considerable when viewed in connection with **(1) the effects of past projects, (2) the effects of other current projects, and (3) the effects of probable future projects.**" [emphasis and numbering added] The EIR only addresses the cumulative impacts with probable future projects and therefore is inadequate and incomplete. Many examples are provided below but each section and impact needs to be reviewed and reanalyzed.

RESPONSE NO. 7-56

The Project meets the requirements of the CEQA Guidelines Section 15130 in that it addresses the effects of past, present, and reasonably foreseeable future Projects. CEQA Guidelines Section 15355 (b) states that the cumulative impact from several Projects is the "change in the environment which results from the incremental impact of the Project when added to other closely related past, present, and reasonably foreseeable future Projects." All of the existing development in Century City and in the surrounding neighborhoods is the result of a series of "past projects" dating back several decades. All past projects that were completed prior to the Draft EIR are reflected in the evaluation of existing conditions in the Draft EIR. For instance, existing intersection service levels, ambient noise levels and air quality, the visual environment, existing demand on schools, police, and fire services are the result of "past projects." In addition, for the purpose of traffic, noise, and air quality an ambient growth factor of 1.5 percent has been utilized, which tends to double count and/or overstate impacts from related projects that have been constructed. The Draft EIR also evaluates the effects of all related projects that are not otherwise reflected in the Draft EIR's discussion of existing conditions.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA

requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

Please refer to Topical Response No. 10, Cumulative Impacts, in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 7-57

Cumulative traffic operational impacts are identified, partly because significant individual impacts may not be mitigated. However, the point is that individual significant impacts will be mitigated but the less than significant ones add up and CUMULATIVELY become significant. What mitigation is proposed to ease the LOS F intersections?

RESPONSE NO. 7-57

The Project, per LADOT requirements, is responsible for mitigating significant impacts caused by the Project and does not address significant impacts resulting from related projects. The Draft EIR determined that the Project would not cumulatively contribute to impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Thus, no mitigation measures are required. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. The LADOT may require additional mitigation to be implemented by the related projects that are found to cumulatively contribute to significant traffic and transportation impacts. Any mitigating factors that may be required of related projects are not calculated into the 2010 Cumulative Base and, as such, the Draft EIR represents a conservative estimate of future traffic conditions.

COMMENT NO. 7-58

Cumulative impacts to library usage are not addressed. Why is there not a fee paid to the library department or support of the local branches?

RESPONSE NO. 7-58

The Draft EIR provides a comprehensive analysis of the potential cumulative impacts of the Project and the related projects on libraries. Section IV.H.5, Libraries, of the Draft EIR provides an analysis of the Project's potential impacts on libraries that would serve the Project site. As indicated in the Draft EIR, six related projects were identified that would be located within the City of Los Angeles in the Westwood Branch Library service area. With the addition of the Project's estimated

population of 980, the total new residents in the Westwood Branch Library service area would be 2,496. Added to the projected population of 55,144 persons in the Westwood community, the total service population for the Westwood Branch Library would be approximately 57,640 persons. Therefore, cumulative growth anticipated in the community, including the proposed Project, would not cause a future population that would exceed the Westwood Branch Library target service population. Therefore, it is concluded that the Project's cumulative impact relative to the Westwood Branch Library would be less than significant. As a result, mitigation measures are not required.

COMMENT NO. 7-59

How will cumulative impacts to parks ever be mitigated if no land is purchased and preserved? The only affordable land is on the outskirts of the city, not nearby where the impacts are occurring.

RESPONSE NO. 7-59

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. With the implementation of Mitigation Measure H.4-1, the Project would satisfy all of its regulatory obligations with regard to the provision of open space. Also refer to Response to Comment No. 7-54.

COMMENT NO. 7-60

What mitigation is proposed for the cumulative construction noise impact stated as significant? When will it be put in place?

RESPONSE NO. 7-60

The Draft EIR identifies a series of construction noise mitigation measures to address the impacts of the proposed Project (see Section IV.E, page 332, of the Draft EIR). The City, during its review of each related project would incorporate appropriate construction noise mitigation measures as well as applicable LAMC requirements and in so doing would substantially reduce cumulative construction noise impacts. However, in order to be conservative, the Draft EIR concludes cumulative construction noise impacts would be significant, in large part due to the known sensitivities of the communities in and around Century City to construction impacts.

COMMENT NO. 7-61

There are significant and unmitigated cumulative noise and air quality impacts from the continuous construction that has occurred and continues in Century City, including but not limited to:

1. Constellation Place 2001-2003

2. Santa Monica Transit Parkway 2003-2007 (?)
3. Westfield mall expansion 2005
4. 2000 Avenue of the Stars 2004-2006 (?)
5. Fox Expansion 2004-2006 (?)
6. St. Regis/2055 Avenue of the Stars 2006-2009 (?)
7. this project 2006-2010 (?)

Such a continuous barrage has health impacts as well as quality of life impacts on our community.

RESPONSE NO. 7-61

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Sections IV.D, Air Quality, and IV.E, Noise, of the Draft EIR address the cumulative impacts of the Project and all known and reasonably foreseeable related projects, including the projects identified by the commentor. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR.

Furthermore, as stated in Section IV.D, Air Quality, of the Draft EIR (pages 301 and 302), cumulative regional construction emissions are conservatively concluded to be significant and cumulative localized emissions are concluded to be less than significant. Health risks associated with cumulative TAC emissions associated with construction are concluded to be less than significant since notable quantities of TAC emissions would be regulated by the SCAQMD so as to not pose a threat to the public. During Project operation, neither the Project nor the combined related projects would generate significant TAC emissions, since TACs are generally associated with large-scale industrial activities.

The Draft EIR discusses the Project's cumulative vibration and noise impacts during construction and operation (Section IV.E, pages 334 and 335), and concludes that noise impacts, but not vibration impacts, from concurrent construction are potentially significant, but only at one commercial receptor. Construction noise impacts at all of the analyzed residential receptors would be less than significant. The Draft EIR concludes that mobile and stationary source noise levels during Project operation would be less than significant.

It is concluded, based on the preceding, that no further discussion of health impacts associated with cumulative air emissions or noise is required.

The City has required mitigation measures with regard to a wide array of environmental issues which reduce the Project's significant environmental impacts to the extent feasible, thus addressing related quality of life concerns.

COMMENT NO. 7-62

Are there cumulative effects on water pressure capacity because of the many projects just built and being built? In the EIR for 2055 Avenue of the Stars, the LA DWP letter seems to imply that DWP looks at needs on a case-by-case basis. A cumulative analysis needs to be done.

RESPONSE NO. 7-62

On the basis of an analysis of the Project's projected water demand, the Initial Study concluded that the no new or expanded water entitlements would be required and that no further analysis of water demand in the EIR was required (Draft EIR, Appendix A, Attachment B, pages B-37 to B-39). The City's long-range water demand and availability program is expressed in the LADWP's Water Management Plan. The Water Management Plan addresses available supply and entitlements, and system infrastructure on the basis of the General Plan buildout. The LADWP would review individual projects of regional significance for consistency with anticipated General Plan growth. Since the Project and related projects in the City of Los Angeles are consistent with the General Plan, it is anticipated that sufficient water would be available to the DWP, under existing entitlements, to serve the anticipated development. Also, as stated in the Initial Study, the Project is in an urbanized area bordered by properties developed for urban uses, and would be exempt from the requirements of Section 66473.7(i) of the California Water Code, which exempts "any residential project proposed for a site that is within an urbanized area and has been previously developed for urban uses, or where the immediate contiguous properties surrounding the residential project site are, or previously have been, developed for urban uses." No further analysis of water impacts associated with the Project and related projects is required.

COMMENT NO. 7-63

Overall, the project and the Lead Agency are not addressing the cumulative impacts on the carrying capacity of the city's infrastructure. West LA has reached the limit due to incremental effects over time that have not been mitigated. Our intersections do not operate, our streets have not been repaved, we have an inadequate supply of parkland, our police and fire response times are increasing, and our city services are decaying.

RESPONSE NO. 7-63

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR adequately describes existing conditions that are the result of the City's growth over time and evaluates the cumulative impacts of the Project and related projects on the surrounding street system, parks, police, and fire services. The issue of street pavement is not addressed or

required by the CEQA Guidelines. In addition, the cumulative analysis of traffic, mobile-source emissions, and mobile-source noise in the Draft EIR is based on cumulative vehicle trips and on ambient growth of 1.5 percent per year to 2010 (Section IV.B, Traffic and Circulation, Draft EIR, page 154). No further analysis of cumulative impacts is required. Please also refer to Response to Comment No. 7-56.

COMMENT NO. 7-64

TOXICS & HAZARDOUS

The proposed project is located within the boundaries of what the DEIR refers to as the "Beverly Hills Oil Field". The DEIR does not delineate how many active, plugged, and abandoned wells are located within the project boundaries. All wells within or in close proximity to the project boundaries should be accurately plotted on project maps. A draft EIR must contain a statement briefly indicating the reasons why the lead agency determined that various possible significant effect actually were not significant and were not discussed in detail in the EIR. *Public Resource Code* Section 21100(c).

RESPONSE NO. 7-64

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Project site is located within the limits of the Beverly Hills Oil Field, and there are 28 oil wells in the Project site, which are plotted on Figure 6 on page 226 of this Final EIR. This is consistent with the number of wells shown on the Division of Oil, Gas and Geothermal Resources' (DOGGR) field map. These wells have been closed in accordance with the current standards of DOGGR, the responsible state agency. DOGGR records do not identify any other wells located at the Project site. As part of the 2004 geotechnical investigation of the Project site, a magnetometer survey and test pits were completed to confirm the locations of the known well casings. No additional well casings were identified during these investigations. The geotechnical investigations are documented in the "Final Geotechnical Site Investigation Report Vesting Tentative Tract Map 061958, 10131 Constellation Boulevard, Century City, California," prepared by GeoKinetics, dated October 1, 2004, referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application ("Geotechnical Report"). (See also Appendix F of this Final EIR.)

As further stated in the Draft EIR, in the event that additional wells or casings are found during excavation or grading activities, DOGGR will oversee the inspection of the well and may require reabandonment.

The remainder of the comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 7-65

The DEIR repeatedly asserts that "based upon historic aerial photographs, the site was used as a golf course from 1928 to 1935". Please provide evidence showing this site was used for anything other than as an oil production and processing area.

RESPONSE NO. 7-65

A historical aerial photograph, a copy of which is included in Figure 5 of the Geotechnical Report, indicates that the site was within the limits of a golf course. A copy of the photograph is included as Figure 7 on page 227 of this Final EIR. The approximate limits of the subject property are shown on this photograph for reference purposes.

COMMENT NO. 7-66

The DEIR admits that the "Project site was used for oil exploration and production from the 1950s to 1991, primarily under the auspices of the Chevron/Texaco Company." Photographs of this site (see below and on exhibits 1 through 3 attached) show clearly this site was used for oil exploration, production, and processing to such an extent that parcel 6 (APN 4319-002-053) of the site was specifically carved out when subdividing the lots. There is no explanation in the DEIR as to why parcel 6 was subdivided in this manner. It appears from photographic evidence that the lot containing the oil production and processing was located here.

LEGEND

- # ● Location and Designation of Abandoned Well Casing (Exposed and Confirmed in Field)
- Estimated Location of Abandoned Oil Well (Not Confirmed in Field)
- - - - - Project Boundary

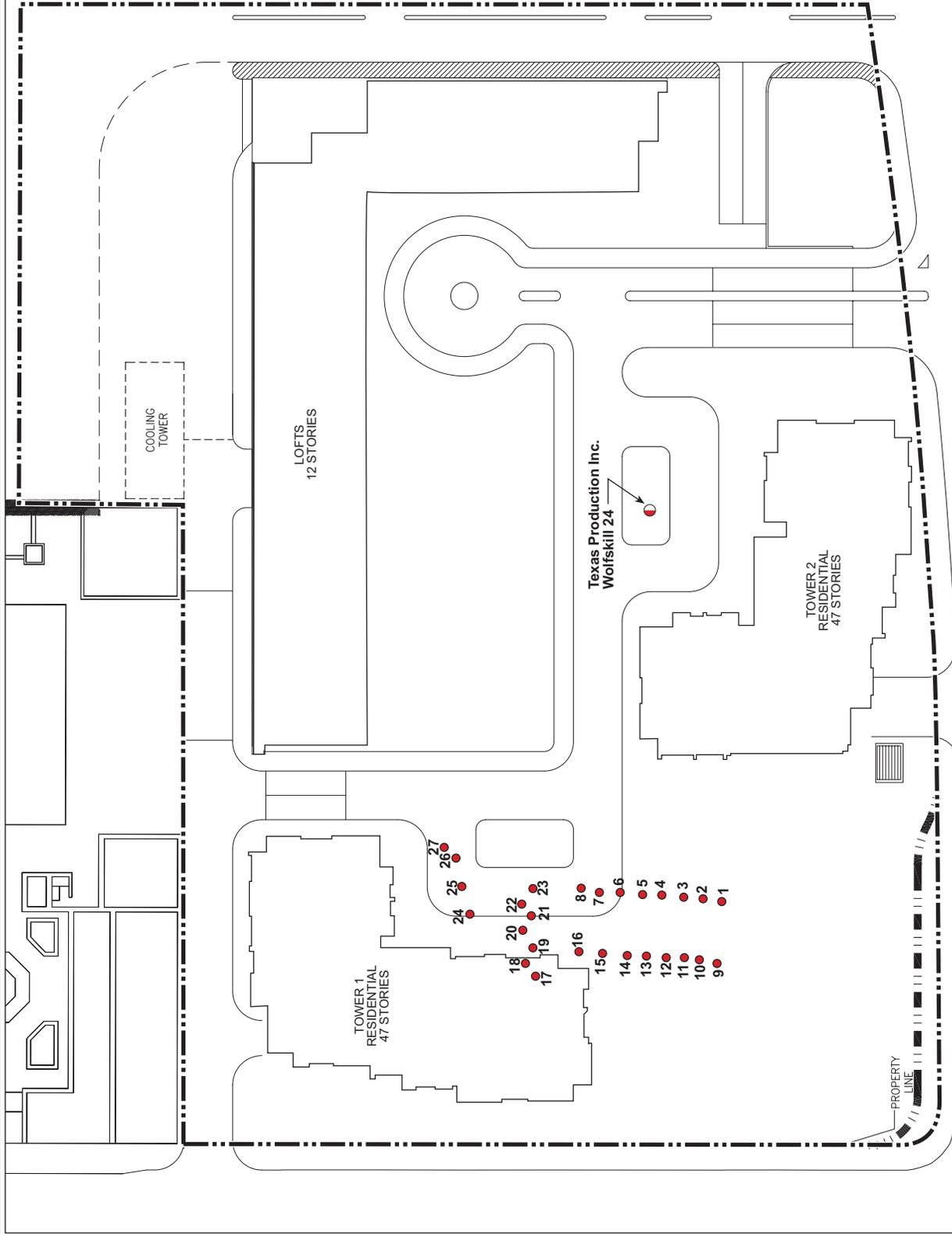
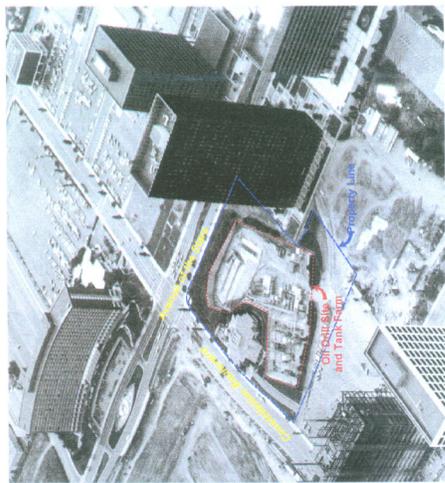
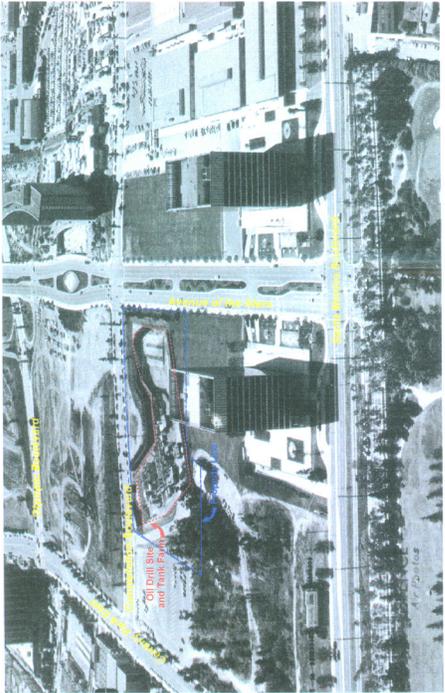


Figure 6
Location of On-Site Wells

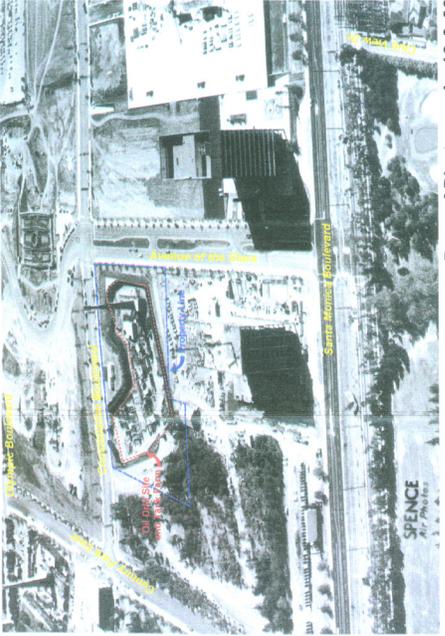
Source: GeoKinetics, 2004 and Johnson Fain, 2005



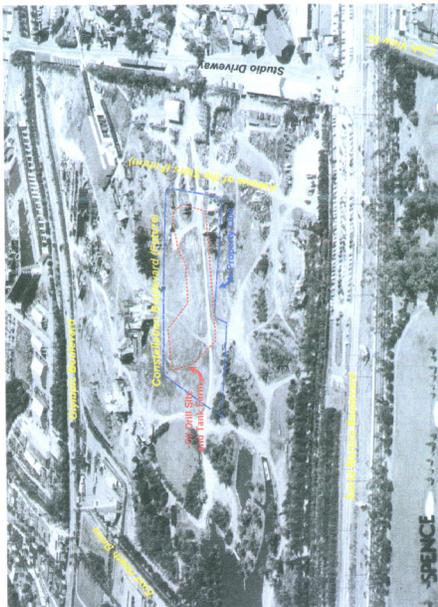
Date of Photograph: 2-8-70



Date of Photograph: 4-15-66



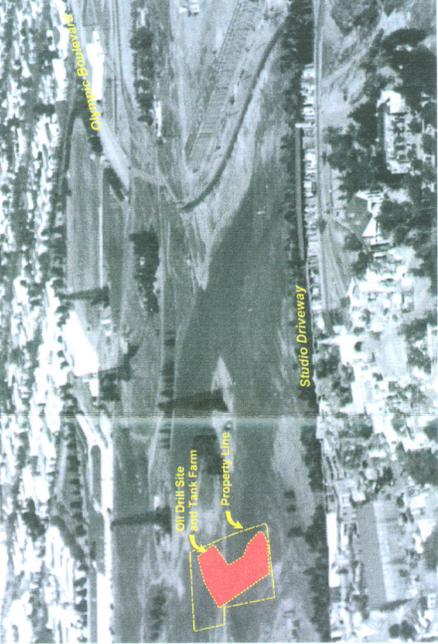
Date of Photograph: 10-9-63



Date of Photograph: 5-15-57



Date of Photograph: 1-31-39



Date of Photograph: 12-21-37



Figure 7
Historic Aerial Photographs of Site

RESPONSE NO. 7-66

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, and in the Geotechnical Report, the Project site is located within the limits of the Beverly Hills Oil Field. Aerial photographs, DOGGR records, and Chevron records indicate that the Project site was used for oil drilling and production, with production wells located at the western portion of the site, gas compression and processing facilities at the eastern portion of the site, and above ground storage tanks and gas scrubbers in the southeastern portion of the site (see Appendix G of this Final EIR). The prior owner's rationale for subdividing the property into its current configuration is not known. Furthermore, the issue has no bearing on the analysis of the potential environmental impacts of the proposed Project. As such, no further response is required.

COMMENT NO. 7-67

Building over or in the proximity of plugged and abandoned wells, pursuant to Department of Conservation, State of California (Department) guidelines, should be avoided if at all possible. If this is not possible, it may be necessary to plug or re-plug wells to current specifications, as set forth in the Department's Division of Oil, Gas, and Geothermal Resources (DOGGR).

RESPONSE NO. 7-67

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR is the state agency responsibly for conducting site plan reviews for construction at sites with oil wells. While the wells in the Project site were closed in accordance with current DOGGR standards, in conducting a construction site plan review, DOGGR may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City of Los Angeles pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the Los Angeles LAMC. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Project will comply with the requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

COMMENT NO. 7-68

Although the DEIR claims that the "Project site has 28 wells that have been properly closed in accordance with current ... DOGGR standards" (DEIR, IV.F.1.a), it fails to identify: (1) how many wells exist (in other words, 28 may have been "properly closed", but there may exist additional wells that have not been "properly closed"); (2) the location of said wells; (3) how many wells have been abandoned; (4) how many wells have been plugged; (4) [sic] the records for the Century City Drill Site as described in footnote 69 of the DEIR as part of the Record; and (5) whether the "Century City Drill Site" is part of or separate to the assertion that the site is within the boundaries of the "Beverly Hills Oil Field". There should be a report and drawing that

provides the location of all existing, abandoned, idle, and active oil wells on site, as well as the location and future status of all existing oil wells on site. There should also be a commitment not to construct buildings over any oil wells on the project site and that the project site has been designed to locate structures as far away as possible from existing oil wells. DOGGR must review all of the information prior to project implementation. The City's Department of Planning and Building must require and verify that final building plans have undergone DOGGR review prior to the start of construction.

RESPONSE NO. 7-68

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Refer to Response to Comment No. 7-64.

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells on the Project site. These wells have been closed in accordance with current DOGGR standards. DOGGR records do not identify any other wells located at the Project site. As part of the 2004 geotechnical investigation of the Project site, a magnetometer survey and test pits were completed to confirm the locations of the known well casings. No additional well casings were identified during these investigations. The geotechnical investigations are documented in the Geotechnical Report. The locations of the 28 wells in the Project site are depicted in Figures 2, 6, and 7, and Plate 1 of the Geotechnical Report and on Figure 6 on page 226 of this Final EIR.

As further stated in the Draft EIR, the Project site is located within the limits of the Beverly Hills Oil Field. The Project site location relative to the oil field boundaries is shown in Figure 4 of the Geotechnical Report. The facility operated at the Project site was known as the Century City Drill Site 2.

As further stated in the Draft EIR and depicted in Figures 2, 6, and 7 of the Geotechnical Report and Figure 6 on page 226 of this Final EIR, the subterranean parking structure would be constructed over the closed oil wells. The proposed buildings that would be constructed above the parking structure would be above two wells. Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review and may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City of Los Angeles pursuant to the City's Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Applicant shall comply with the requirements of the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, and with applicable requirements for DOGGR site plan review.

COMMENT NO. 7-69

While page 340 of the DEIR discusses some limited prior remediation activities, there is no discussion as to whether or not the Project owners have conducted any tests in connection with the closure or abandonment of wells at this site, or whether other hazardous materials may have been dumped at the Project site at any time, including, but not limited to the time there were active wells on the subject property. This should be included in an appendix to the EIR. Since this property was previously part of the 20th Century back lot, there is a possibility that this site was used as a dumping ground.

In contrast to what has been asserted in the DEIR, as set forth in the response to the Final Environmental Report to the Project owner's earlier construction at 10250 Constellation Boulevard, this site (which was described in the FEIR as an alternative site), it was reported as to the subject property: ""<sic>The lot on the northeast corner of Constellation Boulevard and Avenue of the Stars is approximately 5.6 acres in size and is owned by the owners of the project site. The site is located in the Century City North Specific Plan area and within the West Los Angeles Community Plan. It is zoned C2-2-0. The site is currently developed with a bank and a restaurant. Impacts generated by development of the alternative site would be approximately the same as those occurring with the proposed project, although the site has *serious development constraints due to previous use of the site for oil and gas production and the potential for Risk of Upset/Human Health problems.*" [emphasis added.] There is no record that any remedial work was done to the subject property between the date of the FEIR (namely, July 1997; Addendum January 1998) and the date of this DEIR that claims no remedial work need be done. In fact, the Project owner claimed that it would be very difficult to develop this land based upon the significant adverse impacts identified in the FEIR. Please explain what was done since the date of that FEIR and this DEIR that makes the subject site less constrained for development.

RESPONSE NO. 7-69

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR and the Geotechnical Report, soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site (see also Appendices F and G of this Final EIR). Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted.

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that "the available information on current site

conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

The Draft EIR recognizes that the potential exists for contaminated soils to be encountered during Project grading activities. Mitigation Measure F-4 provides that any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading would be evaluated and excavated/disposed of, treated in-place, or otherwise managed in accordance with applicable regulatory requirements.

The Constellation Place EIR on page 503 recognizes that development could occur on the Project site with the possibility of plugging and abandoning the closed wells to current DOGGR standards, as also described in the Draft EIR for this Project. In addition, a city-wide methane gas ordinance has been enacted since the date of the referenced Final EIR. As a precautionary measure, this ordinance requires certain mitigation measures for buildings within designated “Methane Zones.” The Project site is located within a Methane Zone that extends roughly from the San Diego Freeway on the west to the Pasadena Freeway on the east (see Appendix F of this Final EIR). Among other things, the ordinance requires that a gas and vapor impermeable membrane be installed to isolate any subterranean portions of new buildings within Methane Zones from the surrounding soils.

COMMENT NO. 7-70

The intent of the original master plan for Century City was to not build on the vast majority of the Project site due to the oil drilling and possible severe contamination. Attached as Exhibit 1 is a true and correct copy of a photograph taken in 1963 showing the oil rig on the Project site. Attached as Exhibit 2 is a true and correct copy of a photograph taken in 1966 showing the oil rig and possible processing plant at the Project site. Attached as Exhibit 3 is a true and correct copy of a photograph taken in 1965 showing the oil rig and oil production area at the Project site. Attached as Exhibit 4 is a true and correct copy of a photograph dated 1958 of one view of the model master plan for Century City, specifically showing this site to remain undeveloped. Attached as Exhibit 5 is a true and correct copy of a photograph dated 1958 of a second view of the model master plan for Century City, specifically showing this site was to remain undeveloped. Exhibit 4 shows two areas with the words "oil drilling site", one of which is at the project site.

If it is not possible to avoid building over or in the proximity of plugged and abandoned wells, a requirement to permit said construction should necessitate identifying all wells and plugging or re-plugging the wells to current Division specifications. Also, the State Oil and Gas Supervisor should inspect the subject property and order the re-abandonment of previously plugged and abandoned wells, since construction over or in the proximity of the wells could result in a hazard

(Section 3208.1 of the Public Resources Code). Finally, if construction over an abandoned well is unavoidable an adequate gas venting system should be placed over the well.

Furthermore, if any plugged and abandoned or unrecorded wells are damaged or uncovered during excavation or grading, remedial plugging operations may be required. If such damage or discover occurs, the Division's district office must be contacted to obtain information on the requirements for and approval to perform remedial operations.

RESPONSE NO. 7-70

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells in the Project site. These wells have been closed in accordance with current DOGGR standards. As depicted in Figures 2, 6 and 7 of the Geotechnical Report and Figure 6 on page 226 of this Final EIR, the subterranean parking structure would be constructed over the closed oil wells. The proposed buildings that would be constructed above the parking structure would be above two wells. Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review and may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City of Los Angeles pursuant to the City's Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Project would comply with the requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

As further stated in the Draft EIR, in the event additional wells or casings are found during excavation and grading activities, or if existing well casings need to be altered in connection with site development, DOGGR review and approval would be necessary and DOGGR may require reabandonment.

The applicable policies for future development at the site are discussed in Section IV.A, Land Use, of the Draft EIR.

COMMENT NO. 7-71

To ensure proper review of building projects, the Division has published an informational packet entitled "Construction Project Site Review and Well Abandonment Procedure" that outlines the information a project developer must submit to the Division for Review. There is nothing in the DEIR that indicates whether the Project owner has contacted the Division or otherwise provided notice to the Division that the intent is to build on or in close proximity to this contaminated site.

There is nothing in the DEIR that indicates what, if any, remedial work has been done by the current owner of the subject property or any prior owner (which information would be revealed and disclosed pursuant to local, state and federal regulations) upon transfer of this property. This property has, in fact, been continuously held by AP Properties Ltd. and its successors in interest since transferred to AP Properties Ltd by AP Ventures, Inc., as successor in merger to Century City, Inc., a Delaware corporation, in 1986. Accordingly, the current owner knew or should have known that the majority of the subject property was not intended to be developed at all due to the contamination from oil excavation at this site. Indeed, nothing in the DEIR shows the subject property and the large pond (or possibly a wetland) located directly over the oil production site. Attached as Exhibits 6, 7, and 8 are true and correct photographs taken on December 26, 2005 showing a large depression in the surface of the Project site, and large deposits of water. There is no indication as to whether this above ground water has been tested for contaminants, or the source of this water at the site.

RESPONSE NO. 7-71

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, prior to issuance of a grading or building permit for the Project, a construction site plan review is to be completed by DOGGR. A copy of the Notice of Preparation and the Draft EIR were provided to DOGGR.

As further discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, and the Geotechnical Report, soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site (see also Appendices F and G of this Final EIR). Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted.

The Draft EIR recognizes that the potential exists for contaminated soils to be encountered during Project grading activities. Mitigation Measure F-4 provides that any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading would be evaluated and excavated/disposed of, treated in-place, or otherwise managed in accordance with applicable regulatory requirements.

It should also be noted that the Draft EIR was also circulated to DOGGR and DTSC by the State Clearinghouse, and there were no comments received from DOGGR or DTSC.

A depression was excavated at the subject property during the late 1950s or early 1960s to reduce the visual impact of the then ongoing oil production activities. This depression remains and retains some amount of run-off from the subject property during and after periods of significant precipitation. Retained water typically evaporates during the summer months. Given such circumstances, the intermittent standing water on the Project site is not anticipated to be contaminated. As discussed in detail in Response to Comment No. 7-34, there are no features within the Project site that may be subject to the jurisdiction of the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and/or the California Department of Fish and Game (CDFG). In other words, there is no wetland present at the Project site.

COMMENT NO. 7-72

If the Department of Conservation and the Department of Toxic Substances Control (DTSC) were not notified of the plans for this project and given the opportunity to investigate and comment, they should be given such notification. Were site investigations made? State whether the investigations, if any, were overseen by any regulatory agency. Were soil samples collected? If so, what analysis was conducted? Was there an analysis of volatile organic compounds using the approved analytical method done? Was a Health Risk Assessment completed using current analytical methods? Was the Los Angeles Regional Water Quality Control Board contacted or otherwise notified of this project? Since the RWQCB is the Responsible Agency that has jurisdiction to oversee hazardous substance cleanup, documentation should be provided that RWQCB has agreed to oversee this project. A new site investigation should be conducted and overseen by the appropriate regulatory agency to confirm that the site has been adequately characterized. This should be followed by a Health Risk Assessment (HRA) which should be submitted to a regulatory agency with expertise in risk assessments (i.e. the California Environmental Protection Agency, Office of Environmental Health Hazard Assessment or the DTSC) for review.

RESPONSE NO. 7-72

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

DOGGR and the Cal-EPA, Department of Toxic Substances Control and Regional Water Quality Control Board were provided a copy of the Notice of Preparation and Draft EIR. Furthermore, the NOP was distributed to all responsible agencies and interested parties as required by CEQA.

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR and the Geotechnical Report, soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site (see also Appendices F and G of this Final EIR). Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene,

ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted.

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologist with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

The Draft EIR recognizes that the potential exists for contaminated soils to be encountered during Project grading activities. Mitigation Measure F-4 provides that any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading would be evaluated and excavated/disposed of, treated in-place, or otherwise managed in accordance with applicable regulatory requirements.

COMMENT NO. 7-73

The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. Appendix "F" is inadequate. Since Fox Realty or other Fox holdings may have originally owned the subject property, has an investigation of Fox records been conducted? What are the findings? The EIR should identify any known or potentially contaminated sites within the proposed Project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has ever occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state regulations, policies, and laws.

RESPONSE NO. 7-73

A review of aerial photographs and other public records identified that prior use of the site for oil drilling and production had the potential to have impacted Project site soils. As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR and the Geotechnical Report, soil

sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in or about 1990. Over 200 soil samples were taken at the Project site (see also Appendices F and G of this Final EIR). Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted. Further information regarding the prior sampling and remediation activities at the Project site are detailed in the Evaluation of Health Risks (See Appendix G of the Final EIR and the Law/Crandall, Inc. closure report referenced therein).

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

COMMENT NO. 7-74

All environmental investigations, sampling and/or remediation should be conducted under a work plan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous waste cleanup. The findings and sampling results from the report should be clearly summarized in the EIR. Proper investigation, sampling and remedial actions overseen by a regulatory agency should be conducted at the site prior to the new development or any construction. If any property adjacent to the project site is contaminated with hazardous chemicals, and since the proposed project appears to be within 2,000 feet of a contaminated site, then the proposed development may fall within the border zone of a contaminated property. Appropriate precautions should be taken prior to construction.

RESPONSE NO. 7-74

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City’s decision makers prior to any approval action on the proposed Project. As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Geotechnical Report and the Evaluation of Health Risks (see Appendix G of this Final EIR), soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in about 1990. Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020,

8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted. Further information regarding the prior sampling and remediation activities at the Project site are detailed in the Evaluation of Health Risks (see Appendix G of this Final EIR and the Law/Crandall, Inc. closure report referenced therein).

There was no indication from these investigations or the investigations performed in connection with the Geotechnical Report that hazardous waste was disposed at the Project site (see Appendix F of this Final EIR). A review of database records for sites in the area of the Project site did not identify any sites which posed a risk of contamination to the Project site.

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

This comment states that the Project appears to be within 2,000 feet of a contaminated site and may thus fall within the border zone of a contaminated property. Database records for the area do not indicate that there is any such site and City’s Zoning Information and Map Access System indicates that the Project is not within a border zone.

COMMENT NO. 7-75

Will the project construction require soil excavation and soil filling in certain areas? Page 359 indicates that contaminated soil exists. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, will the soil be properly disposed of rather than placing it in another location? Land disposal restrictions may be applicable to these soils. If the project proposes to import soil to backfill the areas excavated, will proper sampling be conducted to make sure that the imported soil is free of contamination? The DEIR is conclusory and does not adequately address contamination of soil from transportation and into the water from storm drainage issue. The hydrogen sulfide could be very toxic if not properly monitored. There is minimal information provided concerning the 1990's - 2000 remediation project, and even then, it conflicts with what was alleged in the project owner's earlier discussion of the subject property in the FEIR to the Constellation Boulevard project. The report does not discuss soil testing from geological evaluation for the project - only past remediation.

RESPONSE NO. 7-75

As stated in Section II, Project Description, of the Draft EIR, excavation and grading for the four-level parking structure and building foundations would involve approximately 225,000 cubic yards of cut and 40,000 cubic yards of fill. Approximately 185,000 cubic yards of materials would be exported off-site.

The Draft EIR recognizes that the potential exists for contaminated soils to be encountered during Project grading activities. Mitigation Measure F-4 provides that any contaminated soil, groundwater and/or toxic materials encountered during excavation and grading would be evaluated and excavated/disposed of, treated in-place, or otherwise managed in accordance with applicable regulatory requirements.

Standard construction worker health and safety procedures will be followed at the Project site. These procedures include, among other things, monitoring and minimizing potential exposures to certain gases, such as hydrogen sulfide. As stated in Mitigation Measure F-1, during subsurface excavation activities, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including methane and hydrogen sulfide.

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Geotechnical Report and the Evaluation of Health Risks (see Appendix G of this Final EIR) soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in about 1990. Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR. Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted. Further information regarding the prior sampling and remediation activities at the Project site are detailed in the Evaluation of Health Risks (see Appendix G of this Final EIR and the Law/Crandall, Inc. closure report referenced therein).

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project

The evaluation of the Project site geology is documented in the Geotechnical Report. Refer to Response to Comment No. 7-69 regarding the Constellation Place EIR. Any soil that is to be imported onto the site would be sampled and tested to confirm that it is not contaminated.

COMMENT NO. 7-76

Human health and the environment of sensitive receptors must be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency should be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

If it is determined that hazardous wastes are, or will be, generated by the proposed operations, will the wastes be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5)?

RESPONSE NO. 7-76

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Drs. Kevin Connor and James Embree, toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.

Standard construction worker health and safety procedures would be followed at the Project site. These procedures include worker training, personal protective equipment as appropriate, monitoring of exposures, and the establishment of procedures for responding to uncovered contaminated soil, groundwater, materials or subsurface features. As stated in Mitigation Measure F-1, during subsurface excavation activities, Cal/OSHA worker safety measures shall be implemented as required to preclude an exposure to unsafe levels of soil gases, including methane and hydrogen sulfide.

As stated in Section IV.F, Hazards and Hazardous Materials, demolition and grading activities at the Project site may encounter asbestos containing materials, lead based paint, and residual contaminated soils. Demolition of existing buildings at the Project site would comply with applicable legal requirements related to asbestos abatement and lead-based paint and related debris during demolition. Further hazardous waste that may be generated during construction activities, such as vehicle fuels, oils and transmission fluids, would be contained, stored, and used in accordance with manufacturers’ instructions and applicable regulations. As stated in Mitigation Measure F-4, in the event that contaminated soil, groundwater, and/or toxic materials are

encountered during excavation and grading, it shall be evaluated and managed in accordance with applicable regulations, including the California Hazardous Waste Control Law.

COMMENT NO. 7-77

No construction should take place until a thorough site investigation and HRA have been performed, with oversight and approval by an appropriate regulatory agency. Institutional controls such as deed restrictions will need to be placed on the property prior to its development if soil contamination above levels suitable for unrestricted use is left in place at the site. Remediation and/or institutional controls may also be needed if groundwater is contaminated.

RESPONSE NO. 7-77

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Geotechnical Report and the Evaluation of Health Risks (see Appendix G of this Final EIR), soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in about 1990. Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted. Further information regarding the prior sampling and remediation activities at the Project site are detailed in the Evaluation of Health Risks (see Appendix G of this Final EIR and the Law/Crandall, Inc. closure report referenced therein).

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologists with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there would be no significant health risks to either workers during or after the construction phase or residents of the completed project.” Complete copies of these additional analyses are presented in Appendix G to this Final EIR.

COMMENT NO. 7-78

Where is the Methane Mitigation Plan?

RESPONSE NO. 7-78

The Project site is located within a City “Methane Zone.” Pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, all new buildings within a Methane Zone shall comply with the requirements of the Methane Seepage Regulations and the

Methane Mitigation Standards established by the Superintendent of Building. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of methane gas and pressure at the site. As stated in Mitigation Measure F-2, prior to issuance of building permits, the Applicant shall comply with the applicable requirements of the City Methane Seepage Regulations.

COMMENT NO. 7-79

A comprehensive Geologic report covering these issues as well as earthquake and related issues, including all nearby faults, should be made available for review prior to Lead Agency action.

RESPONSE NO. 7-79

A geotechnical and geologic investigation was performed at the Project site in 2004, as documented in the Geotechnical Report. An evaluation of site seismicity along with the locations and configurations of faults in the Project area was completed in conjunction with that investigation. The referenced report concluded the proposed Project was feasible from an engineering and geologic perspective.

COMMENT NO. 7-80

ERRATA

While these may seem to be minor or typographical in nature, they also indicate a lack of care in the preparation of the document and a lack of familiarity with the project area. Errors in existing conditions do not bode well for the analysis accuracy.

RESPONSE NO. 7-80

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 7-81

Page 5, 1st bullet: Haul Route approval is by LADBS not Planning. (also page 78).

RESPONSE NO. 7-81

The truck haul route(s) used during the Project's construction phase would be reviewed by the LADOT, as the responsible agency, and would be approved by the City Planning Department, the Lead Agency in the approval of the Vesting Tentative Tract and Project Permit.

COMMENT NO. 7-82

Figure 57, page 405: #8 should be Roxbury Park. # 11 near Cattaraugus Ave. is Reynier Park, and the #11's along Santa Monica Blvd. should be #9.

RESPONSE NO. 7-82

Figure 57 on page 405 of the Draft EIR has been revised. Please refer to Correction and Addition No. IV.H.4.a as presented in Section III, Corrections and Additions, of this Final EIR. This correction does not alter the conclusions set forth in the Draft EIR.

COMMENT NO. 7-83

Page 143: Manning Avenue is NOT a secondary highway south of Pico; it is a collector street. Manning, on almost a block by block basis, has 6 or 7 different designations and the sloppy research and writing creates a misleading impression. How is it designated in the traffic model? Here are the Manning designations (from the Navigate LA website):

1. Local street north of Wilshire
2. Secondary highway between Wilshire & S.M. Blvd.
3. Local Street between S.M. Blvd. and Pico
4. Collector Street between Pico and Ashby
5. Local Street between Ashby and Butterfield
6. Collector Street between Butterfield and Motor
7. Secondary Highway from Motor to National.

RESPONSE NO. 7-83

The description of Manning Avenue has been revised. Please refer to Correction and Addition No. IV.B.a as presented in Section III, Corrections and Additions, of this Final EIR.

Regardless of its designation, Manning Avenue operates as a two-lane street, and it was treated as such in the traffic forecasting. Correction of this typographical error does not alter the conclusions of the Draft EIR regarding the less than significant traffic impacts of the proposed Project.

COMMENT NO. 7-84

Page 143: Overland Avenue between Pico and Santa Monica Blvds. is a collector street (has been for over a year now) and is NOT a major highway. Also, north of Pico, Overland does not have two lanes in each direction plus left turn lanes as stated. It is a narrow residential street with only one lane of traffic each way. It comes to an end at Santa Monica Blvd. South of Pico, Overland remains a residential street and is as described. How is the street listed in the traffic models?

RESPONSE NO. 7-84

The Draft EIR characterizes the portion of Overland Avenue between Pico Boulevard and Santa Monica Boulevard as a secondary highway, not a major highway. Although the City of Los Angeles is studying the potential downgrade of this portion of Overland Avenue to a collector street, such an action has not yet been taken. Accordingly, both the Generalized Circulation map in the West Los Angeles Community Plan and the City's Navigate LA website continue to show that this portion of Overland Avenue is classified as a secondary highway.

The description of Overland Avenue has been revised for the portion of Overland Avenue north of Pico Boulevard. Please refer to Correction and Addition No. IV.B.b as presented in Section III, Corrections and Additions, of this Final EIR.

Regardless of its designation, Overland Avenue operates as a two-lane street between Pico Boulevard and Santa Monica Boulevard, and it was correctly treated as such in the traffic forecasting. Correction of this typographical error does not alter the conclusions of the Draft EIR regarding the less than significant traffic impacts of the proposed Project.

COMMENT NO. 7-85

Page 143: Motor Avenue does not provide two lanes in each direction between Pico and Monte Mar. It has only ONE lane in each direction. South of Monte Mar, numerous curb extensions reduce traffic volumes and speeds.

RESPONSE NO. 7-85

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

Two lanes are provided in the northbound direction and two lanes narrowing to one lane are provided in the southbound direction on Motor Avenue between Pico Boulevard and Monte Mar Drive.

COMMENT NO. 7-86

Page 143: The description of Beverly Glen should include that it is a residential street with numerous curves and driveways. Between Pico and Wilshire Blvds. it is two lanes and has limited left turn pockets, not a turn lane. At Wilshire Blvd., Beverly Glen becomes a winding single lane road in each direction to the San Fernando Valley.

RESPONSE NO. 7-86

The description of Beverly Glen Boulevard on page 143 of the Draft EIR is accurate in regards to its function within the Draft EIR traffic study area. The fact that Beverly Glen Boulevard

has curves and becomes a two-lane road north of Wilshire Boulevard (outside of the study area) is noted.

COMMENT NO. 7-87

Page 144: Patricia Ave. is a residential street and terminates approximately one block north of Olympic Blvd.

RESPONSE NO. 7-87

The description of Patricia Avenue on page 144 of the Draft EIR is accurate. The fact that it terminates one block north of Olympic Boulevard is noted.

COMMENT NO. 7-88

Page 158: Data collection date does not exist. August 8, 2004 was a Sunday not a Thursday.

RESPONSE NO. 7-88

The traffic counts at the intersection of the private alley and Constellation Boulevard were conducted on Thursday, August 5, 2004. This is correctly noted on page 49 of the traffic study (Appendix C to the Draft EIR), but was incorrectly noted on page 158 of the Draft EIR. Please refer to Correction and Addition No. IV.B.d as presented in Section III, Corrections and Additions, of this Final EIR.

COMMENT NO. 7-89

Page 369 and 370: Station 92's area is presumably bounded on the west by the SAN DIEGO freeway, not the Santa Monica, and the station is located WEST of the golf course, not east.

RESPONSE NO. 7-89

The commentor correctly notes that the San Diego Freeway, not the Santa Monica Freeway is located to the west of Fire Station No. 92. The commentor also correctly notes that Fire Station No. 92 is located to the west of the Rancho Park Golf Course. Please refer to Correction and Addition Nos. IV.H.1.b and IV.H.1.c as presented in Section III, Corrections and Additions, of this Final EIR.

Draft EIR Figure 56 (Section IV.H.1, page 368), which is opposite and in clear view of page 369, accurately depicts the location of Fire Station No. 92 in relation to its geographic surroundings and correctly names the San Diego Freeway. The correction of these minor typographical errors do not alter the conclusions of the Draft EIR regarding the Project's fire services impacts.

COMMENT NO. 7-90

It is inaccurate to say that the site is devoid of vegetation. See Hydrology discussion.

RESPONSE NO. 7-90

As stated in the Draft EIR, Section II, Project Description the lower elevation area of the Project site is in a disturbed state and is generally void of vegetation (Draft EIR, page 61). Prior to the initiation of the Project and field inspection of the Project site, the depression in the center of the Project site was excavated for the removal of contaminated soil from the site associated with former oil extraction and removal of above ground and underground petroleum storage tanks. During the initial field study for the Draft EIR, the depressed area created by the excavation was generally void of vegetation. However, since the site has remained dormant during the Project approval process, intermittent water has collected within the site. The statement that the site is void of vegetation was correct at the time of the original field inspection for the Draft EIR and, since the existing hole is not a natural wetland but a disturbed construction site, no further disclosure regarding the growth of weedy vegetation during the duration of the Project approval process is required. As discussed in detail in Response to Comment No. 7-34, there are no features within the Project site that may be subject to the jurisdiction of the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and/or the California Department of Fish and Game (CDFG). In other words, there is no wetland present at the Project site.

COMMENT NO. 7-91

No mention is made of the proposed Beverly Hills condominiums in the related projects list.

RESPONSE NO. 7-91

As previously discussed in Response to Comment No. 7-56, above, the Project's cumulative analyses are summarized in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's related projects list and cumulative analyses is not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts or in a substantial increase in the extent of the Project's cumulative impacts compared to the conclusions contained in the Draft EIR.

COMMENT NO. 7-92

Please clarify what project #12 is in the related projects list.

RESPONSE NO. 7-92

Related Project No. 12 is not a development project, but represents the remaining allocation of potential development rights under the CCNSP. Since the potential exists for the remaining

CATGP allocation to be implemented, which would result in an increase in traffic, mobile air quality, mobile noise and other potential environmental impacts, the trips were evaluated in the Draft EIR as a related project.

COMMENT NO. 7-93

MITIGATION

Much of the mitigation listed in the EIR is of the nature of "we will follow the law". This is laudable and proper and these should be made conditions of the project but hardly counts as mitigation to reduce the impacts of the project. Please list clearly those measures that are of this type and those that are actually reducing the impacts of the project once they have been accurately assessed.

RESPONSE NO. 7-93

Other than for the potentially significant impacts to the Westwood Charter Elementary School, for which the Project Applicant is statutorily required to pay new school facility development fees that fully mitigate the impact, and to parks and recreation that is fully mitigated by compliance with the Quimby Act, in all other cases in the Draft EIR, mitigation measures referencing a law or regulation are listed only to ensure compliance and are not intended to reduce any significant impacts. For instance, in Draft EIR Section IV.F, Hazardous Materials, the Project would result in an impact that is less than significant (Draft EIR, page 350). As noted under Subsection 3, Mitigation Measures, the mitigation measures citing OSHA and other regulations primarily inform the public that regulations do exist to address the issues described in the Draft EIR, although no impacts are identified that require mitigation.

Mitigation measures that are not required under existing federal, state, or local regulations include the following:

- Visual Resources (Section IV.C of the Draft EIR) – Mitigation Measures C-1, C-2 through C-5, C-7 through C-10, C-12 through C-14, C-16 and C-17;
- Air Quality (Section IV.D of the Draft EIR) – Mitigation Measures D-2 through D-5;
- Noise (Section IV.E of the Draft EIR) – Mitigation Measures E-1 and E-3 through E-5; and
- Miscellaneous mitigation measures that are presented in the Initial Study, Attachment A – Mitigation Measures I-8 and I-9.

Also refer to Section II of this Final EIR (Mitigation Monitoring and Reporting Program).

COMMENT NO. 7-94

The MMRP does not include those measures listed in the Initial Study as project conditions. Mitigation measures for potential impacts to archeological and paleontological resources are not stated. All measures need to be listed clearly and comprehensively in the MMRP.

RESPONSE NO. 7-94

The Archaeology and Paleontology mitigation measures listed in the Initial Study have been added to the Final EIR Mitigation Monitoring and Reporting Program (MMRP) contained in Section II of this Final EIR.

COMMENT NO. 7-95

The project's contribution to the West LA TIMP should be clearly identified.

RESPONSE NO. 7-95

Per Appendix B of the West Los Angeles Transportation Improvement and Mitigation Program Specific Plan (WLA TIMP), residential uses (including condominium uses) are exempt from payment of transportation impact assessment (TIA) fees.

COMMENT NO. 7-96

Once the true setting and impacts of the project have been properly identified and reviewed, the Coalition reserves the right to pursue project conditions and mitigations desirable to the community that would address impacts related to traffic, public services, infrastructure, and quality of life. It is clear that existing mechanisms of addressing cumulative impacts (of past, present, and future projects) have not been successful and that project proponents and the City must redress the effects on our community. It is also clear that the goals of existing plans have not been accomplished and that the City and project proponents must make these words become realities before stating that the project is consistent with these planning documents.

RESPONSE NO. 7-96

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR, with minor corrections presented in the Corrections and Additions section of the Final EIR, adequately evaluates the impact of the Project on traffic (Draft EIR, Section IV.B) and on public services (Draft EIR, Section IV.H). The Draft EIR also concludes on the basis of a policy-by-policy analysis that the Project would be consistent with the applicable policies of the General Plan Framework, West Los Angeles Community Plan, Central City North Specific Plan, and the Regional Comprehensive Plan and Guide (Draft EIR, Section IV.A). The Draft EIR also adequately evaluates cumulative impacts. As previously discussed in Response to Comment No. 7-

56, above, the Project's cumulative analyses are summarized in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's related project's list and cumulative analyses is not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts or in a substantial increase in the extent of the Project's cumulative impacts compared to the conclusions contained in the Draft EIR.

In addition, Project approval requires several public hearings in which oral and written public testimony requesting additional mitigation measures and conditions of approval may be presented to, and considered by, the Project's decision makers.

COMMENT NO. 7-97

CONCLUSION

In conclusion, the fundamental issue is that a project of this size (consisting of 483 units, 1.3 million square feet, over 980 residents plus housekeepers, trainers, personal assistants, visitors, engineers, gardeners, and management staff, and causing an increase of 1.14 percent of the residential population of West Los Angeles) simply **CANNOT** rationally be expected to generate less peak hour traffic and less daily traffic than a bank which handles 50 cars per day at the drive through facility and 50 visitors and 25 employees per weekday in the bank, a restaurant closed at breakfast and dinner and with only walk in lunch traffic, and a nightclub that has at best 2.5 events per week with most of its business on Friday and Saturday nights. The impacts of developing the largely vacant site of a former oil well and processing site are also not detailed.

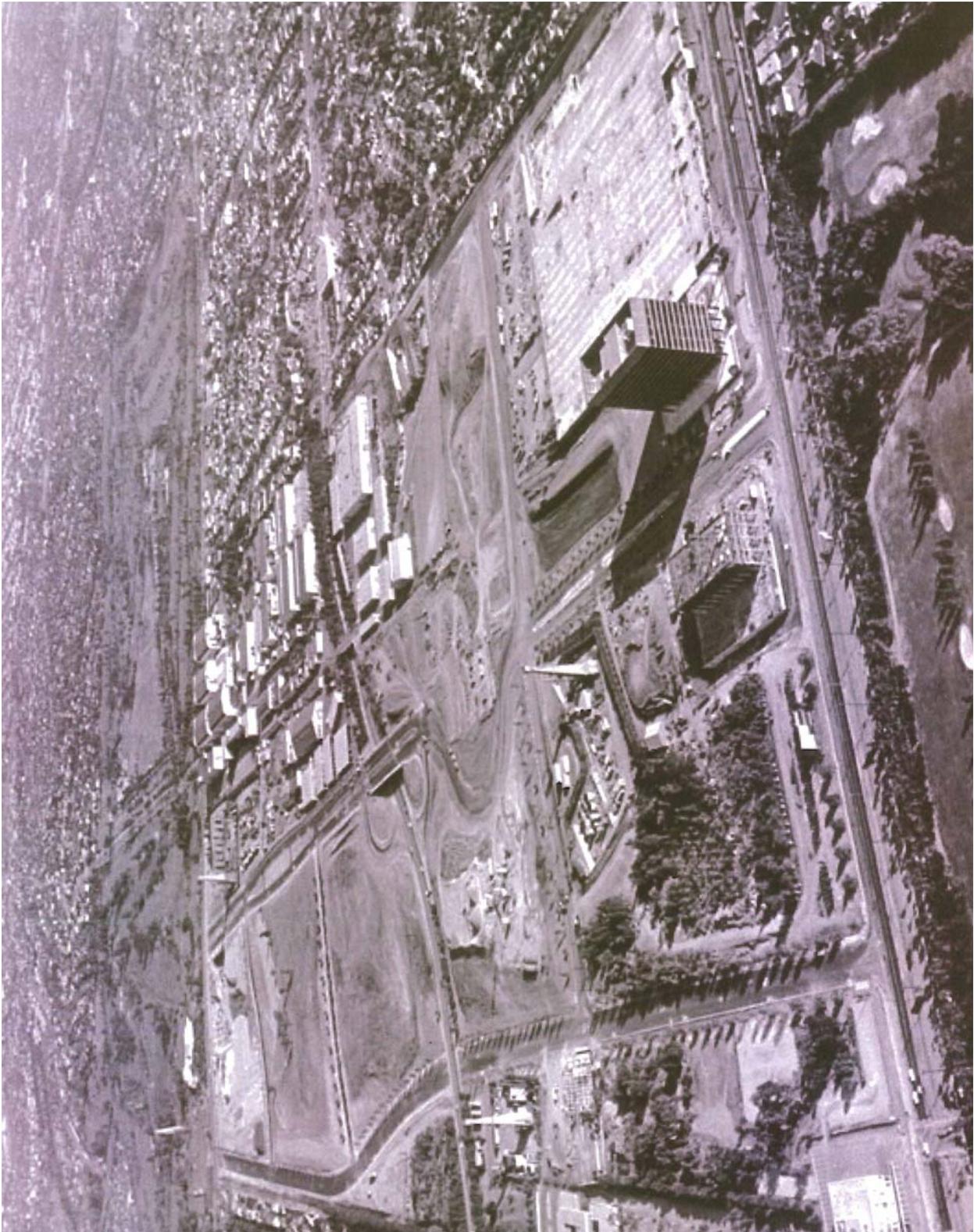
The EIR is incomplete, inaccurate, and too flawed to allow decision makers to rely on the information provided or the conclusions presented. We look forward to a comprehensive evaluation of these comments and complete responses and revised analyses.

RESPONSE NO. 7-97

Based on the comments received during the public review period, it is concluded that the analyses in the Draft EIR are adequate. Since the Draft EIR complies with CEQA requirements, and the revisions contained in the Final EIR do not change the conclusions of significance in the Draft EIR, nor change the Draft EIR in a way that deprives the decision-makers of a meaningful understanding of the significant environmental effect of the Project, or ways to minimize the significant effects or review of reasonable Project alternatives, the substantial revision suggested in the comment is unnecessary. Please refer to Response to Comment No. 7-3 for the reasons why recirculation of the Draft EIR is not required. Refer also to Topical Response Nos. 1 through 4 as presented in Section IV.A of this Final EIR.

COMMENT NO. 7-98

Exhibit 1 is presented on the following page.

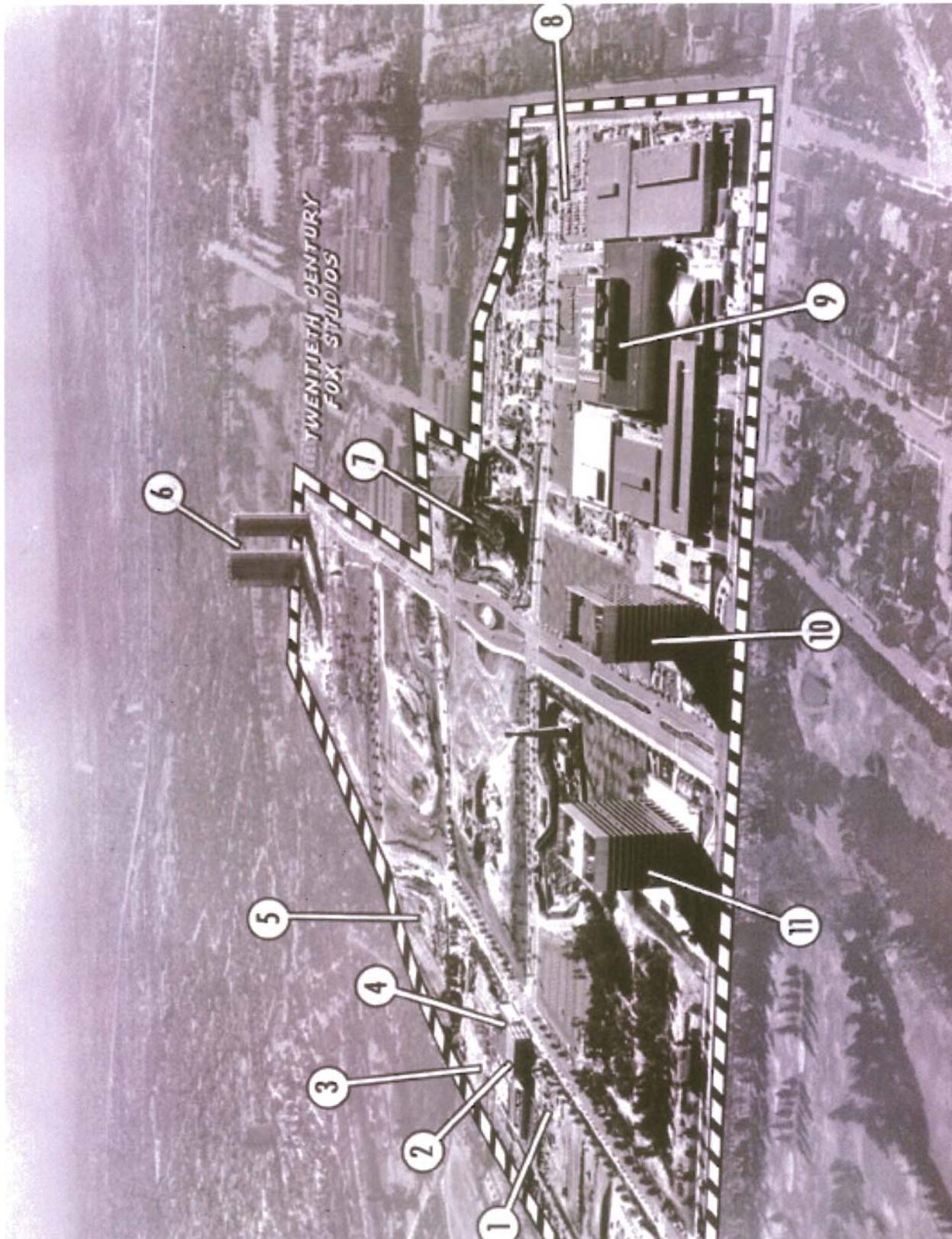


RESPONSE NO. 7-98

Exhibit 1 is provided in support of the comments presented in Comment Nos. 7-66 and 7-70. The information presented in Exhibit 1 was reviewed and analyzed in the preparation of Response to Comment Nos. 7-66 and 7-70. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-99

Exhibit 2 is presented on the following page.

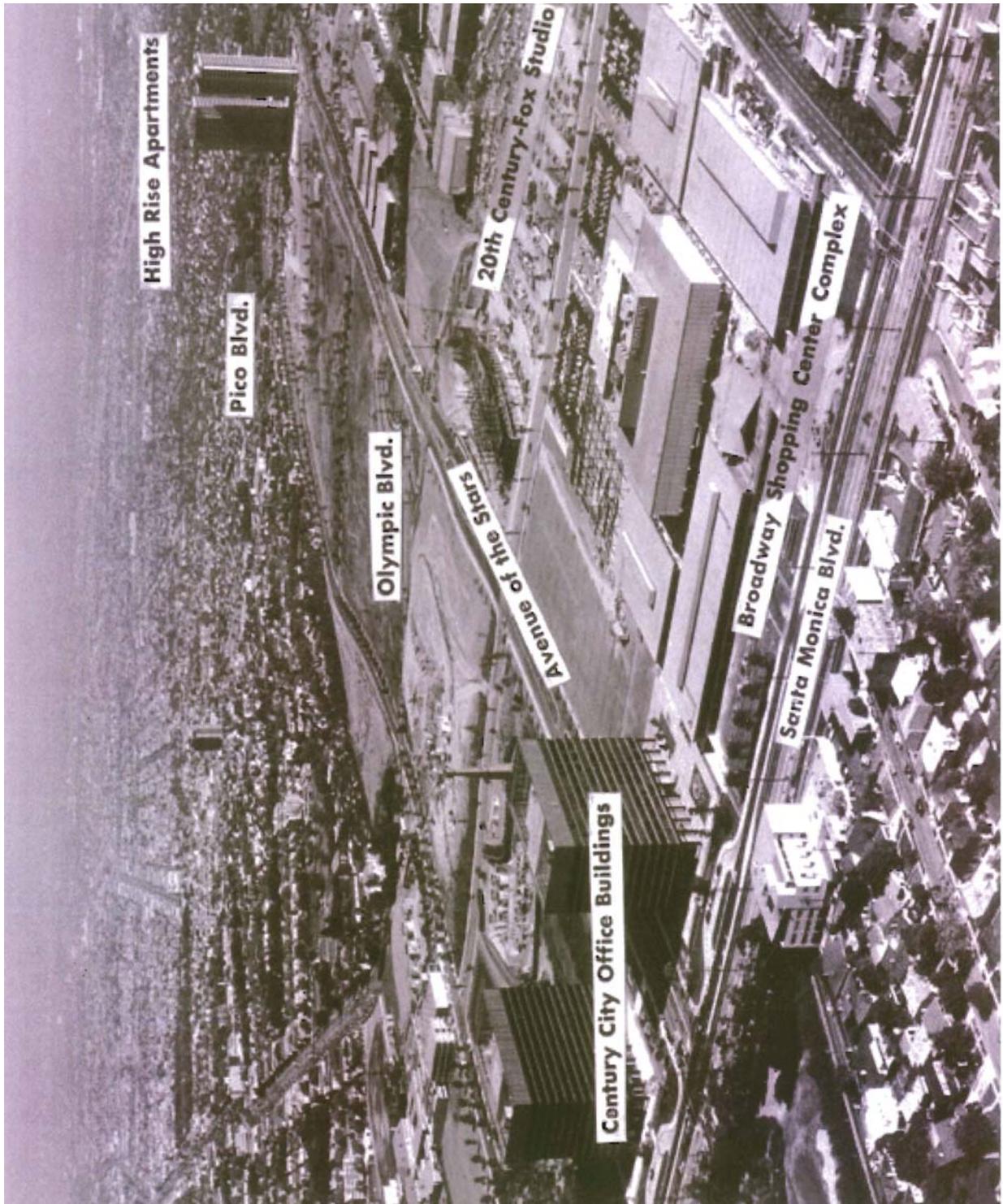


RESPONSE NO. 7-99

Exhibit 2 is provided in support of the comments presented in Comment Nos. 7-66 and 7-70. The information presented in Exhibit 2 was reviewed and analyzed in the preparation of Response to Comment Nos. 7-66 and 7-70. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-100

Exhibit 3 is presented on the following page.

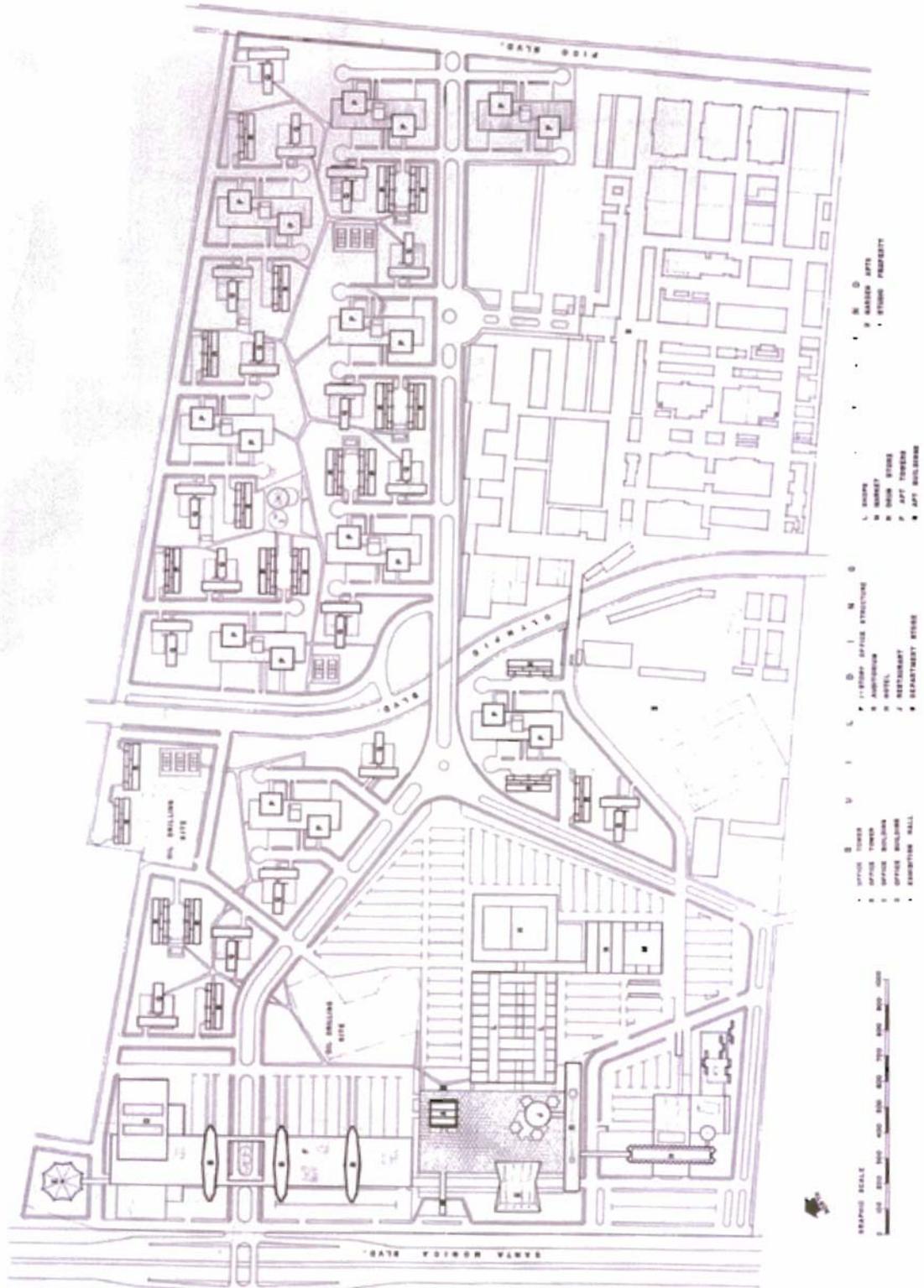


RESPONSE NO. 7-100

Exhibit 3 is provided in support of the comments presented in Comment Nos. 7-66 and 7-70. The information presented in Exhibit 3 was reviewed and analyzed in the preparation of Response to Comment Nos. 7-66 and 7-70. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-101

Exhibit 4 is presented on the following page.

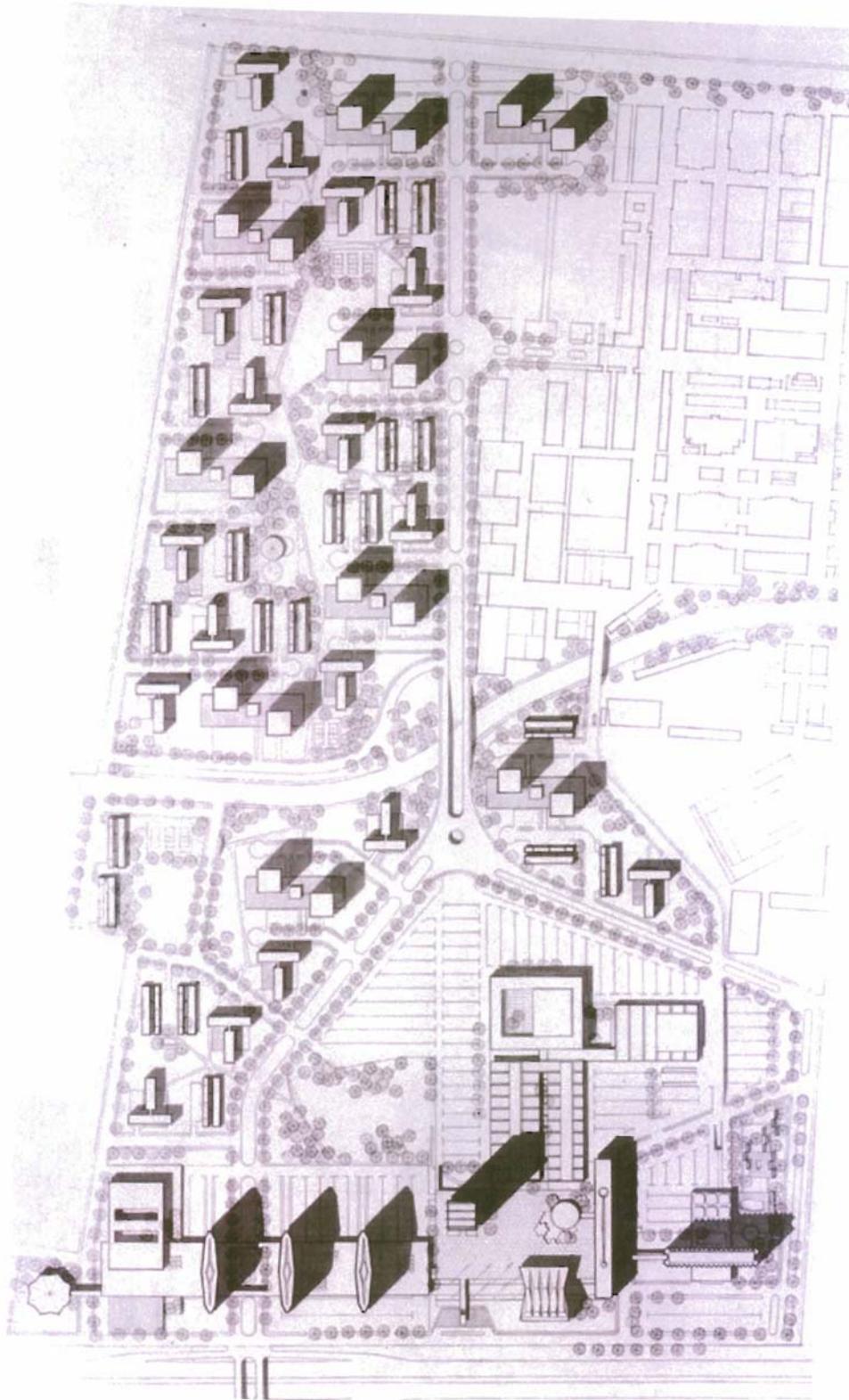


RESPONSE NO. 7-101

Exhibit 4 is provided in support of the comment presented in Comment No. 7-70. The information presented in Exhibit 4 was reviewed and analyzed in the preparation of Response to Comment No. 7-70. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-102

Exhibit 5 is presented on the following page.



RESPONSE NO. 7-102

Exhibit 5 is provided in support of the comment presented in Comment No. 7-70. The information presented in Exhibit 5 was reviewed and analyzed in the preparation of Response to Comment No. 7-70. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-103

Exhibit 6 is presented on the following page.



RESPONSE NO. 7-103

Exhibit 6 is provided in support of the comment presented in Comment No. 7-71. The information presented in Exhibit 6 was reviewed and analyzed in the preparation of Response to Comment No. 7-71. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-104

Exhibit 7 is presented on the following page.



RESPONSE NO. 7-104

Exhibit 7 is provided in support of the comment presented in Comment No. 7-71. The information presented in Exhibit 7 was reviewed and analyzed in the preparation of Response to Comment No. 7-71. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-105

Exhibit 8 is presented on the following page.



RESPONSE NO. 7-105

Exhibit 8 is provided in support of the comment presented in Comment No. 7-71. The information presented in Exhibit 8 was reviewed and analyzed in the preparation of Response to Comment No. 7-71. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-106

As shown on the enclosed resume, I have over 35 years of professional traffic engineering experience, all of which has occurred in Southern California. I have been licensed in California for over 25 years as a Civil Engineer and as a Traffic Engineer. I understand traffic in the Century City area, both from my prior review of the 2000 Avenue of the Stars Project EIR for the Tract No. 7260 Association and from my current assignment for the Westside Neighborhood Council to identify traffic issues associated with area roadways and intersections.

As you requested last June, I reviewed the May 24, 2005 Notice of Preparation (NOP) for the Draft Environmental Impact Report (Draft EIR) for the 10131 Constellation Boulevard Project in Century City in the City of Los Angeles. A number of questions regarding the traffic study for this project were posed in my June 15, 2005 letter to you, and it was enclosed with your response to the NOP.

RESPONSE NO. 7-106

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 7-107

On December 20, 2005, we walked the area together and obtained information regarding the operations of the existing uses on the project site. We also met with representatives of the project to gain a better understanding of how they addressed my questions during their traffic study for the project. I understood they were to provide the trip generation data derived from actual traffic counts at driveways serving the existing uses on the project site as well as at other similar residential buildings nearby. This information has not been received from them.

RESPONSE NO. 7-107

The information referenced in the comment regarding trip generation data derived from actual traffic counts at similar residential buildings was provided to the commentor in a memorandum dated January 13, 2006, and is attached in Appendix I to this Final EIR. This information is also discussed in Topical Response No. 2-Project Trip Generation. As such, please refer to Topical Response No. 2 in Section IV.A of this Final EIR.

COMMENT NO. 7-108

As you requested, I have reviewed the traffic portions of the Draft EIR for 10131 Constellation Boulevard. Of primary concern is the approach taken in the Draft EIR to calculate net new trips for the proposed project. Their faulty approach mirrors the skewed methodology used in the EIR for the 2000 Avenue of the Stars Project directly across Constellation Boulevard. As before, trip forecasts for the proposed project are significantly understated and trip forecasts for the existing uses are dramatically overstated. The conclusion that 483 luxury condominiums will generate less vehicle traffic than the existing uses (in reality a "walk in" bank with separate drive through lanes and a "walk in" restaurant) does not reflect what actually occurs at the project site. This faulty conclusion cannot be sustained.

The entire traffic analysis is fatally flawed as it builds upon the conclusion that fewer vehicle trips will result from two 47 story and one 12 story residential towers. Trip generation forecasts from the flawed traffic analysis are also carried throughout other portions of the Draft EIR including the noise and air quality sections. Each of these other sections of the Draft EIR is incorrect as they rely on the incorrect trip generation forecasts contained in the traffic study.

There are many errors associated with the forecast of net new trips in the Draft EIR for the proposed 10131 Constellation Boulevard Project. Trip generation forecasts are erroneous as they significantly understate trips from the proposed project and dramatically overstate trips from the existing uses as follows:

1. Trips for the Proposed Project Are Significantly Understated - The proposed luxury project consists of units with numerous upscale amenities. The majority of the project consists of larger units. Larger, more expensive units generate more than the average number of vehicle trips. The Institute of Transportation Engineers, ITE, has published trip generation data for three categories of condominiums and townhouses, and the Draft EIR used the lowest average trip rates. Higher trip rates associated with units with upscale amenities must be used to properly forecast trips for this luxury project. With its improper and inaccurate approach, many daily and peak hour trips have been omitted from the analysis in the Draft EIR as discussed in detail below.

a) Project Has Luxury Units With Upscale Amenities - Page 3 of the October 6, 2004 Environmental Assessment for the proposed project shows the price range of the units ranging from about \$500,000 to \$2,000,000. Over the last year, housing prices have continued to rise dramatically in the Los Angeles area. According to the December 16, 2005 Los Angeles Times, year over year gains from November 2004 to November 2005 were 19.5 percent in Los Angeles County. This equates to a current price range of \$600,000 to \$2,400,000 for the units in the proposed project.

The site plan, Figure 4 on Page 65 of the Draft EIR, depicts valet drop off areas at each of the three residential towers. A large pool, two spas, and a recreation area are shown on the ground level of the site plan, with residential amenities in a single story connecting the two 47 story towers. Reflecting ponds and lush landscaping are also depicted on the site plan,

Figure 5 on Page 67 of the Draft EIR depicts the ground floor plan, Facilities shown under each 47 story tower include a fitness center, card room, library, kitchen, three activity rooms, a sunrise/hillside room, mail room, and office for the valet and concierge.

Figures 6 and 7 on Pages 68 and 69 of the Draft EIR depict the floor plans for floors 4 through 47 in both towers. From Table 1 on Page 66 of the Draft EIR, there are 340 units on these floors out of the total of 483 units. Each of these units contain luxury features such as seating for at least eight people in the living room, seating for eight in the separate dining rooms, library/media rooms, and his/hers closets and bathroom facilities.

b) Majority of Proposed Project Consists of Larger Units - Table 1 on Page 66 of the Draft EIR provides a breakdown of the residential units in the proposed project, Of the 483 units, there are 95 two story lofts, 164 two bedroom units, 190 three bedroom units, and 6 four bedroom units. Only 48 units in the proposed project, less than 10 percent, are studio units.

c) Larger, Expensive Units Generate More Than "Average" Vehicle Trips - Transportation professionals have long recognized that dwelling units that are larger and more expensive generate more vehicle trips than dwelling units that are smaller and less expensive. Residents of larger, more expensive units have more disposable income which leads to a variety of additional services, each of which generates additional vehicle trips. For the luxury units in the proposed project, such services will likely include housekeepers, trainers, personal assistants, and others. Units with two residents will likely have two vehicles, together with numerous visitors and guests. The upscale project will require additional staffing overall including gardeners, building maintenance and management staff, valet attendants, concierges, and others to serve the residents and their guests.

d) Trip Generation Data From ITE - The Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition publication contains data from over 4,250 trip generation studies. The publication provides trip generation data for many different land uses including four separate categories of condominiums and townhouses. Three of the condominium/townhouse land uses most applicable to the proposed project, together with their associated trip rates reported by ITE, are as follows:

i) Residential Condominium/Townhouse (Land Use Code 230) - This general category includes both low rise and high rise buildings. Daily trip rates average 5.86 trips per dwelling unit, with a range up to 11.79 trips per dwelling unit reported. Weekday AM peak

hour trips average 0.44 trips per dwelling unit, with a range up to 1.61 trips per dwelling unit reported. Weekday PM peak hour rates average 0.52 trips per dwelling unit, with a range up to 1.24 trips per dwelling unit reported.

ii) High Rise, Residential Condominium/Townhouse (Land Use Code 232) - This category includes only high rise buildings of three or more stories. Daily trip rates average 4.18 trips per dwelling unit, with a range up to 4.93 trips per dwelling unit reported. Weekday AM peak hour trips average 0.34 trips per dwelling unit, with a range up to 0.48 trips per dwelling unit reported. Weekday PM peak hour rates average 0.38 trips per dwelling unit, with a range up to 0.49 trips per dwelling unit reported.

iii) Luxury Condominium/Townhouse (Land Use Code 233) - This category includes "... units in buildings with luxury facilities or services." While average daily rates are not reported for this land use, weekday AM peak hour trips average 0.56 trips per dwelling unit, with a range up to 0.62 trips per dwelling unit reported. Weekday PM peak hour rates average 0.55 trips per dwelling unit, with a range up to 0.63 trips per dwelling unit reported.

e) Draft EIR Used the Lowest Average Trip Rates - Average trip rates for high rise residential condominiums and townhouses published by ITE for Land Use Code 232 were used to forecast trips for the proposed project. These averages are the lowest of the three different categories reported by ITE. For the proposed project with 483 units, the Draft EIR used these average trip rates to forecast trips in Table 11 on Page 168 as follows:

Trip Category	Trip Rate	Total Trips
Daily Trips	4.18 trips/unit	2,019 daily trips
AM Peak Hour	0.34 trips/unit	164 AM peak trips
PM Peak Hour	0.38 trips/unit	184 PM peak trips

f) Higher Condominium/Townhouse Trip Rates Should Be Used - The most appropriate and relevant data from ITE for the proposed project is found in Land Use Code 233 for Luxury Condominiums and Townhouses. Using the average peak hour trip rates from this land use category together with the average daily trip rates from the general Residential Condominium and Townhouse Land Use Code 230 (since ITE does not publish daily trip rates for luxury units) indicates the project would generate trips as follows:

Trip Category	Trip Rate	Total Trips
Daily Trips	5.86 trips/unit	2,830 daily trips
AM Peak Hour	0.56 trips/unit	270 AM peak trips
PM Peak Hour	0.55 trips/unit	266 PM peak trips

g) Higher Than Average Trip Rates Should Be Considered - The proposed project, with amenities unmatched by others, will very likely generate trips at greater than the average rates

shown above. It is reasonably foreseeable that the proposed project could generate trips at the highest peak hour trip rates for luxury units and at the highest general daily trip rate for condominiums and townhouses published by ITE as follows:

Trip Category	Trip Rate	Total Trips
Daily Trips	11.79 trips/unit	5,695 daily tips
AM Peak Hour	0.62 trips/unit	300 AM peak trips
PM Peak Hour	0.63 trips/unit	304 PM peak trips

h) Trips for the Proposed Project Are Significantly Understated - The Draft EIR has significantly understated daily and peak hour trips that will be generated by the 10131 Constellation Boulevard Project. Using trip rates associated with luxury condominiums and townhouses indicates the Draft EIR has understated and omitted the following trips from its analysis:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Draft EIR	2,019	164	184
This Report	2,830	270	266
Understated Trips	811	106	82

Assuming the proposed project would generate trips at the highest rates reported by ITE indicates the Draft EIR has understated and omitted the following trips from its analysis:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Draft EIR	2,019	164	184
This Report	5,695	300	304
Understated Trips	3,676	136	120

RESPONSE NO. 7-108

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR and the traffic study prepared for the Project provide a comprehensive analysis of the traffic impacts of the Project. The traffic study and analysis were prepared in accordance with guidelines set forth by LADOT and pursuant to Standard LADOT Methodology. Please see Topical Response No. 1 – Traffic Study Methodology, for a discussion of the methodology uses to evaluate potential impacts. See also Topical Response No. 3 – Traffic Impacts, for a discussion of the traffic impacts of the Project. These topical responses are provided in Section IV.A of this Final EIR.

The Project is a high-rise condominium project; accordingly, the Draft EIR traffic study used standard Institute of Transportation Engineers (ITE) trip generation rates for high-rise

condominiums (ITE code 232) to estimate trips for the new Project uses. The Project is consistent with the ITE definition of high-rise condominiums:

- ITE defines high-rise condominiums (code 232) as units located in buildings that have three or more stories; the project is proposing two 47-story towers plus one 12-story building.
- The average size of projects in the ITE high-rise database ranges from 444 to 543 units; the Project is proposing 483 units. For comparison, the average size of projects in the ITE standard condominium database (code 230) ranges from 183 to 213 units and the average size of projects in the ITE luxury condominium database (code 233) is only 110 units.

High-rise condominium trip generation rates per unit are lower than rates for typical condominiums for a number of reasons, including the fact that a larger complex size that leads to a consolidation of service trips and the fact that high-rises are typically located in dense urban areas (such as Century City) with the ability to walk to jobs, services, and recreational opportunities, and with a higher degree of transit availability.

Please see Topical Response No. 2-Project Trip Generation, Section IV.A, Topical Responses, of this Final EIR for a discussion of the trip generation rates used in the Draft EIR for the Project and the validation of these rates against empirical data collected at other high-rise condominium projects on the Westside of Los Angeles. Also, as discussed in Topical Response No. 4, if the Brohard Analysis were implemented, no significant impacts to local residential streets or regional highways would occur. Under the Brohard analysis, an adverse impact during the A.M. peak hour could occur at the intersection of Constellation Boulevard and Avenue of the Stars. This impact could be alleviated via implementation of a second westbound left-turn lane on the Constellation Boulevard approach. The Project Applicant has agreed voluntarily to implement the improvement and the one significant impact under the Brohard Analysis would be reduced to a less than significant level (see Final EIR Section IV.A, Topical Response No. 4).

As the Project's traffic analysis as presented in the Draft EIR has been confirmed as accurate, the analysis of the Project's operational mobile source air quality and noise analyses as presented in Sections IV.D and IV.E, respectively, also remain valid and accurate. As such, no further analysis beyond that provided in the Draft EIR is required.

COMMENT NO. 7-109

2) Trip Forecasts for the Existing Uses Are Dramatically Overstated - The Draft EIR has significantly overstated trips from the existing uses on the site that will be removed with construction of the project as discussed in detail below. The characteristics of the existing bank are markedly different from the theoretical drive in bank assumed in the Draft EIR. The building

containing the bank and related offices was overestimated by 3,000 square feet in the Draft EIR. From traffic counts taken at the bank driveways on a Friday, generally the busiest banking day of the week, and on a Tuesday, the bank actually generates significantly fewer daily and peak hour trips than the theoretical calculations. The Draft EIR also inflated daily trips from the Century Club. Daily and peak hour trips for the existing uses have been dramatically overstated as discussed below.

a) Characteristics of the Existing Bank - City National Bank occupies a portion of the project site at Avenue of the Stars and Constellation Boulevard. There is a small surface parking lot reserved for bank customers and employees on the north side of the building. The lot is monitored by an attendant and contains 32 striped parking spaces. The lot is accessed by a single driveway on Avenue of the Stars. The bank also supports a separate and distinct drive through consisting of two drive in lanes accessed by an entrance driveway on Constellation Boulevard and an exit driveway on Avenue of the Stars. There are no ATM machines on the outside of the building or in the drive in lanes.

Operating hours inside the bank are from 9 AM to 4 PM Mondays through Thursdays, and on Fridays from 9 AM to 6 PM. The two drive in lanes operate from 8:30 AM to 5:00 PM Mondays through Thursdays and from 8:30 AM to 6:00 PM on Fridays. When the bank is closed at other times, chains with locks secure each of the three driveways.

On December 20, 2005, we spoke with the attendant from Quality Parking Services, Inc., who has served this branch of City National Bank for many years. The attendant reported that 25 spaces in the parking lot are used for employee parking, leaving seven parking spaces for customers. He reported only 40 to 50 daily customers, mostly senior citizens, who drive to the bank, park in the lot, validate their parking tickets inside the bank, give him the validated ticket, and then exit the parking lot.

The parking attendant indicated the vast majority of bank customers walk to and from nearby buildings in Century City. He also stated the two story building is occupied entirely by City National Bank employees. While some operating units have been relocated to other office space from time to time, the parking attendant stated the entire building is now fully occupied.

From the posted operating hours at City National Bank, it is reasonably foreseeable to expect that the existing bank generates very few vehicle trips. Comments made by the parking attendant at City National Bank on December 20, 2005 support this conclusion. Traffic counts last month at the bank driveways confirmed this conclusion as described below.

b) Existing Bank Generates Very Few Vehicle Trips - Stopping of vehicles is prohibited at all times on Avenue of the Stars and on Constellation Boulevard adjacent to City National Bank.

Therefore, all vehicle trips associated with the bank travel over the three bank driveways to reach the off street parking lot just north of the building or to use the drive in lanes.

To determine the number of existing vehicle trips generated by City National Bank, traffic counts were made at the three bank driveways by Wiltec, a professional vehicle counting company. The traffic volumes at each driveway were recorded by Wiltec every 15 minutes during peak traffic hours from 7 to 9 AM and between 4 and 6 PM. These counts were made on Friday, December 16, 2005, and on Tuesday, December 20, 2005 during the peak shopping period immediately before the recent holidays. A copy of these counts is enclosed, with the total number of trips summarized and then averaged in the following table.

Facility	AM Peak Trips		PM Peak Trips	
	<u>Friday</u>	<u>Tuesday</u>	<u>Friday</u>	<u>Tuesday</u>
Parking Lot	14	10	20	10
Drive in lanes	2	2	10	20
Total trips	16	12	30	30
Average Peak Hour Trips for Both Days	14		30	

From the traffic count data above, the number of daily trips generated by the existing bank can also be estimated. With peak hour trips generally representing 10 percent of daily trips (a "rule of thumb" [sic] commonly used by transportation engineering professionals), the existing bank would likely generate about 300 daily vehicle trips.

From the comments made by the parking attendant and our visit to the site, the number of daily trips generated by the existing bank can also be estimated. With 25 employees parking in the bank parking lot, about 50 daily employee trips occur. With 50 customers parking in the lot each day, 100 daily trips occur at the parking lot from customers driving to and then walking in to the bank. With 75 customers using the drive in facility each day, 150 daily trips are generated. Adding employee trips and customer trips confirms the existing bank generates about 300 daily trips.

c) Draft EIR Used ITE Rates For Drive In Bank - To forecast trips for the existing bank, the Draft EIR used the average trip rates for drive in banks published by ITE for Land Use Code 912. ITE describes this land use by stating "Drive in banks provide banking facilities for motorists who conduct financial transactions from their vehicles; many also serve patrons who walk into the building. The drive in lanes may or may not provide automatic teller machines."

Measurements made in the field of the building square footage disclosed the retail bank contains about 3,990 square feet of space for customers on the first floor. The building was also found to contain a private banking area for preferred customers on the first floor of about 2,020 square

feet, bank offices and lobby on the first and second floors totaling about 4,740 square feet, and an employee lunch room on the second floor of about 2,170 square feet. In total, the two story building housing City National Bank actually contains about 12,920 square feet of bank and office space.

Table 11 on Page 168 of the Draft EIR calculates trips for the bank and office space totaling 15,850 square feet, nearly 3,000 square feet higher than was measured for the building in the field. The use of values for square footage of retail bank and for offices that are higher than what actually exists inflates the number of trips from the existing building.

ITE identifies the average trip rates per 1,000 square feet for drive in banks as 246.49 for daily trips, 12.34 for AM peak hour trips, and 45.74 for PM peak hour trips. Applying these values to the 9,150 square feet of floor area reported in the Draft EIR resulted in trip forecasts for the bank of 2,255 daily trips, 113 AM peak hour trips, and 399 PM peak hour trips.

Table 11 on Page 168 of the Draft EIR reduced the trip generation forecasts for the bank by 20 percent in daily trips and during both peak hours to account for pass by trips. Reductions for pass by trips are accepted for retail uses as some trips are already on the adjacent streets and drivers "passing by" choose to stop at the particular location while on their way to another destination. Typically, pass by reductions are usually applied only during the PM peak hour as motorists have more free time to take short side trips on their way home from work rather than in the AM peak hour when they are on a definite schedule. The net effect of the "across the board" pass by reduction very slightly reduces the Draft EIR theoretical estimate of trips for this bank, but it does not adequately or properly compensate for the gross overestimation of forecast trips.

RESPONSE NO. 7-109

To assess potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and the LADOT Traffic Study Policies and Procedures manual (Standard LADOT Methodology).

The traffic study uses standard Institute of Transportation Engineers (ITE) and WLA TIMP trip generation rates to estimate trip credits for the existing bank and offices uses on the Project site and ITE trip generation rates to estimate trip credits for daily and A.M. peak hour uses of the existing restaurant on the Project site. No existing trips were estimated or taken as a credit for the existing restaurant for the P.M. peak hour since the restaurant is presently open for lunch and in the evening as a nightclub use but is closed during the P.M. peak hour of traffic. The trip rates used in the traffic analysis for the existing uses and the proposed Project were reviewed and approved by the Los Angeles Department of Transportation.

In determining trip credits for existing uses, the ITE Trip Generation Handbook uses the Gross Floor Area of the existing buildings. The commentor does not specify the definition of floor area upon which the stated calculations of the square footage of the existing buildings rely. The building areas used in the traffic analysis for the Project to calculate trips for the existing uses were determined by a survey prepared by a civil engineer in 2004 and updated in January 2006, and properly rely on the ITE definition of Gross Floor Area. Please refer to Response to Comment No. 7-8.

Nevertheless, in recognition of the concerns expressed by the commentor regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A, Topical Responses, of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system. The Project Applicant has voluntarily agreed to make improvements to the Constellation Boulevard/Avenue of the Stars intersection immediately adjacent to the Project frontage to improve conditions in this area.

COMMENT NO. 7-110

d) Draft EIR Erroneously Added Trips for Office Space on the Site -Table 11 on Page 168 of the Draft EIR indicates there is 6,700 square feet of existing office space on the site. Trips for this office space were forecast using ITE average trip rates for General Office Buildings, Land Use Code 710, for daily and AM peak hour trips. The PM peak hour trip rate in the Draft EIR of 2.84 trips per 1,000 square feet significantly exceeds the ITE published PM peak hour trip rate of 1.49 trips per 1,000 square feet, apparently in error.

Comments made by the parking attendant to us on December 20, 2005 indicate City National Bank occupies the entire existing building at the northeast corner of Avenue of the Stars and Constellation Boulevard. As discussed earlier, the Draft EIR erroneously added even more trips to the existing land uses by overestimating the size of the building housing the bank and office space by 3,000 square feet,

The Draft EIR added 74 daily trips, 10 AM peak hour trips, and 19 PM peak hour trips for 6,700 square feet of general office space to Table 11 on Page 168. Adding trips for office space beyond what was measured in the field further distorts the faulty comparison of trips generated by existing uses against those for the proposed project.

RESPONSE NO. 7-110

Refer to Response to Comment Nos. 7-8 and 7-109 regarding the existing buildings and trip credits. Although City National Bank occupies the entire building at the northeast corner of Avenue of the Stars and Constellation Boulevard, the retail component of the bank is on the ground floor and bank offices occupy the second floor. Therefore, the second floor was considered to generate trips as an office use, which is a less intense trip generator than bank space. These trips were added to the bank-generated trips estimated for the ground floor space in order to represent potential tripmaking for the entire floor area of the building. The P.M. peak hour rate used for the second floor office space, 2.84 trips per thousand square feet, was obtained from the West Los Angeles Transportation Improvement and Mitigation Program Specific Plan.

Nevertheless, in recognition of the concerns expressed by the commentor regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A, Topical Responses, of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system. The Project will make improvements to the Constellation Boulevard/Avenue of the Stars intersection immediately adjacent to the Project frontage that will improve conditions at that location.

COMMENT NO. 7-111

e) Draft EIR Inflates Daily Trips from the Century Club - Table 11 on Page 168 of the Draft EIR calculates daily trips for the Century Club by using ITE trip rates for Quality Restaurants, Land Use Code 931. According to the description published by ITE, "This land use consists of high quality, full service eating establishments with turnover rates usually of at least one hour or longer. Quality restaurants generally do not serve breakfast; some serve lunch; all serve dinner. This type of restaurant usually requires reservations and is generally not part of a chain."

During our site visit on December 20, 2005, we spoke with the Director of Special Events at the Century Club, she indicated there are 16 employees who arrive between 8 and 10 AM and depart between 4 and 6 PM. Assuming arriving and departing trips are evenly spread across two hours, eight employee trips occur in both the AM and in the PM peak hours.

The Director of Special Events indicated the restaurant is closed for breakfast and nearly all customers walk in for lunch between 11:30 AM and 3 PM. For dinner on Fridays and Saturdays from 8 PM to 11:30 PM, the vast majority of their business involves catering of events held at other locations together with a few walk ins. She stated lunches and dinners on site generate nominal vehicle trips. Special events have been held in the evenings an average of 2.5 times a week over the last few years. These special events typically begin at 7 PM and are attended by 150 to 800 people, resulting in a range of 70 to 320 cars generated per special event.

From the descriptions provided by the Director of Special Events at the Century Club, there are eight AM and eight PM peak hour trips. About 300 weekday daily trips are estimated for the Century Club including employee trips, lunch, Friday dinner, daily catering, and a daily average of 180 trips for 2.5 special events a week. In sharp contrast, the Draft EIR erroneously forecast 1,777 daily trips for the daily weekday activities at this restaurant.

RESPONSE NO. 7-111

Refer to Response to Comment Nos. 7-8 and 7-109 regarding the existing buildings and trip credits. The Draft EIR acknowledges that the Century Club restaurant is closed for breakfast, is open for lunch, and does not open for dinner until 8 P.M. The level of activity in the restaurant parking lot during the midday hours indicates that much of the lunch trade does arrive by automobile.

Nevertheless, in recognition of the concerns expressed by the commentor regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A, Topical Responses, of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system. The Project will make improvements to the Constellation Boulevard/Avenue of the Stars intersection immediately adjacent to the Project frontage that will improve conditions at that location.

COMMENT NO. 7-112

f) Trips for the Existing Uses Are Dramatically Overstated - The Draft EIR has dramatically overstated daily and peak hour trips that are being generated by existing uses that will be removed by the 10131 Constellation Boulevard Project. Using the information and data above, the existing uses on the site actually generate the following weekday trips:

Land Use	Daily Trips	AM Peak Trips	PM Peak Trips
Bank/Bank Offices	300	14	30
Restaurant	300	8	8
Total Trips	600	22	38

Comparing our findings to the trips forecast in the Draft EIR disclosed trips for the existing uses have been dramatically overstated as follows:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Draft EIR	3,655	116	338
This Report	600	22	38
Overstated Trips	3,055	94	300

RESPONSE NO. 7-112

The issues raised in this comment are similar to those raised in Comment No. 7-109. As such, please refer to Response to Comment No. 7-109.

In recognition of the concerns expressed by the commentor regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A, Topical Responses, of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system.

COMMENT NO. 7-113

3) Net New Trips for the Project Are Grossly Distorted in the Draft EIR -- The Draft EIR indicates the proposed project at 10131 Constellation Boulevard will generate fewer trips than the existing uses on the site. The values shown in Table 11 on Page 168 of the Draft EIR are then carried forward throughout the traffic analysis and used extensively in other sections of the Draft EIR involving noise and air quality.

The Draft EIR has significantly understated the number of trips that will occur from the proposed project. The luxury condominiums in this upscale project will generate trips at higher rates than used in the Draft EIR. Trips that have been understated in the Draft EIR are as follows:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Draft EIR	2,019	164	184
This Report	2,830	270	266
Understated Trips	811	106	82

The Draft EIR has dramatically overstated the number of trips that occur from the existing uses on the project site. Based on measured data and reports by on-site personnel, the bank and the restaurant actually generate significantly fewer trips than have been theoretically estimated in the Draft EIR. Trips that have been overstated in the Draft EIR are as follows:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Draft EIR	3,655	116	338
This Report	600	22	38
Overstated Trips	3,055	94	300

While the Draft EIR concludes the proposed project will reduce trips for the site, the proposed project will generate more "net trips" than the existing uses as follows:

Source	Daily Trips	AM Peak Trips	PM Peak Trips
Net Trips Stated in Draft EIR	(1,636)	48	(154)
Trips Understated for Project	811	106	82
Trips-Overstated for Existing Uses	3,055	94	300
Actual Net Trips	2,230	248	228

- **Rather than a decrease of 1,636 daily trips, the proposed project will generate 2,230 daily trips more than the existing uses.**
- **Rather than an increase of only 48 AM peak hour trips, the proposed project will generate 248 AM peak hour trips more than the existing uses.**
- **Rather than a decrease of 154 PM peak hour trips, the proposed project will generate an additional 228 PM peak hour trips more than the existing uses.**

The Draft EIR forecast trips for the proposed project using the lowest average published trip rates rather than higher trip rates associated with luxury units, The Draft EIR evaluated the existing bank and restaurant using theoretical trip generation rates rather than actual traffic counts. This combination grossly overstates the reduction in trips associated with removal of the present uses and does not appropriately assess the traffic impacts of the proposed project as a new generator of traffic. The approach taken in the traffic study is contrary to good traffic engineering practice and does not provide an accurate baseline from which to evaluate the traffic impacts of the proposed project.

When the trip generation and assignments for the proposed project are revised, there will be significant traffic impacts on the arterial street segments and intersections as well as on the adjacent freeways. All of the practical traffic mitigation measures including localized intersection widening and installation of the ATSAC and ATCS systems will be constructed as conditions of projects already approved. Barring a huge infusion of funds for extensive improvements such as people movers and associated parking structures, it does not appear that the proposed project's traffic impacts can be mitigated with typical traffic engineering solutions, However, should such mitigation be possible, then fair share cost estimates together with an implementation schedule are needed.

The Draft EIR does not properly address the traffic impacts that will result from the 10131 Constellation Boulevard Project. Significant additional work is needed to properly forecast the traffic volumes, to assess the traffic impacts, and to develop mitigation measures for the impacted streets and freeways in the area,

The opportunity to provide these traffic comments on the Draft EIR for the 10131 Constellation Boulevard Project is appreciated. If you should need any other information or clarification, please call at your convenience.

RESPONSE NO. 7-113

The issues raised in this comment are similar to those raised in Comment Nos. 7-108 and 7-109. As such, please refer to Response to Comment Nos. 7-108 and 7-109 as well as Topical Response Nos. 2 – Project Trip Generation, and 4 – Additional Analysis with Reduced Existing Trip Credits (see Section IV.A, Topical Responses, of this Final EIR).

In recognition of the concerns expressed by the commentor regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A, Topical Responses, of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system.

COMMENT NO. 7-114

WILTEC

Driveway Count Summary

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS' ASSOCIATION
 PROJECT: AVENUE OF THE STARS
 DATE: FRIDAY DECEMBER 16TH, 2005
 PERIOD: 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM
 LOCATION: N/S: AVENUE OF THE STARS
 E/W: CONSTELLATON BLVD DRIVEWAY #1

15 MIN COUNTS			
	DWY #1	DWY #1	
PERIOD	IN	OUT	TOTAL
700-715	2	3	6
715-730	2	0	2
730-745	1	0	1
745-800	0	0	0
800-815	5	2	7
815-830	1	0	1
830-845	3	1	4
845-900	2	0	2
TOTAL	16	6	22
HOUR TOTALS			
TIME	IN	OUT	TOTAL
700-800	5	3	8
715-815	8	2	10
730-830	7	2	9

745-845	9	3	12
800-900	11	3	14

15 MIN COUNTS			
	Dwy #1	Dwy #1	
PERIOD	IN	OUT	TOTAL
400-415	2	0	2
415-430	4	2	6
430-445	3	4	7
445-500	3	3	6
500-515	1	0	1
515-530	2	3	5
530-545	3	6	9
545-600	1	1	2
TOTAL	19	19	38
HOUR TOTALS			
TIME	IN	OUT	TOTAL
400-500	12	9	21
415-515	11	9	20
430-530	9	10	19
445-545	9	12	21
500-600	7	10	17

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS' ASSOCIATION
PROJECT: AVENUE OF THE STARS
DATE: TUESDAY, DECEMBER 20TH, 2005
PERIOD: 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM
LOCATION: AVENUE OF THE STARS
CONSTELLATON BLVD DRIVEWAY #1

15 MIN COUNTS			
	DWY #1	DWY #1	
PERIOD	IN	OUT	TOTAL
700-715	0	0	0
715-730	1	0	1
730-745	2	0	2
745-800	2	0	2
800-815	2	0	2
815-830	3	0	3
830-845	1	0	1
845-900	3	1	4
TOTAL	14	1	15
HOUR TOTALS			
TIME	IN	OUT	TOTAL
700-800	5	0	5
715-815	7	0	7
730-830	9	0	9
745-845	8	0	8
800-900	9	1	10

15 MIN COUNTS			
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	Dwy #1	Dwy #1	
PERIOD	IN	OUT	TOTAL
400-415	3	3	6
415-430	0	1	1
430-445	0	3	3
445-500	0	0	0
500-515	1	3	4
515-530	0	0	0
530-545	1	6	7
545-600	2	1	3
TOTAL	7	17	24
HOUR TOTALS			
TIME	IN	OUT	TOTAL
400-500	3	7	10
415-515	1	7	8
430-530	1	6	7
445-545	2	9	11
500-600	4	10	14

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS' ASSOCIATION
 PROJECT: AVENUE OF THE STARS
 DATE: FRIDAY DECEMBER 16TH, 2005
 PERIOD: 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM
 LOCATION: AVENUE OF THE STARS
 CONSTELLATON BLVD
 DRIVEWAYS 2 & 3

15 MIN COUNTS						
	DWY #2	DWY #2		DWY #3	DWY #3	
PERIOD	IN	OUT	TOTAL	IN	OUT	TOTAL
700-715	0	0	0	0	0	0
715-730	0	0	0	0	0	0
730-745	0	0	0	0	0	0
745-800	0	0	0	0	0	0
800-815	0	0	0	0	0	0
815-830	0	0	0	0	0	0
830-845	0	0	0	0	0	0
845-900	1	1	2	0	0	0
TOTAL	1	1	2	0	0	0

HOUR TOTALS						
TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
700-800	0	0	0	0	0	0
715-815	0	0	0	0	0	0
730-830	0	0	0	0	0	0
745-845	0	0	0	0	0	0
800-900	1	1	2	0	0	0

15 MIN COUNTS						
	DWY #2	DWY #2		DWY #3	DWY #3	
PERIOD	IN	OUT	TOTAL	IN	OUT	TOTAL
400-415	0	0	0	0	0	0
415-430	0	1	1	1	0	1
430-445	0	2	2	2	0	2

445-500	0	1	1	1	0	1
500-515	0	1	1	1	0	1
515-530	0	0	0	0	0	0
530-545	0	2	2	2	0	2
545-600	0	0	0	0	0	0
TOTAL	0	7	7	7	0	7

HOUR TOTALS

TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
400-500	0	4	4	4	0	4
415-515	0	5	5	5	0	5
430-530	0	4	4	4	0	4
445-545	0	4	4	4	0	4
500-600	0	3	3	3	0	3

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS' ASSOCIATION
 PROJECT: AVENUE OF THE STARS
 DATE: TUESDAY, DECEMBER 20TH, 2005
 PERIOD: 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM
 LOCATION: AVENUE OF THE STARS
 CONSTELLATON BLVD
 DRIVEWAYS 2 & 3

15 MIN COUNTS

PERIOD	DWY #2		TOTAL	DWY #3		TOTAL
	IN	OUT		IN	OUT	
700-715	0	0	0	0	0	0
715-730	0	0	0	0	0	0
730-745	0	0	0	0	0	0
745-800	0	0	0	0	0	0
800-815	0	0	0	0	0	0
815-830	0	1	1	1	0	1
830-845	0	0	0	0	0	0
845-900	0	0	0	0	0	0
TOTAL	0	1	1	1	0	1

HOUR TOTALS

TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
700-800	0	0	0	0	0	0
715-815	0	0	0	0	0	0
730-830	0	1	1	1	0	1
745-845	0	1	1	1	0	1
800-900	0	1	1	1	0	1

15 MIN COUNTS

PERIOD	DWY #2		TOTAL	DWY #3		TOTAL
	IN	OUT		IN	OUT	
400-415	0	2	2	3	0	3
415-430	0	3	3	3	0	3
430-445	0	1	1	2	0	2
445-500	0	4	4	2	0	2
500-515	0	1	1	1	0	1
515-530	0	0	0	0	0	0

530-545	0	0	0	0	0	0
545-600	0	0	0	0	0	0
TOTAL		11	11	11		11

HOURLY TOTALS

TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
400-500	0	10	10	10	0	10
415-515	0	9	9	8	0	8
430-530	0	6	6	5	0	5
445-545	0	5	5	3	0	3
500-600	0	1	1	1	0	1

RESPONSE NO. 7-114

The traffic counts provided in this comment are in support of the comment presented in Comment No. 7-109. The information presented in this comment was reviewed and analyzed in the preparation of Response to Comment No. 7-109. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 7-115

Licenses: 1976 / Professional Engineer /California - Civil, No. 24577

1977 / Professional Engineer/California -Traffic, No. 724

Education: BS / Civil Engineering / Duke University / 1969

Experience: 35 Years

Memberships: Institute of Transportation Engineers - Member
Orange County Traffic Engineers Council - Chair 1979-1980
American Public Works Association - Member

Expertise: Tom is a recognized expert in the field of traffic engineering and transportation planning. His background also includes responsibility for leading and managing the delivery of various contract services to numerous cities in Southern California. Since forming Tom Brohard and Associates in 2000, Tom has reviewed many traffic impact reports and environmental documents for various projects across the state.

Tom has extensive experience in providing transportation planning and traffic engineering services across Southern California. From 1972 through 1978, he conducted all traffic engineering investigations in the Second Supervisorial District in Los Angeles County. He has served as City Traffic Engineer/Transportation Manager/Engineer as follows:

- Bellflower 1997 - 1998
- Bell Gardens..... 1982 - 1995
- Huntington Beach 1998 - 2004
- Indio 2005 - present
- Lawndale 1973 - 1978
- Los Alamitos 1981 - 1982
- Oceanside 1981 - 1982
- Paramount 1982 - 1988
- Rancho Palos Verdes 1973 - 1978
- Rolling Hills 1973 - 1978, 1985 - 1993
- Rolling Hills Estates 1973 - 1978, 1984 - 1991
- San Fernando 2003 - present
- San Marcos 1981
- Santa Ana 1978 - 1981
- Westlake Village..... 1983 - 1994

While serving Huntington Beach, Tom oversaw a staff of 20 including traffic engineers and transportation planners, traffic signal and street lighting personnel, and the signing, striping, and marking crews. He secured \$3.5 million in grant funding, managed the initial West Orange County Rail Feasibility Study, and recently oversaw the consultant selection for the City's Traffic Model and Circulation Element Update.

Selected significant accomplishments during the last four years include the following:

- Conducted Traffic Impact Analyses for the Sacred Heart Church and School Master Plan in the City of Palm Desert including presentations to community residents and testimony at Public Hearings before the City Council (3/2005 to 7/2005)
- Prepared preliminary critique of the Draft EIR and traffic study for the Prewett Ranch Project in the City of Brentwood for Adams Broadwell Joseph & Cardozo (7/2005)
- Prepared critique of the Mitigated Negative Declaration and Traffic Impact Analysis for the Providence Center Specific Plan for the City of Fullerton for Shute, Mihaly & Weinberger (6/2005 to 7/2005)
- Prepared critique of the traffic and circulation sections of the Draft Subsequent EIR of the County of Ventura Focused General Plan Update and prepared rebuttal to responses for Shute, Mihaly, & Weinberger and the Community of Somis (12/2004 to 1/2005; 6/2005)

- Prepared response to Initial Study and Notice of Preparation of a Draft EIR for 483 condominiums proposed in three high rise towers in Century City in the City of Los Angeles for Tract No. 7260 Association (6/2005)
- Prepared critique of the traffic and parking impacts identified in the Draft EIR and Traffic Impact Analysis for the Long Beach Memorial Medical Center Expansion in the City of Long Beach for Weinberg, Roger & Rosenfeld (2/2005 to 5/2005)
- Prepared critique of the Draft EIR and traffic study for the Villages at Fairfield Project in the City of Fairfield for Adams Broadwell Joseph & Cardozo (4/2005 to 5/2005)
- Prepared critique of the traffic, circulation, and parking impacts identified in the Traffic Impact Analysis for Los Angeles Unified School District Valley High School #5 in the City of San Fernando (4/2005)
- Prepared critique of the transportation, circulation, and parking impacts identified in the Draft EIR and the Final EIR for the Wood Street Project in the City of Oakland for the East Bay Community Law Center (3/2005)
- Conducted City wide engineering and traffic surveys confirming enforceable speed limits on 31 street segments for the City of San Fernando (1/2005 to 3/2005)
- Prepared critiques of the traffic impacts identified in the Draft EIR and in the Revised Draft EIR for the Central Larkspur Specific Plan in the City of Larkspur and prepared responses to comments in the Final EIR for Shute, Mihaly, & Weinberger (7/2002 to 8/2002, 12/2003 to 2/2004, and 1/2005 to 3/2005)
- Checked plans for traffic signal installations and modifications as well as signing and striping revisions for various projects for Engineering Resources of Southern California and the Cities of Hemet and Palm Springs (12/2003 to 3/2005)
- Prepared critique of the Initial Study and traffic study prepared for the Hidden Canyon (Greenfield) Quarry Use Permit and Reclamation Plan in Monterey County for Weinberg, Roger & Rosenfeld (2/2005)
- Prepared critiques of the traffic impacts identified in the Los Angeles International Airport Master Plan Draft EIS/EIR for Alternatives A, B, and C and in the Supplement Draft EIS/EIR for Alternative D, prepared responses to comments in the Final EIS/EIR, and reviewed Addendum #3 for Shute, Mihaly, & Weinberger and the City of El Segundo (2/2001 to 7/2001, 7/2003 to 10/2003, 11/2004, and 12/2004)

- Prepared critique of the Traffic Study for the 450-460 North Palm Drive Senior Housing Residential Project in the City of Beverly Hills for Luna & Glushon (11/2004)
- Prepared critique of the Draft EIR and traffic study and provided testimony at a public hearing regarding the West Los Angeles College Facilities Master Plan in Los Angeles County for Culver Crest Neighborhood Association (10/2004 to 12/2004)
- Prepared critique of the Draft EIR and the associated traffic impact analysis as well as subsequent rebuttal to responses to these comments in the Final EIR for The Ranch Plan in the County of Orange for the Endangered Habitats League (6/2004 to 7/2004 and 10/2004)
- Prepared preliminary critique of the Draft EIR and traffic study for the Chandler Ranch Specific Plan Project in the City of Paso Rubles for Adams Broadwell Joseph & Cardozo (9/2004)
- Prepared critique of the Draft EIR and traffic report associated with the Magnolia Park Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (9/2004)
- Prepared critique of the traffic impacts identified in the Recirculated Draft EIR and traffic study for the McKean Road Sports Complex in Santa Clara County for Shute, Mihaly, & Weinberger (9/2004)
- Prepared critique of the Environmental Assessment for Robie Ranch Reclamation Project in Calaveras County for Weinberg, Roger & Rosenfeld (9/2004)
- Provided expert assistance to residents in the City of La Mirada during settlement negotiations regarding litigation involving the Big T Residential Development Project in the City of Buena Park (6/2004 to 9/2004)
- Prepared critique of the traffic impacts identified in the Recirculated Draft EIR and the associated traffic study for the Lake Jennings Ralph's Shopping Center in San Diego County for SOFAR and Shute, Mihaly, & Weinberger (8/2004)
- Reviewed Traffic Impact Study prepared for the San Fernando Corridors Specific Plan for the City of San Fernando (7/2004 to 8/2004)
- Prepared critique of the Negative Declaration for the Brisbane Recycling Project in the City of Brisbane for Weinberg, Roger & Rosenfeld (6/2004)
- Reviewed various alternative alignments for the extension of Lexington Drive from Cerritos Avenue to Katella Avenue, a proposed secondary highway, for the City of Los Alamitos; provided expert assistance to the City of Los Alamitos during

settlement negotiations regarding litigation of the proposed Cottonwood Christian Center Project in the City of Cypress (4/2004 to 6/2004)

- Prepared critique of the Draft EIR and the associated traffic impact study for the Jaxon Enterprises Mine and Reclamation Expansion Project in the County of Merced for Weinberg, Roger & Rosenfeld (5/2004)
- Prepared critique of the Environmental Secondary Study for the Santa Fe Parcel 6 Mixed Use Project in the City of San Diego for Adams Broadwell Joseph & Cardozo (4/2004 to 5/2004)
- Prepared critique of the Draft EIR and the associated traffic impact analysis for the for the San Mateo Rail Corridor Plan & Bay Meadows Specific Plan Amendment in the City of San Mateo for Adams Broadwell Joseph & Cardozo (3/2004 to 5/2004)
- Reviewed the Edinger Corridor Specific Plan Traffic Analysis for the proposed redevelopment and intensification of adjacent land uses for the City of Huntington Beach (12/2003, 4/2004, and 5/2004)
- Conducted the Traffic Impact Study of the San Fernando Regional Pool Facility Project and the associated street improvements for the City of San Fernando (3/2004 to 4/2004)
- Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated traffic study for the Pixar Headquarters Expansion in the City of Emeryville for Shute, Mihaly, & Weinberger (3/2004 to 4/2004)
- Prepared critique of the Draft EIR and the associated traffic impact analysis for the Lower Lagoon Valley Specific Plan in the City of Vacaville for Adams Broadwell Joseph & Cardozo (3/2004 to 4/2004)
- Conducted the Traffic Study of Two Parking Alternatives for the City of San Dimas to provide on street parking to complement potential retail/residential development on the east side of San Dimas Avenue north of Arrow Highway (12/2003 to 4/2004)
- Prepared trip generation calculations for various retail and "Big Box" stores in conjunction with a March 2004 ballot measure in Contra Costa County for Mark R. Wolfe & Associates (1/2004 to 2/2004)
- Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated transportation impact analysis for the S&S Farms and Hancock Property Residential Development Plan in the City of Brentwood for Adams Broadwell Joseph & Cardozo (2/2004)

- Prepared critiques of the traffic impacts identified in the Mitigated Negative Declarations as well as subsequent rebuttal to responses to these comments for the Bayfront Live Work Project in the City of Hercules for Adams Broadwell Joseph & Cardozo (4/2003, 10/2003, and 2/2004)
- Conducted the City Wide Traffic Calming Study of Residential Streets in the City of San Fernando including development of traffic calming guidelines and specific recommendations addressing over 70 "Hot Spots" throughout the City including monthly presentations at Transportation & Safety Commission meetings and a presentation of the Final Report to the City Council (5/2003 to 1/2004)
- Prepared critique of the Initial Study/Mitigated Negative Declaration and the associated transportation analysis for the Cottonwood Christian Center in the City of Cypress for the City of Los Alamitos (1/2004)
- Prepared critique of the Recirculated Draft EIR and the associated transportation analysis for the Sand Creek Specific Plan in the City of Antioch for Adams Broadwell Joseph & Cardozo (1/2004)
- Prepared critique of the Initial Study and the associated traffic impact studies for the West Dublin Transit Village in the City of Dublin for Adams Broadwell Joseph & Cardozo (11/2003 to 1/2004)
- Prepared critiques of the Initial Study and the Recirculated Initial Study/General Plan Amendment and Rezoning for the Jack Parker Trucking Site in the City of San Pablo for Adams Broadwell Joseph & Cardozo (9/2003 and 11/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR and rebuttal to responses to comments in the Final EIR for the proposed Wal-Mart in the City of Fremont for Mark R. Wolfe & Associates (7/2002 to 10/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses in the Final EIR, and testimony at a public hearing regarding the Alpine Village Shopping Center in San Diego County for Shute, Mihaly, & Weinberger (6/2002 to 10/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses in the Final EIR, testimony at public hearings, and assistance during settlement negotiations regarding the 2000 Avenue of the Stars Project in Century City in the City of Los Angeles for Tract No. 7260 Association (9/2002 to 10/2003)

- Prepared critique of the traffic impacts identified in the Draft EIR for the Glen Loma Ranch Project in the City of Gilroy for Adams Broadwell Joseph & Cardozo, (9/2003)
- Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Ryder Homes Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (9/2003)
- Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Ravenswood Residential Project in Contra Costa County for Adams Broadwell Joseph & Cardozo (8/2003 to 9/2003)
- Prepared critique of the traffic impacts identified in the Draft Subsequent EIR for the proposed Boronda Crossing Commercial Project in the City of Salinas for Mark R. Wolfe & Associates (8/2002 to 9/2003)
- Prepared four grant applications to Caltrans for \$1,115,000 of Hazard Elimination Safety funding to modify traffic signals and to upgrade regulatory, warning, and street name signs in the City of Santa Ana (3/2003 to 8/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR and the Traffic Impact Analysis for the Bluerock Business Center Project in the City of Antioch for Adams Broadwell Joseph & Cardozo (8/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR for the Clark Road Residential Project in the City of Richmond for Adams Broadwell Joseph & Cardozo (8/2003)
- Prepared critique of the traffic impacts identified in the Initial Study and the Traffic Impact Analysis for the Sky Ranch Residential Project in the City of Antioch for Adams Broadwell Joseph & Cardozo (7/2003 to 8/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR for the Cal Poly Student Housing North Project in the City of San Luis Obispo for Adams Broadwell Joseph & Cardozo (7/2003)
- Prepared critique of the traffic impacts identified in the Final EIR for the Lake Jennings Ralph's Shopping Center in San Diego County for SOFAR and Shute, Mihaly, & Weinberger (3/2003 to 7/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR for the Cypress Grove Residential Project in the City of Oakley for Adams Broadwell Joseph & Cardozo (6/2003)

- Prepared critique of the traffic impacts identified in the Draft EIR for the McKean Road Sports Complex in Santa Clara County for Shute, Mihaly, & Weinberger (5/2003)
- Prepared grant application to Caltrans for \$448,000 of Safe Route to School funding to upgrade all school signs at 68 public and private schools in the City of Santa Ana (3/2003 to 5/2003)
- Prepared critique of the traffic impacts identified in the Traffic Impact Analysis for the Blossom Valley Middle School for the Dunbar Lane Task Force in San Diego County (4/2002 to 5/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR and the Traffic Impact Analysis for the Bettencourt Ranch Aggregate Mining Project in Merced County for Weinberg, Roger & Rosenfeld (4/2003)
- Conducted a complete review of the General Plan Circulation Element for the City of Huntington Beach including comparisons to the Orange County Transportation Authority's Master Plan of Arterial Streets and drafted a Request for proposal to update the City's Circulation Element (8/2002 to 4/2003)
- Prepared critique of the traffic impacts identified in the Traffic Impact Analysis for the proposed Wal-Mart in the City of Gilroy for Mark R. Wolfe & Associates (2/2003 to 3/2003)
- Prepared critique of the traffic impacts identified in the Draft EIR for the Waterfront/Downtown Mixed Use Project in the City of Vallejo for Adams Broadwell Joseph & Cardozo (2/2003)
- Provided expert witness evaluation of the traffic impacts caused by simultaneous construction of various Alameda Corridor Transportation Authority projects for Sullivan, Workman, & Dee (12/2002 to 2/2003)
- Conducted 12 training sessions in Urban Street Design Fundamentals for the Engineering Department staff in the City of Torrance (4/2001 to 4/2002 and 10/2002 to 12/2002)
- Prepared critique of the traffic impacts identified in the Transportation Impact Study for the Western Research Campus in the City of Richmond in Contra Costa County for Adams Broadwell Joseph & Cardozo (11/2002)

- Evaluated Conditions of Approval for the proposed intersection of Mulholland Highway and Hazel Nut Court in Los Angeles County and provided testimony to the Board of Supervisors for Seminole Springs Mobile Home Park (11/2002)
- Reviewed the Traffic Impact Analysis prepared for the Pacific City Project for the City of Huntington Beach (9/2002)
- Prepared critique of the traffic impacts identified in the Draft EIR for North Yorba Linda Estates in the City of Yorba Linda for Shute, Mihaly, and Weinberger (9/2002)
- Conducted the Hacienda Road Traffic Calming Study and presented the final report at locally televised meetings of the Traffic Committee and the City Council in the City of La Nabs Heights (10/2001 to 9/2002)
- Prepared critique of the traffic impacts identified in Initial Studies with Traffic Impact Analyses for three residential subdivisions in the City of Pittsburg [sic] for Adams Broadwell Joseph & Cardozo (8/2002)
- Conducted the City Wide Traffic Safety Study and presented the final report at meetings of the Traffic Committee and the City Council in the City of Rolling Hills Estates (4/2001 to 5/2002)
- Prepared critique of the traffic impacts identified in the Draft EIR, rebuttal to responses, and testimony at a public hearing regarding extensions of Corona and Valley View Avenues in the City of Norco for C. Robert Ferguson (1/2002 to 4/2002)
- Prepared critique of the traffic impacts identified in the Draft Initial Study and Environmental Assessment, rebuttal to responses, and testimony at public hearings before the Ventura County Board of Supervisors regarding intersection improvements proposed by Caltrans at State Route 118/State Route 34 in Ventura County for the Community of Somis (12/2000 to 10/2001)

RESPONSE NO. 7-115

This comment is the resume for the author of Comment Nos. 7-106 through 7-113. The commentor's credentials are noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 8

Aaron M. Cohen
Vice President
ABM Janitorial Services
1875 Century Park East, Suite 1165
Los Angeles, CA 90067

COMMENT NO. 8-1

I work in Century City and support the condominium project at 10131 Constellation Boulevard because I believe the addition of condominiums will make Century City a more vibrant and balanced neighborhood.

Thousands of professionals drive to and from Century City each day. The addition of new condominiums will provide some of these people an opportunity to live close to their offices and walk to work. That will mean fewer cars on the roads and cleaner air.

Having a residential development in the heart of Century City will bring life to the streets on evenings and weekends, making the neighborhood a safer and more interesting destination.

I urge the city to approve this project.

RESPONSE NO. 8-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 9

Dale J. Goldsmith
Armbruster & Goldsmith LLP
10940 Wilshire Boulevard, Suite 2100
Los Angeles, California 90024

COMMENT NO. 9-1

We represent Watt Commercial Properties (“Watt”), the owner of the Watt Plaza office complex located immediately adjacent to the proposed 483-unit condominium project at the above address (the “Project”). We are writing on behalf of Watt to provide our preliminary comments to the draft environmental impact report (“DEIR”) for the Project. As most of the public comment period ran over the holidays, we were unable to complete an in depth review of the DEIR, which is highly technical and several hundred pages long. Among other things, we were unable to complete a review of the DEIR by independent technical experts. We reserve the right to submit additional comments when such review is complete.

By way of background, I am a land use lawyer with over 20 years of experience in processing entitlements in the City of Los Angeles (the “City”) and nearby jurisdictions. I have personally been involved in the preparation of over 100 EIRs and mitigated negative declarations for projects in the City, including a number of projects in the Century City area. Furthermore, I worked for nearly 19 years in Century City. From 1999 to 2004, my office directly overlooked the Project site, and I passed the site on an almost daily basis in traveling to and from my office. My personal observations provide the basis for many of the comments set forth below.

RESPONSE NO. 9-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City’s decision makers prior to any approval action on the proposed Project. Under CEQA Guidelines Section 15105(a), the public review period shall not be less than 30 days, nor should it be longer than 60 days, except under unusual circumstances. The Draft EIR was circulated for a total of 65 days, between November 10, 2005 and January 13, 2006. Of these, three days (Thanksgiving, Christmas, and New Years Day) constituted legal holidays. As such, public review occurred for 62 non-holiday days, which is more than twice the minimum review period allowed under CEQA. The public review period is consistent with CEQA Guidelines Section 15105(a), which require a public review period of not be less than 30 days, or longer than 60 days, except under unusual circumstances.

COMMENT NO. 9-2

1. General Comments. As a preliminary matter, we wish to stress that Watt is not opposed to development of the Project site. However, all potential impacts on Watt Plaza and other properties in the vicinity must be fully disclosed and mitigated to the fullest extent feasible. We do not believe the DEIR does this. The DEIR should therefore be revised to address the issues set forth below and recirculated if necessary.

RESPONSE NO. 9-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures. Based on the comments received during the public review period, it is concluded that the City of Los Angeles complied with all CEQA requirements in the preparation of the Draft EIR and, therefore, has no legal obligation to recirculate the Draft EIR. Specifically, the responses to comments provided on the Draft EIR do not result in the disclosure of new significant information warranting the recirculation of the Draft EIR. Please refer to Response to Comment No. 7-3 regarding recirculation.

COMMENT NO. 9-3

2. Project Description. The Project description in the DEIR is missing key details necessary to adequately assess the environmental impacts of the Project. Among other things, the DEIR does not identify the building materials that will be used or other details of the façade which are necessary to analyze the aesthetic and light and glare impacts of the Project. It is also unclear whether a portion of the parking structure would be visible from the proposed pedestrian corridor and Watt Plaza. Moreover, representatives of the Project applicant informed Watt representatives that the Project will include a 35-foot wall immediately adjacent Watt Plaza. The DEIR does not disclose this wall. Although the DEIR includes small scale elevations, these elevations do not disclose grades relative to other adjacent properties, including Watt Plaza. This makes it impossible to gauge the true extent of view blockage.

RESPONSE NO. 9-3

The Draft EIR provides the necessary information to assess the environmental impacts of the Project. See Sections II and IV of the Draft EIR. Conceptual drawings and elevations in the Draft EIR, including Figures 4, 9 through 11, 18, and 33 through 44, represent the approximate appearance of the Project and provide information as to the size, windows, location of landscaping, and other details. As discussed in the Draft EIR, the building facades would be clad in high quality building materials, including non-reflective glass. Lower level accents may include stone, concrete, or metal (Draft EIR, Section IV.C, page 212). The Draft EIR, therefore, contains sufficient

information to provide a meaningful analysis of the light and glare and the aesthetics impacts of the Project.

The threshold standard for light and glare is whether the Project would substantially alter the character of the off-site areas surrounding the Project or if light and glare would interfere with the performance of an off-site activity (Draft EIR, Section IV.C, page 207). Off-site activities potentially impacted by reflected sunlight (glare) would be operation of motor vehicles in the direct line-of-sight from the glare source (Draft EIR, Section IV.C, page 251). As discussed in the Draft EIR, building accents may include metal or other highly polished surfaces. As the direct line-of-sight from adjacent roadways to the lower stories of the Project's buildings would be partially blocked by intervening vegetation, the reflection from these materials toward oncoming motorists would be minimal (Draft EIR, Section IV.C, page 251). With the implementation of Mitigation Measure C-10, which states: "all exterior windows and glass used on the building surfaces shall be non-reflective glass. Any metal or other reflective surface materials shall be installed below the line-of-sight to sun reflection on adjacent roadways," surface materials would not be anticipated to interfere with the performance of an off-site activity and, as such, roadway glare would be reduced to a less than significant level. The use of high-quality building materials as a design feature of the Project (Draft EIR, Section IV.C, page 212) would also assure aesthetic quality. In addition, implementation of the Mitigation Monitoring and Reporting Program (MMRP) shall assure that reflective glass and or unsightly materials would not be installed as building surface materials.

Portions of the parking structure, ranging from two feet at the southern end of the Project site to 10 feet at the northern end of the site, would be visible from the pedestrian corridor and Watt Plaza. The visible portions of the parking structure would be architecturally articulated and as shown in the Site Plan, Figure 4 of the Draft EIR, landscaping would be installed along the east wall along the pedestrian path and enhance the existing condition in this area. Such features would visually screen any exposed building wall, including any portion of the subterranean parking structure that would be day-lighted due to elevation changes along the pedestrian pathway.

The Project Description describes the heights of the proposed buildings in terms of mean height above sea level (msl) (Draft EIR, Section II, page 66). This approach to characterizing building height is the most accurate way to describe the height of the proposed building, and it easily allows for the assessment of relative heights between structures since height above ground elevation can vary among different locations. The relative height difference between the Project's buildings and any other off-site structures, including Watt Plaza towers, can certainly be assessed through a comparison of msl heights. Although the focus of the Draft EIR is on view obstruction from public and residential locations, the analysis also addresses view blockage from nearby office buildings, such as the Watt Plaza. (See Views from Neighboring Commercial Buildings, Draft EIR, Section IV.C, page 201; see also Views from Other Private View Locations, Draft EIR, Section IV.C, page 246.)

The Project's design does not include a 35-foot wall immediately adjacent to the Watt Plaza. Rather, the Project includes a perimeter wall along the Project site's eastern boundary that ranges from six feet high at the southern end to approximately ten feet at the northern end.

COMMENT NO. 9-4

Furthermore, the DEIR fails to provide details as to how the common access road along the eastern property line will function during construction of the Project and following its completion.

RESPONSE NO. 9-4

The Draft EIR provides the necessary details regarding the function of the common access road during construction and operation of the Project. See Sections II and IV.B of the Draft EIR. The Draft EIR states: "Vehicle access to the private driveway along the Project site's east boundary by off-site uses for the adjacent parking structure would also be interrupted during sidewalk construction and landscaping and the widening of Constellation Boulevard" and "Project construction would be phased to assure that vehicle access to the adjacent parking structure would be maintained throughout the Project's construction period." (Draft EIR, Section IV.B, page 166.) The maintenance of access through any roadway is a standard construction practice that would be implemented during the Project's construction process. Access to the driveway due to sidewalk closures would be minimal and would still allow vehicle access. Since the access driveway along the Project's east boundary would be widened by up to approximately 25 feet, equivalent to a two-lane public street, it would be possible to maintain one open lane to the street at all times. Following completion, the driveway would serve as mutual access, as shown in the Project's Site Plan (see Figure 4, Draft EIR, Section II, page 65) and on Figure 18, page 115 of the Draft EIR. As shown on Figure 18, the current variable width driveway would be improved to 54 feet after completion of the Project. This improvement is further detailed in Figure 9 on page 299 of the Final EIR.

Access to the entrances and exits of the adjacent existing parking structure, as shown in Figures 8 and 9 on pages 298 and 299 of this Final EIR, would be the same as under existing conditions. Figures 8 and 9 respectively illustrate the existing and proposed future circulation flows at the proposed Project site. The primary focus of these drawings is to show existing and future vehicular traffic movement to, from, and along the private driveway along the eastern edge of the site. Figure 9 also indicates vehicular paths internal to the Project site such as the valet paths, loading dock access paths, vehicle pick-up/drop-off paths, and residential self-parking paths.

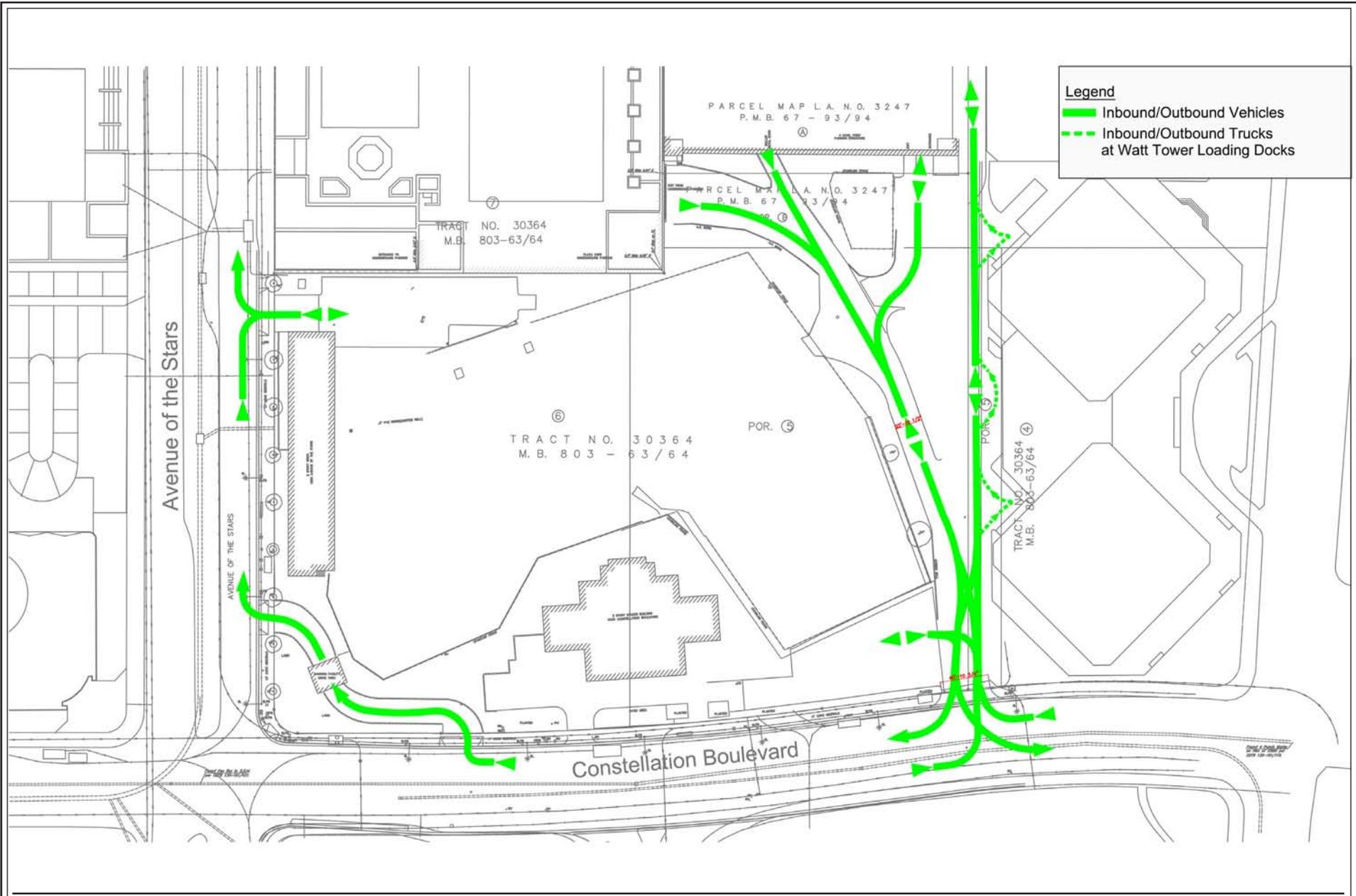


Figure 8
Existing Inbound/Outbound Circulation
at Proposed Project Site

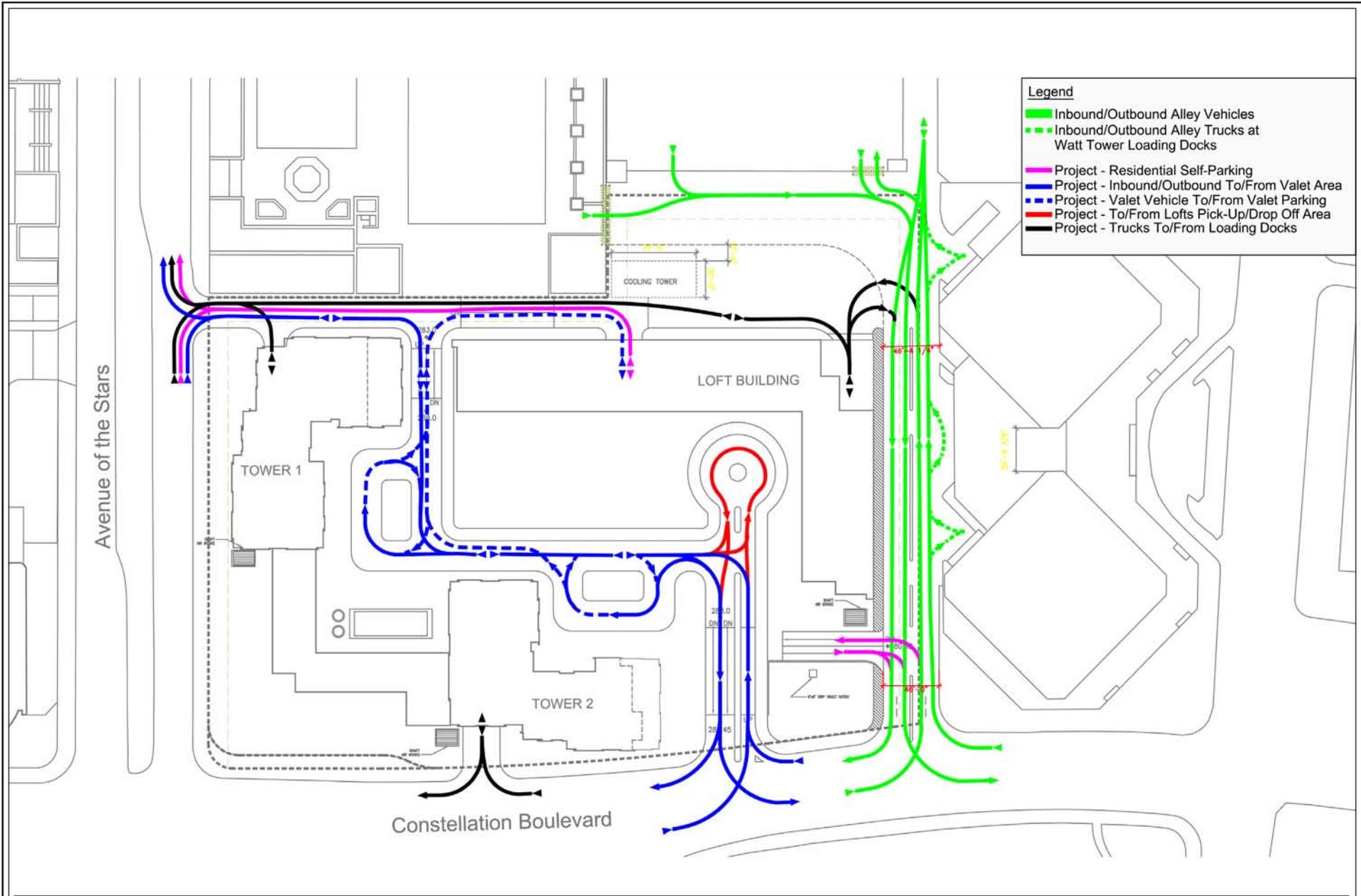


Figure 9
Future Inbound/Outbound Circulation
at Proposed Project Site

Existing Circulation.

Figure 8 shows the existing vehicular traffic movements through the Project site. The Project site includes private driveway easements and a private driveway for vehicular access to the adjacent lots to the north and east of the site. These easements and driveway are located on the easterly and northerly portions of the site. The private driveway currently provides two lanes, one in each direction, and serves a number of uses, including vehicles traveling to and from the truck tunnel exit and the parking garage serving 10100 Santa Monica Boulevard and other properties to the north, vehicles traveling to and from the Watt Tower garages to the north of the Project site, vehicles traveling to and from the Watt Tower loading dock and delivery parking area immediately east of the Project site, vehicles traveling to and from the parking lot serving the existing restaurant on the Project site, and vehicles parking on other portions of the Project site. The driveway intersects Constellation Boulevard along the eastern edge of the Project site.

The site also currently contains driveways accessing the existing bank building parking lot and the drive-through bank facility.

As can be seen in Figure 8, traffic from various sources travels through “Y” shaped merges at various locations in the private driveway adjacent to the proposed Project site. When coupled with parking along the edges of the driveway, this configuration results in an unorganized flow of traffic movement serving the adjacent land uses. The driveway throat at Constellation Boulevard is approximately 40 feet in width. Valets operating the restaurant parking lot queue automobiles along the west side of the driveway just north of Constellation Boulevard at various times of the day, limiting the capacity of the driveway. Further north within the Project site, the driveway width narrows substantially, to a variable width of typically between 20 and 30 feet.

Future Circulation.

Private Driveway Circulation. Figure 9 illustrates the future vehicular traffic movement in the private driveway along the northern and eastern edges of the Project site. With construction of the proposed Project, the driveway would be widened to approximately 46 feet, with a painted median along the driveway for the separation of northbound and southbound traffic along the driveway. The widened driveway would provide for two inbound lanes from Constellation Boulevard and two outbound lanes to Constellation Boulevard. A minimum 8-foot-wide sidewalk would be constructed along the west side of the driveway to provide separation between vehicles and pedestrians for a total improved width of 54 feet. The roadway serving the trucks exiting from the truck tunnel and the vehicular traffic in/out of the 10100 Santa Monica parking structure would be reconstructed and realigned to run in an east-west direction along the northern edge of the Project site, and would intersect the north-south traffic on the private driveway at a right angle forming a “T” intersection at the northeast corner of the Project site. This would facilitate organization and

flow of traffic for the private driveway without jeopardizing the efficiency of truck loading/unloading for the Watt Plaza towers on the east side of the north/south driveway.

Proposed Project Access and Circulation. Figure 9 also illustrates the proposed Project driveways and vehicular paths for Project valet parking, residential self-parking, truck loading dock access, and pick-up/drop-off access. Following is a brief summary to discuss those traffic movements internal to the site:

The proposed Project would have the following vehicular access points:

- The main driveway along Constellation Boulevard would lead to the central plaza and the drop-off areas at the main entrances of each of the residential structures. Valet services and a concierge would be located at each building entrance.
- A driveway located along the eastern boundary of the site approximately 100 feet east of the main driveway would provide self-park access to the Project's below-grade parking. This Project driveway would provide vehicular access to the Project site via the improved private driveway.
- A driveway located on Avenue of the Stars along the northern boundary of the Project site would provide access to the underground parking, to the central plaza and drop-off areas, and to the loading docks for Tower 1 and the 12-story building. This driveway would be accessible from northbound Avenue of the Stars with access restricted to right turns in and right turns out only.
- A driveway located along Constellation Boulevard west of the main driveway would provide access to the loading dock for Tower 2.

As can be seen in Figure 9, the valet parking paths would be internal to the site, adding no additional trips to the adjacent streets or to the private driveway for the purpose of driving vehicles in and out of the valet parking areas. The valet areas would be accessed from Constellation Boulevard via the main driveway and also from Avenue of the Stars northbound turning right into the Project driveway and turning right again to the valet areas.

Each of the truck loading docks serving the three buildings is designed to permit trucks to turn around within the Project site. Trucks would not need to back into or out of the site from any public street.

The reconstruction and widening of the existing alleys along the eastern and northern edge of the Project site would facilitate orderly flow of traffic using the private driveway. Also, the Project vehicular circulation would not adversely affect adjacent street traffic.

COMMENT NO. 9-5

In addition, no details regarding the shoring system or the foundation, including the locations of piles, have been provided. Obviously, this information is critical to assure that Watt Plaza and other surrounding buildings and facilities will not be adversely impacted. Further, the DEIR should provide a timeline for construction phasing. The DEIR needs to be revised to include all pertinent information, including the foregoing.

RESPONSE NO. 9-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides sufficient detail to assess impacts to surrounding buildings and facilities. (See Sections II, IV.D and IV.E of the Draft EIR.) The Draft EIR also includes a timeline for construction phasing. (See Section II of the Draft EIR.) Under existing building codes, no pilings or other foundation features may encroach into off-site properties. Since the Project site is separated from the Watt Plaza property by an intervening access driveway and would not adjoin the foundations of either of the Watt Towers, more than sufficient room is available to establish the Project's shoring/foundation system without adversely affecting the Watt Towers. As stated in the Draft EIR and described further in the voluntary construction management plan attached as Appendix B, construction would occur in three phases associated with each of the proposed buildings. It is anticipated that Tower 1 and the underlying parking structure would be completed in Phase I of the development. Phase II would include the construction of Tower 2, and Phase III would include the construction of the loft building. Phasing would occur in response to market conditions, although Phase I would be initiated upon Project and building plan approvals. It is anticipated that the three phases would be constructed over a 48-month time period for completion in 2010 (Draft EIR, Section II, page 77; and Section IV.D, page 287). The information in the Draft EIR, including the proposed building heights and construction phasing, adequately describes the Project. The location of pilings and foundation features would not be pertinent to any off-site locations, since no other structures abut the Project. Therefore, the inclusion of additional information regarding building elevations, pilings, and construction phasing is not required to assess the potential impacts of the Project.

COMMENT NO. 9-6

3. Land Use. The DEIR concludes that the Project is consistent with the Century City North Specific Plan ("CCNSP"), in part, because a sufficient number of Trips (as defined in the CCNSP) have been allocated to the Project site to allow development of the Project. We

understand that a lawsuit has been filed alleging that the City has improperly accounted for Trips within the CCNSP area. The DEIR should provide a thorough accounting of the Trips allocated to the Property, including adequate documentation for any transferred Trips, to demonstrate that sufficient Trips for the Project have been properly allocated.

RESPONSE NO. 9-6

Issues relating to consistency with the CCNSP are addressed in Topical Response No. 7. As concluded therein, the Project would be consistent with the Cumulative Automobile Trip Generation Potential (CATGP) requirements of the Specific Plan (see Final EIR Section IV.A, Topical Response No. 7). In addition, the Draft EIR provides a thorough and accurate accounting of CCNSP trips for the Project site. (See Section IV.A of the Draft EIR.) Records maintained by the City of Los Angeles Planning Department, Community Planning Bureau, West/Coastal Section, set forth the total number of 2,112.991 potential replacement trips based on the number of trips generated by the Century Club restaurant, the drive-through bank facility, and the bank building on Parcel 8 of the Project site. Estimated trips for existing uses were reviewed and approved by LADOT and are based on the same ITE and WLA TAMP source materials that are used to estimate future traffic generation for similar uses in the area, as required by the LADOT. Existing trips would be available to the Parcel 8 as potential replacement trips since the existing uses would be demolished. In addition, according to records maintained by the City Planning Department, as of August 1, 2005, a total of 1,541.190 trips are available to Parcel 7 of the Project Site, under Phase II of the Specific Plan. A total of 3,654.181 potential replacement and Phase II trips would be allocated to the Project site. The Draft EIR (Table 5, Section IV.A, page 132) states the number of trips available to the Project site according to City records. The referenced lawsuit has been resolved and there were no changes made to the City's trip matrix as a result that apply to the Project site. Refer to Response to Comment No. 7-8 regarding CATGP accounting.

COMMENT NO. 9-7

The DEIR includes a section analyzing compatibility with existing land use policies, and including the objectives and policies of the West Los Angeles Community Plan ("Community Plan") and the CCNSP. However, the DEIR appears to focus only on those objectives and policies with which the Project may be consistent and does not address key objectives and policies with which the Project may conflict. CEQA requires an analysis of all such inconsistencies.

RESPONSE NO. 9-7

The Draft EIR evaluates all of the applicable policies of the West Los Angeles Community Plan and the CCNSP. (See Section IV.A). No key applicable objectives and policies were omitted from the analysis. Thus, the Draft EIR complies with all CEQA requirements with regard to analyzing the Project relative to applicable land use plans. Specifically, Table 4, Project

Consistency with Applicable Policies of the West Los Angeles Community Plan (Draft EIR, Section IV.A, pages 124-127) lists and analyzes all of the applicable land use policies of the West Los Angeles Community Plan, with the exception of Urban Design policies, which are listed and analyzed in Table 15 in the Draft EIR Visual Quality (Section IV.C, pages 220-223). Policies of the West Los Angeles Community Plan relevant to residential uses that are not addressed in the Draft EIR include, for example, Policy 1-1.2, which is intended to promote residential preservation in all residential neighborhoods. Since the Project is not located in a residential neighborhood, this policy is not implicated by the proposed Project and, therefore, need not be considered in the Draft EIR. Other examples include Policy 1-2.2, which promotes the location of senior citizens within walking distance of health and community facilities. Since the Project is not specific to senior citizens, this policy is not applicable and, therefore, appropriately not addressed in the Draft EIR. Table 5, Project Consistency with Applicable Policies of the Century City North Specific Plan (Draft EIR, Section IV.A, pages 129-132) lists and analyzes all of the applicable land use policies of the Century City North Specific Plan with the exception of Visual Quality policies, which are listed and analyzed in Table 16 in the Draft EIR Visual Quality (Section IV.C, page 224). Please refer to Topical Response No. 7 regarding Project consistency with the CCNSP (see Section IV.A of this Final EIR).

COMMENT NO. 9-8

The Project site is designated as a Regional Center under the Community Plan, is zoned commercial, and is currently developed with commercial uses. It also surrounded by commercial uses. Policy 2-1.2 of the Community Plan seeks to “protect commercially planned/zoned areas from encroachment by residential only development”. While the Community Plan does identify and encourage mixed-use development in appropriate commercial areas, the Project site is not located in one of these designated areas. Therefore, the Project would appear inconsistent with Policy 1.2.

RESPONSE NO. 9-8

Multiple family housing independent of commercial uses is an encouraged land use within a Regional Center, and the development of sites and structures integrating housing with commercial uses is also encouraged within Regional Centers (see Draft EIR, Section IV.A, page 100). The Project, which is located within a Regional Center, would not be inconsistent with Community Plan Policy 2-1.2 to “protect commercially planned/zoned areas from encroachment by residential only development.”. Policy 2-1.2 is designed to protect commercially planned and zoned areas from encroachment by residential only development and is particularly targeted at existing linear lower-rise commercial uses that are not consistent with Century City. The Project is consistent with the character of Century City and would not jeopardize either the character of Century City’s commercial core or the intent of the Community Plan to preserve the commercial integrity of Century City. Furthermore, the Project would not prevent or limit the current or proposed development of surrounding commercial uses in Century City, as evidenced by the 2000 Avenue of

the Stars project, the expansion of the Westfield shopping center, and the proposed 791,000 square-foot of new office space at 10270 Constellation Boulevard. The Project would be consistent with all applicable policies of the Community Plan and, through the introduction of residences, would provide a stabilizing base, increase demand, and complement existing and planned commercial uses in Century City. Note that the last sentence of Comment No. 9-8 appears to contain a typographical error. It is assumed that the reference should be to Policy 2.1, rather than Policy 1.2, as Policy 1.2 addresses the location of higher density residential uses near commercial centers, which is what the Project accomplishes.

COMMENT NO. 9-9

Objective 2-1 of the Community Plan is to “conserve and strengthen viable commercial development and to provide additional opportunities for new commercial development and services within the existing commercial areas.” As discussed below, the proposed Project will block views from and otherwise detrimentally impact Watt Plaza. The view blockage and other impacts will make Watt Plaza less commercially viable, contrary to Objective 2-1.

RESPONSE NO. 9-9

The Draft EIR provides a comprehensive analysis of the impacts of the Project on visual resources. As described on pages 246 and 247 of the Draft EIR, development of the proposed Project would result in potential view blockage relative to the Watt Plaza towers. Although the proposed Project would create view blockage for certain occupants within the Watt Plaza towers, the proposed Project would be within the permitted parameters for development under both the existing zoning and the CCNSP. Under applicable zoning and CCNSP provisions, the Project Applicant is entitled to construct buildings of 6:1 FAR on the Project site. The Project’s FAR would be consistent with the allowed 6:1 FAR. Because the proposed Project would be consistent with existing zoning and CCNSP provisions, the proposed land use and building configuration would be consistent with anticipated development for the Project site and in keeping with the character of the surrounding area. In fact, the proposed Project would complement existing and planned commercial uses in Century City.

Although the proposed Project would result in view blockage relative to certain occupants within the Watt Plaza towers, no applicable land use regulations, including the LAMC, the West Los Angeles Community Plan, the CCNSP, or any other applicable plans, provide protection of views from commercial buildings. The Project, however, is designed to minimize, to the extent feasible, the impact on views from the Watt Plaza towers. Under the Project’s building layout, the taller towers would be set back from the Watt property and designed as two buildings with varying configurations, therefore, reducing the overall view impact from the Watt Towers property.

The Project would not interfere with the business conducted at any of the adjacent commercial sites and by increasing the residential population in an employment- and services-rich commercial area, the Project would conserve and strengthen existing commercial uses and services. Although Objective 2-1 was not deemed applicable to the Project due to Century City's Regional Center designation under the General Plan Framework, the Proposed Project would be consistent with the Plan's objective of supporting commercial uses for the reasons cited above.

COMMENT NO. 9-10

Policy 2-3.1 of the Community Plan requires that new development "be compatible with the scale of adjacent neighborhoods." At 47 stories, the proposed Project would be the tallest residential project in the City and would be far taller than, and out of scale with, adjacent development, including Watt Plaza.

RESPONSE NO. 9-10

The Project would be consistent (i.e., not out of scale) with the high-rise character of Century City and also consistent with the General Plan designation, the CCNSP, and zoning for the Project site. As stated in the Draft EIR (Section II, page 66), the finished height of the two towers would be approximately 849 feet above mean sea level. Accordingly, the Project would be comparable in elevation to the 44-story Century Plaza Towers, which are also 849 feet above mean sea level and considered to be consistent with Century City's built environment. In addition, the Project would not be out of scale with other high-rise towers in Century City, including the 39-story SunAmerica tower across Avenue of the Stars from the Project site, the 36-story MGM tower at Constellation Boulevard and Century Park West, and the 39-story Fox Plaza building at Avenue of the Stars and Olympic Boulevard.

COMMENT NO. 9-11

The first multiple residential design policy at page V-3 of the Community Plan requires the use of articulation, recesses, surface perforations and/or porticoes to break up long flat building facades. It appears from the DEIR that the eastern wall of the proposed 12-story loft building consists of the type of long, flat building façade proscribed by this design policy. This façade is visible from both Watt Plaza and the proposed pedestrian corridor.

RESPONSE NO. 9-11

The design policy referenced in the comment is discussed and analyzed in Table 15 in the Visual Resources section of the Draft EIR (see Section IV.C, page 220). The Project is consistent with this policy. The intent of the policy is understood to mean that community appearances would be improved by breaking up long, flat walls that are visible from a public street. The Project would be consistent with this policy, since it would improve community appearances by avoiding excessive variety and monotonous repetition. A variety of angles and corners and architectural

treatments would create articulation that would enhance the visual effect of the buildings as viewed from not only the public street but also from the proposed pedestrian corridor and Watt Plaza. In addition, the east wing of the 12-story building is located within a deep setback from Constellation Boulevard and comprises less than 40 percent of the area along the east boundary. The 12-story building would be an L-shaped structure that would feature a variety of architectural detailing at the ground level, roofline, and in the arrangement of the third-and-fourth floor-recreation level and observation deck on the north-south wing of the building. The recreation level and observation deck would form a high bank of windows along the east façade that would break up the pattern of windows and detailing associated with the residential units. With the architectural detailing associated with the 12-story building, the exterior facades would not have a “flat” appearance under the proposed Project.

In addition, the 12-story building would be primarily screened from street view by Tower 2, as shown in Figure 9 on page 73 of the Draft EIR, and would not have the appearance of a “long, flat” building from any adjacent street or from the east. Views of the 12-story building from the north would be largely screened by the existing off-site parking structure. As viewed from the interior of the Project site, the corner of the 12-story building’s “L” would be centered on a circular drive and valet plaza. Both wings of the 12-story building would be richly landscaped with water features, gardens and other dense plantings. Also, as shown in the Site Plan, Figure 4 on page 65 of the Draft EIR, the Project would provide landscaping along the eastern and northern portions of the site.

COMMENT NO. 9-12

Community Plan Policy 2-2.5 requires that first floor street frontages and structures incorporate commercial uses. The Project includes no such uses.

RESPONSE NO. 9-12

The intent of Objective 2-2, upon which Community Plan Policy 2-2.5 is based, is to promote pedestrian-oriented areas in commercial districts. Community Plan Policy 2-2.5, which requires the incorporation of commercial uses on the first floor of mixed-use development would not be applicable to the Project site since the Project is not a mixed-use development and would not include any commercial uses. Furthermore, the Project would be consistent with the Regional Center designation which encourages multiple-family housing independent of commercial uses and, with the provision of landscaped plazas accessible to the public and the proposed extensive streetscape, the Project would be consistent with the Community Plan objective to create a distinctive environment and to increase pedestrian activity. Therefore, the Project need not incorporate commercial uses on its first floor frontages. Also, with the development of residential uses within a commercial area, the Project would be consistent with Community Plan objectives, including 2-2, to create a mixed-use environment.

COMMENT NO. 9-13

Objective 2-2 of the Community Plan seeks to promote distinctive commercial districts and pedestrian-oriented areas. Century City is a pedestrian-oriented area, as evidenced by the CCNSP's establishment of "Pedestrian Corridors" throughout the plan area. Policy 2-2.3 of the Community Plan requires that development in pedestrian-oriented districts be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses. The Project does not provide sufficient setbacks from adjacent commercial uses, will block views from Watt Plaza, will be out of scale with adjoining commercial development, and will cause other impacts as outlined in this letter. Therefore, the Project as proposed would not be compatible with existing uses as required under Policy 2-2.3.

RESPONSE NO. 9-13

The Draft EIR provides a comprehensive analysis of land use and visual compatibility, and it concludes that the Project would provide high quality development in a pedestrian-oriented district that would be compatible in character and quality with surrounding high-rise buildings (see Section IV.A of the Draft EIR). As discussed in the Draft EIR, the Project is designed with a variety of orientations and setbacks between each other and from off-site structures so as to maintain the existing distinctive pattern of tall buildings within broad, landscaped setbacks in Century City's commercial core. Building envelopes would be articulated to achieve distinctive character and compatibility with existing uses. (See Table 4, Section IV.A, page 126). For instance, the proposed towers would be located on the south and west sides of the Project site, away from the common boundary with the Watt Plaza property. In addition, Tower 2, the tower that would be nearer to the Watt Plaza property, is configured so that its narrower side is facing the east and the adjacent Watt Plaza (see Figure 4, Draft EIR, Section II, page 65).

The appearance and pedestrian quality of the area would also be enhanced with upgraded landscaping along the public street and sidewalk, including shade trees, flower gardens, water features, landscaping lighting features, broad landscaped setbacks, and streetscape amenities including seating areas for pedestrians. (Draft EIR, Section IV.A, page 126-127; and Draft EIR, Section II, page 72-77). Landscaped plazas accessible to the public would be located at the corner of Avenue of the Stars and Constellation Boulevard and at the southeast corner of the Project site, near the Constellation Boulevard mid-block pedestrian crossing. Both plaza areas would provide seating areas and gardens. (Draft EIR, Section IV.A, page 126-127; and Draft EIR, Section II, page 72-77). The larger plaza at Avenue of the Stars and Constellation Boulevard would provide a wall waterfall, with extensive gardens extending along Avenue of the Stars. Pedestrian amenities would include high-branched canopy trees that would create a natural arbor over the sidewalks. A series of stepped gardens along both streets would soften building walls and provide visual interest through vegetative color, texture, and seasonal variety. (Draft EIR, Section IV.A, page 126-127; and Draft EIR, Section II, page 72-77). The provision of public spaces within the Project site would continue an existing pattern within Century City of landscaped gathering places at the corners of major

boulevards and street crossings. (Draft EIR, Section IV.A, page 126. With the setback from existing commercial uses to the east created by the placement of the lower, 12-story building and the improved 54-foot-wide access driveway (widened by up to 25 feet) on the Project site's east edge; the setback from existing commercial uses to the north created by the access driveway along the Project's north edge; and the setbacks created by broad boulevards on the Project site's south and west edges, the Project would provide adequate setbacks from existing adjacent commercial buildings. (Draft EIR, Section IV.A, page 126-127).

The Project would be consistent with Policy 2.2.3, which requires that development in pedestrian oriented areas achieve a high level of quality, distinctive character, and compatibility with existing uses (see Table 4, Draft EIR, Section IV.A, page 126 of the Draft EIR). As shown in Draft EIR Figure 4 (Site Plan), page 65, the Project is designed with a variation in building heights, angles, and broad setbacks from each other that would create visual interest and aesthetic compatibility among the various structures, while allowing a certain amount of visual open space through the Project site. The variety of building angles and setbacks would facilitate views across the Project site from a variety of directions and would, thereby, reduce view impacts. (Refer to Figure 18 on page 115 of the Draft EIR and Figures 8 and 9 on pages 298 and 299, which include the increased width of the private driveway under the proposed Project.)

Refer to Response to Comment Nos. 9-3 and 9-9.

COMMENT NO. 9-14

The CCNSP requires a Pedestrian Corridor along the Project's eastern boundary. The Project proposes a very uninviting Corridor located between a busy access roadway and a large, unattractive 12-story building façade and, according to the applicant's representatives, a 35-foot wall. This configuration would not appear to be consistent with the Community Plan's and CCNSP's policies to promote pedestrian connections.

RESPONSE NO. 9-14

Issues relating to the pedestrian walkway are addressed in Topical Response No. 6. As concluded therein, the pedestrian walkway would be consistent with pedestrian features located throughout Century City and would incorporate landscaping to create a pleasant environment and to encourage use of the walkway. The wall surface along the western side of the walkway would be highly articulated with either a pattern in the concrete structure or a surface applied material (see Final EIR Section IV.A, Topical Response No. 6). The Project would meet the requirements and standards of the CCNSP since it would provide a public-access walkway along the eastern edge of the Project site, and would therefore promote pedestrian connections. (See Figure 4, Section II, page 65; Section II, page 76). The Project would also increase the existing variable width easement along the easterly boundary with a 25-foot-wide access driveway. See Figure 18 on page 115 of the

Draft EIR and Figure 8 and Figure 9 on pages 298 and 299 of this Final EIR. According to the CCNSP, the purpose of pedestrian walkways is to create a continuous public access corridor (CCNSP, page 19). The CCNSP plan map shows the continuous corridor as a functional feature that would encourage pedestrian movement that otherwise might not occur because of the distance between Century City's avenues and boulevards. The intent of the CCNSP is to provide mid-block pedestrian walkways to improve pedestrian access through Century City's very large blocks. Within this context, pedestrian activity (walking short distances throughout Century City, rather than driving) would reduce impacts on street capacity, and the provision of adequate street capacity is a primary function of the CCNSP (CCNSP, page 1). The CCNSP does not describe the pedestrian corridor or walkways as recreational open space or as aesthetic features. As shown in the CCNSP, the walkway to be provided by the Project would tie in with the existing and proposed network of pedestrian walkways within the Century City commercial center. Although all of the walkways required by the CCNSP are not in place, the Project would provide a pedestrian walkway in the mid-block area between Watt Plaza and the Project site, as designated by the CCNSP.

The comment that the walkway is located between a driveway and the 12-story building is exaggerated. If the total 12-story building east frontage (as shown in Figure 4, Draft EIR, Section II, page 65) were compared to the east boundary of the Project site, the 12-story building façade would comprise approximately 37 percent of the total frontage along the walkway. Therefore, for approximately 63 percent of the distance, the pedestrian walkway would not pass along the wall of the 12-story building. In addition, landscaping would be provided between the walkway and the 12-story building facade. Furthermore, the east façade of the 12-story building would be highly articulated and would have windows or openings so as not to appear like a "back wall" of a building. The corridors would have fenestration and where double height loft units exist, the upper floors of those units would have windows facing to the east or north. With these amenities, the east wall of the 12-story building would constitute an attractive 12-story building façade. The pedestrian walkway would be similar in character to other pedestrian walkways in Century City, which pass among existing high-rise development. The presence of the existing driveway, which would be separated by a curb from the path, would not encroach upon or impede pedestrian access. Since the Project would meet the requirements of the CCNSP, no further discussion of the Project's compliance with the CCNSP is required.

The Project's design does not include a 35-foot wall immediately adjacent to the Watt Plaza. Refer to Response to Comment No. 9-3, above.

COMMENT NO. 9-15

The DEIR should address any inconsistencies with City Zoning Code requirements. Section 12.11.C.3 of the Los Angeles Municipal Code ("LAMC") requires the Project to provide a minimum 20-foot rear yard setback. LAMC Section 12.03 defines a yard as "an open space other than a court, on a lot, unoccupied and obstructed from the ground upward, except as otherwise

provided in this article.” (Emphasis added). The Project’s required side and rear yards appear to be occupied by access drives and/or pedestrian pathways. Therefore, the Project does not appear to meet the LAMC’s yard requirements.

RESPONSE NO. 9-15

As discussed in the Draft EIR, Table 6 (Section IV.A, pages 133-134), the Project would comply with the front, side, and rear yard setbacks required under Section 12.11.C.3 of the LAMC. No variances from front, side, or rear yard setbacks are requested by the Applicant or required for the Project. As such, the Project would provide 16-foot side yard setbacks and a 20-foot rear yard setback. As stated in the Draft EIR, LAMC Section 12.11.C.3 “requires a rear yard of not less than 15 feet in depth. For a building more than three stories in height, one foot shall be added to the depth of the rear yard for each additional story above the third story, but such rear yard shall not exceed 20 feet.” Under the LAMC, the term “unoccupied” applies to the prohibition of any occupied structures within a required setback, such as garages, carports, and porches. Section 12.03 of the LAMC would allow driveways and pathways in the front-, back-, and side-yard setbacks. The Project would be consistent with the LAMC since driveways and pathways are not prohibited under the LAMC and no occupied structures such as porches, overhangs, or carports would be located within any of the Project’s setbacks.

COMMENT NO. 9-16

The DEIR states that the rear yard setback would be calculated as useable open space in accordance with LAMC Section 12.21.G.2. As the setback would consist of roadway and Pedestrian Corridor, it cannot be counted as usable open space. If the area of this setback is necessary to achieve the required open space, the Project will not provide sufficient open space per the Zoning Code.

RESPONSE NO. 9-16

As stated in the Draft EIR, the Project would be consistent with the zoning regulations of the LAMC (Draft EIR, Section IV.A, pages 128 and 133-134). The comment is incorrect that the Project’s rear yard setback would consist of a roadway and the proposed pedestrian corridor. The Project’s rear yard setback would not include access aisles or driveways (i.e., roadway or pedestrian corridor). Section 12.21.G2 of the LAMC allows rear yard setbacks (not containing driveways or access aisles); in the calculation of usable open space. Thus, the Draft EIR correctly states that the 20-foot rear yard setback would be calculated as usable open space in accordance with Section 12.21.G2 of the LAMC Project. As set forth in Table 43 on page 411 of the Draft EIR, the Project is required, per the provisions of Section 12.21 of the LAMC, to provide 1.69 acres of usable open space. The Project’s design includes a minimum of 1.7 acres of usable open space. Therefore, the Project would be consistent with the requirements of the LAMC and no further discussion is required.

COMMENT NO. 9-17

4. **Traffic.** The traffic study provides a large number of trip credits for the existing restaurant and bank on the Project site, including trip credits during the a.m. peak hour. However, the existing restaurant does not serve breakfast, and the bank is not open until 8:30 a.m. Furthermore, based on many years of personal observation, both the bank and the restaurant cater primarily to walk up clientele. Therefore, the trip credits used in the traffic analysis would appear excessive, and the Project's net traffic generation is substantially understated. The traffic study should be revised based on actual traffic counts from the existing uses.

RESPONSE NO. 9-17

Issues relating to traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology incorporated in the Draft EIR traffic study accurately evaluated the Project's traffic impacts in accordance with ITE and LADOT guidelines and were conducted in consultation with the LADOT (see Final EIR Section IV.A, Topical Response No. 1). Issues relating to Trip Generation are addressed in Topical Response No. 2. As described therein, the Draft EIR provides an adequate analysis of existing traffic and projected traffic volumes according to ITE and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 2). Therefore, revision of the traffic study is not warranted. Refer to Topical Response No. 4.

COMMENT NO. 9-18

The City has recently completed traffic analyses for several other high rise luxury condominium projects in the vicinity, including the St. Regis project, the Wilshire Comstock project, and the Century Wilshire project. The DEIR used lower trip generation rates for the Project than the City used for these other condominium projects. The Project is likely to generate on a per unit basis at least as much traffic as these other projects. The average size of the condominium units in the Project is approximately 2,675 net square feet. Such large units are more likely to be occupied by multiple drivers. Furthermore, it is likely that the affluent owners of the units will employ maids, nannies and other help who will generate additional vehicle trips. It is also apparent that the Project will employ numerous individuals for concierge service, valet parking, landscaping, cleaning, and maintenance. There is no basis, therefore, for using trip generation rates that are lower than those used by the City for the other nearby condominium projects. The traffic analysis should be revised to include the higher trip rates.

RESPONSE NO. 9-18

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates used in the Draft EIR traffic study accurately depict projected traffic volumes in accordance with ITE and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 2). The trip generation rates for the Project were validated by

empirical count data at the other existing condominium projects. Therefore, revision of the traffic analysis is not warranted.

COMMENT NO. 9-19

The recently released draft EIR for the St. Regis project, a smaller condominium project just down the street, includes a considerably more extensive cumulative project list. The DEIR provides no basis for omitting several reasonably foreseeable related projects included in the St. Regis draft EIR. Therefore, the DEIR would appear to understate cumulative traffic and other impacts. The DEIR should be revised to include all reasonably foreseeable projects, including those set forth in the St. Regis draft EIR.

RESPONSE NO. 9-19

Issues relating to cumulative impacts are addressed in Topical Response No. 10. As concluded therein, the expanded list of related projects would not increase the significance of the cumulative impacts evaluated in the Draft EIR (see Final EIR Section IV.A, Topical Response No. 10). The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominiums (St. Regis Project). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list in the 2055 Avenue of the Stars Condominiums Draft EIR that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included in the Project's Draft EIR have been updated to account for the additional related projects in the 2055 Avenue of the Stars Draft EIR (see Topical Response No. 10 in Section IV.A of this Final EIR). While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts or in a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 9-20

The DEIR's traffic analysis relies on traffic counts from March 2001, which were taken in connection with the 2000 Avenue of the Stars EIR. These counts were purportedly adjusted upward to take into account cumulative growth since 2001. However, at some intersections, volume to capacity ratios are better under "existing" conditions as of February 2005 than they were in March 2001, notwithstanding the cumulative growth. In addition, the existing February 2005 conditions in the DEIR and [sic] considerably better across the board than the projected

2005 conditions in the prior EIR, which used the same trip counts. These apparent inconsistencies need to be addressed.

RESPONSE NO. 9-20

As noted in the comment and as explained on page 153 of the Draft EIR, the Draft EIR traffic analysis used traffic counts from 2001 and 2002 prior to the commencement of construction activity on Santa Monica Boulevard and adjusted this data to represent year 2005 base year conditions by applying an ambient growth factor of 1.5 percent per year and adding growth from related project actually constructed between the count base year and the 2005 base year (also see Topical Response No. 1-Traffic Study Methodology as presented in Section IV.A of this Final EIR). The commentor correctly notes that the volume to capacity (V/C) ratios at some of the intersections are better under the estimated existing 2005 conditions than reported in the 2000 Avenue of the Stars EIR. The reason for this is that geometric changes and improvements were made at certain intersections between 2001 and now that were incorporated into the Draft EIR analysis and result in an improved V/C ratio even though the volumes were in fact adjusted upwards.

The commentor also notes that the existing 2005 conditions in the Draft EIR are better than the projected 2005 conditions in the prior (2000 Avenue of the Stars) EIR. The reason for this is that the year 2005 was the cumulative analysis year used in the prior EIR. As such, the prior EIR incorporated not just a background traffic growth factor but projected traffic from all projects included on the related projects list at that time. Not all of these projects were actually built in the intervening period, however. Those that were not built but are still active projects were included on the related projects list in the 10131 Constellation Draft EIR and thus were included in the 2010 analysis year in the Draft EIR, along with additional projects that have been proposed since that time.

COMMENT NO. 9-21

Traffic conditions in the area have changed considerably since 2001, not only due to cumulative growth, but also due to the implementation of the Motor Avenue Neighborhood Protection Plan. This plan has caused traffic traveling to and from Century City, Fox Studios and other destinations to shift from Motor Avenue to arterial roadways and other local neighborhood streets. Because the DEIR's traffic analysis is based on counts taken before the change in traffic patterns, it may not accurately reflect existing conditions.

RESPONSE NO. 9-21

As explained on page 153 of the Draft EIR, the Draft EIR traffic analysis used traffic counts from 2001 and 2002 prior to the commencement of construction activity on Santa Monica Boulevard and adjusted this data to represent year 2005 base year conditions by applying an ambient growth factor of 1.5 percent per year and adding growth from related projects actually

constructed between the count base year and the 2005 base year. This approach was used in recognition of the fact that current conditions are abnormal due to Santa Monica Parkway construction (also see Topical Response No. 1-Traffic Study Methodology as presented in Section IV.A of this Final EIR). Although implementation of the Century City Neighborhood Traffic Management Plan (NTMP) may have caused a shift in traffic volumes, the effects cannot be measured in the field due to the temporary aberrations in traffic patterns in the area related to the Santa Monica Parkway construction. It should also be noted that the NTMP has not been fully implemented and any shifts in traffic would be difficult to measure and predict for the future. In addition, the NTMP provided a number of capacity improvements to Pico, Overland, and Robertson Boulevards that were not accounted for in the analysis of Project traffic impacts in order to provide a conservative analysis.

COMMENT NO. 9-22

The DEIR does not adequately explain how the access roadway along the Project's eastern boundary will operate following completion of the Project. This driveway provides automobile and truck access to Watt Plaza, 10100 Santa Monica Boulevard, and 1900 Avenue of the Stars, including access for numerous delivery trucks, UPS, Federal Express, etc. The analysis in the DEIR is based on traffic counts taken in August 2004. It is generally recognized that traffic in August is lower because many people are on vacation. The access analysis should be revised to reflect more representative and current traffic counts. Moreover, the access analysis does not take into account the fact that the driveway is used by a number of large, slow moving delivery trucks. These trucks have a greater impact on traffic flows than automobiles. The analysis should be revised to adjust the truck counts upward to reflect passenger car equivalence (PCE).

RESPONSE NO. 9-22

As shown in Site Plan, Draft EIR Figure 4, page 65, the primary access driveway for loading and valet parking would be via the driveway along the north side of the Project site. Deliveries, such as Federal Express, the US Postal Service, UPS, and others would be via Constellation Boulevard to the valet and drop-off areas within the Project's central plaza. The access driveway along the east boundary of the Project site would be widened by up to 25 feet as shown on Figure 18 on page 115 of the Draft EIR, equivalent to a two-lane public street, and would adequately accommodate Project traffic accessing the east garage entrance, any additional truck traffic associated with the Project, and existing vehicular traffic accessing the adjacent parking structure. The total width of the improved driveway would be 54 feet wide. Refer also to Response to Comment No. 9-4 regarding this driveway and Figure 8 and Figure 9 on pages 298 and 299 of this Final EIR.

As noted in the comment, the traffic counts of the existing private alley through the Project site were conducted in August 2004. This traffic would not be affected by school-related traffic,

because the alley traffic consists mainly of parking and delivery-related traffic that is not school related.

The alley counts, which are presented in Appendix F of the Draft EIR traffic study (see Appendix C of the Draft EIR), indicate that trucks represent approximately 2% and 7% of the traffic entering or exiting the alley at Constellation Boulevard during the a.m. and p.m. peak periods, respectively. This level of truck traffic is not sufficiently heavy as to warrant revision to the access analysis conducted in the Draft EIR.

COMMENT NO. 9-23

The DEIR should analyze potential access issues, both during construction and operation, arising from the Farmer's Market being held in front of the Project site every week.

RESPONSE NO. 9-23

The Farmer's Market is under the control of the Century City Chamber of Commerce. It is anticipated that the operation would either be relocated or closed prior to commencement of Project construction. As concluded in the Draft EIR, Section IV. B (page 166), Project construction activities would not significantly impact pedestrian and vehicle access. Issues relating to construction activities are addressed in Topical Response No. 9. As concluded therein, pedestrian and vehicular access, including access to the adjacent parking structure, would be available throughout the construction phases (see Final EIR Section IV.A, Topical Response No. 9). Also, please refer to Response to Comment No. 9-4, above regarding the maintenance of access to adjoining properties during Project construction and operation. As discussed therein, the Project would add up to 25 feet to the existing variable access easement to adjoining properties, for a future 46-foot-wide driveway, as shown in Draft EIR, Figure 18 (page 115). The evaluation of site access in the Draft EIR also concludes that the impact of the Project relative to driveway access during Project operations would be less than significant (Draft EIR, Section IV.B, page 175).

COMMENT NO. 9-24

The Project will increase traffic on the existing access road by adding cars, delivery trucks, and moving vans. Usage of this road is already heavy; from time to time, traffic has had to be rerouted to avoid tie ups and reduce hazards. To further complicate matters, a new pedestrian accessway will be located adjacent to this roadway. The DEIR should analyze the potential for conflicts between cars, trucks, and pedestrians and identify mitigation measures to assure that there are no safety hazards.

RESPONSE NO. 9-24

Please refer to Topical Response No. 9 – Construction Impacts, regarding construction traffic and safety issues and Response to Comment No. 9-4, above regarding access during Project

operation. Refer to Topical Response No. 6 – Pedestrian Corridor, regarding the Pedestrian Walkway and Topical Response No. 3 – Traffic Impacts, regarding the less than significant Project impacts. These topical responses are presented in Section IV.A of this Final EIR. No additional mitigation measures are required.

COMMENT NO. 9-25

The DEIR fails to analyze the impact of construction vehicles, contending that no such analysis is necessary because the number of haul route trucks would be less than the number of trips from the currently existing uses onsite. As set forth above, the trip credits for the existing uses are substantially overstated. Also, the DEIR's estimate of 25 haul route truck trips appears low, and, as noted above, these trucks are more impactful due to their size and limited maneuvering capability. Furthermore, comparing the existing trips to future haul route trips is inappropriate as the existing trips are dispersed among a number of different streets in the vicinity, whereas the DEIR states that the haul trucks will generally use only Santa Monica Boulevard.

RESPONSE NO. 9-25

Issues relating to construction and haul route activity are addressed in Topical Response No. 9. As concluded therein, construction traffic would be less than significant (see Final EIR Section IV.A, Topical Response No. 9). Refer also to Response to Comment Nos. 7-17 and 7-24 regarding haul route trips.

COMMENT NO. 9-26

In addition to trucks hauling dirt, construction of the Project will generate a large number of trips by concrete trucks and material delivery trucks. However, the DEIR does not appear to quantify this traffic or adequately analyze its potential impacts. The DEIR should include an analysis of potential impacts from all construction vehicles, including haul route, concrete, and delivery trucks.

RESPONSE NO. 9-26

Issues relating to construction and haul route activity are addressed in Topical Response No. 9. As stated therein and in the Draft EIR, hauling would involve the transport of materials to and from the Project site during demolition and construction (see Final EIR Section IV.A, Topical Response No. 9).

COMMENT NO. 9-27

As noted above, the existing access road provides ingress and egress to a number of buildings in the area, including Watt Plaza. The DEIR states, without any supporting facts, that access will be maintained continuously during construction. The DEIR should provide details explaining how

this critical access will be maintained and how potential hazards due to construction adjacent to the roadway will be minimized.

RESPONSE NO. 9-27

Refer to Response to Comment No. 9-4 regarding the private driveway. In addition, issues relating to driveway access and safety during construction are addressed in Topical Response No. 9. As stated therein, access to the adjacent parking structure would be maintained during construction. Because the driveway would be increased by up to 25 feet, the width of a two-lane street (for a total improved width of 54 feet), it would be possible to maintain one through lane throughout the construction process (see Final EIR Section IV.A, Topical Response No. 9).

COMMENT NO. 9-28

The DEIR does not include a parking analysis. Given the large size of the units, it is more likely that they will be occupied by multiple drivers. Furthermore, the affluent occupants of the units are more likely to have more than one vehicle per driver. In addition, domestic help, visitors, and employees will also need to park onsite. Therefore, the DEIR should be revised to include a parking demand analysis to adequately assess potential parking impacts.

RESPONSE NO. 9-28

Issues relating to parking supply are addressed in Topical Response No. 5. As discussed therein, the Project would provide 2.5 parking spaces per residential unit, which would exceed the LAMC requirement of 2 spaces per dwelling unit and, in addition, would accommodate visitor parking. Also, as discussed in the topical response, valet services would be available to assist residents, guests, transport vehicles, and other visitors to dedicated spaces in the parking facility (see Final EIR Section IV.A, Topical Response No. 5). In addition, residents and employees (e.g., building staff or household employees in the individual units) would be able to self-park on-site and would have access to additional parking in the garage located at 2030 Century Park West, where employees of the Project would be offered reduced parking rates.

COMMENT NO. 9-29

The DEIR states that all construction workers and trucks will be parked and staged onsite. Apparently, the entire site will be excavated; it is unclear how these cars and trucks could be accommodated onsite. The DEIR should disclose exactly where these cars and trucks will park and stage. To the extent that the haul route trucks or concrete trucks are staged in public rights-of-way, as is typically done, the staging areas should be identified and potential impacts analyzed.

RESPONSE NO. 9-29

Construction worker parking would be available either on-site or in the parking garage located at 2030 Century park West, which is also owned by the Project's Applicant. With regard to construction vehicle staging, sufficient area is available within the Project site such that all construction staging would occur on-site. Therefore, there is no need to identify or analyze additional off-site parking or staging in the Draft EIR. As explained in the Draft EIR, it is anticipated that construction would occur in three phases associated with each of the proposed buildings. Phase I would involve the construction of the four-level subterranean parking garage and Tower 1. Although excavation of the 5.5-acre site would occur during a single construction phase, excavation would be segmented, so that an adequate staging area for construction vehicles, employees, and equipment can be provided on-site. Because excavation would be phased, staging of equipment and vehicles would occur along several peripheral areas within the site, depending on the particular area that would be disrupted. Due to the size of the Project site, on-street staging of construction equipment would not be required. Upon completion of the parking garage, the top level of the garage would serve as the staging area for the development of Tower 1 and the remaining phases of the Project.

COMMENT NO. 9-30

The DEIR shows that the arterial roadways in the vicinity of the Project are currently very congested and many intersections operate at a level of service (LOS) F during peak hours. As a result, cut through traffic through the neighborhoods is an existing problem. The DEIR should consider potential impacts on local streets from construction workers and Project occupants. In addition, the DEIR should consider potential additional cut through traffic that could occur when numerous slow moving Project construction vehicles exacerbate existing congestion.

RESPONSE NO. 9-30

Issues relating to construction activities are addressed in Topical Response No. 9. As concluded therein, construction traffic would be less than significant (see Final EIR Section IV.A, Topical Response No. 9). Since access to the Project site is available via major arterials and the construction workforce would be regionally distributed, construction workers are anticipated to use major streets. Due to the relatively small number of haul trucks in relation to total traffic, and the overall trip reduction created through the elimination of existing on-site uses, haul trucks are not expected to exacerbate existing congestion. An increase in cut-through traffic on local streets due to the avoidance of haul trucks on major arterials is not anticipated. In addition, refer to Topical Response No. 4 (see Section IV.A of this Final EIR), which provides an additional local street analysis with severely reduced trip credits for existing uses that concludes the Project would still continue to have a less than significant impact under those artificial conditions.

COMMENT NO. 9-31

The DEIR concludes that cumulative impacts due to hauling and construction traffic would be significant. However, the DEIR does not quantify the Project's hauling and construction vehicle impacts, much less cumulative impacts. The DEIR should be revised to provide a good faith, reasoned analysis of potential significant impacts. See Berkeley Keeps Jets Over the Bay Comm. v. Board of Port Commissioners, 91 Cal. App. 4th 1344, 1371 ("EIR's approach of simply labeling the effect 'significant' without accompanying analysis of the project's impact ... is inadequate to meet the environmental assessment requirements of CEQA").

RESPONSE NO. 9-31

The Draft EIR quantifies both construction worker and construction haul trips (Section IV.B, page 164) and concludes that worker and haul trips would not substantially occur during A.M. or P.M. peak hours. Since worker and haul trips would not occur during peak hours, such trips would not significantly exacerbate projected peak hour intersection service levels. The Project would not generate substantial haul trips during peak hours, however, some hauling during the peak hours could occur. The potential exists for hauling associated with the Project and the related projects to occur concurrently during peak hours, since the times of day and extent of hauling associated with the related projects cannot be accurately predicted. As such, the Draft EIR conservatively concluded that significant cumulative impacts from the Project and the related projects could occur (refer to Draft EIR, page 178).

COMMENT NO. 9-32

5. Aesthetics. As noted above, the DEIR fails to adequately disclose what the Project will actually look like. The DEIR must provide additional details in order to adequately analyze aesthetics impacts.

RESPONSE NO. 9-32

The Draft EIR provides adequate information to evaluate the environmental impacts of the Project (see Section II and Section IV.C of the Draft EIR). The Project design depicted in Figures 9 through 11 and 33 through 43 of the Draft EIR represent the approximate appearance of the Project and provide information as to the size, mass, height, some surface detailing such as windows and balconies, relationship of the three buildings to each other, open space, footprints and orientation of the proposed structures, approximate location of windows, location of landscaping, and other details (Figures 9-11, Draft EIR, Section II, page 73-75; Figures 33-43, Draft EIR, Section IV.C, pages 229-245). The Project Site Plan, Figure 4 on page 65 of the Draft EIR, also provides information as to the location of landscaped plazas and amenities. The Draft EIR provides sufficient information so that the reader can evaluate the potential visual quality impacts of the Project according to the Visual Quality/Aesthetics Methodology (Draft EIR, Section IV.C, page 206) and Visual Quality/Aesthetics Thresholds of Significance (Draft EIR, Section IV.C, page 210).

COMMENT NO. 9-33

With two 47-story towers, the Project will be one of the tallest, if not the tallest, residential projects in the entire City. The towers will be substantially taller than the adjacent buildings, including Watt Plaza. The DEIR's conclusion that the Project would be visually compatible with surrounding uses in terms of height and massing appears unsupportable.

RESPONSE NO. 9-33

The Draft EIR provides a comprehensive analysis of visual impacts of the Project. (See Section IV.C of the Draft EIR.) As described in the 86-page Visual Resources analysis (Draft EIR, Section IV.C, pages 211-217), the Project would be compatible in form, architectural style, and height with other modern high-rises in the area, including the 44-story Century Plaza Towers. The Project would be consistent with the high-rise character of Century City and contribute to the existing profile of high-rise structures. As stated in the Draft EIR (Section II, page 66; and Section IV.C, page 212), the finished height of the two towers would be approximately 849 feet above mean sea level, which would be comparable in elevation to the 44-story Century Plaza Towers, also 849 feet above mean sea level. The existing Century Plaza Towers, located directly across Constellation Boulevard from Watt Towers, are also considered to be consistent in character with Century City's built environment. Figures 33 through 44 of the Draft EIR depict the proposed Project within the context of the existing setting. As shown in the photo simulations, the Project would contribute to the variety and interest of Century City's high-rise skyline and high-rise setting. Although the Project's towers would rise taller than the existing 23-story Watt Plaza towers, the Project is consistent with the Sun America Building, the Fox Tower, the MGM Tower, and the Century Plaza Towers, which surround the Project site. The Draft EIR also discusses the broad setbacks between the Project's high-rise components, which reduce massing; the variation in building heights, which add interest and variability (Draft EIR, Section IV.C, page 212); and the location of the mid-rise 12-story building along the east edge of the Project site, which provides transition and setback between the adjacent Watt Plaza towers and the Project's tower buildings (Draft EIR, Section IV.A, page 116). The analysis in the Draft EIR fully supports the conclusion that the Project would be compatible with surrounding uses.

Refer also to Response to Comment No. 9-9.

COMMENT NO. 9-34

The DEIR is dismissive of potential view blockage impacts from Watt Plaza, because the City's CEQA Threshold Guide does not consider private view blockage to be significant. However, such view blockage impacts are very important to the issue of land use compatibility. Therefore, a detailed analysis of the potential view blockage from Watt Plaza, including line of site studies, should be included in the DEIR.

RESPONSE NO. 9-34

Issues relating to view blockage are addressed in Topical Response No. 8. As concluded therein, the Project would result in a less than significant view impact (see Final EIR Section IV.A, Topical Response No. 8). The Draft EIR provides a comprehensive analysis of visual resources and land use compatibility of the Project (see Section IV.C and IV.A of the Draft EIR). Although the Project's highest structures would be located on the west and south edges of the Project site, away from the adjacent Watt Plaza property, and separated from the Watt Plaza towers by the proposed 12-story building, partial view blockage from surrounding high-rise buildings would occur (Draft EIR, Section IV.C, pages 246-248). View blockage would also occur as a result of the 12-story building. However, view blockage is not considered a compatibility issue in the context of the Draft EIR since compatibility is defined as the compatibility of size, intensity, density, scale, and use with surrounding uses (See Methodology, Draft EIR, Section IV.A, page 112 and See Compatibility with Surrounding Uses, Draft EIR, Section IV.A, pages 113-116). The Land Use Compatibility analysis in the Draft EIR, evaluates the scale and intensity of the Project and concludes that, since the Project would be surrounded by the 28-story 1900 Avenue of the Stars building to the north, the 23-story twin tower Watt Plaza to the east, the 39-story SunAmerica office building to the west, both the 44-story Century Plaza office towers and the 15-story 2000 Avenue of the Stars development to the south, and would locate the proposed mid-rise 12-story building on the east edge of the Project site to provide a transition and setback between the adjacent 23-story Watt Plaza towers and the Project's 47-story towers, it would be consistent in character (scale and intensity) with the existing built environment (Draft EIR, Section IV.A, pages 114, 116).

Views from existing commercial high-rises are not considered valued aesthetic resources since the location of commercial high-rise buildings within a 6:1 height district in a commercial zone anticipates that view impacts between high-rise structures would occur with the buildout of the area. However, it is noted that the Project implements a number of design features, including the stepping of building heights away from its north and east edges where existing 28-story and 23-story commercial buildings are located on nearby parcels. The location of the proposed mid-rise building along the north and east edges of the Project site creates setbacks between the existing high-rise buildings and the Project's proposed high-rise buildings and, as such, exhibits sensitivity to the concerns of off-site properties regarding existing views. The Project would also provide an additional 25-foot-wide access driveway along the east boundary that would replace the existing narrower, varying width driveway easement. The proposed 25-foot-wide driveway would increase the existing 29-foot-wide setback between the Watt Plaza and the developed area within the Project site, including the site of the proposed 12-story building. The analysis in the Draft EIR fully supports the conclusion that the Project would be compatible with the surrounding built environment and no further view analysis is required.

COMMENT NO. 9-35

The DEIR concedes that the Project will block public views, but concludes that there would be no significant impacts. However, the DEIR does not consider the potential blocked views from the proposed new Pedestrian Corridor resulting from the location of the 12-story loft building, as well as the possible 35-foot wall, directly adjacent to that Corridor. The loft building's massive blank façade lacks any pedestrian scale, will block views from the Corridor, and will make the Corridor very uninviting. Moreover, the Pedestrian Corridor will be perpetually in shadow as a result of the proximity of the 12-story building. The DEIR should address the potential aesthetic impacts on the Pedestrian Corridor

RESPONSE NO. 9-35

The Draft EIR provides a comprehensive analysis of visual resources including views and aesthetics. See Section IV.C of the Draft EIR. The Draft EIR considers view impacts from all of the Project buildings, including the 12-story building. The significance threshold for the views analysis as presented in Section IV.C, Visual Resources, of the Draft EIR indicates that view impacts are significant when views of valued visual resources are substantially obstructed from a prominent public view location or from more than a small number of private residences or a major recreational facility. View impacts from the proposed pedestrian corridor would be less than significant as there are no valued view resources that would be within the viewshed of this corridor. Notwithstanding, the view impacts would be similar to those that would occur from the Avenue of the Stars and Constellation Boulevard sidewalks, in that scenic views of high-rise buildings from the pedestrian level across the Project site would be replaced by new scenic views of the proposed Project (See Views from other Public View Locations, Draft EIR, Section IV.C, pages 234, 236). Also, as previously discussed in Response No. 9-14, above, the pedestrian path would be located near the east wall of the 12-story building for approximately 37 percent of the distance between the north and south boundaries of the Project site, a distance that is not considered excessive. Furthermore, landscaping would be located between the curb and the east wall of the 12-story building. In addition, the east façade of the 12-story building would feature glass windows, railing, and other architectural detailing, including an east-facing open recreational level and observation deck on the third and fourth floors. With these amenities, the east wall of the 12-story building would improve the visual quality in the area, would provide pedestrian scale along the walkway, and would create an inviting corridor encouraging pedestrian use.

As previously stated in Response No. 9-14, above, the public-access walkway through the mid-block of Constellation Boulevard is a functional feature that would encourage pedestrian movement through Century City's very large blocks. The location and features of the pedestrian walkway are controlled by the CCNSP, which does not describe pedestrian walkways as recreational uses. The CCNSP does not provide any shade/shadow regulations to reduce shade/shadow impacts within Century City with regard to Pedestrian Walkways or Pedestrian Crossings. The Project's pedestrian walkways would also not warrant shade/shadow protection per

the City's CEQA Thresholds Guide, since they are intended as functional, rather than recreational, uses. In addition, shading of the pedestrian walkways would be inherent to their location in Century City's high-rise core, which, as shown in Draft EIR Figures 45 through 51, is already extensively shaded. Since the pedestrian walkway is not a recreational feature or residence, the evaluation of shading on the walkway would not meet the Thresholds of Significance established by either the City's CEQA Thresholds Guide or the CCNSP. No further analysis of view or shade/shadow impacts on the pedestrian walkway in the Draft EIR is required.

Refer to Response to Comment No. 9-3, above, regarding the height of the parking structure wall on the east side of the Project site.

COMMENT NO. 9-36

Page 19 of the DEIR concedes that views from adjacent public plazas and sidewalks, which are currently available over portions of the Project site, would be blocked by the Project. However, the DEIR concludes that the pedestrian scale and amenities provided by the Project, as well as the architecture of the Project, would offset any impacts that may occur due to view blockages of nearby buildings from the sidewalk. As noted previously, the 12-story loft building completely lacks pedestrian scale. Moreover, the amenities provided by the Project, such as the landscaped central plaza, are designed primarily to benefit Project residents. Moreover, it is difficult to tell whether the architecture of the Project will be a public benefit, given the lack of detail in the DEIR. In any event, it is inappropriate under CEQA to offset one type of environmental impact (i.e., view blockages) with a different type of benefit (i.e., the landscaped plaza). See Lighthouse Field Beach Rescue v. City of Santa Cruz, 131 Cal. App. 4th 1170, 1194.

RESPONSE NO. 9-36

Refer to Response to Comment Nos. 9-11 and 9-35, above, regarding the 12-story building, pedestrian corridor, and impacts on the east side of the Project site. The Draft EIR describes sidewalk views of proposed design features that would replace and enhance the existing sidewalk views. There are currently no valued view resources across the site from adjacent sidewalks and public plazas that would be blocked. Therefore, the Project is not offsetting a significant impact with a different type of benefit. The Draft EIR describes public view resources from the Avenue of the Stars and the Constellation Boulevard sidewalks as distant views of the Hollywood Hills, views of notable high-rise buildings, and views of visual amenities such as landscaped areas; for instance, the landscaped median in Avenue of the Stars (Draft EIR, Section IV.C, pages 234, 236). As set forth in the Draft EIR (Section IV.C, page 236), sidewalk views of the Hollywood Hills would continue to be available through the street corridors. The Project's pedestrian amenities include the public landscaped plaza at the corner of Avenue of the Stars and Constellation Boulevard, which contains a wall fountain, terracing, public seating and gardens, the public landscaped plaza near the northeast corner of the Project site, and other streetscape features including terraces gardens along Avenue of the Stars (See Figure 4, Draft EIR, Section II, page 65; and See Design Features, Draft

EIR, Section IV.C, pages 212-213). Various architectural types are not described since tastes may vary as to what constitutes an attractive structure. The value of the view is based on existing surrounding structures being notable for their height and mass. Since the Project would also provide notable high-rise structures, it would replace views of one high-rise building with another. The impact (views of tall buildings) would be similar. The narrow side of the 12-story loft building would be oriented toward Constellation Boulevard, and located within a deep, landscaped setback from the sidewalk. This configuration would contribute to the pedestrian scale of the building.

COMMENT NO. 9-37

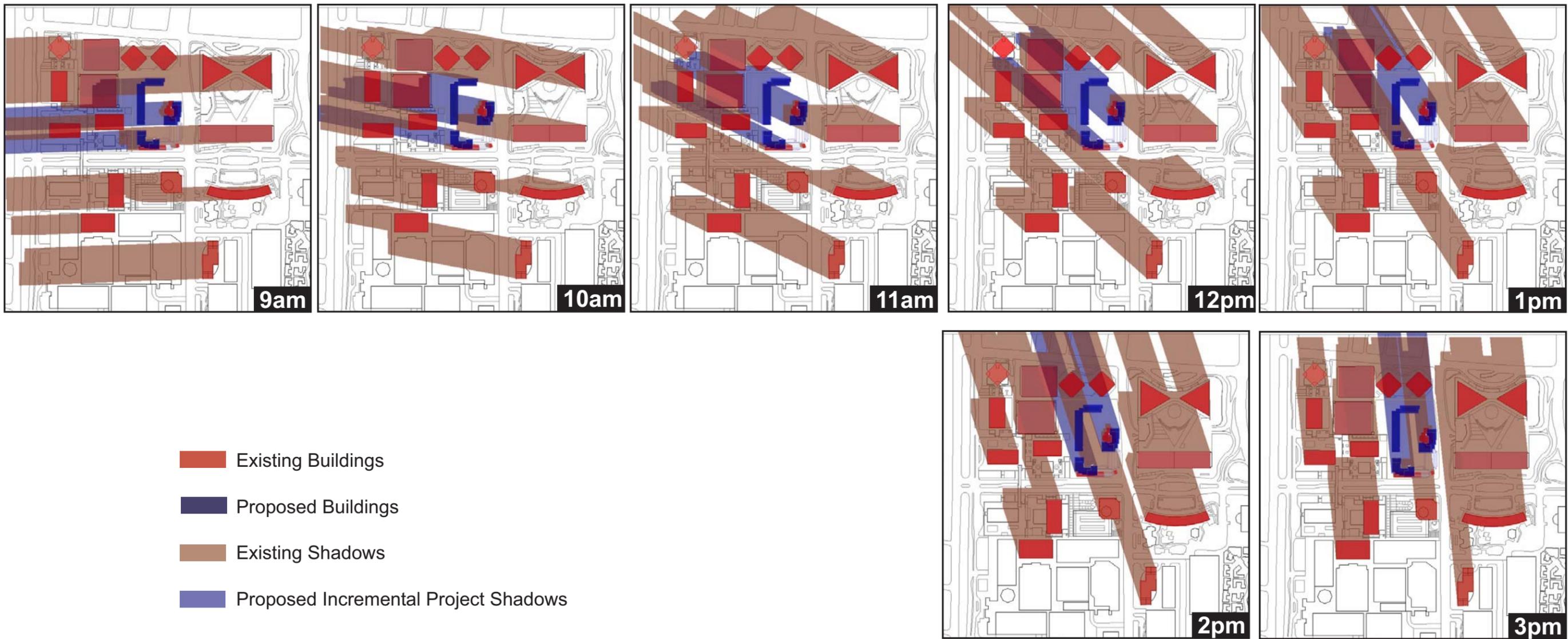
The exhibits depicting the Project's potential shade and shadow impacts under the various thresholds of significance depict multiple shadows at various times of the day in a single exhibit. As such, it is almost impossible to tell whether the thresholds are being exceeded due to the numerous overlapping shadows from various buildings during different time periods. The exhibits should be revised to depict a single time period.

RESPONSE NO. 9-37

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The shade/shadow simulations in Figures 45 through 52 of the Draft EIR clearly depict shadowing at specific hours of the day, corresponding to the times of day listed in the methodology for the shade/shadow analysis (Figures 45-52, Draft EIR, Section IV.C, page 252-261). The times of day shown in the figures are based on the intervals in which continuous shading would exceed threshold criteria. A single time period would not adequately show the potential for continuous shading according to the standards of the City CEQA Thresholds Guide and the CCNSP thresholds. The text of the shade/shadow analysis also explains what is occurring in the corresponding graphics. The revision of the shade/shadow graphics to show only a single time period would reduce the reader's understanding of the potential shade/shadow impact. Notwithstanding, the requested change in information is presented in Figure 10 through Figure 17 on pages 326 through 333 of this Final EIR.

COMMENT NO. 9-38

The CCNSP considers shade and shadow impacts to be significant if a single family home located outside of the CCNSP area is shaded for more than two hours between the hours of 8:00 a.m. and 8:00 p.m. Clearly, the CCNSP requires analysis of shadows from 8:00 a.m. until sunset. However, the DEIR's shade and shadow analysis analyzes shadows only until the late afternoon. For example, Figure 49 at page 258 arbitrarily stops the analysis at 4:00 p.m.; sunset is almost an hour later. A revised analysis which complies with the CCNSP may show that Project shade and shadow impacts are either individually or cumulatively significant in the late afternoon under the CCNSP criteria.



- Existing Buildings
- Proposed Buildings
- Existing Shadows
- Proposed Incremental Project Shadows

NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.

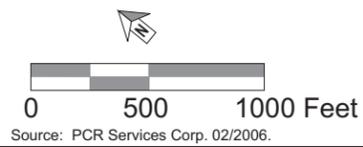
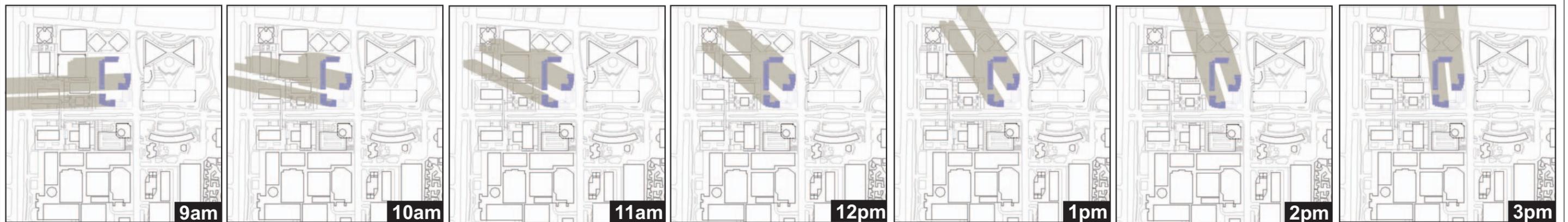


Figure 10
Existing Conditions and Proposed Project Shadows
Winter Solstice - December 21

Existing Conditions



Original Proposed Design



NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.

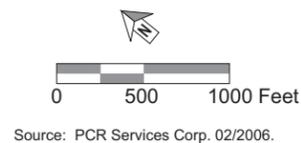
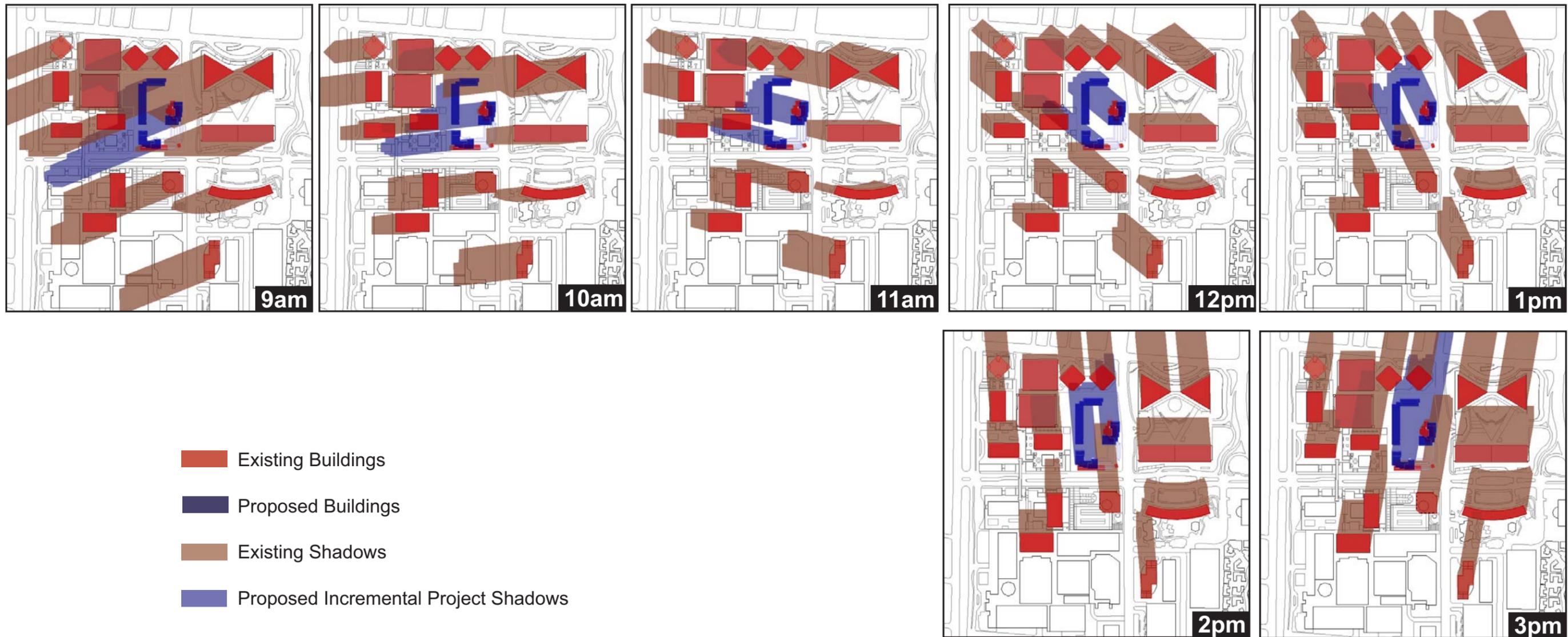


Figure 11
Winter Solstice Shadows
Comparison of Existing Conditions and Original Proposed Design



- Existing Buildings
- Proposed Buildings
- Existing Shadows
- Proposed Incremental Project Shadows

NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October.
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.
3. Shadows occurring on March 21 (i.e., spring equinox) differ from those on September 23 (i.e., fall equinox) due to the effect caused by daylight savings time (i.e., daylight savings is not in effect on the spring equinox, but is on the fall equinox) and slight differences in the angle of the sun relative to the Earth's surface.

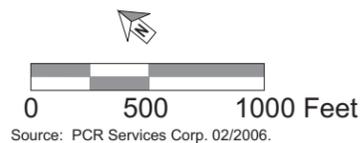
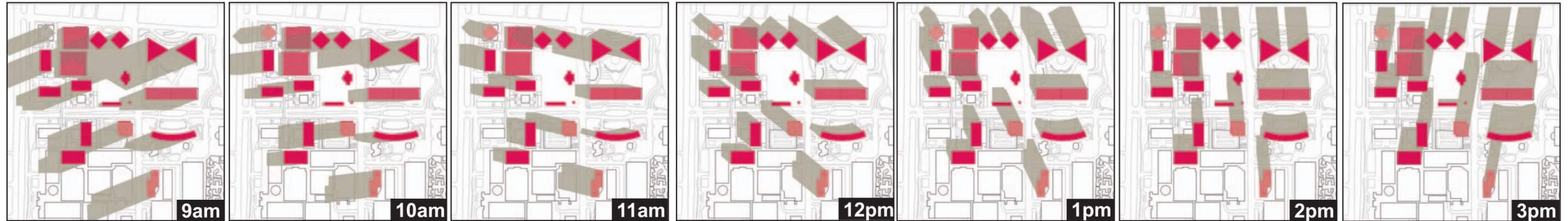
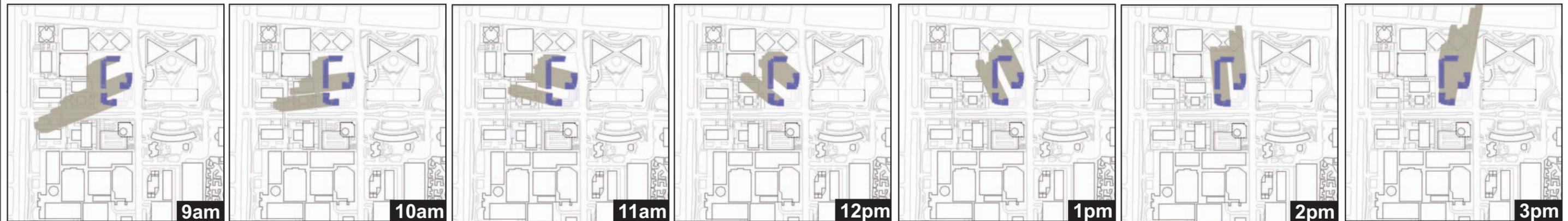


Figure 12
Existing Conditions and Proposed Project Shadows
Spring Equinox - March 21

Existing Conditions



Original Proposed Design



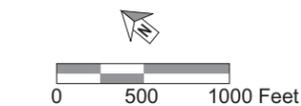
NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:

A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October.

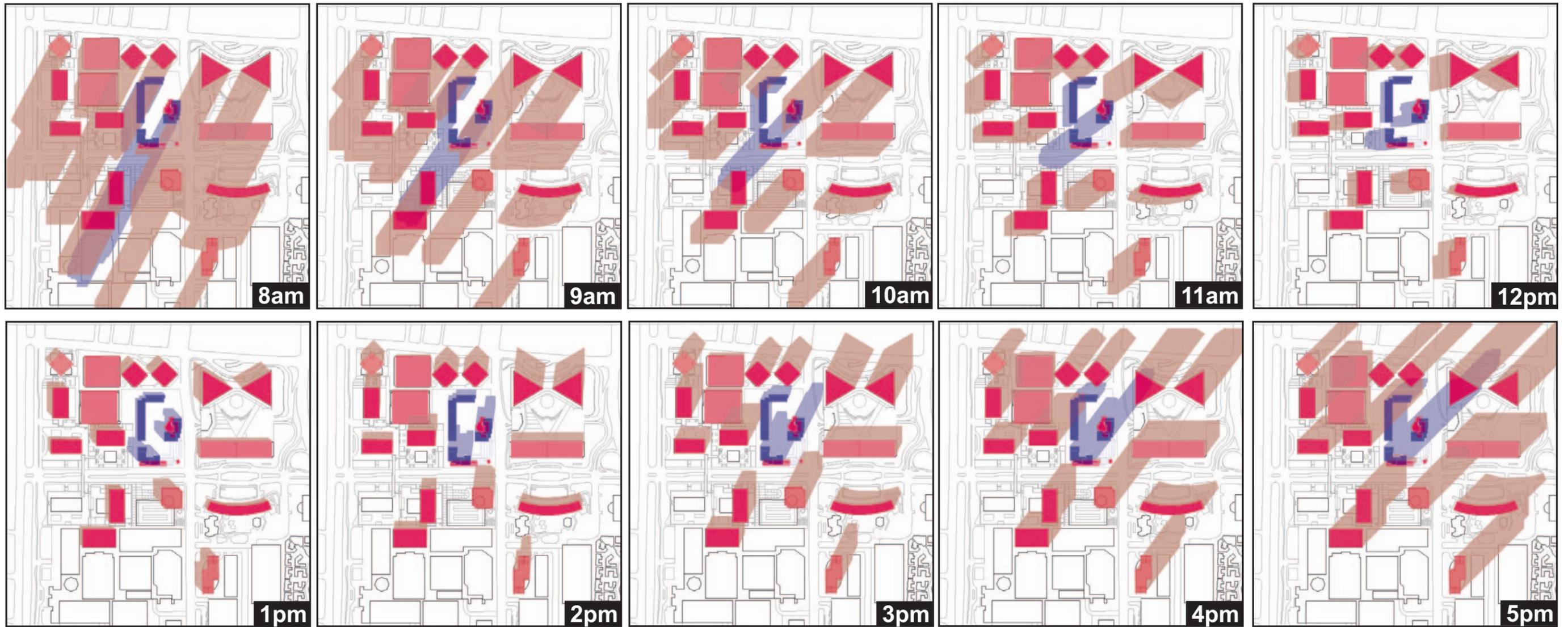
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.

3. Shadows occurring on March 21 (i.e., spring equinox) differ from those on September 23 (i.e., fall equinox) due to the effect caused by daylight savings time (i.e., daylight savings is not in effect on the spring equinox, but is on the fall equinox) and slight differences in the angle of the sun relative to the Earth's surface.



Source: PCR Services Corp. 02/2006.

Figure 13
Spring Equinox Shadows Comparison of
Existing Conditions and Original Proposed Design



- Existing Buildings
- Proposed Buildings
- Existing Shadows
- Proposed Incremental Project Shadows

NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
 A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October

2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 5 p.m. per the prescribed standard.

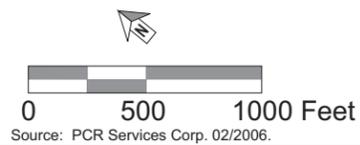
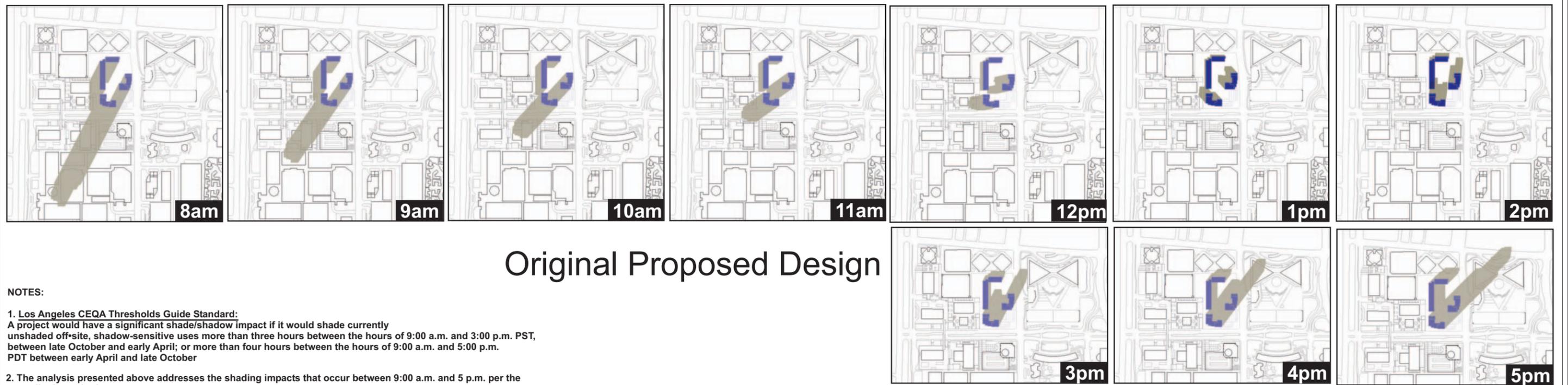
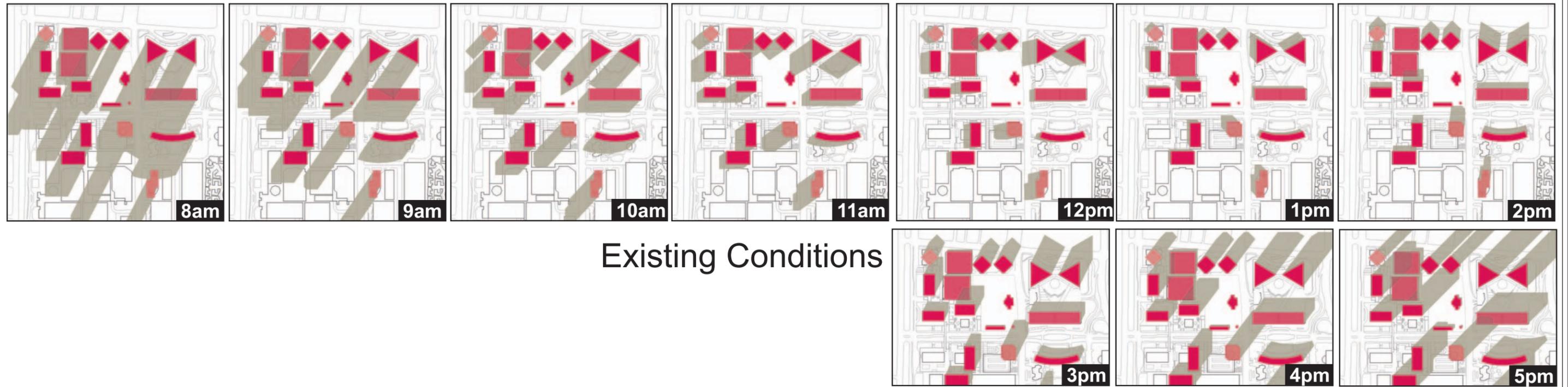


Figure 14
 Existing Conditions and Proposed Project Shadows
 Summer Solstice - June 21



NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
 A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October

2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 5 p.m. per the prescribed standard.

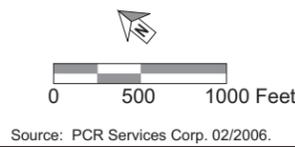
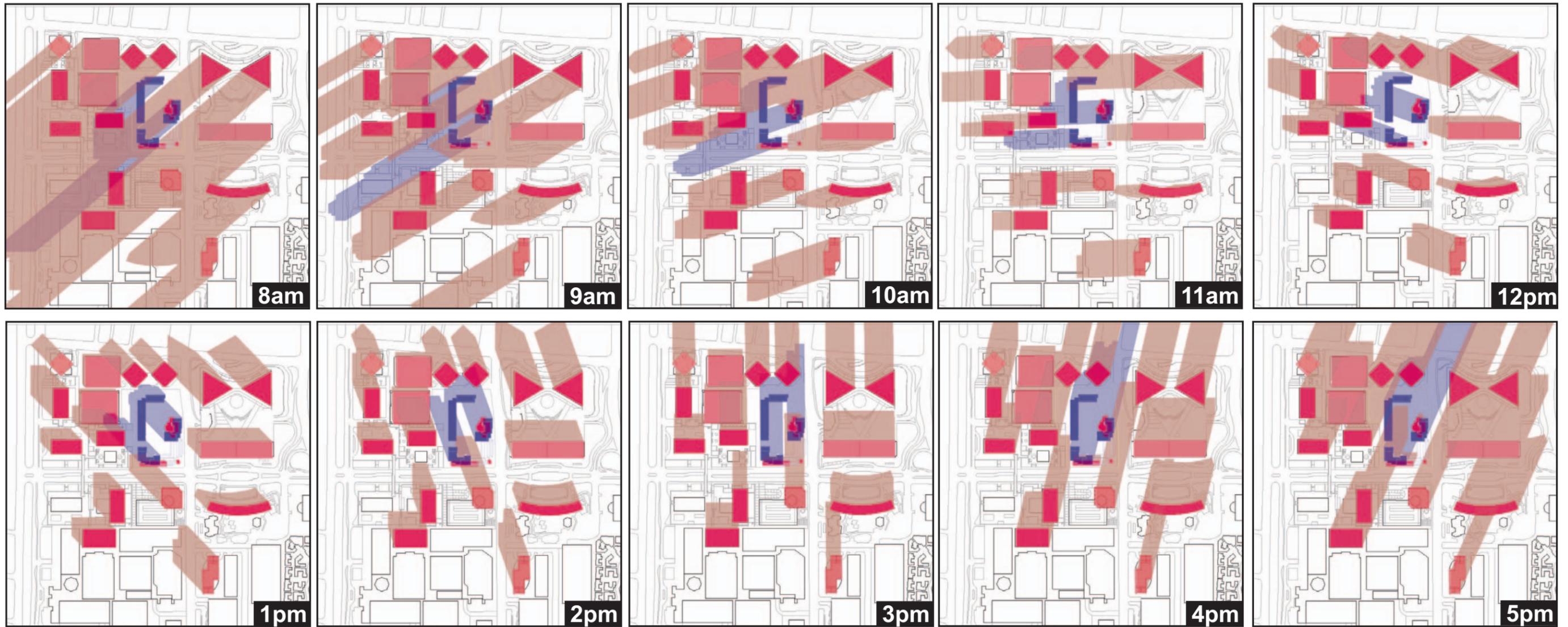


Figure 15
 Summer Solstice Shadows
 Comparison of Existing Conditions and Original Proposed Design



NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October.
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.
3. Shadows occurring on September 23 (i.e., fall equinox) differ from those on March 21 (i.e., spring equinox) due to the effect caused by daylight savings time (i.e., daylight savings is not in effect on the spring equinox, but is on the fall equinox) and slight differences in the angle of the sun relative to the Earth's surface.

- Existing Buildings
- Proposed Buildings
- Existing Shadows
- Proposed Incremental Project Shadows

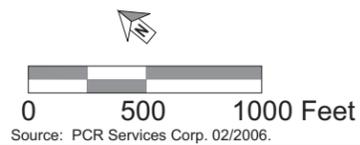
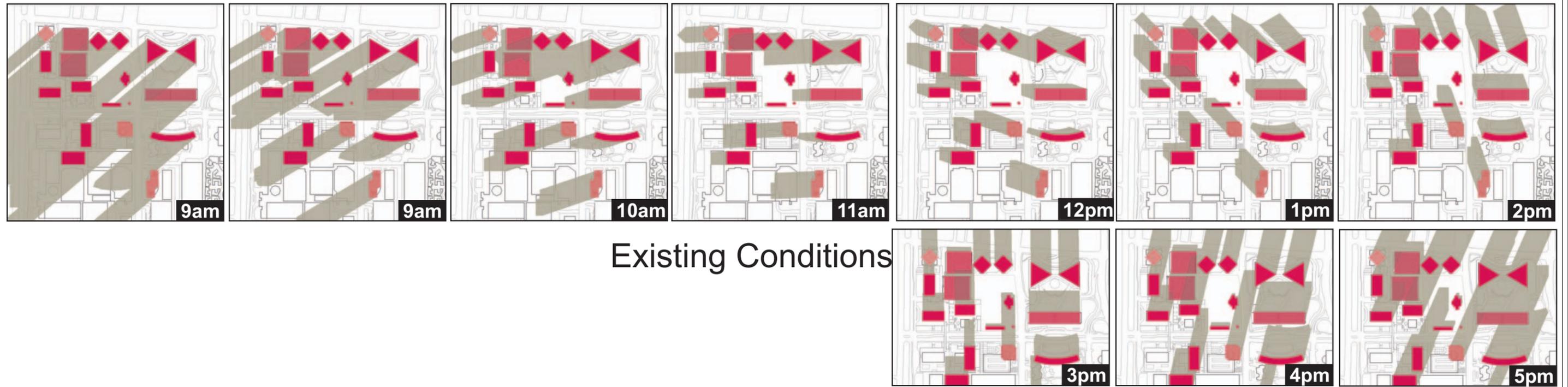
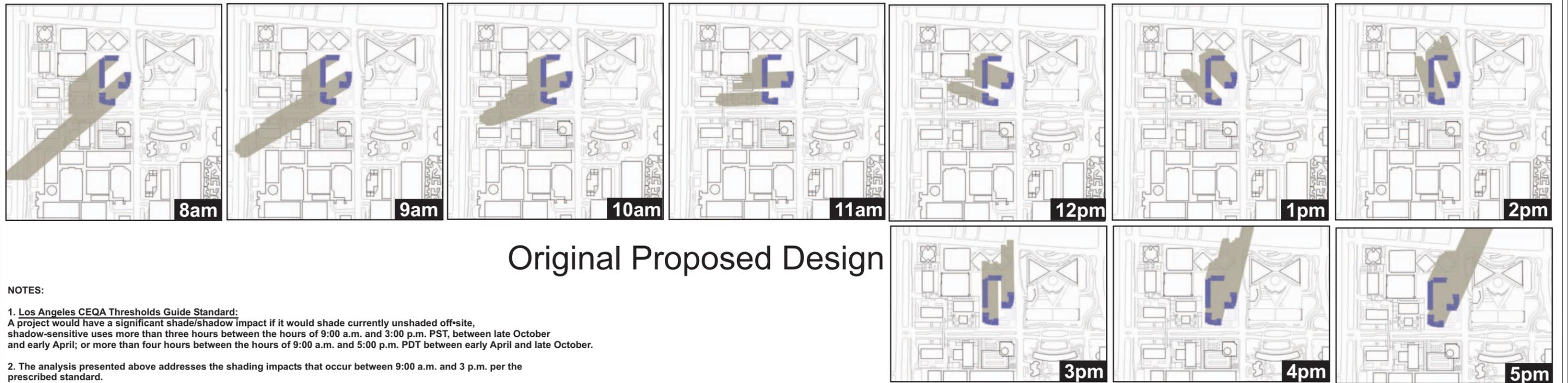


Figure 16
Existing Conditions and Proposed Project Shadows
Fall Equinox - September 23



Existing Conditions



Original Proposed Design

NOTES:

1. Los Angeles CEQA Thresholds Guide Standard:
A project would have a significant shade/shadow impact if it would shade currently unshaded off-site, shadow-sensitive uses more than three hours between the hours of 9:00 a.m. and 3:00 p.m. PST, between late October and early April; or more than four hours between the hours of 9:00 a.m. and 5:00 p.m. PDT between early April and late October.
2. The analysis presented above addresses the shading impacts that occur between 9:00 a.m. and 3 p.m. per the prescribed standard.
3. Shadows occurring on September 23 (i.e., fall equinox) differ from those on March 21 (i.e., spring equinox) due to the effect caused by daylight savings time (i.e., daylight savings is not in effect on the spring equinox, but is on the fall equinox) and slight differences in the angle of the sun relative to the Earth's surface.

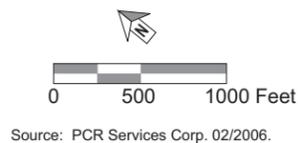


Figure 17
Fall Equinox Shadows-September 23
Comparison of Existing Conditions and Original Proposed Design

RESPONSE NO. 9-38

The comprehensive analysis of shade and shadow in the Draft EIR complies with the CCNSP. In Figure 49 of the Draft EIR, the termination of the shade/shadow graphic at 4:00 P.M. is not arbitrary. As stated in Note No. 1 on Figure 49 of the Draft EIR, “information regarding afternoon/evening time periods is provided for the last full hour prior to sunset. As such, information is not provided through the 8:00 P.M. period, as sunset would occur prior to this time period.” Terminating the shadow prior to sunset, according to the specific time of continuous shading (two hours or three hours), which varies from Summer to Winter and between the City’s CEQA Threshold Guide criteria and the CCNSP criteria, serves to simplify the graphic by eliminating unnecessary information, and is a standard practice in shade/shadow analysis. Figure 49 of the Draft EIR shows the Project’s shadows during the Winter Solstice, in which sunset occurs at 5:00 P.M. Therefore, the last full hour of shading, which occurs at 4:00 P.M., is depicted. According to the significance threshold for the CCNSP, winter shading must be continuous for more than two hours. If no single-family residences are shaded at 4:00 P.M., it would not be possible for two continuous hours of shading to occur by sundown at 5:00 P.M. No justification exists for revision of the shade/shadow analysis as presented in the Draft EIR.

COMMENT NO. 9-39

Pages 24 to 25 of the DEIR incorrectly state that none of the related projects are in the same field of view as the Project. On the contrary, the St. Regis project and the Project will be able to be viewed together from a number of vantage points. The DEIR should consider all potential cumulative aesthetic impacts

RESPONSE NO. 9-39

Issues relating to cumulative impacts are addressed in Topical Response No. 10 (see Section IV.A, Topical Response, of this Final EIR. As concluded therein, the St. Regis project, combined with the Project, would not generate a significant view or visual quality impact. The comment is correct that the summary of cumulative impacts on pages 24 and 25 misstates the visual relationship of the St. Regis project to the proposed Project. The summary of the Visual Resources analysis also misstates the cumulative impacts analysis which is correctly set forth in the Visual Resources section Draft EIR, Section IV.C (Section IV.C, page 266). According to the cumulative impacts analysis in the Draft EIR, the St. Regis project would be within the field of view for travelers along Avenue of the Stars as well as along Constellation Boulevard. Also according to the Draft EIR, the related projects in the Century City core would occur in the foreground of the views from surrounding residential uses, with the Project located in the background (Draft EIR, Section IV.C, page 266). The St. Regis project was unknown at the time the NOP for the Project’s Draft EIR was circulated and, as such, the Draft EIR is not required by CEQA to address its cumulative effects. Notwithstanding the grounds for not addressing the St. Regis project as a related project, some discussion of the St. Regis project was incorporated into the Draft EIR. Where omissions occurred,

the cumulative impacts analyses in the Project's Draft EIR have been revised to include the St. Regis project. As discussed in the revised view and visual quality analysis, the St. Regis project at 2055 Avenue of the Stars would be located within the same field of view as the Project. Although the visual quality of Avenue of the Stars would not significantly change since, as viewed from Avenue of the Stars, the St. Regis project would replace an existing high-rise building within a broad landscaped setback with another high-rise building within a broad landscaped setback, the St. Regis building height would change from 318 feet to 480 feet. The increased building height would not create new views impacts, since no valued views are currently available above the existing St. Regis Hotel. The revised discussion is also located in the Corrections and Additions section of this Final EIR (see Correction and Addition No. IV.C.a, Section III, Corrections and Additions of this Final EIR). In order to be conservative and to implement good planning practice, the Summary presented in the Final EIR has also been updated to reflect the analysis of cumulative impacts that corresponds to the text on page 266 of the Draft EIR.

COMMENT NO. 9-40

6. Air Quality. The DEIR's air quality analysis concludes that the Project will not result in any significant impacts because the net emissions of criteria pollutants would be below the SCAQMD significance thresholds, after taking into account a credit for the removal of existing uses. As set forth above, the DEIR assumes an unrealistic number of vehicle trips from the existing uses. Therefore, the air quality emissions from these existing uses are similarly overstated. As the Project's NOx emissions are just slightly under the daily significance threshold, the Project may result in a significant impact with respect to NOx emissions when actual trip counts are used to calculate daily emissions from the existing uses.

RESPONSE NO. 9-40

Issues relating to the Project's traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology was conservative and does not overstate trips from existing on-site uses. No existing trips were estimated or taken as a credit for the restaurant during the P.M. peak hour since it is closed during that peak hour (see Final EIR Section IV.A, Topical Response No. 1). As discussed in the topical response, the traffic study used the ITE trip generation rates to estimate trips from the existing restaurant on the Project site. Since existing trip credits are appropriately determined, the net change in mobile emissions evaluated in the Draft EIR (Section IV.D, pages 289-291) remains valid.

COMMENT NO. 9-41

The DEIR states that sensitive receptors with respect to air quality impacts would include land uses which would attract children. Therefore, both the Century Plaza Hotel and the future St. Regis condominium project should be considered to be sensitive receptors. (The Century Plaza Hotel is identified to be sensitive receptor elsewhere in the DEIR). The local significance

thresholds (“LST”) analysis may need to be revised to reflect the proximity of these additional sensitive receptors.

RESPONSE NO. 9-41

Land uses can be considered sensitive for different reasons. As an example, a land use could be considered sensitive with regard to biotic resources, but not for noise. The SCAQMD provides guidance in determining whether a land use should be considered sensitive to air quality impacts. Figure 4-2 of the SCAQMD Air Quality Handbook identifies specific land uses that should be considered sensitive to potential air quality impacts, specifically, long-term health care facilities (rehabilitation centers, convalescent centers, and retirement homes), residences, schools, playgrounds, childcare centers, and athletic facilities. Based on this guidance, the Century Plaza Hotel was not considered a sensitive air quality receptor. Regarding the St. Regis condominium project, the timing of Project construction is such that the proposed Project may not be under construction while the St. Regis condominiums are occupied. The proposed St. Regis project involves demolition of an existing high-rise structure and construction of a new 40-story mixed-use tower. This proposed project recently released a Draft EIR that contemplated a demolition and construction period of approximately 42 months after approval of all necessary entitlements. Regardless, as the distance between the Project site and the St. Regis site is greater than the distance between the Project site and the receptor locations analyzed in the Draft EIR, the localized impacts at the St. Regis condominium site would be no greater than those shown in Table 21 on page 288 of the Draft EIR. This results because pollutant concentrations decrease as the distance from the source increases. As such, the Project’s potential localized construction impacts would be less than significant at the St. Regis condominium site.

COMMENT NO. 9-42

The DEIR does not clearly disclose the number and types of equipment which are assumed to be operating onsite during the various construction phases. This information should be included so that we can verify its accuracy.

RESPONSE NO. 9-42

Section IV.D, Air Quality, of the Draft EIR clearly indicates that the construction emission calculation worksheets are included in Appendix D of the Draft EIR. Presented therein are the complete URBEMIS 2002 model output files, which provide the length of each construction phase, number and types of equipment (horsepower, load factor, hours of use) for each phase, grading information, mitigation measure control efficiency, etc. This information clearly demonstrates that the analysis uses conservative assumptions and thus, provides a conservative forecast of construction emissions.

COMMENT NO. 9-43

As noted above, the Project's trip generation rates are too low and the trip credits for the existing uses are too large. Therefore, the air quality analysis may understate potential operational air quality impacts from the Project. Moreover, as the DEIR's related project list omits several projects, the cumulative CO impact analysis may be inadequate.

RESPONSE NO. 9-43

Refer to Response to Comment No. 9-40, above, regarding trip credits. In addition, issues relating to cumulative impacts are addressed in Topical Response No. 10. As concluded therein, the expanded list of related projects would not change the significance of the cumulative impacts evaluated in the Draft EIR including the air quality analysis (see Final EIR Section IV.A, Topical Response No. 10).

COMMENT NO. 9-44

The DEIR concludes that the Project is located sufficiently distant from the identified related projects so as to preclude localized cumulative construction emissions. However, the St. Regis condominium project is located a short distance down Avenue of the Stars from the Project site. The concurrent construction of the St. Regis project and the Project could result in significant cumulative localized emissions. The DEIR should analyze this potential impact.

RESPONSE NO. 9-44

As discussed in Section IV. D, Air Quality, of the Draft EIR, there are 49 related projects 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, and concurrent construction projects would be entirely speculative. For this reason, the SCAQMD's methodology to assess a project's cumulative impact differs from the cumulative impacts methodology employed elsewhere in this EIR.

While the Draft EIR conservatively concludes that cumulative regional construction emissions are significant, Related Project No. 12 is not a development project, but represents the remaining allocation of vehicle trips under the CCNSP. Since the potential exists for the remaining trip allocation to be implemented, which would result in an increase in traffic, mobile air quality, mobile noise and other potential environmental impacts, the trips were evaluated in the Draft EIR as a related project.

In response to this comment, additional analysis has been conducted to determine the combined localized impacts of the Project and the St. Regis project, in the event that both sites are under construction concurrently with maximum on-site PM₁₀ emissions occurring on the same day. As the SCAQMD Localized Significance Thresholds (LST) Methodology look-up tables are for use

in evaluating project-level impacts, use of the tables was not feasible for evaluating the combined effects of the two construction sites. Therefore, consistent with the SCAQMD LST Methodology, this additional analysis used EPA's Industrial Source Classification (ISC) dispersion model to calculate pollutant concentrations. A receptor was placed near the lobby of the Century Plaza Hotel to account for the potential combined construction impacts. The results of this analysis demonstrate that the maximum combined PM₁₀ emissions would be 10.2 µg/m³. This is below the project level significance threshold of 10.4 µg/m³ and, therefore, consistent with the findings of the Draft EIR, cumulative localized impacts would be less than significant. The dispersion modeling output is provided as Appendix A to this Final EIR.

COMMENT NO. 9-45

7. Noise. The construction noise analysis is based on the assumption that Project construction equipment would generate a maximum sound level at 50 feet of 91 dBA with mufflers. However, this assumption does not reflect the fact that the Project may involve pile driving, which can generate noise levels of up to 107 dBA at a distance of 50 feet according to the Los Angeles CEQA Thresholds Guide (the "Thresholds Guide"). Furthermore, the DEIR states that most of the construction activity will be in the interior of the site and therefore at a further distance from sensitive receptors. In fact, much of the activity would be centered around the two residential towers, which are located at the site's perimeter and therefore closer to sensitive receptors.

RESPONSE NO. 9-45

As described in the Draft EIR, pile driving may be required during the foundation phase of Project construction. The comment correctly identifies that pile driving can generate noise levels of up to 107 dBA (L_{max}) at a distance of 50 feet. Table 30 on page 322 of the Draft EIR provides maximum noise levels for typical construction equipment. This table has been updated to also reference pile driving noise levels. Please refer to Correction and Addition No. IV.E.a as presented in Section III, Corrections and Additions, of this Final EIR. Regardless, the analysis of the Project's potential construction noise impacts was conducted in accordance with the procedures set forth in the City's CEQA Thresholds Guide (Thresholds Guide), which focus on composite construction phase equivalent noise levels (L_{eq}). In accordance with the City's prescribed protocol, the analysis of potential pile driving activities was integrated into the composite noise level that would occur during the Project's building foundation construction phase.

Construction noise levels are calculated based on distance attenuation between the source and the receptor. As construction equipment are not stationary sources and move about the site, the distance between the center of activity and the receptor is used to calculate distance attenuation. The Draft EIR analyzed potential impacts between the closest center point of activity to the sensitive receptors to provide a conservative estimate of construction noise levels. Thus, the Draft EIR properly identified that most of the construction activity would be in the interior of the site.

COMMENT NO. 9-46

The DEIR concludes that Project haul route trucks, which according to the Thresholds Guide can generate noise levels of up to 97 dBA at 50 feet, will not result in any significant noise impacts because the trucks would be routed away from sensitive receptors. However, it is apparent that these trucks, as well as concrete and construction delivery trucks, would pass through the intersection of Avenue of the Stars and Constellation Place immediately adjacent to the Century Plaza Hotel, which is identified as a sensitive receptor. The DEIR should address potential impacts. Moreover, as there does not appear to be sufficient room to stage haul route and concrete trucks onsite, potential impacts to other sensitive receptors adjacent to the actual staging locations should be considered.

RESPONSE NO. 9-46

The comment incorrectly cites that the Thresholds Guide provides a noise level of up 97 dBA at 50 feet for haul trucks. The Thresholds Guide provides a range of 82 to 95 dBA for construction trucks (off-road). As the haul/delivery/concrete trucks would be considered on-road trucks, they would have to meet State requirements (e.g., mufflers that comply with State standards) and would be substantially quieter than off-road trucks. Regardless, these noise levels are in terms of maximum noise levels (L_{max}) and not L_{eq} . In addition, it is anticipated that the majority of the Project's construction workers would arrive and depart the Project site during off-peak hours (i.e., arrive prior to 7:00 A.M. and depart before 4:00 P.M.) and that the majority of haul truck traffic would be distributed evenly across the workday. During the construction phase of the Project, all trips generated by existing uses would be replaced by fewer trips and would include crew vehicles and haul trucks. Therefore, construction traffic noise impacts would be less than significant. Refer to Response to Comment No. 9-41, above, regarding the Century Plaza Hotel.

Refer to Topical Response No. 9 – Construction Impacts (see Section IV.A of this Final EIR), regarding the Project's construction management and mitigation plan and construction staging. As discussed therein, additional staging areas near sensitive receptors are not required for the Project. Refer also to Response to Comment No. 9-29.

COMMENT NO. 9-47

The DEIR fails to address adequately construction noise and vibration impacts on Watt Plaza and other nearby commercial properties. These nearby uses operate during the day, when construction activity will occur, and are sensitive to construction noise. The DEIR should disclose the potential construction noise impacts on the surrounding commercial uses and identify feasible mitigation measures, such as sound blankets and additional muffling devices, to minimize such impacts.

RESPONSE NO. 9-47

Issues relating to construction management are addressed in Topical Response No. 9 – Construction Impacts. The Project would provide adequate construction management to address the potential impacts associated with construction activities (see Final EIR Section IV.A, Topical Response No. 9). The construction management and mitigation plan includes specific methods to reduce construction impacts relative to visual quality, fire safety, security, emergency access, school access, traffic, air quality, noise, hazardous materials, water quality, and solid waste impacts associated with construction activities. The City’s CEQA Thresholds Guide does not consider commercial properties as sensitive to construction. As such, an analysis of potential construction noise and vibration impacts for the Watt Plaza and other nearby commercial properties was appropriately not included in the Draft EIR. However, given the proximity of these properties to the Project site, potential impacts described for the Century Plaza Hotel in Table 32 of the Draft EIR would provide a reasonable estimate of potential impacts. In addition, the mitigation measures prescribed for construction noise would serve in a similar manner to limit construction noise for the commercial uses.

COMMENT NO. 9-48

Mitigation Measure No. E-3 requires that pile driver be equipped with certain unspecified “noise control.” The DEIR should identify the specific measure or measures to reduce pile driving noise.

RESPONSE NO. 9-48

Mitigation Measure No. E-3 has been revised to reflect specific noise controls. Please refer to Correction and Addition No. IV.E.b, Section II, Corrections and Additions, of the Final EIR.

COMMENT NO. 9-49

Page 323 of the DEIR states that the haul trucks and delivery trucks would “generally” travel to and from the Project site via Avenue of the Stars, Santa Monica Boulevard, and the San Diego Freeway. As this assumption is the basis for the DEIR’s conclusion that the Project will not result in any significant offsite construction noise impacts, a mitigation measure should be added to ensure that all trucks use this route. Otherwise, the DEIR should be revised to consider potential noise impacts from trucks using other routes.

RESPONSE NO. 9-49

A mitigation measure requiring this haul route would be inappropriate as the Project’s haul route(s) is not approved and is subject to the City’s approval process. The City of Los Angeles approves specific haul routes for the transport of materials to and from the site during demolition

and construction. Subject to approval, the general haul routes described on Page 323 of the Draft EIR would be applicable and other haul routes would not need to be considered in the Draft EIR.

Refer also to Topical Response No. 9 (see Section IV.A of this Final EIR) and Response to Comment No. 7-24 regarding haul routes and impacts analyzed in the Draft EIR.

COMMENT NO. 9-50

The DEIR concludes that pile driving would cause vibrations of approximately .644 inches per second at 25 feet. The DEIR concludes that this impact would not be significant because the vibration would be below 2.0 inches per second, which is the amount which would cause damage to adjacent structures. However, the analysis fails to consider the potential vibrational impacts on tenants and visitors in Watt Plaza and other adjacent buildings. We believe that such a high level of vibration will result in intolerable conditions in the surrounding buildings. The DEIR should be revised to analyze this potential significant impact and identify specific mitigation.

RESPONSE NO. 9-50

While pile driving can result in a vibration level of 0.644 inches per second at 25 feet, vibration levels drop off to approximately 0.124 inches per second at 75 feet, the minimum distance between on-site pile driving activities and Watt Plaza and other commercial buildings. Nevertheless, vibration levels during pile driving would likely be perceptible at nearby commercial uses. As discussed in the Draft EIR, the City of Los Angeles does not have a construction vibration threshold and the U.S. Federal Transportation Administration provides vibration levels that could result in damage to normal buildings (2.0 PPV) and fragile buildings (0.2 PPV), of which neither level would occur at the nearby commercial uses. Noise levels would be perceptible during pile driving activities, but would be temporary and limited during pile driving activities in close proximity to the property line. In addition, pile driving activities are anticipated to be limited to approximately two months over the entire construction duration.

COMMENT NO. 9-51

The DEIR assumes that the Project will be constructed in two phases. It is therefore possible that one or more of the Project buildings would be occupied when the remaining buildings are under construction. These future condominium owners would be considered to be sensitive receptors, and it is likely that they would be impacted by such future construction activities. The DEIR should address this potential impact and provide mitigation.

RESPONSE NO. 9-51

The actual phasing of the Project would be subject to market conditions at the time that construction starts. As such, the possibility exists that the entire Project may be constructed without occupancy of any building during construction of latter phases. The Draft EIR analyzes a

conservative phasing of the proposed Project. Furthermore, CEQA requires that the whole of the action be analyzed (i.e., the whole project) and that the Project be analyzed against a baseline condition in effect at the time that corresponds to the issuance of the NOP of the Project's EIR. Therefore, there is no requirement under CEQA to conduct the analysis requested in this comment.

COMMENT NO. 9-52

As noted above, the amount of traffic generated by the Project is substantially understated. Consequently, the DEIR may similarly understate Project roadway noise impacts. In addition, the roadway noise analysis includes fewer streets than the St. Regis project draft EIR. The scope of the DEIR's analysis should be expanded to be consistent with the St. Regis project draft EIR. Furthermore, because the Project's related project list omits several reasonably foreseeable projects, the DEIR's cumulative roadway noise impact analysis may be deficient.

RESPONSE NO. 9-52

Refer to Response to Comment No 9-17 regarding existing trip credits. Refer to Topical Response No. 10 – Cumulative Impacts (see Section IV.A of this Final EIR), regarding related projects. The traffic-related noise analysis provided in Section IV.E, Noise, of the Draft EIR presents noise levels along roadway segments where Project-related traffic could potentially impact sensitive receptors. While fewer streets were analyzed than in the St. Regis project Draft EIR, this Draft EIR adequately addressed potential traffic-related noise impacts. Nevertheless, additional analysis has been conducted to evaluate the additional roadway segments. As shown in Table 8 on page 343, Project-related and cumulative traffic noise levels along these additional roadway segments would not result in new identified traffic-related noise impacts.

COMMENT NO. 9-53

The DEIR concludes that the Project would result in a significant cumulative impact due to construction noise. However, the DEIR does quantify this potential impact. At a minimum, the DEIR should identify cumulative noise impacts on the Century Plaza Hotel from the likely concurrent construction of the Project and the St. Regis project.

RESPONSE NO. 9-53

As discussed in the Draft EIR, the Applicant has no control over the timing or sequencing of the identified related projects, and as such, any quantitative analysis that assumes multiple, concurrent construction projects would be entirely speculative. Construction-period noise for the proposed Project and each related project (that has not yet been built) would be localized. In addition, it is likely that each of the related projects would have to comply with the local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible. However, if the Project and the St. Regis project were both under construction concurrently and both sites resulted in noise levels

Table 8

Operational Mobile Source Noise Analysis of Additional Roadway Segments ^a

Roadway Segment	Existing CNEL	Calculated Future CNEL (dBA) at Roadway Right-of-Way			Cumulative Increment ^c
		Future No Project	Future with Project	Project Increment ^b	
Santa Monica Boulevard (North)					
Avenue of the Stars to Century Park East	N/A	72.3	72.2	-0.1	N/A
East of Century Park East	N/A	72.3	72.3	0.0	N/A
Santa Monica Boulevard (South)					
West of Century Park West	N/A	72.6	72.5	-0.1	N/A
Avenue of the Stars					
North of Olympic Boulevard (WB Ramp)	67.9	67.8	67.8	0.0	-0.1
South of Olympic Boulevard (WB Ramp)	67.6	67.8	67.8	0.0	0.2
North of Olympic Boulevard (EB Ramp)	67.4	68.2	68.3	0.1	0.9
South of Olympic Boulevard (EB Ramp)	66.8	67.9	67.9	0.0	1.1
North of Galaxy Way	67.1	68.1	68.1	0.0	1.0
South of Galaxy Way	67.1	68.1	68.1	0.0	1.0
North of Empyrean Way	67.4	67.8	67.8	0.0	0.4
South of Empyrean Way	67.4	67.7	67.7	0.0	0.3
North of West Pico Way	66.8	67.8	67.8	0.0	1.0
Century Park East					
North of Constellation Boulevard	67.4	67.7	67.7	0.0	0.3
South of Constellation Boulevard	67.0	67.4	67.4	0.0	0.4
North of Olympic Boulevard	67.2	67.6	67.6	0.0	0.4
South of Olympic Boulevard	65.7	66.3	66.2	-0.1	0.5
North of West Pico Way	65.2	65.7	65.7	0.0	0.5
Constellation Boulevard					
West of Century Park East	65.9	66.3	66.4	0.1	0.5
East of Century Park East	53.4	53.7	53.7	0.0	0.3
Olympic Boulevard					
East of Century Park West	70.1	70.6	70.6	0.0	0.5
West of Century Park East	70.3	70.6	70.6	0.0	0.3
East of Century Park East	70.4	70.9	70.9	0.0	0.5
Pico Boulevard					
West of Overland Avenue	68.2	68.4	68.4	0.0	0.2
East of Overland Avenue	69.0	69.3	69.3	0.0	0.3
West of Beverly Glen Boulevard	68.6	69.1	69.1	0.0	0.5
East of Beverly Glen Boulevard	68.6	68.8	68.8	0.0	0.2
West of Motor Avenue	68.6	68.8	68.8	0.0	0.2
East of Motor Avenue	69.4	69.7	69.7	0.0	0.3
West of Avenue of the Stars	69.6	69.8	69.8	0.0	0.2
East of Avenue of the Stars	68.7	69.2	69.2	0.0	0.5
West of Century Park East	68.7	69.2	69.2	0.0	0.5
East of Century Park East	68.8	69.4	69.4	0.0	0.6

Table 8 (Continued)**Operational Mobile Source Noise Analysis of Additional Roadway Segments**

Roadway Segment	Existing CNEL	Calculated Future CNEL (dBA) at Roadway Right-of-Way			Cumulative Increment ^c
		Future No Project	Future with Project	Project Increment ^b	
Overland Avenue					
North of West Pico Way	66.8	67.6	67.6	0.0	0.8
South of West Pico Way	69.3	69.8	69.8	0.0	0.5

^a Detailed calculations are presented in Appendix H of this Final EIR

^b Increase relative to traffic noise levels associated with ambient growth without the project compared with ambient growth plus project development.

^c Cumulative increase relative to existing traffic noise levels, resulting from ambient growth and related projects, plus project development.

Source: PCR Services Corporation, 2006.

described in the City's CEQA Thresholds Guide (i.e., 86 dBA Leq at 50 feet), then the Century Plaza Hotel would be impacted as follows: 77 dBA from the proposed Project and 61 dBA from the St. Regis project for a combined noise level of 77.1 dBA. A tenth of a decibel increase in noise levels from combined construction activities supports the conclusion that construction impacts are localized. Regardless, as this tenth of a decibel increase in noise levels would contribute to an increase in noise (although an inaudible change), cumulative construction noise were conservatively concluded significant and unavoidable in the Draft EIR.

COMMENT NO. 9-54

8. Hazardous Materials. The DEIR acknowledges that the Project site is located in a methane zone and was formerly part of an oil field operated by Chevron. We understand that Fox Studios was part of the same oil field. Oil wells on the Fox property were improperly abandoned, which caused methane leakage during construction of the studio expansion project. We further understand that the soils underlying the Fox Studios property were contaminated due to the prior oil well operations. It is reasonably foreseeable that similar problems could occur during Project construction. The DEIR should analyze the potential human health and safety impacts from methane, hydrogen sulfide, and soils contamination.

RESPONSE NO. 9-54

The Draft EIR provides a comprehensive analysis of the potential oil well and methane impacts of the Project (see Section IV.F, Hazards and Hazardous Materials, of the Draft EIR). From the 1950s to 1991, portions of the Project site were used for oil exploration and production by

the Chevron/Texaco Company. As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, Division of Oil, Gas and Geothermal Resources (DOGGR) records indicate that there are 28 oil wells on the Project site. According to DOGGR records for the Century City Drill Site (Volumes 1-3 April 22, 2002), the 28 former wells on the Project site were properly closed in accordance with current DOGGR standards.

As part of the 2004 geotechnical investigation of the Project site, a magnetometer survey was performed at the site in 2004 to confirm the locations of known well casings. No additional well casings were identified during these investigations. The geotechnical investigations are documented in the Geotechnical Report (see also Appendix F of this Final EIR). The locations of the 28 wells in the Project site are depicted in Figures 2, 6 and 7 and Plate 1 of the Geotechnical Report and on Figure 6 on page 159 of this Final EIR. As further discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, and the Geotechnical Report, soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site (see also Appendices F and G of this Final EIR). Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270 and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted.

The Draft EIR recognizes that the potential exists for contaminated soils to be encountered during Project grading activities. Mitigation Measure F-4 provides that any contaminated soil, groundwater, and/or toxic materials encountered during excavation and grading would be evaluated and excavated/disposed of, treated in-place, or otherwise managed in accordance with applicable regulatory requirements.

An Evaluation of Potential Public Health Impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologist with Geomatrix Consultants (see Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly suggest that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

As further stated in the Draft EIR, the project site is located within a City “Methane Zone.” Pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, all new buildings within a Methane Zone shall comply with the requirements of the Methane Seepage Regulations and the Methane Mitigation Standards established by the

Superintendent of Building.. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of methane gas and pressure at the site. As stated in Mitigation Measure F-2, prior to issuance of building permits, the Applicant shall comply with the applicable requirements of the City Methane Seepage requirements. With the implementation of City requirements for the management of methane gas, and the prior evaluation and remediation of soil contamination, and the absence of any significant health risks, the further evaluation of health hazards due to methane gas or other contaminants in the Draft EIR is not required.

COMMENT NO. 9-55

9. Water Quality. The DEIR states that the depth of the groundwater on the Project site was approximately 75 feet below ground surface (“bgs”) at the perimeter of the site in October 2004. As there has been considerable amount of rain since October 2004, groundwater levels have likely risen substantially. Indeed, the DEIR discloses that historical groundwater levels at the site have been between 30 and 40 feet bgs. Because the excavation of the Project site would extend 50 feet bgs, it is reasonably foreseeable that the Project would need at least temporary and perhaps permanent dewatering. The DEIR should describe the dewatering measures and disclose where any groundwater would be discharged.

RESPONSE NO. 9-55

Eleven borings were excavated to depths up to 80 feet in depth at the site in conjunction with a geotechnical investigation in October 2004. As stated in the Draft EIR (Section IV.G, Water Quality) groundwater aquifer levels were found to range from 60 to 75 feet below the ground surface. The groundwater aquifer level was found at a depth of 75 to 80 feet below ground surface as measured from street level. As anticipated in the Draft EIR (Volume I, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths above the groundwater table. These zones are associated with seasonal run-off. Given the depth to the regional groundwater aquifer, the Project is not anticipated to have an impact on the level or quality of any groundwater aquifer (see Appendix F of this Final EIR). Based upon the 2004 and 2006 water level measurements, the groundwater aquifer at the site is approximately 20 to 30 feet below the depth of the proposed structures. Accordingly, the excavation for the proposed site improvements is not anticipated to extend to the level of the groundwater aquifer. However, as discussed in the Draft EIR (Section IV.G, Water Quality) the building excavations may encounter localized zones of perched groundwater above the level of the regional groundwater aquifer. The Draft EIR identifies the potential to encounter ground water during construction (Section IV.G, page 360) and that any encountered groundwater would be tested in accordance with NPDES Permit requirements. The Draft EIR also describes BMPs and the SUSMP that would be prepared under the City’s NPDES Development Planning Program. Such measures would control the volume and assure the treatment of runoff from the site throughout the life of the Project. As described in the

Draft EIR, any treated or approved water would be discharged into the local storm drain system (Section IV.G, page 360). Therefore, further discussion of this issue in an EIR is not required.

COMMENT NO. 9-56

As the site was previously used for oil well operations, it is possible that the groundwater could be contaminated. However, it does not appear that groundwater beneath the site was tested as part of the DEIR. Such testing should be performed, and if contamination is found, the DEIR should identify appropriate mitigation measures.

RESPONSE NO. 9-56

As discussed in Response to Comment No. 9-54, above, considerable testing was performed by the prior operator (Chevron) in conjunction with its abandonment of the oil wells and closure of the site in order to confirm that actionable levels of petroleum compounds were not present at the property. No indication of groundwater contamination was identified.

COMMENT NO. 9-57

The California Court of Appeal recently set aside an EIR for the Playa Vista project because that EIR failed to address the potential secondary impacts of the dewatering system used to keep subslab methane vent piping clear. The DEIR should therefore disclose any mitigation measures pertaining to methane, including any vent piping and dewatering system, and fully analyze any potential secondary impacts.

RESPONSE NO. 9-57

As stated in the Draft EIR (Section IV.G, Water Quality), in 2004 groundwater aquifer levels in exploratory borings were found to range from 60 to 75 feet below ground surface. Temporary standpipes were installed in the exploratory borings and were monitored in August of 2004 and February 2006. The groundwater aquifer level was found at a depth of 75 to 80 feet below ground surface as measured from street level. As anticipated in the Initial Study of the Draft EIR (Volume 1, Appendix A, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths above the groundwater table. These zones are associated with seasonal run-off. As further discussed in the Draft EIR (Section IV.F, Hazards and Hazardous Materials), the Project site is located within a City “Methane Zone.” All new buildings within a Methane Zone are required to install a methane mitigation system in compliance with the City Methane Seepage Regulations. The methane mitigation system required for the buildings may encounter perched water that may need to be periodically removed. Given the localized nature of the perched zones and limited influence of the infiltration and removal of the water, it is not anticipated to impact the level or quality of groundwater (see Appendix F of this Final EIR).

COMMENT NO. 9-58

The DEIR does not include a hydrology analysis because the initial study concluded that the drainage patterns would be the same both before and after the Project. At present, the Project site is mostly permeable. Furthermore, because the center of the site is lower than the perimeter, water collects onsite, rather than running off into the street. Following completion of the Project, the site will be mostly paved and level. The DEIR should include a hydrology analysis to assure that the Project will not result in any impacts due to increased storm water runoff.

RESPONSE NO. 9-58

Two separate public storm drain systems are present in the Project area - one extends along Constellation Avenue on the southeastern edge of the property and the other extends along Avenue of the Stars on the southwestern edge of the property. Storm water run-off from the Project site would be apportioned to the appropriate storm drains. It is anticipated that most of the Project site runoff will be routed to the Avenue of the Stars storm drain. The storm drain system was designed for full buildout conditions. Development of the Project appears consistent with the original design of the storm drain system and should not cause impacts to its downstream capacity (see Appendix E of this Final EIR). With the adequacy of the existing collection system, no issues were identified by the Initial Study that would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site.

As stated in the Draft EIR (Section IV.G Water Quality), the Project will be subject to the requirements of the City's NPDES Municipal Separate Storm Sewer System (MS4), which for new development is the Standard Urban Storm Water Mitigation Plan (SUSMP), and the General Permit for Storm Water Discharges Associated with Construction Activity. As further noted in the Draft EIR, recently adopted Total Maximum Daily Loads (TMDLs) may impose additional reduction requirements for future SUSMPs. Mitigation Measures G-1 and G-2 of the Draft EIR provide that "The Project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, EPA and local agencies regarding water quality." Mitigation Measure G-2 provides that the Project would implement stormwater Best Management Practices (BMPs). This may include measures to reduce the total runoff volume from the Project site, such as through the use of the landscaped areas above the parking structure as described at page 360 of the Draft EIR. According to the Initial Study, the Project's open spaces on the interior and exterior of the site would potentially decrease the amount of run-off from the site as the vegetation and groundcover would have the capacity to absorb a substantial portion of the precipitation and run-off from adjacent impervious surfaces. Also, the open space areas would function as buffer areas that would decrease the rate of surface water flows across the site. Also, as discussed in the Initial Study, the Project would incorporate BMPs that would detain surface water run-off, as required by the City, either actively or passively, before discharging waters to the local storm drain system. Further, additional hydrological analysis of the Project site would be required by the City as part of the building permit process once the design and layout of the site is approved.

With the implementation of code-required standards and the adequacy of the existing storm drain system to receive run-off from the built site, the conclusion in the Initial Study that no further analysis of the issue of storm water run-off in the EIR is required remains valid.

COMMENT NO. 9-59

10. Fire. The DEIR discloses that the average response times in the Project vicinity are well below the Citywide average. The Project, together with the related projects, will further increase response times. Therefore, the DEIR should analyze the potential cumulative significant impact on fire services due to increased response times.

RESPONSE NO. 9-59

The Draft EIR provides a comprehensive analysis of Project impacts on fire resources. (See Section IV.H.1 of the Draft EIR.) Information regarding future response times was not provided by the Fire Department. The Draft EIR's Thresholds of Significance are based on the adequacy of the existing staff and facilities of the "first-in" station (Station No. 92) to serve the Project site and on code compliance. As such, the cumulative impacts analysis in the Draft EIR is based on the adequacy of the existing "first in" station to serve the Project and the six related projects that are located within the same service area. The projected demand is based on the projected population increase generated by the related projects within the same service area. As discussed in the Fire Services cumulative analysis in the Draft EIR (page 378), six related projects would be added to the "first in" service area. However, a mathematical error occurred in which impacts were concluded to be less than significant based on a population increase of 1,278 (980 + 298). The text intended to state that impacts would be less than significant based on a population increase of 1,670 (980 + 690). The appropriate correction is incorporated into this Final EIR, Correction and Addition No. IV.H.1.i, Section III, Corrections and Additions. The increase in demand on Fire Services would continue to be less than significant since the service capacity of Fire Station No. 92 (the "first in" station) is shown to currently experience relatively low demand, as shown in Table 37 of the Draft EIR, City Fire and Paramedics Incidents Data (Draft EIR, Section IV.H.1, page 371). Since it is not anticipated that new facilities would need to be constructed to serve this population increase, the conclusion in the Draft EIR that cumulative impacts would be less than significant (Draft EIR, Section IV.H.1, page 378) is appropriate. The low demand on the "first-in" station is based on a comparison of staffing and facilities (shown in Table 36, Draft EIR, Section IV.H.1, page 369) and total incidents (shown in Table 57, Draft EIR, Section IV.H.1, page 369) with other stations in the area.

COMMENT NO. 9-60

11. Police. The DEIR discloses that the police to resident ratio in the Project vicinity is lower than the Citywide average. The Project and the related projects will further lower the ratio and

increase demands on police services. The DEIR should consider the potential cumulative significant impact on police services due to the decreased police to resident ratio.

RESPONSE NO. 9-60

The Draft EIR provides a comprehensive analysis of Project impacts on police resources. See Section IV.H.2 of the Draft EIR. As discussed in the Draft EIR, the West Los Angeles Division has a ratio of 1 officer per 911.29 residents, compared to the Citywide average of one officer per 426.11 residents. Although the Project would further increase population and reduce the number of officers per residents, the existing officer/resident ratio in the West Los Angeles Division reflects the low crime rate in the area, since the crime rates in specific divisions is a factor in the assignment of staff. As shown in Draft EIR, Table 39, page 383, the incident per officer in the West Los Angeles Community Division is approximately 30 percent lower than Citywide conditions. As discussed in the Draft EIR, the annual average arrest per officer, based on the population increase generated by cumulative growth, would increase from 12.65 arrests per officer to 12.78 arrests per officer. Since the cumulative increase would be still lower than the existing West Bureau average of 19.66 and the Citywide average of 13.59 arrests per officer, the Draft EIR concluded that the Project and related projects would not exceed the capability of the LAPD to serve cumulative development and would, therefore, be less than significant (Draft EIR, Section IV.H.2, page 388). The increase in population is based on the number of related projects at the time the Notice of Preparation was circulated for the Draft EIR. However, as previously discussed in Response to Comment No. 9-19, above, to be conservative, the cumulative analyses in the Project's Draft EIR have been updated to account for the additional related projects in the 2055 Avenue of the Stars Draft EIR that would be located within the West Los Angeles Station service area. (See Topical Response No. 10 in Section IV.A of this Final EIR) While the updating of the Project's cumulative analyses is not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts relative to police services. Issues relating to cumulative impacts are addressed in Topical Response No. 10. As concluded therein, the expanded list of related projects would not increase the significance of the cumulative impacts evaluated in the Draft EIR (see Final EIR Section IV.A, Topical Response No. 10). No further analysis of the impact on police services is required.

COMMENT NO. 9-61

12. Utilities. It is reasonably foreseeable that the Project, together with the related projects, may have cumulative impacts on utilities and water systems. Unlike the St. Regis EIR, the Project DEIR does not analyze these potential significant cumulative impacts. Such analyses should be added.

RESPONSE NO. 9-61

Based on detailed and quantified analyses of domestic water demand, wastewater generation, solid waste generation, and projected energy demand (electricity and natural gas usage), the Initial Study concluded that the Project would have a less than significant impact on these resources (see Appendix A of the Draft EIR). Cumulative impacts on utilities are addressed on page B-45 of the Project's Initial Study (see Appendix A of the Draft EIR). As concluded therein, utility system capacity for each of the related projects would be addressed via the approval process for each related project. The analysis goes on to further state that the service providers conduct ongoing evaluations to ensure that facilities are adequate to serve forecasted growth. The St. Regis Initial Study did not perform similar evaluations and, therefore, were unable to conclude that such impacts would not be potentially significant. As such, an evaluation of the potential impact on utilities was required in the St. Regis Draft EIR.

COMMENT NO. 9-62

13. Wind Jetting. At 47 stories, the Project will be approximately the same height as the office towers which are respectively located at 2029 and 2049 Century Park East. Wind jetting is a major problem in the plaza between the two towers. The Project could result in similar impacts. The DEIR should include an analysis of potential wind jetting impacts and identify mitigation.

RESPONSE NO. 9-62

Wind jetting occurs when two tall buildings are located in close proximity to one another (such as 2029 and 2049 Century Park East), thus increasing wind velocity. Possible wind-jetting effects tend to occur when two large, flat surfaces are adjacent to one another. As this is not the case with the proposed Project, adverse impacts associated with wind jetting are not anticipated. Furthermore, one of the features of the Project's design is the creation of useable internal landscaped areas that would be attractive and inviting to the Project's residents. The design for these spaces took into consideration existing and prevailing wind patterns in the area. Based on the Project's current design, the spatial relationships between the building facades are such that adverse on-site conditions as a result of wind jetting are not anticipated and no mitigation is required.

COMMENT NO. 9-63

14. Alternatives. CEQA Guidelines Section 15126.6 requires that the DEIR describe a range of reasonable alternatives to the Project which would feasibly attain most of the basic objectives of the Project, but would avoid or substantially lessen any of the significant impacts of the Project, and evaluate the comparative merits of the alternatives. The DEIR may not include a reasonable range of alternatives as three of the five alternatives (Alternative Use-Commercial Office Building, Alternative Use-Hotel, and Alternative Site), appear to be "straw men" that would not obtain the basic Project objectives and/or would result in greater environmental

impacts than the proposed Project. Thus, the only true alternatives consistent with the requirements of CEQA are the No Project Alternative and the Reduced Project Alternative.

RESPONSE NO. 9-63

The Draft EIR provides a reasonable range of alternatives as required by CEQA (see Section V of the Draft EIR). The Project's alternatives were selected in accordance with all applicable CEQA guidelines, which require that the EIR analyze a reasonable range of alternatives and that these alternatives potentially avoid or reduce the significant impacts of the Project. In addition to the No Project (Alternative 1) and Reduced Density (Alternative 2) alternatives referenced in the comment, Project alternatives include an Office Use Alternative (Alternative 3), a 13-story office building containing 261,000 square feet of floor area (1,031,358 less than the Project, which contains 1,292,358 square feet of floor area); a Hotel Alternative (Alternative 4), a single, 36-story 365-room hotel containing 26,250 square feet of ancillary retail uses (lower in height and less intensive than the Project); and an Alternative Site Alternative (Alternative 5), which would be developed at the same scale as the Project, but at a different location (i.e., the northwest corner of Bundy Drive and Olympic Boulevard). The Bundy Drive and Olympic Boulevard site meets the size requirements of the Project and is available for future development. As such, it is a reasonable selection as an alternative site.

Alternatives 3 and 4 are vastly reduced from the scale of the Project and as such, are deemed as reasonable alternatives in the potential reduction of the Project's impacts. The Project alternatives were also selected since they would meet some of the Project's objectives, as required by CEQA, including development of the Project site to its maximum capacity (Office and Hotel alternatives), or the development of the full project (Alternative Site alternative) and are consistent with the CCNSP allocation of development rights for the Project site. Since the Project alternatives were selected according to the requirements of CEQA and represent a range of land uses and densities, the evaluation of additional project alternatives is not required.

COMMENT NO. 9-64

The DEIR should include an additional alternative that would eliminate the land use compatibility and other impacts on Watt Plaza as discussed above. Specifically, the proposed 12-story loft building should be redesigned in an east-west configuration along the northern property line, rather than in its current "L" shape. This would reduce view blockage impacts. Furthermore, the wing on the south tower should be rotated toward Constellation Place to open up view corridors. In addition, the proposed Project driveway and loading dock along the existing access road should be eliminated to reduce access and safety impacts.

RESPONSE NO. 9-64

Refer to Response to Comment No. 9-63, above, regarding the Draft EIR's reasonable range of alternatives. The Draft EIR does not identify any land use compatibility or visual quality impacts associated with the 12-story building and the adjacent Watt Plaza towers. As stated in the Draft EIR, under the City's CEQA Thresholds Guide, view impacts are considered significant if residential and public view locations are affected. Under the existing Site Plan (See Figure 4, Draft EIR, Section II, page 65), the major section of the 12-story building is configured in an east-west direction on the north edge of the Project site, as requested in the comment. The shorter wing occupies a portion of the east edge of the site (approximately 37 percent). While the adjacent property owner may prefer a greater setback, or no building, along the Project site's east edge, a large portion of the Project site's east boundary is not occupied. The request for the rotation of the wing on the South Tower toward Constellation Boulevard would result in a reduced setback along Constellation Boulevard and would provide less area for pedestrian amenities and the proposed driveway entrance than under the proposed Site Plan. The Draft EIR also does not identify any access or safety impacts associated with the proposed Project driveway. See Response to Comment Nos. 9-4, 9-22, 9-24, and 9-27. The proposed east driveway entrance and the loading dock located at the northeast corner of the site do not encroach upon the access driveway, would not appear to impede access and would still need to be finally approved by the City's Department of Transportation (LADOT). Therefore, no rationale exists to support the redesign of the Project or the evaluation of such redesign as a Project alternative.

COMMENT NO. 9-65

The DEIR concludes that Alternative 2, the Reduced Project Alternative, would have impacts similar to the Project with respect to compatibility with nearby commercial uses. The Reduced Project Alternative would remove the 12-story loft building and create a greater landscaped setback, which is considered to be a land use amenity. The Reduced Project Alternative would therefore be superior to the Project in terms of land use compatibility.

RESPONSE NO. 9-65

The referenced conclusion regarding the relative impacts of the Project and Alternative 2 with regard to compatibility with nearby commercial uses has been modified to reflect the situation wherein Alternative 2 would have less compatibility impacts than the proposed Project with regard to only Watt Plaza. The conclusion presented in the Draft EIR remains valid for all other nearby commercial uses. Refer to Correction and Addition No. V.c, Section III, Corrections and Additions, to the Final EIR.

COMMENT NO. 9-66

The DEIR concludes that the Project is superior aesthetically to the Reduced Project Alternative in that removal of the loft building would create a "minor detrimental change" relative to the

quality of the overall design of the Project, as viewed from within the Project. However, views from within the Project which would benefit only Project residents are not relevant to a comparison of the merits of the Project and the Reduced Project Alternative. It is clear that the removal of the loft building will create an additional amenity due to the increased landscape setbacks and will reduce view blockage as compared to the Project. The Reduced Project Alternative would therefore be aesthetically superior to the Project.

RESPONSE NO. 9-66

The conclusion of the Draft EIR has been modified to reflect the situation wherein the removal of the 12-story building would not have a visually detrimental effect. Although removal of the 12-story building would create an increased setback along the east side of the property and would result in additional landscaped area, as viewed from the adjacent public streets and pedestrian walkway, the removal of the 12-story building under the Reduced Project Alternative (Alternative 2) would not be aesthetically superior to the Project. Rather, the appearance and visual quality from Constellation Boulevard, Avenue of the Stars, and the pedestrian walkway would not substantially change. Tower 1 and the proposed landscape and recreation building would block east-facing, sidewalk-level views from Avenue of the Stars into the Project site. Since the 12-story building would not be visible from this perspective, the removal of the proposed 12-story building would not substantially alter the visual quality of the Project site from this perspective. From the Constellation Boulevard sidewalk, Tower 2 and proposed landscape and privacy walls would substantially block sidewalk level, north-facing views into the Project site and, as with the views of the Project site from Avenue of the Stars, the 12-story building would not be highly visible from the street-level, and the removal of the building from the site plan would not substantially change the visual quality of the site. From the pedestrian walkway at the east side of the Project site, views into the Project site would be blocked by a perimeter wall ranging from six feet high at the southern end of the Project site to approximately ten feet at the northern end. Since views into the Project site would not be available, the elimination of the proposed 12-story building would not substantially change the visual quality of the Project site from this perspective. The perimeter wall would be the primary feature along the pedestrian path, with or without the 12-story building and, from the pedestrian perspective, the aspect of a 12-story building rising up from behind the perimeter wall would not be discordant or contrast with the general visual quality of surrounding tall buildings, which feature plazas and other pedestrian access in close proximity to high-rise structures. Since no significant visual quality impact would occur, the removal of the 12-story building would not substantially benefit the visual quality of the Project site. Refer to Correction and Addition No. V.d, Section III, Corrections and Additions, to the Final EIR.

COMMENT NO. 9-67

The DEIR concludes that the Reduced Project Alternative would not meet the Project's primary objective to "maximize the design potential to provide housing" to the same degree as the Project. This is incorrect. By reducing the average size of the units, it would be possible to

include as many or more units even without the 12-story loft building. The DEIR also concludes that the Reduced Project Alternative would not meet the objective of the Project to maximize the developer's profit. This is not a relevant consideration under CEQA. Therefore, the DEIR should identify the Reduced Project Alternative as an environmentally superior alternative which can feasibly attain the basic Project objectives to be [sic] same extent as the Project

RESPONSE NO. 9-67

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR does not conclude that the Reduced Project Alternative would not meet the objective of the Project to maximize the developer's profit. At no point does the Draft EIR ever recognize profitability as a relevant consideration per the CEQA guidelines. The Draft EIR does conclude that Alternative 2 would be the environmentally superior alternative (Draft EIR, Section V, page 478).

COMMENT NO. 9-68

15. Other Comments We incorporate by reference herein all other public and agency comments to the DEIR.

RESPONSE NO. 9-68

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. All public and agency comments to the Draft EIR are responded to in Section IV of the Final EIR.

LETTER NO. 10

Susan Bursk, President/CEO
Century City Chamber of Commerce
2029 Century Park East, Concourse Level,
Los Angeles, CA 90067

COMMENT NO. 10-1

I am writing on behalf of the Century City Chamber of Commerce to express comment on the Constellation Park Project referenced above. The applicant for this project, Century City Realty LCC, made a presentation to our Board of Directors on January 4, 2006.

While the Century City Chamber of Commerce supports this project, two members on the Board of Directors, who represent properties adjacent to the proposed site, have specific issues, which they will address separately.

Thank you for extending the end date for public comments and allowing our Board the opportunity to provide comments for the Constellation Park project. We would appreciate being included on all public notices, determination letters and any other public documents relating to the proposed project.

RESPONSE NO. 10-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 11

Century Woods Condominium Association
Robert Schnell, President
2100 Century Park West
Los Angeles, CA 90067

COMMENT NO. 11-1

The Board of Directors and several Owners at Century Woods Condominium Association received your "Notice of Completion and Availability of Draft Environmental Impact Report" dated November 10, 2005.

On behalf of the members, the Board of Directors would like take this opportunity to express a concern to you that the residents at Century Woods have shared with us.

The Century Woods Condominium Association is located approximately 4 blocks from the Project. Because of our proximity to the subject property, it is obvious that any action undertaken will have an impact on our day to day lives.

Our understanding is that the developer intends to demolish the existing buildings and facilities and develop a total of 483 condominium units in three separate buildings. Two 47 story towers would each contain 194 units and would each reach a height of approximately 570 feet above grade. A third building, a 12 story loft building would contain 95 units and would reach a height of approximately 135 feet above grade. Additionally, a one story recreational facility centered around a swimming pool would serve to connect the two towers.

It is also our understanding that this Project is not the only condo project that is being considered for the immediate area. To that end, we are concerned that the area is being unduly burdened by construction, delays, traffic and other objectionable conditions.

RESPONSE NO. 11-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The description of the Project as provided in the comment is correct.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA

requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the Draft EIR takes into account the proposed St. Regis project. A comparison of the related projects lists for the Project and the St. Regis project indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10, Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor in a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 11-2

Our main concern has to do with the staging of trucks during demolition and construction.

The issue of where to stage the trucks was not specifically addressed in the Report. This issue is of great concern to us. During demolition and while under construction, where will the large trucks be staged? Will Century Park West be utilized in any way during the demolition or construction phases? We strongly oppose any trucks being parked on the east side of Century Park West. Large trucks parked or staged on the east side of Century Park West could have lethal consequences to our residents and guests. It is impossible to have a clear line of site exiting or entering Century Woods if large trucks are permitted to park for any length of time on the east side of the road.

We believe our concern has merit and alternatives should be explored and implemented.

We are open to discuss the matter more in-depth should someone choose to meet with the Board of Directors.

RESPONSE NO. 11-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. No construction-related staging would take place on Century Park West. Please see Topical Response No. 9-Construction Impacts, regarding the Project's Construction Management and Mitigation Plan. Also refer to Response to Comment No 9-29, regarding staging of construction-related vehicles. A complete copy of the Project's Construction Management and Mitigation Plan is provided as Appendix B to this Final EIR.

LETTER NO. 12

Douglas P. Carstens
CHATTEN-BROWN & CARSTENS
3250 Ocean Park Boulevard, Suite 300
Santa Monica, California 90405

COMMENT NO. 12-1

On behalf of the Cheviot Hills Homeowners Association ("CHHA"), we provide the following comments on the Draft Environmental Impact Report ("DEIR") for the above referenced condominium project to be located at 10131 Constellation Boulevard (the "Project").

The project is a proposal by Century City Realty LLC to construct 483 residential condominiums with associated amenities on a 5.5 acre site at 10131 Constellation Boulevard in Century City. Parking would be provided in four subterranean levels. It would create 1.7 acres of open space. Currently, there is a bank and a restaurant/nightclub on the site on the Avenue of the Stars and Constellation Boulevard street frontages, with the rest of the site undeveloped. (DEIR, p. 57.) Three separate buildings would be constructed: two 47-story towers and one 12-story building (Loft Building.) (DEIR, p. 64.)

CHHA finds that the DEIR is inadequate in several respects detailed below and in the comments of A Westside Coalition of Community Associations, with which CHHA joins.

RESPONSE NO. 12-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The description of the Project as provided in the comment is correct. The Draft EIR was prepared in accordance with all CEQA requirements and provides a comprehensive analysis of the potential impacts of the Project. Responses to the balance of the comments presented in this letter are provided in Response to Comment Nos. 12-2 through 12-17. Please refer to Response to Comment Nos. 7-1 through 7-115 with regard to comments provided by A Westside Coalition of Community Associations.

COMMENT NO. 12-2**A. Potential Traffic Impacts Are Grossly Understated.**

Because the EIR uses modeling estimates rather than actual data for existing trip generation, it significantly overstates the traffic generated by existing uses. It thereby significantly understates

the additional traffic impacts generated by the project. As a result, it proposes no mitigation for traffic impacts. (EIR, p.177.) The EIR's analysis is flawed from beginning to end, thus vitiating the public's ability to analyze the project and comment upon it in an informed way.

The traffic analysis assumes the 9,150 square foot retail bank on site will generate 246 daily trips per 1000 square feet. (DEIR, p.168.) This results in an assumption of 2,255 daily trips generated by the bank. However, residents report from conversation with the valet at the bank that it has 32 parking spaces, 25 of which are for employees. Residents report the valet says there are an average of 40-50 validations per day, with the drive-through handling an average of 50 cars per day.

Therefore, a realistic assessment of existing average daily trips generated by the bank is 300 trips, with 50 trips for employees in and out, 80-100 trips for visitors, and 100 daily trips for the drive through. As set forth in the letter by traffic engineer Tom Brohard attached to the January 11, 2006 Westside Coalition letter, a survey by the professional vehicle counting company Wiltec corroborates these estimates. Since these numbers reflect actual data, they should be used rather than the inapplicable modeling numbers apparently obtained from generic traffic generation tables in the ITE Manual used by the traffic consultant. An EIR must utilize concrete data and intelligent analysis to permit decisionmakers to properly evaluate a project's environmental consequences. Guidelines §15151. While modeling and forecasting are permitted, if specific data is reasonably available it should be utilized. (Berkeley Keep Jets Over the Bay Committee v. Board of Port Com'rs (2001) 91 Cal.App. 4th 1344,1381-83; Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692.) At the very least, the City must conduct a study of current traffic generation due to the bank and other existing uses using manual counts, as Wiltec did, to establish the appropriate baseline for its analysis.

Similarly, the generic use of modeling data for average restaurants does not reflect the actual site conditions because the "restaurant" on the project site is primarily operated as a nightclub, not as a typical restaurant. Residents who have spoken with the club manager report that the club is operated as a restaurant, but with little breakfast, minimal lunch and little or no dinner business. Special events during the week may attract 100-300 cars two to three times a week, with 150 cars coming on Fridays and Saturdays. The result would be a daily average of 180 trips. In contrast with the actual assessment by the club manager, the EIR unjustifiably attributes 1,777 daily trips to the restaurant, based upon its square footage alone. (EIR, p. 168.)

RESPONSE NO. 12-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. To assess potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the WLA TIMP, and Standard LADOT Methodology. Please refer to Topical

Response Nos. 1 through 3 (see Section IV.A of this Final EIR), regarding traffic study methodology, trip generation, and traffic impacts of the Project. Please also refer to Response to Comment No. 7-109. Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced as suggested by the commentor. This analysis is presented in Topical Response No. 4 - Additional Analysis With Reduced Existing Trip Credit (see Section IV.A of this Final EIR). As concluded therein, even with a reduced level of trip credit for existing on-site uses, the Project would not have significant impacts on local residential streets, the freeway system, or the public transit system.

The additional analysis assumes that the existing uses on the Project site generate approximately 600 daily trips, 22 trips during the a.m. peak hour, and 38 trips during the p.m. peak hour, consistent with the opinions set forth in the letter from Tom Brohard attached to the January 11, 2006, Westside Coalition letter referred to in the comment. As such, please refer to Response to Comment Nos. 7-109 through 7-112.

COMMENT NO. 12-3

The use of generic traffic tables is inconsistent with the Century City North Specific Plan (CCNSP) because the CCNSP requires calculation of a "Cumulative Automobile Trip Generation Potential (CATGP)." (EIR, p. 105.) The CCNSP requires "The number of Trips generated by any Project ... shall be calculated utilizing the table set forth in the definition of Cumulative Automobile Trip Generation Potential." (CCNSP section 2, page 5; EIR, p.108, fn. 33.) The EIR reports "Project development would generate a total of 3,646.65 CATGP Trips (i.e. based on a trip factor of 7.55 trips per dwelling unit, per Section 2 of the Century City North Specific Plan, and total proposed development of 483 dwelling units)." (EIR, p.132.) The 3,646 trips calculated pursuant to the CCNSP is much higher than the 2,019 trips assumed in the EIR traffic analysis (EIR, p. 168). Additionally, the CATGP analysis assumes 45 trips/1000 square feet of restaurant (CCNSP, Sec. 2, p. 3), not 89.95 trips as assumed by the EIR (EIR, p. 168.) The traffic analysis must be corrected and the EIR recirculated since significant traffic impacts would be disclosed using the correct analysis.

RESPONSE NO. 12-3

Issues relating to Project trip generation for CEQA traffic purposes are addressed in Topical Response No. 2. As concluded therein, the Project was analyzed in accordance with procedures specified by LADOT (see Final EIR Section IV.A, Topical Response No. 2). In addition, issues relating to consistency of the Project with the CCNSP are addressed in Topical Response No. 7. As concluded therein, the Project would be consistent with the CCNSP CATGP records (see Final EIR Section IV.A, Topical Response No. 7). It should be noted that CATGP Trips are not relevant for purposes of the CEQA traffic analysis. CATGP Trips are development rights that can be utilized

subject to compliance with the CCNSP. Therefore, no corrections of the traffic analysis based on consistency with the CCNSP would be required. Please refer to Response to Comment No. 7-3 for the basis for the conclusion that recirculation of the Draft EIR is not required.

COMMENT NO. 12-4

In addition to being inconsistent with the CCNSP, the defective traffic analysis masks the project's inconsistency with the West Los Angeles Community Plan. The Community Plan establishes the policy that there is a need to protect low-density residential uses from encroachment from spillover traffic (EIR, p.102.) With the significant traffic inevitably generated by this project, spillover into low-density residential areas will likely occur, contrary to the policy of the Community Plan.

RESPONSE NO. 12-4

Refer to Topical Response No. 7 – Project Consistency with the Century City North Specific Plan (see Section IV.A of this Final EIR) and Response to Comment No. 12-3, regarding the Project's consistency with the CCNSP. The Draft EIR evaluates all of the applicable policies of the West Los Angeles Community Plan and the CCNSP. (See Section IV.A of the Draft EIR) Thus, the Draft EIR complies with all CEQA requirements with regard to analyzing the Project relative to applicable land use plans. Specifically, Table 4, Project Consistency with Applicable Policies of the West Los Angeles Community Plan (Draft EIR, Section IV.A, pages 124-127) lists and analyzes all of the applicable land use policies of the West Los Angeles Community Plan, with the exception of Urban Design policies, which are listed and analyzed in Table 15 in the Draft EIR Visual Quality (Section IV.C, pages 220-223). The community plan describes “the need to maintain the low-density character of single family neighborhoods and avoid encroachment from other uses, commercial off-street parking, or spillover traffic” (West Los Angeles Community Plan, page 1-2) as a “Community Issue and Opportunity” that would be addressed through its land use objectives and policies. The reference to spillover traffic is not an objective or policy of the Community Plan. The Project would be consistent with the objectives and policies of the Community Plan and, as such, would address the Community Issues and Opportunities of the Community Plan, including “spillover” traffic. In addition, the Project would not generate greater traffic than under existing conditions and, therefore, would not result in spillover traffic into low-density residential areas. According to LADOT trip generation methodology, and validated via the revised traffic analysis, the Project would result in a net reduction in total daily traffic and peak hour traffic for all but the A.M. peak hour period (Draft EIR, Section IV.B, page 167). The revised trip generation table is presented in Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR).

COMMENT NO. 12-5

Significant inaccuracies in the DEIR result in overstating the capacity of local roads that would be affected by the traffic. For example, local residents report that Motor Ave, does not have two lanes in both directions south of Pico, as stated by the EIR. (EIR, p. 143.) Rather, it has only one in each direction. The EIR's misstatement of road capacity means that significant impacts to roadways and intersections already suffering from overuse are hidden from the public. The EIR must be corrected and its analysis recirculated.

RESPONSE NO. 12-5

The Draft EIR provides a comprehensive analysis of the Project's potential traffic impacts. The Draft EIR did not overstate the capacity of Motor Avenue. As described in the Draft EIR, immediately south of Pico Boulevard, Motor Avenue provides two lanes in the northbound direction and two lanes narrowing to one lane in the southbound direction between Pico Boulevard and Monte Mar Drive. South of Monte Mar Drive, one lane is provided in each direction. As a result, there is no technical basis that warrants correction of the Project's traffic analysis as presented in the Draft EIR. Please refer to Response to Comment No. 7-3 for the basis for the conclusion that recirculation of the Draft EIR is not required.

COMMENT NO. 12-6

Finally, the haul route analysis does not address impacts to numerous schools along Pico and Overland. In contrast with the EIR's assertion that construction truck trips are "a fraction" of traffic generated by existing land uses and therefore insignificant (EIR, p. 165), in *Brentwood Association for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, the trial court found that ". . . there would be 'some adverse environmental implications' because as many as four truck trips per day would be added to the Los Angeles public streets to undertake this temporary drilling project." (Id. at 499, emphasis added.) To a far greater extent than in *Brentwood Association*, the project would have adverse environmental implications for traffic, air quality, and public health in and around the project site. Whereas in *Brentwood Association*, these impacts were caused by only four truck trips per day for a limited duration, the proposed development would generate 240 trips per day. (EIR, p.164.)

RESPONSE NO. 12-6

Refer to Response to Comment Nos. 7-17 and 7-24.

COMMENT NO. 12-7**B. Air Quality Impacts Are Understated.**

An adequate analysis of air quality in the EIR is especially important because "It is well known that air pollution adversely affects human respiratory health. (See, e.g., Bustillo, Smog Harms Children's Lungs for Life, Study Finds, L.A. Times (Sept. 9, 2004).)" (Bakersfield Citizens for Local Control v. City of Bakersfield (2004) 124 Cal.App.4th 1184, 1219.) The EIR reports there would be no significant impacts during Project operation because it assumes there would be fewer mobile sources and less traffic. (EIR, p. 290) This analysis suffers from the same inadequacy and flawed assumptions as the traffic analysis identified above. Current conditions are not accurately reported in the EIR and projections of traffic generation are inconsistent with the CCNSP's requirements. The EIR is a mass of flaws that build upon each other. After a corrected traffic analysis is prepared, the air quality analysis must be corrected too.

RESPONSE NO. 12-7

As concluded above (see Response to Comment Nos. 12-2 and 12-3 as well as Topical Response Nos. 2 and 3 as presented in Section IV.A of this Final EIR), the traffic analysis as presented in the Draft EIR is correct and valid. In addition, issues relating to the Project's traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology was conservative and does not overstate trips from existing onsite uses. No existing trips were estimated or taken as a credit for the restaurant during the P.M. peak hour since it is closed during that peak hour (see Final EIR Section IV.A, Topical Response No. 1). As discussed in the topical response, the traffic study used the ITE trip generation rates to estimate trips from the existing restaurant on the Project site. Since existing trip credits are appropriately determined, the net change in mobile emissions evaluated in the Draft EIR (Section IV.D, pages 289-291) remains valid.

COMMENT NO. 12-8

Air quality in the area has already exceeded ozone and particulate matter standards in the past. (EIR, p. 276.) Therefore, the project's contribution to the potentially unhealthy air in the area must be accurately assessed. An increase in traffic would exacerbate existing problems and particularly impact sensitive receptors in the area (EIR, p. 279).

RESPONSE NO. 12-8

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As shown in Table 22 on page 290 of the Draft EIR, regional air pollutant emissions associated with proposed Project operations would result in a net reduction in regional CO, PM₁₀, SO_x, and NO_x emissions. Although there would be a marginal increase in ROC emissions, the increase is well below the SCAQMD regional significance threshold). With regard to pollution from street traffic, carbon monoxide (CO) is identified by the SCAQMD as the preferred pollutant for assessing local area air quality impacts from motor vehicle operations. Thus, an analysis of potentially impacted

intersections in the Project vicinity was performed to determine the potential for the creation of CO impacts (hotspots). Intersections were selected based on the Level of Service (LOS) at the intersection, the Project's contribution to traffic at the intersection, and the proximity of the intersection to sensitive receptors. As shown in Table 23 on page 291 of the Draft EIR, no CO concentration levels would exceed Ambient Air Quality Standards as a result of Project or cumulative-related traffic during operation of the Project. Since a significant impact would not occur at the intersection that operates at the highest volume to capacity (V/C) ratio, no significant impacts would occur at any other analyzed roadway intersection as a result of Project-generated traffic volumes. Thus, the proposed Project would not cause any new or exacerbate any existing CO hotspots, and, as a result, impacts related to localized mobile-source CO emissions would be less than significant.

COMMENT NO. 12-9

C. Aesthetics Impacts Are Not Fully Disclosed.

Any substantial negative effect of a project on view and other features of established scenic value could constitute a significant environmental impact under CEQA. (Quail Botanical Gardens Foundation, Inc. v. City of Encinitas (1994) 29 Cal.App.4th 1597, 1604.) Where aesthetic impacts may be significant, an EIR should address these issues. (Ocean View Estates Homeowners Assn, Inc. v. Montecito Water Dist. ("Ocean View Estates") (2004) 116 Cal.App. 4th 396, 399.)

The view of the Hollywood Hills from the Park Place Condominiums, which should be considered a valued view though partially blocked, would be completely blocked by the project. (EIR, p. 244, fig. 43.) The significance of this impact must be assessed but the EIR does not include any discussion of it. The project will partially block the northeast view from the Century Plaza Hotel. (EIR, p. 246.) A northeast view is probably of the Hollywood Hills, although the EIR does not state what is blocked or show a photo simulation of this view. The project may also adversely affect the views of the Westwood skyline and the Hollywood Hills from the Watt Plaza South Tower.

RESPONSE NO. 12-9

Existing views of the Hollywood Hills, as shown in Figure 43 (Draft EIR, Section IV.C, page 245), are extremely limited and not representative of valued views of the Hollywood Hills, as shown, for instance, in Figure 42 (Draft EIR, Section IV.C, page 243). The Draft EIR concludes that the valued views from the perspective represented in Figure 43 are views of the existing high-rise landscape. Since the Project would contribute to the dimension and articulation of the existing landscape from the view location shown in Figure 43, the Draft EIR correctly concludes that the Project would have less than significant view impact from this location (Draft EIR, Section IV.C,

page 246). The Draft EIR provides a view analysis relative to the Century Plaza Hotel and the Watt Plaza South Tower and concludes that the Project would have less than significant view impacts on those two commercial properties. See pages 246-250 of the Draft EIR. Refer also to Response to Comment No. 9-9.

COMMENT NO. 12-10

D. Land Use Conflicts Would be Created.

As stated above, the EIR's flawed traffic analysis is inconsistent with the requirements of the CCNSP and the West Los Angeles Community Plan. Additionally, one of the requirements of a Project Permit pursuant to the CCNSP is that the City Planning Commission must find that "Such Project conforms to all of the provisions of this Specific Plan, the West Los Angeles Community Plan and all other applicable provisions of the General Plan." (CCNSP, p. 13.) The EIR states that the project is not consistent with Objective 1-4 of the West Los Angeles Community Plan. (EIR, p.125). Objective 1-4 is "To promote adequate and affordable housing and increase its accessibility to more segments of the population, especially students and senior citizens." (EIR, p.125.) The project must be modified before the City Planning Commission can make the finding required by the CCNSP.

RESPONSE NO. 12-10

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the Project's traffic impacts. The Project would be consistent with the land use designation of the West Los Angeles Community Plan and, although it would not provide affordable housing as recommended in Objective 1-4, the Project would be consistent with all applicable goals and objectives of the Community Plan. In addition, the Project would be consistent with all of the policies and land use requirements of the Century City Community Plan and with all the requirements of the CCNSP. Issues relating to consistency with the CCNSP are addressed in Topical Response No. 7. As concluded therein, the Project would be consistent with the floor area, vehicle trips, shade/shadow conditions, pedestrian amenities, and aesthetic requirements of the CCNSP (see Final EIR Section IV.A, Topical Response No. 7). Therefore, the Project does not need to be modified before the Planning Commission can make findings of consistency with the CCNSP.

COMMENT NO. 12-11

E. Existing Methane Concentrations Must be Assessed and Disclosed.

The EIR does not properly assess existing hazardous materials in the environment, specifically methane. The project site is within a City designated Methane Zone or a Methane Buffer Zone.

(EIR, p. 345.) Therefore, appropriate mitigation depends upon the levels of methane detected. (EIR, p.110.) In order to properly assess the existing environment, the City must assess and disclose the concentrations of methane that would underlie the buildings on site.

RESPONSE NO. 12-11

The Draft EIR (Section IV.F, page 346) provides a comprehensive analysis of the potential methane impacts of the Project and correctly concludes that compliance with applicable regulations would reduce exposure to less than significant levels. The Los Angeles Department of Building & Safety (LADBS) has developed and published standards for the investigation and mitigation of methane gas at "Methane Zone" sites. The Project site is located within a City "Methane Zone." Pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, all new buildings within a Methane Zone shall comply with the requirements of the Methane Seepage Regulations and the Methane Mitigation Standards established by the Superintendent of Building. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of methane gas and pressure at the site. The types of mitigation measures required are set forth at Table 71 of the regulations. As stated in Mitigation Measure F-2, prior to the issuance of building permits, the Applicant would comply with all applicable requirements of the City Methane Seepage Regulations. Therefore, no further analysis of methane beyond that already provided in the Draft EIR is required.

COMMENT NO. 12-12

The location of buildings, parking lots, and excavation associated with the project relative to former oil wells must be more thoroughly disclosed. Portions of the Project site were used for oil exploration and production from the 1950s to 1991. (EIR, p. 337.) The Project site has 28 wells that the EIR claims have been properly closed. (Ibid.) The EIR states that "well casings may have to be altered to accommodate the depth of excavation necessary for the Project." (EIR, p. 346.) Well closure may have been completed pursuant to state regulations (EIR, p. 346), but to modify such casings now might create significant hazards. The EIR must provide more detail about which well casings would be modified, what the process involves, and what potential hazards may be created.

RESPONSE NO. 12-12

As discussed in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, the Project site is located within the limits of the Beverly Hills Oil Field, and there are 28 oil wells in the Project site, which are plotted on Figure 7 on page 226 of this Final EIR and Figures 2, 6, and 7 of Plate 1 of the Geotechnical Report. These wells have been closed in accordance with the current standards of the Division of Oil, Gas and Geothermal Resources (DOGGR), the responsible state agency. DOGGR records do not identify any other wells located at the Project site. As part of a

2004 geotechnical investigation of the Project site, a magnetometer survey and test pits were completed to confirm the locations of the known well casings. No additional well casings were identified during these investigations. The geotechnical investigations are documented in the "Final Geotechnical Site Investigation Report Vesting Tentative Tract Map 061958, 10131 Constellation Boulevard, Century City, California," prepared by GeoKinetics, dated October 1, 2004, referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application ("Geotechnical Report"). (See also Appendix F of this Final EIR.)

As depicted in Figure 7 on page 226 of this Final EIR and Figures 2, 6, and 7 of the Geotechnical Report, the subterranean parking structure would be constructed over the closed oil wells. The proposed buildings that would be constructed above the parking structure would be above two wells. Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a site plan review and may require the reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City according to the City's Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Project would comply with the requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

As further stated in the Draft EIR, in the event that additional wells or casings are found during excavation or grading activities, or if existing well casings need to be altered in connection with site development, DOGGR would oversee the inspection of the well and may require reabandonment.

COMMENT NO. 12-13

It appears the well casings are illustrated at page 62, but the caption states these are "Capped Well Casings (Typical)." It is unclear from this description if the illustration describes the exact location of the capped wells, or mere approximations. To state that alteration plans require state approval is insufficient to inform the public of this potentially significant impact. Comparing the maps at EIR pages 62 and 65, it appears that all 28 wells on site are in an area near the Avenue of the Stars and there would be proposed construction near this area, even if not on top of it. The EIR states "Existing closed oil wells would be preserved intact" and "Access to the closed wells would be maintained throughout Project construction and operation." (EIR, p. 77). This statement is inconsistent with the diagram of the project, which shows ground level recreation facilities (EIR, p. 65) and a paved driveway where the oil wells are depicted (EIR, p. 62). Additionally, there will be substantial excavation for the underground parking. The extent of this excavation must be detailed in the EIR.

RESPONSE NO. 12-13

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells on the Project site. These wells have been closed in accordance with current DOGGR standards. The abandonment records indicate the surface plugs that were installed in conjunction with the abandonment activities exceeded the minimum lengths required by DOGGR such that the casings could be lowered (i.e., cut off) in the future to accommodate subterranean construction.

As part of a 2004 geotechnical investigation of the Project site, a magnetometer survey and test pits were completed to confirm the locations of the known well casings. The geotechnical investigations are documented in the Geotechnical Report. As depicted in Figure 7 on page 226 of this Final EIR and Figures 2, 6, and 7 of the Geotechnical Report, the subterranean parking structure would be constructed over the closed oil wells. The proposed buildings that would be constructed above the parking structure would be above two wells. Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review and may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City of Los Angeles pursuant to the City's Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Project would comply with the requirements of the City Methane Seepage Regulations and with applicable requirements for DOGGR site plan review.

As stated in Section II, Project Description, of the Draft EIR, excavation and grading for the four-level parking structure and building foundations would involve approximately 225,000 cubic yards of cut and 40,000 cubic yards of fill. Approximately 185,000 cubic yards of materials would be exported off-site. Please also refer to Response to Comment No. 12-12.

COMMENT NO. 12-14

It appears from Notice of Preparation Distribution List (EIR Appendix A-3) that the DEIR was not circulated to the Department of Conservation, which includes the Division of Oil, Gas, and Geothermal Resources (DOGGR). (Pub. Resources Code section 3002.) Similarly, it appears the Department of Toxic Substances Control was not on the distribution list. (EIR, Appendix A-3.) These glaring omissions may have resulted from the fact that the transmittal letter to the State Clearinghouse did not mark "Geologic/Seismic" or "Minerals" as one of the issues addressed. Whatever the cause of the omissions, the DEIR must be transmitted to DOGGR and DTSC to obtain their comments. DOGGR must review the EIR's information regarding potential threats to the integrity of abandoned oil wells and provide input regarding potential reabandonment procedures. (See Pub. Resources Code section 3208.1.) The public must then be informed about reabandonment impacts, if any, through the EIR review process. The failure to seek comments from the agency that the DEIR asserts approved abandonment of oil wells on site in the first

place (EIR, p. 346) is a significant omission that must be corrected, with additional time provided to that agency for its comments.

RESPONSE NO. 12-14

The Draft EIR was prepared in accordance with all CEQA requirements and was circulated to all necessary responsible state agencies. The State Clearinghouse checklist (Notice of Completion, Form A) includes “toxic and hazardous” and “water quality,” issues since these are subject areas addressed by the Draft EIR. “Geologic/Seismic” is not checked, since geological issues are not a subject area of the Draft EIR. The Draft EIR was distributed to the LADBS, the responsible agency in the development of the Project site, the Department of Toxic Substances Control (DTSC), and to the Department of Conservation (DOGGR is a division of this state department) and the Regional Water Quality Control Board. DOGGR and DTSC did not provide any comments on the Draft EIR. The Draft EIR discloses that 28 on-site oil wells were abandoned in 1991 in accordance with DOGGR requirements. The closures, which are public record, occurred under current DOGGR standards and with DOGGR review. Further, pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review.

COMMENT NO. 12-15

F. Noise Impacts That Remain Significant After Mitigation Require a Statement of Overriding Considerations.

The EIR states that construction noise is a significant unavoidable impact. (EIR, p. 333.) The EIR does not discuss why an alternative design or additional mitigation measures cannot be implemented that would alleviate the negative impacts, as the EIR is required to. When project impacts remain significant after implementation of mitigation measures, a statement of overriding consideration must be prepared. Before adopting such a statement, the City is required to certify that all feasible mitigation measures have been adopted. (Pub. Resources Code section 21081.) Therefore, before making such a certification, the City must study additional mitigation measures to determine whether or not they are feasible.

RESPONSE NO. 12-15

An alternative design would not have a material effect on construction noise levels due to the relatively small size of the site relative to the off-site receptors. All feasible construction noise mitigation measures have been included within the Draft EIR.

COMMENT NO. 12-16

CONCLUSION.

The EIR is seriously defective. The analysis of the extent of various significant impacts must be augmented, additional mitigation for the impacts must be developed, and alternatives that avoid the impacts analyzed. These inadequacies must be corrected in order for the EIR to meet CEQA's minimal requirements. Therefore, we urge that a Revised DEIR be prepared and circulated to fully and adequately comply with CEQA's requirements. Even with mitigation, where impacts such as traffic and noise remain significant and conflict with Community Plan policies intended to minimize traffic intrusion into low density residential areas and to prevent significant noise impacts, the Project must be modified to eliminate any inconsistency.

RESPONSE NO. 12-16

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the project, and was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures. In addition, the Draft EIR identifies and analyzes a reasonable range of alternatives to the proposed Project which were identified with the explicit purpose of identifying alternative development scenarios that would reduce the Project's significant impacts.

The Project would not conflict with the policies of the Community Plan, since traffic intrusion into low density residential areas is not anticipated and the Project's significant noise impacts would occur only during Project construction. Based on the comments received during the public review period, it is concluded that the City of Los Angeles complied with all CEQA requirements in the preparation of the Draft EIR and, therefore, has no legal obligation to recirculate the Draft EIR. Please refer to Response to Comment No. 7-3 for additional support for the conclusion that recirculation of the Draft EIR is not required.

COMMENT NO. 12-17

The City must produce a document which is meaningful to the decision-makers and the public, and that will afford the protection for our environment envisioned by CEQA. Even with mitigation the project must be substantially modified to avoid burdening the community that is already overburdened by traffic, noise, and pollution from intense development in the area.

Please include us on your mailing lists for any future documents and public hearing notices regarding this matter.

RESPONSE NO. 12-17

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

Refer to Topical Response No. 10 (see Section IV.A, Topical Response, of this Final EIR) regarding cumulative impacts.

LETTER NO. 13

Manning Area Protection Association
 Steering Committee: William Coleman, Kathleen March, Esq.,
 Happy and John Hanna
 2618 Manning Avenue,
 Los Angeles, CA 90064

COMMENT NO. 13-1

This letter is written to you by our association, the **Manning Area Protection Association** (“**MAPA**” hereafter), which is an association of residents living South of Pico Blvd, West of the West edge of Rancho Park, East of Overland Avenue, and North of Butterfield.

We write you regarding two separate residential developments proposed for Century City, which are:

(1) 10131 Constellation Boulevard Residential Project; and the

(2) St. Regis Residential Development Project.

Previously, on 8/17/05, **MAPA** wrote you opposing the St. Regis Development. However, **MAPA** has now become convinced that the St. Regis project should be allowed, because it is much the smaller of the two proposed projects, and is replacing a hotel-with its attendant to and from traffic with a residential project, Therefore, [sic] by this letter, **MAPA** withdraws its former opposition to the St. Regis project.

In contrast, the proposed *10131 Constellation Boulevard Residential Project (hereinafter referred to as "10131 Constellation Project")* is HUGE-two 47 floor towers of condominiums, [sic] plus a third building of additional luxury condominiums. **MAPA** **OPPOSES** the proposed 1013 Constellation Project, because it is TOO big, and would cause too much additional traffic congestion at surrounding intersections, many of which are already "F" intersections, meaning they cannot accommodate any additional volume of traffic.

For the area it serves, **MAPA OPPOSES** the proposed *10131 Constellation Project* because:

(A). traffic is already gridlocked daily on the arterial streets going in and out of CC, such as Overland and Pico Boulevards;

(B). many major intersections are already at maximum capacity or above, and there are no further improvements possible in those intersections to increase how much traffic they can handle;

(C) the gridlocking of traffic is causing the commuters to cut through the residential neighborhoods, particularly the area served by **MAPA**, to get to and from Century City; and

(D) the inability to drive anywhere on the gridlocked arterial streets, combined with the noise, danger, and congestion that the "cut-through" commuter traffic is causing is already severely denigrating quality of life in adjoining residential neighborhoods, particularly the area served by **MAPA**; and

(E) ANY additional traffic or congestion would improperly FURTHER denigrate quality of life, and property values, in adjoining residential neighborhoods, particularly the area served by **MAPA**; and

(F) The additional traffic and traffic congestion this proposed development will cause will also increase NOISE pollution, and AIR pollution,

RESPONSE NO. 13-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. See Section IV.B of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the a.m. peak hour, the p.m. peak hour, or both. The Draft EIR also projected that, with the addition of background and related projects traffic growth, 17 of the study intersections would operate at LOS E or F during the a.m. or p.m. peak hours, or both, under year 2010 cumulative conditions.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 3-Traffic Impacts.

The Draft EIR analysis of potential construction noise impacts concludes that the Project's construction noise impacts would be significant and unavoidable. While the construction noise impacts would be reduced via the application of mitigation measures, impacts would remain significant. The Draft EIR analysis of operational noise impacts concludes that mobile-source noise

generated by the Project would be less than significant. As shown in Table 34 (Draft EIR, Section IV.E, page 327), compared to existing conditions, the Project would result in a reduction in offsite roadway noise at four of the 27 study locations; no increase in offsite roadway noise at 23 of the 27 off-site roadway noise study locations; and an increase of 0.1 dBA at Avenue of the Stars, north of Constellation Boulevard. The small incremental increase would occur as a result of the reconfiguration of entrance and exit driveways into the Project site. Due to the reduction in total daily trips, compared to existing conditions, the Project would result in a less than significant impact with regard to air quality emissions during operation (Draft EIR, Section IV.D, pages 291-293). Air quality impacts associated with construction are also determined to be less than significant (Draft EIR, Section IV.D, pages 286-287).

COMMENT NO. 13-2

The *10131 Constellation Project* EIR (page 171 of EIR) claims that there are no significant traffic impacts to the intersections studied. However, as far as the area served by **MAPA**, this "finding" is inaccurate, and without factual support, and therefor [sic] must be disregarded, for at least **SEVEN** separate reasons:

RESPONSE NO. 13-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Specific responses to the specific concerns expressed are provided in Response to Comment Nos. 13-3 through 13-10.

COMMENT NO. 13-3

1. **FIRST ERROR**: The EIR, page 143, MISCHARACTERIZES Manning Avenue south of Pico Boulevard as being a "secondary highway". Contrary to what the EIR states, Manning Avenue is NOT a secondary highway in the blocks between Pico Boulevard and Motor Avenue (the area where **MAPA** residents live), but rather a residential collector street, and a collector street which is substantially smaller than Motor Avenue, at that.

The EIR is either knowingly dishonest in stating Manning Avenue in that area (south of Pico Blvd) is a secondary highway, or it [sic] pathetically inaccurate, either of which mean that the EIR should NOT be trusted. If the EIR had come to grips with the fact that Manning Avenue is only a residential collector street in the area served by **MAPA**, it would have had to reflect that Manning Avenue was already overburdened with traffic,

RESPONSE NO. 13-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR comprehensively and accurately analyzes the potential environmental impacts of the Project, including impacts related to traffic. The commentor correctly notes that Manning Avenue is not a secondary highway south of Pico Boulevard. According to the Generalized Circulation map in the West Los Angeles Community Plan (City of Los Angeles, 1999), Manning Avenue is a secondary highway south (east) of Motor Avenue to National Boulevard. The second reference to Pico Boulevard in the second paragraph on page 143 of the Draft EIR was a typographical error which is addressed via Correction and Addition No. IV.B.a, as presented in Section III, Corrections and Additions of this Final EIR. Correction of this typographical error does not alter the conclusions of the Draft EIR regarding traffic impacts of the proposed Project.

COMMENT NO. 13-4

2. **SECOND ERROR**: The Developer either failure to do, or failed to report, traffic counts on Manning. The *10131 Constellation Project* EIR does not report any traffic counts on Manning Avenue in the area where our MAPA residents live,

The City of Los Angeles Planning Board, and/or Los Angeles City Council, should require the 10131 Constellation Applicant to perform such traffic counts on Manning and Pico, and Manning and Ashby, and Manning and Butterfield, both in morning and evening, and to report the results of those counts in a Supplement to the EIR, if those traffic counts have NOT been done.

Alternatively, if the Developer did those traffic counts on Manning and the counts were so problematic that the *10131 Constellation Project* EIR is afraid to report those counts (as is likely what happened), the City of Los Angeles Planning Board, and/or Los Angeles City Council, should require a supplement to the EIR to report those counts.

RESPONSE NO. 13-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project, and the traffic analysis was conducted pursuant to standard methodology and all applicable procedures. An extensive study area was developed in consultation with LADOT in order for the full range of potential impacts of the Project on the local and regional roadway network to be determined. The traffic study analyzed an area bounded by Wilshire Boulevard on the north, Overland Avenue on the west, Spalding Drive on the east, and Manning Avenue/Motor Avenue on the south, and it included analysis of thirty-two intersections. Refer to Section IV.B, pages 144 and 146 of the Draft EIR for a listing and map of these intersections. Please see Topical Response No. 1-Traffic Study Methodology as presented in Section IV.A of this Final EIR.

Traffic information is presented in the Draft EIR for the Manning Avenue/Motor Avenue intersection, which is an analysis location in the Draft EIR traffic study. See Section IV.B, page 171 of the Draft EIR. The conclusions of the revised traffic analysis are presented in Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR.

COMMENT NO. 13-5

Because some of MAPA's steering committee members live on Manning Avenue, MAPA can confirm that Manning Avenue and the streets connecting to it in, the area served by MAPA have **already suffered a substantial, detrimental, increase in communter-cut [sic] through traffic due to the new developments already coming on line in the Century City area, and should NOT be subjected to further increase in traffic that would occur if the Council allows TWO additional 47 story condo towers, plus a THIRD shorter condo tower to be built at 10131 Constellation.**

RESPONSE NO. 13-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please see Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

The commentor expresses a concern regarding an existing condition not created by the proposed Project. The Draft EIR determined that the Project would not create significant impacts relative to local streets such as Manning Avenue.

COMMENT NO. 13-6

3. **THIRD ERROR:** Similarly, the *10131 Constellation Project* EIR does not report traffic counts for Prosser & Pico. Because some of our MAPA members have residences or businesses close to the Prosser/Pico intersection, MAPA can tell you that Presser south of Pico is already suffering **a substantial, detrimental, increase in communter-cut [sic] through traffic due to the new developments already coming on line in the Century City area, and should NOT be subjected to further increase in traffic that would occur if the Council allows TWO additional 47 story condo towers, plus THIRD shorter condo do to built at 10131 Constellation.**

RESPONSE NO. 13-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. An extensive study area was developed in consultation with LADOT so that the full range of potential impacts of the Project on the local and regional roadway network could be determined. The traffic study

analyzed an area bounded by Wilshire Boulevard on the north, Overland Avenue on the west, Spalding Drive on the east, and Manning Avenue/Motor Avenue on the south and included analysis of thirty-two intersections. Please see Topical Response No. 1-Traffic Study Methodology.

The commentor expresses a concern regarding an existing condition not created by the proposed Project. The Draft EIR determined that the Project would not create significant impacts relative to local streets such as Prosser Avenue.

COMMENT NO. 13-7

4. **FOURTH ERROR**: Various additional "findings" of the *10131 Constellation Project* EIR are also so contrary to common sense and experience, that these supposed "findings" must be disregarded. The most outrageous of these supposed EIR "findings" is the EIR's claim that a project that replaces 35,000 square feet of existing construction with 1,300,000 square feet of new construction (an increase in square footage of 1,265,000 square feet-yes, ONE MILLION two hundred and sixty-five thousand ADDITIONAL square feet of building) will result in a REDUCTION of 1600 vehicle trips per day (see page 168 of *10131 Constellation Project* EIR).

However, the EIR states that the *10131 Constellation Project* will provide 1208 **NEW** (ie, additional) parking spaces above existing spaces. Obviously those additional 1208 cars are going to be driving in and out of Century City, which means they will be daily adding to congestion on the streets of surrounding residential neighborhoods, such as that served by **MAPA**,

RESPONSE NO. 13-7

Please see Topical Response No. 1-Traffic Study Methodology, Topical Response No. 2-Project Trip Generation, and Topical Response No. 3 – Traffic Impacts and Topical Response No. 4 – Additional Analysis with Reduced Existing Trip Credit, as presented in Section IV.A of this Final EIR. As concluded within these topical responses, the Project's traffic study is a complete and accurate assessment of the Project's traffic impacts, and the Project would not have a significant traffic impact even with a reduced existing trip credit.

The commentor correctly notes that the Project would provide 1,208 parking spaces but incorrectly states that the 1,208 spaces are "above existing spaces." In fact, all existing parking spaces currently on the Project site would be eliminated including those serving the existing bank building and the existing restaurant building. There are currently approximately 143 parking spaces on the site serving existing active land uses. Consistent with LADOT methodology and standard industry practice, parking spaces of a residential development do not generate trips beyond those for the residential units.

COMMENT NO. 13-8

5. **FIFTH ERROR**: As far as the area served by **MAPA**, the EIR has NO data whatsoever to support its "finding" (page 179 of MR) that the **10131 Constellation Project** will produce "NO significant impacts to local streets". It would require suspension of disbelief to assume that the residents of the proposed TWO 47 story condo towers and the THIRD shorter condo tower are not going to drive in and out of Century City, thereby increasing traffic on local streets, including the streets in the area served by **MAPA**.

For example, there are NO SCHOOLS of any kind in Century City. Consequently every child from pre-school age through college age is going to have to go in and out of Century City daily to go to and from schools located OUTSIDE of Century City, every weekday of every week from August through June (year round, if they attend a year round school or go to summer school, as is common where the parents are working). These school age children will either have to be driven by parents or caregivers to and from school each day, or will have to drive themselves, if they are of driving age, which will result in traffic on streets surrounding Century City, particularly Pico, Overland, Olympic and Robertson, where many schools are located, and streets such as Manning, Patricia and Prosser (all located in the area served, by **MAPA**), which intersect those streets.

Yet the EIR claims-with NO data to back up that claim-- that there will be NO traffic impacts to local streets.

RESPONSE NO. 13-8

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Please see Topical Response No. 3 – Traffic Impacts, as presented in Section IV.A of this Final EIR, regarding the Project's less than significant impact on traffic. The Draft EIR determined that the Project would not create significant impacts relative to local streets based on its finding that the Project would result in a net decrease in traffic generated by land uses on the Project site on a daily basis. The City of Los Angeles criteria for determination of significance of a project's impacts on local streets is based on the percent increase in daily traffic volume on the street caused by the Project. See also Topical Response No. 4, as presented in Section IV.A of this Final EIR, which provides an alternative local street analysis with a severely reduced existing trip credit. The analysis confirms the conclusion in the Draft EIR that the Project would have a less than significant impact on local streets. The trip generation rates applied for the residential uses of the Project are assumed to include all trips generated from a site, including trips to and from school. The Draft EIR provides a separate analysis of Project impacts on schools. See Section IV.H.3 of the Draft EIR.

COMMENT NO. 13-9

6. **SIXTH ERROR**: The EIR's unsupported "findings" are CONTRARY to the past 15 Years of actual experience, which is that each additional development that has been allowed to be built in the Century City area in-the past 15 years has increased the traffic in the surrounding area, including the area served by **MAPA**, and that if this **HUGE THREE TOWER 10131 Constellation Project** were allowed to be built, a correspondingly large INCREASE in traffic on surrounding streets, including the streets where **MAPA** members live, would occur.

RESPONSE NO. 13-9

Please see Topical Response No. 1-Traffic Study Methodology, Topical Response No. 2-Project Trip Generation, and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

COMMENT NO. 13-10

7. **SEVENTH ERROR**: Because of the EIR's **unsupported and disingenuous** claim that there will be "NO significant impacts to local streets" (page 179 EIR) the Applicant Developer for the 10131 Constellation Project does not even offer traffic mitigations to protect the **MAPA** area, or the other surrounding residential areas. At least previously approved developments paid for substantial traffic mitigations to try to minimize traffic impact on surrounding residential neighborhoods.[sic]

RESPONSE NO. 13-10

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please see Topical Response No. 1-Traffic Study Methodology, Topical Response No. 2-Project Trip Generation, and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. Since the Draft EIR determined that the Project would not create significant impacts relative to local streets, no Project mitigation measures are required. It should be noted that prior projects such as the 2000 Avenue of the Stars Project and the Constellation Place Project made voluntary contributions to a neighborhood protection plan to alleviate existing conditions (rather than mitigations for project impacts).

COMMENT NO. 13-11

CONCLUSION : The 10131 Constellation Project EIR has so many errors that it must be disregarded; and this HUGE 10131 Constellation proposed development, with NO traffic mitigations, should NOT be allowed.

RESPONSE NO. 13-11

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the Project, and the Draft EIR was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures. Based on the comments received during the public review period, it is concluded that the City of Los Angeles complied with all CEQA requirements in the preparation of the Draft EIR and, therefore, has no legal obligation to recirculate the Draft EIR. Specifically, the responses to comments provided on the Draft EIR do not result in the disclosure of new significant information warranting the recirculation of the Draft EIR. Please refer to Response to Comment No. 7-3 regarding recirculation.

COMMENT NO. 13-12

NOTE: BOTH of City of Los Angeles, and Developer, please add the **Manning Area Protection Association** to your list to receive copies of all notices, rulings, reports and other information disseminated, and/or required to be disseminated by the Developer or its agents to neighborhoods/neighborhood associations in the area surrounding the proposed **10131 Constellation Project**, and also for the proposed **St Regis Development**. Thank you.

Please REPLY to this letter to confirm receipt, and to confirm that you have done 2. supra., and to explain WHY **MAPA** was NOT included in the Notice sent to other homeowners association [sic], as **MAPA** has been active regarding every development project proposed for Century City in the last 10 years, and has been on Councilman Weiss's traffic groups re NPP (neighborhood [sic] protection plan implementation) for over 6 years, and has a seat on Councilman Weiss' Westside Traffic Task force.

RESPONSE NO. 13-12

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. It was an oversight of the City with regard to not sending the notice to the commentor. This situation has been remedied and the commentor has been added to the mailing list as requested.

LETTER NO. 14

Southwest Regional Council of Carpenters
Mike McCarron, Executive Secretary-Treasurer
533 S. Fremont Ave., 10th Floor
Los Angeles, CA 90071

COMMENT NO. 14-1

I am writing you to express the Southwest Regional Council's support for the proposed condominium project at 10131 Constellation Blvd. in Century City.

This project, which includes three buildings containing 483 condominiums, will be Century City's first new residential development in more than a decade and bring much-needed balance to the area. Moreover, this development will be an important step toward addressing the critical housing shortage facing all communities and market segments in Los Angeles.

Century City Realty has agreed to use responsible contractors during the construction process and hire union craftsmen and apprentices to do the work. In addition to the hundreds of well-paying jobs that will be created during construction, additional new jobs will be created when the project opens.

We at the Southwest Regional Council enthusiastically endorse this project.

RESPONSE NO. 14-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 15

TOPA Management Company
1900 Avenue of the Stars, Suite 880
Los Angeles, California 90067-4218

COMMENT NO. 15-1

This letter is in response to the draft EIR that was issued for the above referenced project.

My name is Brad Gienger and I work for Topa Management Company. We own and manage the buildings located at 1800 and 1900 Avenue of the Stars in Century City. There are a number of issues from our perspective as it pertains to the development of the above mentioned project. The following points are of interest to us and would like further information:

RESPONSE NO. 15-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 15-2

- The entering and the exiting in the new proposed project on to Avenue of the Stars. Currently we have only one main entrance and exit into our building via Avenue of the Stars. During rush hours between 4 PM and 6 PM tenants exit the building via the alley behind the building to Constellation Place to help alleviate traffic at that time. Our concern is based on the proposed plan for the entrance into Tower 1 off of Avenue of the Stars which is located adjacent to our main entrance and exit. Our main concern is that we have 2 driveways directly adjacent to each other during rush hour in the morning and the evening where traffic is entering and exiting in the same direction. This causes the potential for congestion and accidents in the immediate area.
- Vehicle types entering into the project from Avenue of the Stars. What is the potential level of use for the driveway going into Tower I and the loading dock area from Avenue of the Stars?

RESPONSE NO. 15-2

An analysis was conducted in the Draft EIR of projected turning volumes and operating conditions at the proposed Project driveway onto Avenue of the Stars. As shown in Figure 10 in the Draft EIR traffic study (see Appendix C of the Draft EIR), nine vehicles are projected to make a right-turn into the Project driveway from northbound Avenue of the Stars during the A.M. peak

hour and 33 vehicles are projected to make this turn during the P.M. peak hour. Thirty-two vehicles are projected to turn right from the Project driveway onto Avenue of the Stars during the A.M. peak hour and 17 vehicles are projected to make this turn during the P.M. peak hour. Using the “Two-Way Stop” methodology from the 2000 Highway Capacity Manual, the stop-controlled vehicles exiting the Project site at this location are projected to operate at level of service (LOS) C.

Vehicles exiting the Project site would need to wait for a gap in traffic on Avenue of the Stars before making their turn, and thus would not interfere with vehicles turning into the office building driveway.

As a residential project, the in and out patterns of the Project are reversed from those of the adjacent office building. In other words, the outbound flow from the Project site would be higher in the morning than in the afternoon, whereas exiting traffic from the office building is higher in the afternoon. The 17 vehicles projected to exit the Project site during the P.M. peak hour (representing only about one vehicle every four minutes) would have a minimal effect on vehicles turning out from the office building driveway. The driveway configuration and operation would be similar to the existing situation with the bank building driveway adjacent to the office building driveway.

Also refer to Response to Comment Nos. 9-4 and 9-22 regarding the Project circulation and access plan and the improved driveway on the east side of the site.

COMMENT NO. 15-3

- The alley that is shared behind both 1800 Avenue of the Stars and 1900 Avenue of the Stars. The proposed plan seems to depict that it will be altering the current state of the alley that goes through to Constellation Place. Deliveries and contractors that go to both 1800 and 1900 Avenue of the Stars as well as 10100 Santa Monica Boulevard exit through that alley on to Constellation Place. Where will the contractors and service vendors for 10131 Constellation Place stage their vehicles when visiting the project? Currently tenants use this alley as an exit during high traffic times of the day on to Constellation Place. We want to make sure that is still going to be the case and that the height requirement for the alley will remain without any restrictions.

RESPONSE NO. 15-3

The commentor accurately notes that the existing alleys through the Project site would be altered as part of the Project. The existing north-south private alley along the eastern side of the site would be widened along its western edge, further into the Project site. The widened alley would provide four lanes, allowing vehicles to travel around other vehicles that may be stopped and allowing for separate left-turn and right-turn lanes exiting the alley at Constellation Boulevard. The existing access roadway from the truck tunnel exit and the parking garage serving 10100 Santa Monica Boulevard and other properties to the north would be realigned to run in an east-west

direction along the northern edge of the Project site, intersecting with the north-south private alley at the northeastern corner of the Project site. Trucks and other vehicles exiting the truck tunnel would utilize this realigned roadway and the widened north-south private alley to access Constellation Boulevard. Additional information regarding these issues are presented in Response to Comment No. 9-22.

The proposed approach with regard to the staging of construction vehicles and the maintenance of traffic on the alley during Project construction is addressed by the Project's Construction Management and Mitigation Plan (see Appendix B of this Final EIR). After the Project is constructed and operational, contractors and service vehicles would be able to park their vehicles on-site in one of the three loading areas serving the three Project buildings.

COMMENT NO. 15-4

- Noise. Will there be any noise ordinances before, during and after construction. As you are probably aware, we have large law firms, day traders, investment companies etc. in the building and the noise is going to be a constant issue with them before, during and after construction.

RESPONSE NO. 15-4

As discussed in Section IV. E., Noise, of the Draft EIR, specific sections of the LAMC are applicable to construction and operation of the proposed Project. Chapter XI of the LAMC (Noise Regulation) establishes acceptable ambient sound levels to regulate intrusive noises (e.g., stationary mechanical equipment and vehicles other than those traveling on public streets) within specific land use zones. In accordance with the Noise Regulation, a noise level increase of 5 dBA over the existing average ambient noise level at an adjacent property line is considered a noise violation. The City of Los Angeles Noise Regulation also limits noise from construction equipment within 500 feet of a residential zone to 75 dBA, measured at a distance of 50 feet from the source, unless compliance with this limitation is technically infeasible.¹² The Noise Regulation prohibits construction noise between the hours of 9:00 P.M. and 7:00 A.M. Monday through Friday and on Saturday before 8:00 A.M. and after 6:00 P.M., and does not allow construction noise on Sunday.¹³ Based on the data presented in the Draft EIR, construction and operational noise impacts at the subject properties are anticipated to be less than significant.

¹² In accordance with the City of Los Angeles Noise Regulations (Los Angeles Municipal Code, Section 112.05), "technically infeasible" means that said noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers, and/or other noise reduction devices or techniques during the operation of the equipment.

¹³ Los Angeles Municipal Code, Section 41.40.

COMMENT NO. 15-5

- Public transportation. Our concerns are the projects that have gone on within the city with reference to 2000 Avenue of the Stars, the Fox Studio Lot, and the St. Regis Hotel renovation at 2055 Avenue of the Stars and the project in question at 10131 Constellation Place and the alterations to both Pico Boulevard and Santa Monica Boulevard. They have and will create a significant traffic impact in the entire Century City area. Since there will be several additional people in the city once the project is complete, will they have any requirements to provide public transportation to get people in and out of the city.

RESPONSE NO. 15-5

As discussed in the Draft EIR (Section IV.B, page 180), the identified related projects would likely generate an increase in overall transit riders. Under City of Los Angeles transportation and land use policies, this effect is positive (i.e., the concentration of new employment and housing projects in close proximity to transit services). Transportation policies also facilitate the ongoing expansion of the regional transit system to accommodate increased demand as a result of such land use policies. Since transit services, such as the Wilshire and Santa Monica Transit corridors, are anticipated to be expanded in the Project study area as anticipated growth occurs, it is not anticipated that the increased ridership attributable to the related projects, in conjunction with the proposed Project, would exceed the capacity of such systems. No further evaluation of the cumulative transit impacts in the Draft EIR is required.

COMMENT NO. 15-6

Any insight that can be given to any of the above questions would be greatly appreciated. You can respond via letter and that can be sent to the following address:

Brad Gienger
Topa Management Company
1900 Avenue of the Stars
Suite 960
Los Angeles, Ca 90067

You can also reach me in my office at 310-203-1870. Thank you for your attention to this very important matter.

RESPONSE NO. 15-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 16

Aviv L. Tuchman
Tuchman & Associates
Attorneys at Law
1000 Wilshire Boulevard, Suite 1600
Los Angeles, Ca 90017

COMMENT NO. 16-1

Please let this serve as the response of the Westwood Homeowners Association (hereinafter "WHA") Draft Environmental Impact Report on the above-referenced project. Please be advised that the WHA has found numerous inconsistencies, lack of compliance with the law, and unanswered questions on significant materials raised in the Environmental Impact Report (hereinafter "EIR"),

Please note that in the past WHA has noticed that the responsibility of the preparation of the EIR has fallen to applicant's experts. It looks like the boilerplate text in the EIR has been used numerous times before the City. The City needs to take a more pro-active role in reviewing and understanding EIRs. In addition, there are certain land use issues that must be addressed (Planning and Zoning Law (hereinafter "PZL")) which must be addressed.

RESPONSE NO. 16-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR reflects the independent judgment of the City of Los Angeles with regard to the potential environmental impacts of the proposed Project and has been prepared in compliance with all CEQA requirements.

COMMENT NO. 16-2

The Century City North Specific Plan is not included in the Appendix. What is the effect of the Century City North Specific Plan on incorporating residential units? Was there treatment of residential units in the original intent and drafting of the document? With respect to the lack of height limits as alleged in the EIR document, does that apply to residential units? What is the impact of allowing residential units in areas that are historically offices and a hotel?

RESPONSE NO. 16-2

The CCNSP is available to the public at the offices of the City Planning Departments (200 North Spring Street, 6th Floor) as well as the Planning Department's website

(<http://cityplanning.lacity.org>). In addition the Draft EIR included the CCNSP's land use and zoning map (Draft EIR, Section IV.A, Figure 15, page 106) and the CCNSP's map of buffer area, core areas, and areas of special provisions (Draft EIR, Section IV.A, Figure 15, page 106). It is not common practice to attach documents that are readily available to the public, such as community plans, specific plans, and other land use plans, to a Draft EIR due to the publishing and mailing costs of the environmental document. The intent of the CCNSP is to provide land use controls, while implementing the West Los Angeles Community Plan's designation of Century City as a high-density center (CCNSP, page 1). The CCNSP is not a land use plan with specific use designations, but rather reflects the commercial land use designations for this portion of the Community Plan. The CCNSP also cites the potential density/intensity of Century City's underlying C2-2 zoning as the reason land use controls are needed. It is the intent of the CCNSP to develop Century City within the land use framework of the Community Plan. The CCNSP contemplated residential development in this Specific Plan area and includes in the definitions a Cumulative Automobile Trip Generation Potential (CATGP) for residential uses. Since the Project would be completely consistent with the policies of the CCNSP, such as CATGP trips, shade/shadow limits, availability of services, etc., which place a limitation on development (refer to the Draft EIR Section IV.A, Table 5, pages 129 through 132), as well as consistent with the underlying land use designation and policies of the Community Plan, the Project would be consistent with the intent of the CCNSP. The existing C2 zoning and land use designation and, thus, the CCNSP, allow the development of multiple family residential units. Height limitations under either the LAMC or the CCNSP are not specific to commercial uses. The land use impact of the proposed residential use in an existing commercial area is described in the Draft EIR (Section IV.A. pages 113-116). Therefore, no further evaluation of the Project's consistency with the policies of the CCNSP in the Draft EIR is required.

COMMENT NO. 16-3

LAND USE ISSUES:

1. The EIR references in two places that a covenant needs to be amended. Although this is a land use issue, it may affect the EIR preparation. We do not know what this covenant is, and the Appendix should include the covenant. What covenant do they want amended? Is this a covenant that must be presented to the City Council? Are there certain thresholds regarding the tract map which need to be addressed prior to circulation of the EIR?

RESPONSE NO. 16-3

The Draft EIR states that the existing access covenant and agreement with the City would require revision (Draft EIR, Section II, page 78). The Draft EIR Project Description depicts the existing covenant and agreement easements (Draft EIR, Section II, Figure 3, page 62). The access easements shown in Figure 3 would need to be amended to implement the Project as depicted in the Site Plan (Draft EIR, Figure 4, page 65). The EIR evaluates the Project as it appears in the site plan

and, therefore, reflects the amended covenant and agreement. The amended covenant and agreement would have no physical environmental implications that have not been addressed by the Draft EIR. Therefore, no further discussion of the covenant and agreement in the Draft EIR is required, and there are no further tract map thresholds in this case that needed to be addressed prior to certification of the EIR.

COMMENT NO. 16-4

2. Secondly, page 411 at the report, concedes that "the project, as proposed, would not meet the land dedication requirement" pursuant to Government Code § 66477 (Quimby Act). In addition, the EIR states that there would not be 980 residents, and they fall short of the 1000. Quimby fees and compliance with the Department of Parks and Recreation rely on an abnormally low number, particularly given the number of units and bedrooms in the project. The amount of open space appears to be questionable. How much open space is required?

RESPONSE NO. 16-4

As discussed in the Draft EIR (Section IV.A, Table 6, page 134), the LAMC would require 74,052 square feet (1.7 acres) of open space. As shown in Table 1 (Draft EIR, Section II, page 66), the Project would include 48 studio units, 340 units two- to four-bedroom units, and 95 loft units. The LAMC open space requirements (Draft EIR Section IV.A, Table 6, page 134) state that 100 square feet of open space is required for residential units with less than three habitable rooms and 175 square feet of open space would be required for residential units with more than three habitable rooms. Under this requirement, the two towers would be required to provide 64,300 square feet of open space, including 4,800 square feet for the 48 studio units and 59,500 square feet for the 340 two- to four-bedroom units (175 square feet per unit). The 95-unit, 12-story building would be required to provide 9,500 square feet of open space (100 square feet per unit), since the units would have less than three habitable rooms. The total required open space based on these standards would be 73,800 square feet. Since the Project would provide a minimum of 74,052 square feet of open space, it would be consistent with the requirements of the LAMC.

As indicated in Section IV.H.4, Parks and Recreation, of the Draft EIR, the Project would meet the requirements of Section 12.21 of the LAMC through the provision of a minimum of 1.7 acres of open space on the Project site. The Project would also meet the parkland dedication requirements set forth in Section 17.12 of the LAMC through a combination of the 1.7 acres of open space and a credit for the on-site improvements. As indicated in the Draft EIR, 1.2 acres of the open space area on the site would be available to the public. However, the Project would not meet the Quimby Act's maximum of 3 acres per 1,000 residents. Mitigation Measure H.4-1 provides methods in which the Project would meet the land dedication requirement pursuant to Government Code Section 66477 (Quimby Act). One of the options is the payment of fees. The payment of fees would reduce potentially significant impacts to park and recreational facilities to a less than significant level.

COMMENT NO. 16-5**ENVIRONMENTAL ISSUES REGARDING METHANE AND OIL:**

3. The historical background of the project section concedes that oil and oil byproduct emanated from the premises, and there were significant mining operations. The undersigned notes that there is much anecdotal evidence of oil wells and on-going oil exploration in the area. Furthermore, the area mainly behind the site, which contains a very large depression, has been settling for some time. The conclusions in the EIR are questionable. The inconclusive testing on methane, and the inconclusive testing regarding oil wells, all suggest that further testing needs to be undertaken.

Serious pending issues exist regarding the oil well site on the southern boundary of Beverly Hills High School. Currently, there is pending litigation alleging that numerous high school students contracted illnesses including cancer from exposure to chemicals, such as benzene, on the site. What type of testing has been done on this site, and how does it compare to Beverly Hills High School?

RESPONSE NO. 16-5

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells on the Project site. These wells have been closed in accordance with current DOGGR standards. Testing activities in conjunction with the abandonment of these wells indicated no significant emissions of methane or other combustible gases emanating from the abandoned wells. Soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in about 1990. Over 200 soil samples were taken at the Project site. Samples were analyzed for pH, heavy metals, total recoverable petroleum hydrocarbons (TRPH), aromatic organics (benzene, toluene, ethylbenzene, and xylenes [BTEX]), volatile organics, semi-volatile organics, and/or polychlorinated biphenyls (PCBs) by EPA Methods 9045, 7040-7950, 418.1, 8020, 8010/8240, 636/8270, and 8080, respectively (see Appendix G of this Final EIR). Soils with concentrations of contaminants exceeding target clean-up levels were removed, and additional confirmation sampling was conducted. Further information regarding the prior sampling and remediation activities at the Project site are detailed in the Evaluation of Health Risks and the Law/Crandall, Inc. closure report referenced therein.

As further stated in the Draft EIR, the Project site is located within a City "Methane Zone." Pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, all new buildings within a Methane Zone shall comply with the requirements of Methane Seepage Regulations and the Methane Mitigation Standards established by the Superintendent of Building. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of

methane gas and pressure at the site. As stated in Mitigation Measure F-2, prior to the issuance of building permits, the Applicant would comply with the applicable requirements of the City Methane Seepage Regulations and with applicable DOGGR site plan review.

The litigation that is referenced regarding the Beverly Hills High School site involves the alleged exposure of students to chemicals from an active oil production facility. There are no active wells at the Project site.

The central depression of the Project site was created by excavating equipment during the late 1950s or early 1960s to reduce the visual impact of the then-ongoing oil production activities. There is no indication of soil collapse or settlement occurring at the site. The 2004 geotechnical investigation (referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application) noted that regional subsidence in the area of the Beverly Hills Oil Field had been documented. Between 1955 and 1970, the magnitude of subsidence was approximately 2 ½ inches. This subsidence is, however, regional in nature and does not appear to have resulted in any perceptible differential settlement or associated damage to structures. Regional subsidence is not expected to adversely affect the proposed structures at the Project site.

COMMENT NO. 16-6

4. There appears to be an incomplete deed search and an incomplete determination of exactly what land uses. What land uses have they researched? Who was in the chain of title? What documents have been pulled from the County Recorder's office and downtown Department of Mining and Health & Safety?

RESPONSE NO. 16-6

Various publicly available historical records were reviewed for the Project site, including the records of DOGGR and historical aerial photographs. In addition, a search of numerous databases of information maintained by federal, state, and local environmental agencies was conducted for the Project site and surrounding area.

COMMENT NO. 16-7

5. One of the problems with respect to methane and gas detection is a problem that occurred at the Belmont High School site. The project was approved, it was built, and it was not until later that they found the seeping gas and other oil by-products. The testing appears to be insufficient and additional testing should be provided and undertaken,

6. In DOGGR, page 78 of the report states that any and all necessary permits would forward from DOGGR. This is insufficient. Any permits that have to be pulled by any agency must be determined in advance. That is why proper testing is necessary. What type of testing was

undertaken? What has been done with respect to investigating the land? What has been done with respect to determining the status and any possible environmental hazards of the old oil wells that were located on or near the site?

RESPONSE NO. 16-7

A new city-wide methane gas ordinance has been adopted since the time the Belmont High School facility started construction. This ordinance sets forth protocols for the investigation and mitigation of subsurface combustible gases at sites within designated “Methane Zones.” The Project site lies within a Methane Zone that extends roughly from the San Diego freeway on the west to the Pasadena freeway on the east. Pursuant to the ordinance (City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC), all new buildings within a Methane Zone shall comply with the requirements of Methane Seepage Regulations and the Methane Mitigation Standards established by the Superintendent of Building. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of methane gas and pressure at the site (see Appendix F of this Final EIR).

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells on the Project site. These wells have been closed in accordance with current DOGGR standards. Considerable testing was performed by the prior operator (Chevron) in conjunction with its abandonment of the oil wells and closure of its operations at the site in order to confirm that actionable levels of soil contamination was removed from the Project site. Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review and may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City pursuant to the City’s Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to the issuance of building permits, the Applicant shall comply with the requirements of the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, and with applicable requirements for DOGGR site plan review.

COMMENT NO. 16-8

TRAFFIC:

7. The question regarding the parking appears to be insufficient, and the ingress and the egress are also insufficient. The traffic studies are inadequate with respect to determining parking. In addition, the portrayal that only a few trips will be added to the project is objectionable and further study is needed.

RESPONSE NO. 16-8

Issues relating to parking supply and valet access are addressed in Topical Response No. 5. As concluded therein, the Project would provide adequate parking to serve the future needs of the Project (see Final EIR Section IV.A, Topical Response No. 5). The Draft EIR also provides necessary details regarding the common access road, locations of driveways, and driveway intersection capacity (Section II and IV.B of the Draft EIR).

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, according to ITE and LADOT guidelines for existing and projected trip generation rates, the Project would reduce total daily trips and P.M. peak hour trips (see Final EIR Section IV.A, Topical Response No. 2).

COMMENT NO. 16-9

8. WHA incorporates by reference the objections and statements regarding traffic and trips submitted by Tract 7260.

RESPONSE NO. 16-9

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please refer to Response to Comment Nos. 7-1 through 7-115 with regard to comments raised by Tract 7260.

COMMENT NO. 16-10**ALTERNATIVES:**

9. The EIR is fatally flawed based on the fact that the proposed alternatives are insufficient. The only proposed alternative to lessen the density of the project deals with removing the loft building. There should be an alternative proposal relative to reducing the density to perhaps 50% (i.e., 245 residents with a lower scale building, or too [sic] small towers). These proposals have not been submitted in the alternative and must be included.

RESPONSE NO. 16-10

The Draft EIR provides a reasonable range of alternatives as required by CEQA. (See Section V of the Draft EIR.) The Project's alternatives were selected in accordance with all applicable CEQA guidelines, which require that the EIR analyze a reasonable range of alternatives and that these alternatives potentially avoid or reduce the significant impacts of the Project. In addition to the No Project (Alternative 1) and Reduced Density (Alternative 2) alternatives referenced in the comment, Project alternatives include an Office Use Alternative (Alternative 3), a

Hotel Alternative (Alternative 4), and an Alternative Site Alternative (Alternative 5), which would be developed at the same scale as the Project, but at a different location (i.e., the northwest corner of Bundy Drive and Olympic Boulevard). The Bundy Drive and Olympic Boulevard site meets the size requirements of the Project and is available for future development. As such, it is a reasonable selection as an alternative site.

Alternatives 3 and 4 are vastly reduced from the scale of the Project and as such, are deemed as reasonable alternatives in the potential reduction of the Project's impacts. The project alternatives were also selected since they would meet most of the Project's basic objectives, as required by CEQA. Since the Project's alternatives were selected according to the requirements of CEQA and represent a range of land uses and densities, the evaluation of additional Project alternatives is not required.

COMMENT NO. 16-11

FURTHER TRAFFIC:

10. Cut-through traffic to Club View Drive, Comstock, Ensley and Warnall is not analyzed properly. In addition, the concerns of the neighborhood, especially on Club View Drive and Comstock, are significant. The residents, particularly in the area north of Santa Monica Boulevard, south of Wilshire Boulevard and east of Beverly Glen, are very concerned because this single project contains more than the total population of persons and residents located in that entire neighborhood. The impact on this neighborhood must be analyzed without sacrificing other areas of the west side, in terms of traffic flow.

RESPONSE NO. 16-11

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Using City of Los Angeles significance criteria, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets, such as those identified by the commentor, would be less than significant. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are severely reduced, including an assessment of potential local residential street impacts. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see

Section IV.A of this Final EIR). The additional analysis concluded that the Project would not have a significant impact on residential streets even with the reduced existing trip credit.

COMMENT NO. 16-12

BILLBOARD AND SIGNAGE:

11. There is very limited information regarding billboard and signage. The visual pollution that this project will create is significant. Has the developer undertaken to buy out some of the billboard companies' contracts along Santa Monica Boulevard and Wilshire Boulevard and in Westwood Village? What concessions will they make regarding signage?

RESPONSE NO. 16-12

The Project is residential in nature and, as discussed in the Draft EIR (Section II, pages 72 and 76), signs may consist of monument and building signs. Monument signs may be located at the primary entrances to pedestrian and vehicular access points. Building signs could be located on the Avenue of the Stars and Constellation Boulevard building façades. In addition, a building sign could be located at the corner of the building. Billboards or signing other than identified above would not occur under the proposed Project.

COMMENT NO. 16-13

OPEN SPACE:

12. The 1.7 acres of open space is not calculated correctly and must be done correctly. Please determine compliance on this issue. The open space areas include areas not properly calculable.

RESPONSE NO. 16-13

The issues raised in this comment are the same as those raised in Comment No. 16-4. As such, please refer to Response to Comment No. 16-4, above.

COMMENT NO. 16-14

UNDERGROUND AQUIFER:

13. The excavation of the site contemplates 50 feet of excavation, yet the water table will vary. In addition, the significant depression of the area requires further study. What is the cause of the significant depression behind the site? What is the cause of the collapse of that soil behind the site? What would the effect of a high aquifer be in the area? What types of water testing have been done?

RESPONSE NO. 16-14

The depression was created by excavating equipment during the late 1950s or early 1960s to reduce the visual impact of the then ongoing oil production activities (see Appendix F of this Final EIR). There is no indication of soil collapse or settlement occurring at the site. The 2004 geotechnical investigation (referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application) noted that regional subsidence in the area of the Beverly Hills Oil Field had been documented. Between 1955 and 1970, the magnitude of subsidence was approximately 2 ½ inches. This subsidence is, however, regional in nature and does not appear to have resulted in any perceptible differential settlement or associated damage to structures. Regional subsidence is not expected to adversely affect the proposed structures at the Project site. The geotechnical investigation found that the proposed development was feasible from an engineering / geologic perspective.

As noted in the Draft EIR, the reference to a 40-foot depth to groundwater is based on historical records on file with the California Department of Mines and Geology (CDMG). This information is superceded by site specific data collected in 2004 and 2006. As stated in the Draft EIR (Section IV.G Water Quality), in 2004 groundwater aquifer levels in exploratory borings were found to range from 60 to 75 feet below ground surface. The groundwater aquifer level was found at a depth of 75 to 80 feet below ground surface as measured from the street. As anticipated in the Initial Study of Draft EIR (Volume 1, Appendix A, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths. These zones are associated with seasonal run-off. Based upon the 2004 and 2006 water level measurements, the excavation for the proposed site improvements is not anticipated to extend to the level of the groundwater aquifer. However, as discussed in the Draft EIR (Section IV.G, Water Quality), the building excavations may encounter localized zones of perched water above the regional groundwater table. As stated in the Draft EIR, if groundwater is encountered during development, the groundwater will be tested and discharged in accordance with NPDES requirements. Since the proposed structures are not anticipated to extend to the level of the groundwater aquifer, no dewatering of the aquifer is anticipated. As further discussed in the Draft EIR (IV.F, Hazards and Hazardous Materials), the Project site is located within a City “Methane Zone.” All new buildings within a Methane Zone are required to install a methane mitigation system in compliance with the City Methane Seepage Regulations. The methane mitigation system required for the buildings may encounter water that may need to be periodically removed.

COMMENT NO. 16-15**SEPARATE OBJECTION TO ECONOMIC OBJECTIVE:**

14. Maximizing the value of the site through replacement of commercial uses with housing and associated amenities consistent with anticipated market demands is vague and just a euphemism for making the most out of a small area property. What public benefits are there to

this project? What dedication to open space is there? What dedication for libraries or childcare is there?

RESPONSE NO. 16-15

The Project site is primarily vacant, with low-scale commercial uses along its periphery. The property is clearly underutilized and the statement that the proposed development would maximize the value of the site through the replacement of the existing commercial uses with housing and associated amenities appears clear. Associated amenities consist of streetscape, landscaping, pedestrian pathway, and plaza areas available to the public. Please refer to Response to Comment No. 16-4 with regard to Project consistency with City open space requirements. Section IV.H.5, Libraries, of the Draft EIR concludes that the Project would have a less than significant impact with regard to increased demand on public library services. Childcare issues are not subject to CEQA, and therefore have not been addressed in the Project's EIR.

COMMENT NO. 16-16

INSPECTION CRITICISM OF THE ENVIRONMENTAL SECTION OF THE CITY OF LOS ANGELES:

15. It the responsibility of the City of Los Angeles Environmental Review Section of the Department of City Planning to ensure the questions are properly answered and not just ignored. In the past, the City Planning Department has not answered the questions or basically relied on the developer to say that the questions do not need to be answered. In addition, it is simply not enough to answer questions and also to conduct additional studies and testing.

16. With this site, the significant depression of the area and the topography of the land, as well as the fact that it was previously used as oil wells, *must bear greater observation*. The City cannot simply rubberstamp another EIR and then after it is completed do the work.

RESPONSE NO. 16-16

The Draft EIR reflects the independent judgment of the City of Los Angeles with regard to the potential environmental impacts of the proposed Project and has been prepared in compliance with all CEQA requirements. The Final EIR addresses all comments provided by the public on the Draft EIR. Refer to Response to Comment Nos. 16-7 and 16-14, above regarding oil wells and existing on-site topography.

COMMENT NO. 16-17

17. At page 4, first bullet point, there is reference to a "Vesting Tentative Tract Map." Has this project been approved? What is the Vesting Tentative Tract Map? Why has it not been attached?

RESPONSE NO. 16-17

The Draft EIR serves as an informational document to be used by permitting agencies in evaluating the Applicant's application for approval, including the approval of a Vesting Tentative Tract Map. No component of the Project, including the Vesting Tentative Tract Map would be approved prior to the certification of the Final EIR and, thus, no approvals have yet been granted. The purpose of the Vesting Tentative Tract Map includes, but is not limited to, the creation of ownership boundaries (land divisions), including the combination of existing separate parcels into a single development site and the creation of condominium airspace. A Vesting Tentative Tract Map application was submitted to the City on October 8, 2004, and is available for review by the public.

COMMENT NO. 16-18

18. At page 5 of the summary section, the EIR states, "**Revision of existing covenant and agreements with the City (City of Los Angeles Department of Planning)**". The EIR raises the issue, but does not attach the covenants nor the agreements. What are these covenants? What are these agreements? Why is there no discussion in the EIR of the interrelationship of the existing covenant and agreements with the EIR analysis? Are the developers assuming that they will get the revision from the City of Los Angeles? What are the assumptions about approval? Is this a council? Why is a revision necessary? If it is a revision of existing covenant agreements, doesn't this have to be done by an elected official or the City Council?

RESPONSE NO. 16-18

As previously discussed under Response to Comment No. 16-3, above, the existing access covenant and agreement consists of existing access easements shown in the Draft EIR (Section II, Figure 3, page 62). The Project site plan (Draft EIR, Figure 4, page 65), represents the amended covenant and agreement, in that some easements would be relocated to facilitate development. The re-location of the City's easements has no bearing on the physical environmental effects of the Project and, since the amended covenant and agreement is represented in the Site Plan, no further discussion of this issue in the Draft EIR is required.

COMMENT NO. 16-19**SUMMARY OF ALTERNATIVES:**

19. There is a missing alternative. See discussion above.

RESPONSE NO. 16-19

The issue raised in this comment is the same as that raised in Comment No. 16-10. As such, please refer to Response to Comment No. 16-10, above.

COMMENT NO. 16-20

20. In Roman Numeral II to Project Description at page 78, again there is a reference to the Vesting Tentative Tract Map and again a reference to "revision of existing covenant and agreements with the City (City of Los Angeles Department of Building and Planning)." There is one other additional requirement at page 5 and page 78 stating "any necessary permits from DOGGR with regards to on site wells." We have reviewed the EIR and have not found that these sections have been fully explained. Please explain what the intent is on the issues regarding all of the bullet points raised at pages 5 and 78. Simply referring to land use is insufficient. There needs to be an understanding of what can be built, what is permitted to be built and what approvals are necessary. Since these items are raised in the EM they clearly are relevant to the EIR.

RESPONSE NO. 16-20

Issues regarding the proposed amended covenant and agreement are addressed in Response to Comment No. 16-3, above; issues regarding the proposed Vesting Tentative Tract Map are addressed in Response to Comment No. 16-17, above; and issues regarding the proposed DOGGR approval are addressed in Response to Comment No. 12-14. The Land Use analysis (Draft EIR, Section IV.A, pages 108-110, page 128, 133-134) discusses LAMC zoning and land use regulations pertinent to the Project site and, as such, discloses to the reader what can be built. The requested permits have no environmental implications other than those reflected in the Project itself, since the components of the Project reflect the approval of the requested permits. In as much as the Draft EIR evaluates the environmental impacts of the Project, the Draft EIR evaluates the environmental impacts of the proposed permits. The proposed permits and, thus, the Project, would be approved at the discretion of the City's decision-makers and other responsible agencies.

COMMENT NO. 16-21

Furthermore, since this is a highly sensitive site in terms of environmental issues, it is important that all environmental testing be completed and available for public review prior to approval of the EIR.

RESPONSE NO. 16-21

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The issues raised in this comment are the same as those raised in Comment Nos. 12-11 and 12-12. As such, please refer to Response to Comment Nos. 12-11 and 12-12.

LETTER NO. 17

Barbara L. Broide President
Westwood South of Santa Monica Blvd. Homeowners Association
Post Office Box 64213
Los Angeles, California 90064

COMMENT NO. 17-1

While the published DEIR for the above referenced project is a weighty piece at over 1000 pages, it is sadly short on relevant data to allow meaningful analysis of project impacts. As a representative of our local homeowners association's board to the Westside Coalition of Community Associations, it has been quite reassuring to learn that our organization, Westwood South of Santa Monica Blvd. Homeowners Association (WSSM), and its leadership are not alone in our frustration with the manner in which the project's impacts have been stated. While we did retain the services of a certified traffic engineer, a consultant was not needed to point out many of the shortcomings in this DEIR. We may be lay people, but at some point in this and any analysis one must stop to question whether the conclusions being drawn bear any semblance to reality. In this case, they do not.

As part of our work representing the 3,500 homeowners who live in our area west of Century City between Santa Monica and Pico Blvds. on the north and south and Beverly Glen and Sepulveda Blvds. on the east and west, we commissioned WILTEC Company to perform actual traffic counts for the City National Bank property on Avenue of the Stars. As mentioned earlier, we also hired a consulting traffic engineer, Art Kassan, to assist in our technical assessment of the DEIR and collaborate with Traffic Engineer Tom Brohard in the drafting of an analysis of the traffic study that is being sent with the Coalition of Westside Community Associations' response to the DEIR. Our organization's specific questions and comments pertaining to specific sections of the DEIR are incorporated in the Coalition's letter.

RESPONSE NO. 17-1

The comments are noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the project, and was prepared in accordance with all CEQA requirements. As such, the Draft EIR fully discloses all of the Project's potential environmental impacts, and mitigates the significant impacts of the Project via the inclusion of all feasible mitigation measures. Please refer to Response to Comment Nos. 7-1 through 7-115 with regard to comments provided by A Westside Coalition of Community Associations.

COMMENT NO. 17-2

If the methodology that the City utilizes in the analysis of the project allows the developer to massage data such that an existing site that is largely vacant with two small structures is said to generate more traffic than the proposed two 47-story residential towers and a 12-story loft building, with **1.3 million square feet**, then our complaints lie not only with the developer, but also with the City. We call on you to use the powers vested in the City to perform a true environmental review that assesses all project impacts on local traffic, public services and the infrastructure of the City. The City must not allow Century City Realty/JMB or any other developer to overestimate existing car trips, especially when real numbers are available to do such an assessment. The concerns of our Association and others' concerns related to the DEIR's methodology were discussed at the Westside Neighborhood Council's meeting last night. You will be receiving a letter from the Council that details ours and the Council's concerns.

Without adequate assessment, the City will not be able to determine whether project conditions can be designed and implemented that will mitigate project impacts. In short, the City cannot determine whether the project should be approved as proposed.

RESPONSE NO. 17-2

The Draft EIR reflects the independent judgment of the City of Los Angeles with regard to the potential environmental impacts of the proposed Project and has been prepared in compliance with all CEQA requirements. Issues relating to traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology incorporated in the Draft EIR traffic study accurately evaluates the Project's traffic impacts in accordance with Institute of Transportation Engineers (ITE) and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 1). Please refer to Response to Comment Nos. 3-1 through 3-6 with regard to comments provided by the Westside Neighborhood Council.

COMMENT NO. 17-3

We request that the City require a new or supplemental DEIR to provide needed information to allow for an analysis of this project's impacts on the community.

RESPONSE NO. 17-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive and accurate analysis of the environmental impacts of the Project, and the Draft EIR was prepared in accordance with all CEQA requirements. Based on the comments received during the public review period, it is concluded that the City of Los Angeles complied with all CEQA requirements in the preparation of the Draft EIR and, therefore, has no legal obligation to recirculate the Draft EIR. Specifically, the responses to comments provided on

the Draft EIR do not result in the disclosure of new significant information warranting the recirculation of the Draft EIR. Please refer to Response to Comment No. 7-3 regarding recirculation.

COMMENT NO. 17-4

We request that the City analyze the cumulative impacts of this project in association with all other projects currently under way and proposed for the general area (including those in the City of Beverly Hills). Without such data, we are unable to determine impacts and determine whether project conditions can be defined that would alleviate those impacts.

Thank you for your consideration.

RESPONSE NO. 17-4

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 15 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 17-5

Arthur L. Kassan, P.E.
5105 Cimarron Lane
Culver City, California 90230

I have been a traffic engineer and civil engineer for over 46 years, with over 40 years of that experience in the Los Angeles region. I am licensed by the State of California in both engineering fields. As a resident of West Los Angeles and Culver City for the past 40 years, I have observed and experienced the traffic patterns of Century City, essentially since its initial development.

As requested by you, I have collaborated with Mr. Tom Brohard, P.E., a fellow professional traffic engineer, in the review of the traffic impact study sections of the Draft EIR for the proposed residential development at 10131 Constellation Boulevard, I have participated in the field investigations, research, report review, and analysis regarding that study, and I have reviewed Mr. Brohard's letter of comments that he has prepared on behalf of the homeowners associations.

RESPONSE NO. 17-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 17-6

I concur with Mr. Brohard's findings, conclusions, and recommendations, particularly with regard to: 1) the overstatement of the size of the existing bank floor area; 2) the misuse of the residential condominium trip generation rates and equations published by the Institute of Transportation Engineers (ITE); and 3) the ignoring of actual traffic count data for the existing on-site uses, when those data could have been readily available to the Draft EIR analysts.

The traffic impact analyses in the Draft EIR are not adequate and should be re-done using corrected base information regarding the potential net trip generation of the proposed development. If properly analyzed, it is probable that there will be significant impacts at a number of the intersections that have been evaluated, and a substantial mitigation program should be provided by the developers.

If you have any questions about my analysis, please contact me at your convenience.

RESPONSE NO. 17-6

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for existing uses are consistent with ITE and LADOT standards and guidelines. Since ITE and LADOT guidelines are reliable indicators of traffic generation, no revision of the Draft EIR's conclusions is required (see Final EIR Section IV.A, Topical Response No. 2). The referenced traffic comments are addressed as part of Letter No. 7. As such, please refer to Response to Comment Nos. 7-106 through 7-115.

COMMENT NO. 17-7

WILTEC

Driveway Count Summary

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS ASSOCIATION
 PROJECT: AVENUE OF THE STARS
 DATE: FRIDAY DECEMBER 16TH, 2005
 PERIOD: 7:00 AM TO 9 00 AM AND 4 00 PM TO 6 00 PM
 LOCATION: N/S: AVENUE OF THE STARS
 E/W: CONSTELLATON BLVD DRIVEWAY #1

15 MIN COUNTS			
	DWY #1	DWY #1	
PERIOD	IN	OUT	TOTAL
700-715	2	3	5
715-730	2	0	2
730-745	1	0	1
745-800	0	0	0
800-815	5	2	7
815-830	1	0	1
830-845	3	1	4
845-900	2	0	2
TOTAL	16	6	22
HOUR TOTALS			
TIME	IN	OUT	TOTAL
700-800	5	3	8
715-815	8	2	10
730-830	7	2	9
745-845	9	3	12
800-900	11	3	14

15 MIN COUNTS			
	Dwy #1	Dwy #1	
PERIOD	IN	OUT	TOTAL
400-415	2	0	2
415-430	4	2	6
430-445	3	4	7
445-500 ;	3	3	6
500-515	1	0	1
515-530	2	3	5
530-545	3	6	9
545-600	1	1	2
TOTAL	19	19	38
HOUR TOTALS			
TIME	IN	OUT	TOTAL
400-500	12	9	21
415-515	11	9	20
430-530	9	10	19
445-545	9	12	21
500-600	7	10	17

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS ASSOCIATION
 PROJECT AVENUE OF THE STARS
 DATE: TUESDAY, DECEMBER 20TH, 2005
 PERIOD: 7:00 AM TO 9 00 AM AND 4 00 PM TO 6 00 PM
 LOCATION: N/S AVENUE OF THE STARS
 E/W: CONSTELLATON BLVD DRIVEWAY #1

15 MIN COUNTS			
	DWY #1	DWY #1	
PERIOD	IN	OUT	TOTAL
700-715	0	0	0
715-730	1	0	1
730-745	2	0	2
745-800	2	0	2
800-815	2	0	2
815-830	3	0	3
830-845	1	0	1
845-900	3	1	4
TOTAL	14	1	15
HOUR TOTALS			
TIME	IN	OUT	TOTAL
700-800	5	0	5
715-815	7	0	7
730-830	9	0	9
745-845	8	0	8
800-900	9	1	10

15 MIN COUNTS			
	Dwy #1	Dwy #1	
PERIOD	IN	OUT	TOTAL
400-415	3	3	6
415-430	0	1	1
430-445	0	3	3
445-500	0	0	0
500-515	1	3	4
515-530	0	0	0
530-545	1	6	7
545-600	2	1	3
TOTAL	7	17	24
HOUR TOTALS			
TIME	IN	OUT	TOTAL
400-500	3	7	10
415-515	1	7	8
430-530	1	6	7
445-545	2	9	11
500-600	4	10	14

CLIENT: WESTWOOD SOUTH OF SANTA MONICA BLVD HOMEOWNERS ASSOCIATION
 PROJECT: AVENUE OF THE STARS
 DATE: TUESDAY DECEMBER 20TH, 2005
 PERIOD: 7:00 AM TO 9:00 AM AND 4:00 PM TO 6:00 PM
 LOCATION: N/S AVENUE OF THE STARS
 E/W: CONSTELLATON BLVD
 DRIVEWAYS 2 & 3

15 MIN COUNTS						
PERIOD	DWY #2		TOTAL	DWY #3		TOTAL
	IN	OUT		IN	OUT	
700-715	0	0	0	0	0	0
715-730	0	0	0	0	0	0
730-745	0	0	0	0	0	0
745-800	0	0	0	0	0	0
800-815	0	0	0	0	0	0
815-830	0	1	1	1	0	1
830-845	0	0	0	0	0	0
845-900	0	0	0	0	0	0
TOTAL	0	1	1	1	0	1

HOUR TOTALS-						
TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
700-800	0	0	0	0	0	0
715-815	0	0	0	0	0	0
730-830	0	1	1	1	0	1
745-845	0	1	1	1	0	1
800-900	0	1	1	1	0	1

15 MIN COUNTS						
PERIOD	DWY #2		TOTAL	DWY #3		TOTAL
	IN	OUT		IN	OUT	
400-415	0	2	2	3	0	3
415-430	0	3	3	3	0	3
430-445	0	1	1	2	0	2
445-500	0	4	4	2	0	2
500-515	0	1	1	1	0	1
515-530	0	0	0	0	0	0
530-545	0	0	0	0	0	0
545-600	0	0	0	0	0	0
TOTAL	0	11	11	11	0	11

HOUR TOTALS						
TIME	IN	OUT	TOTAL	IN	OUT	TOTAL
400-500	0	10	10	10	0	10
415-515	0	9	9	8	0	8
430-530	0	6	6	5	0	5
445-545	0	5	5	3	0	3
500-600	0	1	1	1	0	1

RESPONSE NO. 17-7

Data provided in this comment is in support of Comment No. 17-1. The information presented in this comment was reviewed and analyzed in the preparation of Response to Comment No. 17-1. As the content of this comment has been previously addressed, no further response is required.

COMMENT NO. 17-8**CUMULATIVE PROJECT LIST CITY OF BEVERLY HILLS**

Name/Address	Description
<i>City of Beverly Hills - Cumulative Project List</i>	
9261 Alden Drive	Young Israel Synagogue 14,811 sq. ft.; sanctuary for 375 people and a 1,254 sq. ft. multi-purpose room
202-240 N. Beverly Drive 203-241 N. Canon Drive	Beverly Hills Public Gardens/Montage Hotel 214 hotel rooms and 25 condo units; a commercial building with approx. 27,000 sq. ft. of retail, restaurant, and other nonresidential space 33,279 public gardens; subterranean parking for 1,172 cars
265 N. Beverly Drive	41,500 sq. ft. office/ 3,500 sq. ft. lunchroom
207 S. Beverly Drive	California Pizza Kitchen
432-436 S. Beverly Drive	932 sq. ft. church expansion
456 N. Camden Drive	1,760 sq. ft. - Gagossian Galley
257 N. Canon Drive	44,896 sq. ft. medical office/retail (Cirrus Group)
338 N. Canon Drive	11,900 sq. ft. retail 14 parking on-site spaces provided and 24 in-lieu parking spaces purchased
131-191 N. Crescent Drive 9355-9373 Wilshire Boulevard.	88 units; 40,000 sq. ft retail/office
469 N. Crescent Drive	34,000 sq. ft.: former post office - Beverly Hills Cultural Center
400 Foothill Road	53,000 sq. ft. - Mercedes-Benz service facility
50 N. La Cienega Boulevard	Conversion -14,000 sq. ft office to medical office
9001 Olympia Boulevard	39,700 sq. ft. - BMW
326 N. Rodeo Drive	4,550 sq. ft. retail
8536 Wilshire Boulevard	24,890 sq. ft. medical office/retail
8600 Wilshire Boulevard	41,500 sq. ft.; 21 dwelling units and approximately 4,800 sq. ft of retail
8601 Wilshire Boulevard	37 units; adaptive reuse
8767 Wilshire Boulevard	75,000 sq. ft. of ice/retail
9601 Wilshire Boulevard	30,000 sq. ft. - Club LA
9844 Wilshire Boulevard	95,000 sq. ft commercial
9200 Wilshire Boulevard	53 dwelling units, 8,400 sq. ft. retail, 5,600 sq. ft. restaurant
9590 Wilshire Boulevard	60 units residential/12,000 sq. ft. commercial; mixed use project with multi-family residential and retail fronting on Wilshire Boulevard.
9754 Wilshire Boulevard	24,566 sq. ft office, e, 7,977 sq. ft. medical office; replaces 26,000 sq. ft. office
9900 Wilshire Boulevard	252 dwelling units, 15,656 sq. ft. retail, 4,800 sq. ft. restaurant; replaces 220,000 sq. ft. dept
143-149 N. Arnaz Drive	23 dwelling units
218-220 S. Arnaz Drive	16 dwelling units
201 N. Crescent Drive	80 -unit assisted care facility
155-157 N. Hamilton Drive	11 dwelling • units
225 S. Hamilton Drive	27 dwelling units (replaces 14 existing)
552-558 Hillgreen Drive	9 dwelling units
156-188 N. La Peer Drive	16 dwelling units
129 S. Linden Drive	76-unit senior congregate facility
140-144 S. Oakhurst Drive	11 dwelling units
432 N. Oakhurst Drive	34 dwelling units

Name/Address	Description
338 N. Palm Dr.	6 dwelling units
450-460 N. Palm Drive	38 dwelling units
437-443 N. Palm Drive	13 dwelling units
144 Reeves Drive	3 dwelling units
261-283 Reeves Drive	23 dwelling units: replaces 24 units
313-317 Reeves Drive	10 dual units
428-430 Smithwood Drive	1 dwelling unit
133 Spalding Drive	4 dwelling units
115 N. Swall Drive	3 dwelling units

City of West Hollywood Cumulative Project List

1200 Alta Loma Road	40 room addition to existing hotel
8900 Beverly Boulevard	Construct 39,178 sq. ft. of commercial space demo 14,945 sq. ft., building 8 units
Beverly Boulevard/Doheny Drive	94,000 sq. IL retail
8783 Bonner Drive	1,000 sq. ft. of commercial
1010 N. Curson Avenue	10 unit condo (demo 2 SFR)
1040 N. Curson Avenue	4 unit apt. (demo 1 SFR)
612-616 N. Croft Avenue	11 unit condo demo 2 units)
1042-1050 N. Edinburgh Avenue	18 unit condo (demo 8 unit)
1041 N. Formosa Avenue	748 stag parking structure
1153 N. Formosa Avenue	4 unit condo
8200 Fountain Avenue	9 unit apartment (demo 2 dwelling units)
1048 N. Gardner Street	10 unit condo (demo 1 SFR and 4 apts)
1146 Hacienda Place	10 unit condo (demo 1 Dwelling unit)
901 Hancock Avenue	Mixed Use with 12,5000 [sic] sq. ft. (including 3,2000 [sic] sq. ft. of high turnover restaurant) of commercial and 40 dwelling units
1236 N. Harper Avenue	17 unit condo (demo 12 units net 5 units)
1248 N. Harper Avenue	17 unit condo (demo 12 units net 5 units)
1351 Havenhurst Drive	12 unit condo
1433 Havenhurst Drive	24 unit apartment (demo 3 units)
1234 N. Hayworth Avenue	47 unit condo (demolish 48 units net -1 tai;
1342 N. Hayworth Avenue	16 unit apt. (demo 6 unit apt)
901 Hancock Avenue	Mixed use with 12,500 sq. ft. of retail and 40 dwelling units
8465 Holloway Drive	Mixed use with 42,814 sq. ft. (16 condo units, 20 hotel rooms and 4,619 restaurant/bar)
310 Huntley Drive	170-student private school
723 Huntley Drive	28-student child care
547 N. Kings Road	4 unit condo (demo 1 SFH)
632 N. Kings Road	6 unit condo demo 2 SFH
625 N. Kings Road	18 unit condo (demo 1 SFH)
329 N. La Cienega Boulevard	Construct 140 student private school
1136-1142 N. La Cienega Boulevard	16 unit condo (demo 2 units)
1152 N. La Cienega Boulevard	8 unit condo (demo 1 dwelling units)
1037-1051 N. Laurel Avenue	16 unit apt (demo 10 units)
1248 N. Laurel Avenue	20 unit condo
8448 Melrose Avenue	4,000 sq. ft. of retail
8525 Melrose Avenue	9,206 sq. ft. commercial space (demo 2 SFHs)
8584 Melrose Avenue	9,995 sq. ft. of retail (removal of 6,475 sq. ft. of retail)
8588 Melrose Avenue	6,905 sq. ft. of retail (removal of 3,523 sq. ft. of retail)

Name/Address	Description
8687 Melrose Avenue	400,000 sq. ft. of office (PDC Red)
8750 Melrose Avenue	120,000 sq. ft. of medical office
9040 Melrose Avenue	Mixed use with 71,000 sq. ft. commercial 327,000 sq. ft. self storage 191 condos (demo 90,000 sq. ft. of commercial) (Melrose Triangle)
8121 Norton Avenue	16 unit condo (demo 3 SFHs)
9081 Nemo Street	9,990 sq. ft. retail & office
1011 N. Orange Grove Avenue	5 unit condo
1220 N. Orange Grove Avenue	12 unit condo (demo 1 SFR)
924 Palm Avenue	3 unit a apartment
312 N. Robertson Boulevard	Wholesale showroom
912 N. San Vicente Boulevard	5 unit condo (demo 3 units)
935 N. San Vicente Boulevard	6 unit condo (demo 1 SFH)
8120 Santa Monica Boulevard	Mixed use with 13,830 sq. ft. of retail and 28 dwelling units
8631 Santa Monica Boulevard	4,200 commercial
9040-9098 Santa Monica Boulevard	236,000 sq. ft. retail & office
8760 Shoreham Drive	12 unit condo (demo 1 SFR)
8788 Shoreham Drive	15 unit condo
917 N. Sierra Bonita Avenue	5 unit condo demo 1 SFR)
8305 W. Sunset Boulevard	2,972 sq. ft. retail, 10, 300 restaurant
8430 W. Sunset Boulevard	Mixed-use 35,000 sq. ft retail 138 dwelling units (Sunset olive
8474-8544 W. Sunset Boulevard	296 hotel rooms, 39,440 sq. ft. of retail and restaurant and 189 residential units (Sunset Millennium)
8746 W. Sunset Boulevard	2,323 "A. of retail
8849 W. Sunset Boulevard	retell
8873 W. Sunset Boulevard	9,995 sq. ft. retail
8950-8970 W. Sunset Boulevard	196-room hotel with 4 dwelling units
9016 W. Sunset Boulevard	107,900 sq. ft. medical office (demo 11,400 commercial)
894-900 West Knoll Drive	6 unit condo
8565 West Knoll Drive	6 unit condo (demo 1 SFR)
8703 West Knoll Drive	7 unit apartment
841-851 Westmount Drive	16-unit condo

City of Los Angeles Cumulative Project List (Vicinity of Beverly Hills)

2055 Avenue of the Stars	145-unit condo (St Regis)
2000 Avenue of the Stars	778,947 sq. ft. commercial, 483 condos Century Plaza)
146 Clark Drive	Mixed-use with 500 sq. ft. of commercial and 6 dwelling units (demo 1 SFR)
10131 Constellation Avenue	483-unit condo
Constellation Park West Avenue/Century	Constellation Place
860 S. Devon Avenue	19-unit condo
100 N. La Cienega Boulevard	Construct 62 unit condos, 177 unit apts, 38739 hi-turnover rest., 316279 it. retail
1016 S. La Cienega Boulevard	Construct mini-shopping center, auto body shop, multiple restaurant/retail shops
1461 S. La Cienega Boulevard	1,600 sq. ft. fast food restaurant w/ drive-thru
1742 S. La Cienega Boulevard	3,160 sq. ft. fast food restaurant
431 Fairfax	11,023 sq. ft food court
5985 W. Pico Boulevard	15,379 sq. ft. drug store s/drive-thru
6120 W. Pico Boulevard	7,929 sq. ft. mini-mall

Name/Address	Description
8625 W. Pico Boulevard	39-unit apartment, 11,327 sq. ft, retail
9051 W. Pico Boulevard	Private school for pre-K to 5th grade with 42,000 sq. ft. & 44 park spaces
9760 W. Pico Boulevard	High school building addition
10201 W. Pico Boulevard	360,000 sq. ft. studio expansion
145 S. Robertson Boulevard	Convenience market
10250 Santa Monica Boulevard	71,000 sq. ft. shopping center expansion
6298 W. Third Street	Construct 300 units apartments
6411 Wilshire Boulevard	130-unit apartment
10250 Wilshire Boulevard	35-unit condo

Source. Beverly Hills Community Development Dept. Compiled by Crain Associates (Saks/Casden EIR), ESA (9200 Wilshire/Legacy EIR), Parsons Transportation, Korve Engineering, and the Beverly Hills Planning Division. Updated 1/11/06.

RESPONSE NO. 17-8

The cumulative projects list for the City of Beverly Hills is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

Refer to Topical Response No. 10 – Cumulative Impacts, as presented in Section IV.A of this Final EIR.

LETTER NO. 18

Barbara Abrash
Ockykiss@aol.com
Cheviot Hills homeowner

COMMENT NO. 18-1

No more condos on Constellation Place! No more traffic in Cheviot Hills!

RESPONSE NO. 18-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Project would result in a net decrease in daily and P.M. peak hour traffic when compared to the traffic generated by the uses to be removed from the Project site. As shown in Table 12 (Draft EIR, Section IV.B, page 171) and validated via the revised intersection capacity analysis, the Project would result in a decrease of -0.001 in the A.M. peak hour Volume/Capacity (V/C) ratio and a decrease of -0.004 in the P.M. peak hour V/C ratio at the Cheviot Hills intersection of Motor and Manning Avenues. The conclusions of the revised intersection service level analysis are presented in Correction and Addition No. IV.B.h., Section III, Corrections and Additions, of this Final EIR.

LETTER NO. 19

Richard Ackerman
Apollo Real Estate Advisors, LP
10250 Constellation Boulevard, Suite 2900
Los Angeles, CA 90067

COMMENT NO. 19-1

I am writing to inform you of my support for the proposed condominium project at Avenue of the Stars and Constellation Boulevard.

As a tenant in the MGM Tower, I can personally attest to Century City Realty's commitment to building and maintaining world-class office properties. I am confident that the condominiums they are proposing to build across the street will be second to none.

Century City Realty has a long and successful track record in Century City. They developed the MGM Tower, the SunAmerica Center and currently maintain all the landscaped median strips and fountains in the community. Their experience in constructing and managing high-rise condominiums in Chicago and other large cities make them the ideal developer for this site.

I look forward to the addition of these new homes in Century City and encourage the City to approve this project.

RESPONSE NO. 19-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 20

Diane J. Anderson
13908 El Espejo Road
La Mirada, CA 90638

COMMENT NO. 20-1

I work in Century City and support the condominium project at 10131 Constellation Boulevard because I believe the addition of condominiums will make Century City a more vibrant and balanced neighborhood.

Thousands of professionals drive to and from Century City each day. The addition of new condominiums will provide some of these people an opportunity to live close to their offices and walk to work. That will mean fewer cars on the roads and cleaner air.

Having a residential development in the heart of Century City will bring life to the streets on evenings and weekends, making the neighborhood a safer and more interesting destination.

I strongly urge the City to approve this project.

RESPONSE NO. 20-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 21

Lucie Bava
2946 Motor Avenue
Los Angeles, CA 90064

COMMENT NO. 21-1

Please include me as an opponent of the above named project for all of the reasons outlined in the comments by the "Westside Coalition of Community Associations" dated January 13, 2006. Please include me and the additional association I represent, The Cheviot Hills Traffic Safety Association, as opponents of the project located at 10131 Constellation Blvd for the reasons highlighted in the response by the coalition.

I would like to be notified of any and all correspondence on this project including all comments related to this project.

RESPONSE NO. 21-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please refer to Response to Comment Nos. 7-1 through 7-115 with regard to comments provided by A Westside Coalition of Community Associations.

All signatories to letters responding to the Draft EIR are included on the City's mailing list that will be used to notify the public of all public hearings relating to the proposed Project.

LETTER NO. 22

Lawrence and Kathryn Bernstein
10463 Tennessee Avenue
Los Angeles, California 90064

COMMENT NO. 22-1

As a resident of the City and of the Westside, I want to express my serious concerns about this project as currently proposed, The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated.

RESPONSE NO. 22-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As discussed in Section IV.A, Land Use and Planning, of the Draft EIR, the Project site is zoned C2. Under the existing C2 zone, the Applicant is permitted to build "by right" any project consistent with the C2 zone (including office, retail, hotel, and multiple family dwellings consistent with the R4 zone), up to a floor area density of 6:1 FAR, so long as the project would not exceed the allocated trips for the property (3,654.181 CATGP trips). Based solely on the floor area, up to 538 residential units (compared to the Project's 483 residential units) could be constructed within the 215,393 square foot Project site (based on the LAMC's standard of 400 square feet of land area per unit). As shown in Section IV.A., Table 6 on pages 133 and 134 of the Draft EIR, the Project would be consistent with the density, setbacks, height, parking, and open space requirements of the Project site's existing zoning.

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A., Land Use, and Topical Response No. 7 – Project Consistency with the Century City North Specific Plan (see Section IV.A of this Final EIR). Recordkeeping with regard to the status of total allocated trips for individual parcels within the CCNSP is currently maintained by the Los Angeles City Planning Department. As stated in Section IV.A, Land Use, on page 132 of the Draft EIR, according to Los Angeles City Planning Department records, as of August 1, 2005, a total of 1,541.190 Phase II CTGP Trips are available on Parcel 7 (i.e., portion of the Project site). In addition, City records set forth a total of 2,112.991 potential replacement CATGP Trips that could be generated by demolishing the Century Club restaurant, the drive-through bank facility, and the bank building that currently exist on Parcel 8 (i.e., the balance of the Project site). Thus, a total of 3,654.181 CATGP Trips is allocated to the Project site pursuant to City records. Using a trip factor of 7.55 trips per condominium unit (per Section 2 of the CCNSP), the Project would generate 3,646.55 trips per day. Therefore, the Project would not exceed the trip allocation for the Project site.

Therefore, based on the applicable zoning and the trip allocation for the Project site, there exists the right to develop the site as proposed. Also refer to Response to Comment Nos. 7-7 and 7-8.

COMMENT NO. 22-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

RESPONSE NO. 22-2

Please see Topical Response No. 2-Project Trip Generation as presented in Section IV.A of this Final EIR. The existing and future impacts of the Project have been adequately analyzed in the Draft EIR using conservative assumptions and methodology approved by LADOT. Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced, including an assessment of potential local residential street impacts. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A of this Final EIR). The additional analysis concluded that the Project would not have a significant impact on residential streets even with the reduced credit for trips generated by the existing land uses.

The existing uses were based on certified square footage prepared by a licensed civil engineer. The traffic study in the Draft EIR conservatively used the following: (a) gross floor area calculations for each of the existing structures; and (b) a 20 percent pass-by credit to further reduce existing trips.

COMMENT NO. 22-3

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 22-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR provides a comprehensive analysis of land use compatibility and sets forth meaningful mitigation measures where necessary (see Sections IV.A through IV.H.5 of the Draft EIR). As discussed in the Draft EIR and Response No. 19-1 above, the proposed Project is allowed on the site based on applicable zoning and trip allocation for the Project site. The mitigation measures for the Project presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 23

Jonathan A. Brod
jonbrod@pacbell.net

COMMENT NO. 23-1

I have reviewed the Draft EIR for the above-referenced project (obviously, I have not read the two books cover to cover). The following are my comments:

So many of the assumptions and the conclusions are so wrong that I have to comment. For example, the main objective to meet housing needs is absolute baloney. At least one luxury high rise condominium project (maybe two or three) is currently being built on the Wilshire corridor. The Beverly Hilton is going to be torn down and built into high priced condominium units. So, there is no need in this area for additional high priced, high rise condominiums.

RESPONSE NO. 23-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 23-2

All of the assumptions and conclusions regarding the affect of this project on traffic are incorrect. The traffic studies during rush hour are dead wrong. The properties that would be replaced by the double tower condominium project consist of a night club, a day-time restaurant located on the night club premises, and a bank. At least 90% of the day-time business of those properties is walk-in customers who work (and some live) in Century City. Neither the bank nor the restaurant are open during or shortly after the end of the morning rush hour. Those two properties have fewer than 100 parking spaces, most of which are empty throughout the day. With 1,208 parking spaces replacing fewer than 100, the only conclusion to be reached is that traffic will increase. The number of full-time and part-time employees traveling to and from the bank and the restaurant have to be fewer than the number of full-time and part-time employees who will be traveling to and from the condominium project during rush hour, both in the morning and in the afternoon. Also, some proportion exceeding 25% of the 1,000 or more people living in the project will be traveling to work to and from the condominium project for locations existing outside Century City during rush hour.

RESPONSE NO. 23-2

Issues relating to traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology incorporated in the Draft EIR traffic study accurately evaluates

the Project's traffic impacts in accordance with ITE and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 1). Refer also to Topical Response Nos. 2, 3, and 4, as presented in Section IV.A of this Final EIR. Therefore, no further evaluation of traffic impacts is required.

COMMENT NO. 23-3

Already, the traffic problems are horrific. There have been numerous Los Angeles Times articles about traffic in Century City, on Santa Monica and Olympic Boulevards, and in the residential areas surrounding Century City. The statement that there is less traffic now on Santa Monica Boulevard is misleading. During reconstruction of Santa Monica Boulevard, for a large percentage of the time before the Draft EIR was prepared, traffic was reduced to one lane. Traffic problems on Santa Monica Boulevard since the reconstruction of that street have been "legendary." People in the know have been avoiding Santa Monica, and as a result, there is greatly increased traffic on Wilshire Boulevard, Olympic Boulevard and Pico Boulevard.

In the last year, traffic problems during rush hour have been greatly increased because of: (1) the Santa Monica corridor reconstruction; (2) the construction of the large office building on Avenue of the Stars; (3) the construction of the new theaters at the mall; (4) the reconstruction of front entrances at 1800 Century Park East and the neighboring building; and (5) the reconstruction of the new hospital and front of the hospital on the corner of Century Park East and Olympic Boulevard.

The Draft EIR does not take into account the traffic that will be generated by the massive project located at the southeast corner of Avenue of the Stars and Constellation. Until traffic studies are completed after that project is finished, after the reconstruction of Santa Monica Boulevard, and the increased traffic flowing to and from the Century City Mall, all EIR studies of traffic patterns are pure surmise. Also, with the massive traffic delays because of the construction of condominiums after the Beverly Hilton is torn down, and the huge mass of traffic problems that will be caused by the construction of the project at a critical location in Century City, Century City will be ensnarled with traffic. Lest I even comment about the construction of the new hotel in Beverly Hills only one mile from Century City.

RESPONSE NO. 23-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area, including the related projects identified by the commentor, in accordance with all CEQA requirements. The analysis of cumulative impacts is

provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 19 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 23-4

Finally, how can gardens on Avenue of the Stars and Constellation soften the project, etc.?

RESPONSE NO. 23-4

Landscaping and streetscape, including water features, are intended to soften the visual aspect of the Project from the adjacent sidewalk. Canopy trees would allow the Project's exterior walls to be viewed through tree branches, which would soften the planes created by the Project's exterior walls. The one-story recreation building at the corner of Avenue of the Stars and Constellation Boulevard and the variety of corners in the building footprints, would create varying setbacks as viewed from the sidewalk, which would also soften the visual aspect of the tower structures.

COMMENT NO. 23-5

There will be two 47-story buildings, creating huge shadows hours every day for pedestrians, where shadows currently do not exist.

The very popular Thursday's Farmer's Market would end.

RESPONSE NO. 23-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As shown in the Draft EIR (Section IV.C, Figures 45 through 53), Century City is extensively shaded by existing buildings. As such, areas of new shading created by the Project would be relatively limited since the Project is located among other existing high-rise buildings. Based on the analysis presented in Section IV.C, Visual Resources, of the Draft EIR, development of the Project as proposed would have a less than significant shading impact. The Farmer's Market is under the control of the Century City Chamber of Commerce. It is anticipated that the operation would either be relocated or closed prior to commencement of Project construction.

COMMENT NO. 23-6

There will also be a tremendous slow down of traffic where ingress and egress are needed into and out of the project.

RESPONSE NO. 23-6

An analysis of projected turning volumes and operating conditions at the proposed Project driveways onto Constellation Boulevard and Avenue of the Stars is presented in Section IV.B, Traffic and Circulation, of the Draft EIR. As shown in Figure 10 in the Draft EIR traffic study (see Appendix C of the Draft EIR), at the main project driveway on Constellation Boulevard, ten vehicles are projected to turn into the driveway from Constellation Boulevard during the A.M. peak hour and 24 vehicles are projected to enter the site at this location during the P.M. peak hour. Approximately 33 and 18 vehicles are projected to turn out from the main driveway onto Constellation Boulevard during the A.M. and P.M. peak hours, respectively. At the right-turn only driveway on Avenue of the Stars, nine vehicles are projected to make a right-turn into the Project driveway from northbound Avenue of the Stars during the A.M. peak hour and 33 vehicles are projected to make this turn during the P.M. peak hour. Thirty-two vehicles are projected to turn right from the Project driveway onto Avenue of the Stars during the A.M. peak hour and 17 vehicles are projected to make this turn during the P.M. peak hour. These volumes are all relatively low, on the order of one vehicle every two minutes or less. Using the "Two-Way Stop" methodology from the 2000 Highway Capacity Manual, the stop-controlled vehicles at these Project driveways are projected to operate at good levels of service (LOS); i.e., LOS B and C.

Furthermore, vehicles exiting the Project site driveways would need to wait for suitable gaps in traffic on Constellation Boulevard or Avenue of the Stars before making their turn. The Draft EIR therefore concluded the impacts relative to site access would not be significant.

COMMENT NO. 23-7

The Draft EIR is completely false. This project should not be built.

RESPONSE NO. 23-7

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR reflects the independent judgment of the City of Los Angeles with regard to the potential environmental impacts of the proposed Project and has been prepared in compliance with all CEQA requirements.

LETTER NO. 24

Patrick Browne
Angela Browne
1714 Warnall Ave.
Los Angeles, CA 90024

COMMENT 24-1

My wife and I have lived on Warnall Ave for over 33 yrs. We have seen tremendous change & growth in this period of time. And, it certainly hasn't all been for the best! However, we are now confronted with additional building proposals which will increase the traffic immensely.

How much more expansion & congestion can we stand? We have total gridlock now. We cannot handle more traffic. We are tired of speeding cars cutting through our streets for a short cut to Beverly Glen. This must stop. Please! We need your help. Please!

RESPONSE 24-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

LETTER NO. 25

Shannon Burns
2305 Overland Avenue
Los Angeles, CA 90064

COMMENT NO. 25-1

This letter is in response to the above-referenced Draft Environmental Impact Report (DEIR).

I believe the assertion that the project will not have an impact on traffic and therefore no mitigation is required is mistaken, especially when the assertion is based upon faulty information either supplied to or from the project owners. Because of the faulty and/or wrong data, the entire DEIR is defective and should be reviewed in its entirety and completely revised for further consideration.

RESPONSE NO. 25-1

Issues relating to traffic analysis methodology are addressed in Topical Response No. 1. As discussed in the topical response, the methodology used in the Draft EIR traffic study is consistent with ITE and LADOT guidelines and conducted in consultation with the LADOT (see Final EIR Section IV.A, Topical Response No. 1). As such, the traffic report is considered a reliable forecast of existing and future conditions and the revision of the Draft EIR traffic analysis and other sections based on Project trip generation is not warranted.

COMMENT NO. 25-2

It is clear that any new development in Century City where a variance is requested will have an adverse impact on traffic in West Los Angeles. When seeking a variance on a builder's ability to build "by right", the builder is seeking to do something which, by right, it is not entitled to do.

RESPONSE NO. 25-2

The Applicant is not seeking and does not require a variance from any land use regulations, including zoning, building heights, open space or any other regulatory requirement. Refer to the Table 6 of the Draft EIR, Consistency of the Proposed Project with Applicable Land Use Regulations of the Los Angeles LAMC (Draft EIR Section IV.A, page 133).

COMMENT NO. 25-3

There are numerous City maps, ordinances and resource materials that have not been updated by the Planning Department or the City in years. The West Los Angeles Community Plan and the West Los Angeles Traffic Improvement and Mitigation Plan, which was last amended on March

8, 1997 (nearly 10 years ago), are woefully out of date. As such, use of these out of date maps and materials in preparation of a current DEIR makes the entire DEIR fatally flawed.

What maps and other resource materials were provided and used in the preparation of the DEIR?

RESPONSE NO. 25-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The plans referenced in the comment are the current plans of record and as such serve as the bases for evaluating the Project's consistency with applicable plans (see Section IV.A., Land Use, of the Draft EIR). The Land Use section of the Draft EIR (Section IV.A) provides an analysis of all applicable plans, maps, and policies.

COMMENT NO. 25-4

The DEIR makes the following misleading comment about Overland Avenue:

"Overland Avenue is a Class II major highway located to the west of Century City. Overland Avenue provides two lanes in each direction in addition to left-turn lanes." Then, as almost an afterthought, but not addressing the actual width of the street, the DEIR provides: "Overland Avenue, which terminates at Santa Monica Boulevard, is a designated secondary highway between Pico Boulevard and Santa Monica Boulevard."

This creates the false impression that although north of Pico Blvd., the classification changes, the number of lanes remain the same as described in the emphasized text. This must be changed.

Further, and more importantly, the street designation of Overland north of Pico is **wrong**. On Page 143 of the DEIR, Overland Avenue between Pico Blvd. and Santa Monica Blvd. is described as a **secondary highway**. **It has been a collector street for over a year**. See Los Angeles City Map for Council District 5, attached as **Exhibit 1**, showing Overland Avenue, north of Pico Blvd., is listed as a residential collector street. This information is easily available on the Los Angeles "Navigate LA" website.

Also, north of Pico Blvd., Overland Avenue does **not** have two lanes in each direction plus left turn lanes as stated in the DEIR. It is a narrow, 30 feet wide, residential street, lined with 58 single family residences between Pico Blvd. and Olympic Blvd. alone, many more single family residences north of Olympic Blvd., and one block north of Olympic Blvd. there is located an elementary school, Westwood Charter, which is built out to the sidewalk. Most of these residences were built as part of the original Janss development tract.

South of Pico Blvd., Overland Avenue is as described in the DEIR.

How is the street listed in the traffic models?

RESPONSE NO. 25-4

The commentor states that Overland Avenue between Pico Boulevard and Santa Monica Boulevard is a collector street and not a secondary highway. The City of Los Angeles is studying the potential downgrade of the section of Overland Avenue between Pico and Santa Monica Boulevards to a collector street. However, no formal action with regard to this street reclassification has occurred as of this date. Accordingly, both the Generalized Circulation map in the West Los Angeles Community Plan and the City's Navigate LA website continue to show that this portion of Overland Avenue is classified as a secondary highway. The description of Overland Avenue north of Pico Boulevard has been revised. Please refer to Correction and Addition No. IV.B.b as presented in Section III, Corrections and Additions, of this Final EIR. Regardless of its designation, Overland Avenue operates as a two-lane street between Pico Boulevard and Santa Monica Boulevard, and it was correctly treated as such in the Project's traffic forecasting. Correction of this typographical error does not alter the conclusions of the Draft EIR regarding traffic impacts of the proposed Project.

COMMENT NO. 25-5

Overland Avenue, north of Pico Blvd., has had restrictions on the books for over 30 years that it shall not be widened. Past environmental impact reports in this area, including the JMB environmental impact report relating to its earlier project at 10250 Constellation Boulevard (known as Constellation Place) ignored these restrictions that have long been on the books, in seeking mitigation measures that would have adversely impacted Overland Avenue as a whole and 10 single family residences in particular, without notification to the residents of Overland Avenue or an opportunity to be heard. See Page 379 of the Draft EIR for Constellation Place, EIR No. 96-0151; Page I-50-51, FEIR dated July 31, 1997. Had JMB done its homework, it would have easily uncovered these substantial errors. It is apparent that JMB has not provided the preparer of this document all current available material to conduct a good faith review and report. It must be assumed that as a result of earlier failure to review current or past regulations or restrictions in preparation of the earlier (Constellation Place) EIR, Overland Avenue residents found installed, without prior notification, hearing or any opportunity to be heard, a left turn arrow at Olympic Blvd. and Overland Avenue to funnel commuter traffic from Constellation Place down its narrow, 30 foot wide, two lane residential street that is lined, in toto, with single family homes. There are children living in more than half of these homes. More than 20 of the 58 homes on this street, between Olympic Blvd. and Pico Blvd., have children under the age of 5. Neighborhood children use this street each weekday morning and each weekday afternoon and cross at Olympic Blvd. to get to our neighborhood's local Westwood Charter School. That mitigation has created a substantial ongoing safety hazard to the children living on our street and

our elderly residents. Doubtless, a thorough review of the DEIR by the Planning Department will find additional, more significant errors based upon faulty source materials.

Finally, the Santa Monica Blvd. Transit Parkway Project acknowledged that Overland Avenue, from Santa Monica Blvd. to Pico Blvd. will increase traffic after the project by an additional 400 vehicles per hour. That estimate was not as a result of increased density or development of residential or commercial property. Accordingly, the individual or team who suggested that 483 luxury residences housing approximately 980 owners, with building and owner employees adding to the mix, would not increase traffic in this area, or on Overland between Santa Monica Blvd. and Pico Blvd are not being realistic.

RESPONSE NO. 25-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Implementation of the left-turn arrow at Olympic Boulevard and Overland Avenue was not caused by the proposed 10131 Constellation Boulevard Project. Since it exists, it was appropriately considered in the 10131 Constellation Boulevard Draft EIR as an existing condition that was incorporated into the analysis of traffic conditions at the Olympic Boulevard/Overland Avenue intersection.

The Draft EIR estimated that approximately six percent of the Project's traffic may utilize Overland Avenue between Olympic Boulevard and Pico Boulevard. The Draft EIR estimates that the Project would result in a net decrease in trips on a daily basis and during the P.M. peak hour (see Topical Response No. 2-Project Trip Generation in Section IV.A. of this Final EIR), but does estimate an increase of about 48 trips during the A.M. peak hour. This would result in about three trips added to Overland Avenue between Olympic and Pico Boulevards during the A.M. peak hour. Refer also to Response to Comment No. 25-1 regarding the adequacy of the traffic analysis in the Draft EIR. The Planning Department has determined that this EIR meets all applicable CEQA requirements.

COMMENT NO. 25-6

Exhibit 1

Map

Map – Council District 5- Street Designation

RESPONSE NO. 25-6

The information provided in this comment is in support of Comment No. 25-4. The information presented in this comment was reviewed and analyzed in the preparation of Response to Comment No. 25-4. As the content of this comment has been previously addressed, no further response is required.

LETTER NO. 26

Jean Bushnell
10348 Eastborne Ave.
Los Angeles, CA 90024

COMMENT NO. 26-1

My husband and I have been residents of the Century Westwood Watch area north of Century City for 34 years. We have deep concern about the continuing and uncontrolled growth of Century City. Adding 483 residential units is creating an entire neighborhood in three structures. Our CWW area has only 300 single family homes. This one development will be larger than our entire area, which is bordered by Wilshire, Santa Monica, Beverly Glen and Club View.

Traffic and congestion are horrific around Century City. This overbuilding of once open space will make living and maneuvering around the area almost impossible.

Please listen to local residents and oppose the project at 10131 Constellation Blvd. Thank you.

RESPONSE NO. 26-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project, (see Section IV.B, Traffic and Circulation, of the Draft EIR). As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 27

Patricia A. Butler
2106 Parnell Avenue
Los Angeles, California 90025

COMMENT NO. 27-1

I have been a resident of the City of Los Angeles and of the Westside since 1970, My grandparents lived here. My mother grew up here. They would be spinning in their graves if they saw this area now, I am not completely averse to the establishment of new businesses and housing, and I understand how valuable that Century City land is. But, seriously, we are choked in traffic, and I think it's affecting *our* property values. (And, by the way, having once worked for ABC in the 2040 building, may I take this opportunity to say. OH PUKE! in reference to that abomination being erected in place of the beautiful buildings that used to grace the plaza.)

RESPONSE NO. 27-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

Property values are not analyzed under CEQA, and the 2040 building referenced in the comment is not associated with the proposed Project, therefore, no further response to those comments is required.

COMMENT NO. 27-2

Now we have the referenced project. And I know that, no matter what any of us say, it will happen. And no one will address the traffic. Here is what someone said when we wrote complaining about Trammell Crow, "Don't worry, we are providing plenty of parking." Like parking was our concern. People who don't live in this area should be parking far away in a nice

security structure and being bused in and out. What would be wrong with that? Oh, yeah, huge revenue from the parking concessions in the buildings in Century City.

RESPONSE NO. 27-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please refer to Response to Comment No. 27-1 regarding potential traffic impacts. The Draft EIR also provides a comprehensive analysis of parking impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR. It should be noted that the proposed Project is a residential, not commercial, project and its residents would be living in the area.

COMMENT NO. 27-3

I am informed that the accounting of the available trips in Century City and the rights to build a project of this size has not been demonstrated, and that the traffic study prepared for this project does not accurately assess the site's current trip generation. Duh. Can't you guys plan better? Our little area used to be so pleasant and now it's a gridlocked freeway extension for traffic screaming in from the Valley or Malibu.

RESPONSE NO. 27-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. Please see Draft EIR, Section IV.A., Land Use, Topical Response No. 7 – Project Consistency with the Century City North Specific Plan, and Topical Response No. 2 – Project Trip Generation. The referenced topical responses are presented in Section IV.A of this Final EIR. Also, please refer to Response to Comment No. 22-1 regarding the right to build the proposed Project and Response to Comment No. 22-2 regarding accuracy of the trip generation for the existing uses on the Project site.

COMMENT NO. 27-4

I am a member of the Westwood South Homeowners' Association and support their actions in opposition to the project as currently proposed,

RESPONSE NO. 27-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 28

Nathan L. Chroman, Esq.
1569 S. Ensley Avenue
Los Angeles, CA 90024

COMMENT NO. 28-1

I have resided since 1968 at 1569 S. Ensley Avenue, a place where I have enjoyed the best of urban living. During that period I served as the president of the Transportation Commission for the City of Los Angeles in the administration of Mayor Tom Bradley where we grappled with transportation and traffic abatement issues.

In recent years the key word on Ensley and neighboring streets is "over". Today, we are impacted with the over-traffic, over-development, over-congestion and over-speeding.

The problem is that developers do not live here and that, notwithstanding promises of traffic abatement; peace and serenity for the neighborhood is over. We need to overturn greed and drive for over-development by developers. With that notion in mind we on Ensley would like to add joy to the word "over".

RESPONSE NO. 28-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

LETTER NO. 29

Robert J. Cimiluca
2210 Overland Ave
Los Angeles, Ca 90064

COMMENT NO. 29-1

If the City is going to approve this project, the Westside residents have a right to know what the real traffic impact will be in terms of car trips. The draft EIR claims that the developer will replace the Century Club and the City National Bank branch, having approximately 36,000 square feet, with two 47-story residential towers and a 12-story loft building, with 1.3 million square feet, and generate less traffic!

The draft EIR is able to make this assertion by egregiously over-estimating existing car trips. By doing so, the real impacts of the project will be lost, and the developer will bear no responsibility for mitigating any real new traffic,

The Westside residents and the City are entitled to know what the real impacts will be.

RESPONSE NO. 29-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Specific responses to the issue of vehicle trips generated by uses to be removed are provided in Response to Comment Nos. 7-109 through 7-114. Based on these responses, as well as the information set forth in Topical Response Nos. 1 through 4 (see Section IV.A, Topical Responses, of this Final EIR), the Project's traffic analysis is a reliable forecast of existing baseline conditions. Furthermore, using City of Los Angeles significance criteria, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit.

Based on a 2004 survey by a civil engineer which was updated in February 2006, the square footage for the existing buildings (restaurant, bank building, drive-through bank facility) has been established at 39,000 square feet.

COMMENT NO. 29-2

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 29-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 30

Patricia & Ira Cohen
1506 Club View Drive
Los Angeles, Ca. 90024

COMMENT NO. 30-1

I have been a resident in the area for over 20 years. I have patiently survived the massive construction and reconstruction in the Century City area for many years. When will it end? The increase in residential units and the resultant increase in traffic will surely put a major strain on the existing community. This is an area that has been proud of the wonderful living conditions and as the city continues to approve more residential units and increase the traffic flow, we are moving towards gridlock and instability. Please reconsider your decision to allow the construction on Constellation Boulevard.

RESPONSE NO. 30-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 1 – Traffic Study Methodology and Topical Response No. 3 – Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 31

Bennett and Marilyn Cohon
1906 Prosser Avenue
Los Angeles, California 90025

COMMENT NO. 31-1

As longtime residents of the City and of the Westside, we want to express our serious concerns about this project as currently proposed. The accounting of the available trips in Century City, and the rights to build a project of this size have not been demonstrated.

RESPONSE NO. 31-1

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for existing uses are consistent with ITE and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 2). As discussed in the Draft EIR, the Project would be consistent with the CATGP trip requirement of the (Draft EIR, Section IV. A and Topical Response No. 7 – Project Consistency with the Century City North Specific Plan, as presented in Section IV.A of this Final EIR) and would not contribute to an increase in total daily or P.M. peak hour traffic (Draft EIR, Section IV.B). The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). Also, please refer to Response to Comment No. 22-1 regarding the right to build the proposed Project and Response to Comment No. 22-2 regarding the accuracy of the trip generation for the existing uses on the Project site.

COMMENT NO. 31-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated. This type of faulty study in prior projects, has resulted in serious overbuilding in Century City, with its concomitant traffic gridlock.

RESPONSE NO. 31-2

Issues relating to the Project's traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology was conservative and does not overstate trips from existing onsite uses. No existing trips were estimated or taken as a credit for the restaurant during the P.M. peak hour since it is closed during that peak hour (see Final EIR Section IV.A, Topical Response No. 1). Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, according to ITE and LADOT guidelines for existing and projected trip generation rates, the Project would reduce total daily trips and P.M. peak hour trips (see Final EIR Section IV.A, Topical Response No. 2). Nevertheless, in recognition of the concerns

expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced, including an assessment of potential local residential street impacts. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A of this Final EIR). The additional analysis concluded that the Project would not have a significant impact on residential streets even with the reduced credit for trips generated by the existing land uses.

COMMENT NO. 31-3

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigation is even possible, and how it might be achieved and monitored.

We support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 31-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The comment does not demonstrate that the Project's estimation of current use patterns is not accurately calculated in the Draft EIR. As such, no justification exists for the downsizing of the Project. Mitigation measures for the Project presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to reduce impacts and ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 32

Pierre Denis
2907 Dunleer Place
Los Angeles, CA 90064

COMMENT NO. 32-1

I appreciate having the opportunity to comment on the above-referenced project. As a long-time resident of the City and the Westside, I wish to express my serious concerns about this project as currently proposed. In particular:

The accounting of the available trips in Century City and the right of the proponent to build the project at this size has not been clearly demonstrated.

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated. This project will [sic] almost as many residential units as currently exist in our entire HOA area and the infrastructure, with intersections already at gridlock, cannot absorb ANY additional traffic. In addition, as luxury, full service units, traffic will not only be generated by the residents but also by all the employees of the association/development as well as service personnel working for individual residents. The use of standardized trip generation rates should only be allowed if these have been [sic] validated.

The project EIR has done nothing to accurately assess or mitigate the cumulative impact of this project with others in the immediate area and others in the general area. Not only is there major development underway in our community, but there is significant construction in nearby Beverly Hills that relies upon Santa Monica, Wilshire, Olympic, Pico and all the other local arterials for access. Our infrastructure is already failing. Continuous construction and increased density require additional investments in the transit system, the streets, police, fire, library, and school facilities, and recreation and park resources and services.

Mitigation needs to be meaningful, measurable, and above and beyond ensuring that building and municipal codes are followed.

RESPONSE NO. 32-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Refer to Response to Comment Nos. 7-106 through 7-115, 31-1, 31-2 and 31-3, above. As

previously discussed, the traffic study was conducted in accordance with ITE and LADOT Guidelines in consultation with the LADOT.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 19 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

LETTER NO. 33

Allen L. Drapkin, D.D.S., F.A.G.D
1617 Warnall Ave.
Los Angeles, CA 90024

COMMENT NO. 33-1

What constitutes quality environment? Overbuilding, excessive traffic, over burdened schools, parks, libraries, fire and police departments – I don't think so, neither do you.

The 483 unit 10131 Constellation Blvd. project in Century City is another example of development out of control.

You are in a position to help controll [sic] or stop this and other similar projects.

The people of Los Angeles are depending on you to protect our environment.

RESPONSE NO. 33-1

The Draft EIR provides a comprehensive analysis of the potential environmental impacts of the proposed Project. The Draft EIR evaluates the Project's environmental impacts on traffic (Draft EIR, Section IV.B, pages 141-180), schools (Draft EIR, Section IV.H.3, pages 389-400), libraries (Draft EIR, Section IV.H.5, pages 413-420), fire protection (Draft EIR, Section IV.H.1, pages 363-378), and police services (Draft EIR, Section IV.H.2, pages 379-388). The analyses describe existing conditions and the effects of the Project on the service capacities of street intersections, schools, libraries, fire, and police facilities within the Project study area. The significance of impacts is based on a comparison of the change generated by the Project to specific thresholds, including thresholds established by the Los Angeles Department of Transportation (traffic) and thresholds established by the 1998 Los Angeles CEQA Thresholds Guide (schools, libraries, fire, and police facilities). Based on a comparison of the effects of the Project on service capacities of street intersections, schools, libraries, fire, and police services in the study area, the Draft EIR concludes that the Project, inclusive of the identified mitigation measures, would have a less than significant impact with regard to traffic and the provision of public services (schools, libraries, fire protection, and police services) within the Project area. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

LETTER NO. 34

Charles Edelson P.E.
10334 Wilkins Ave.
Los Angeles, CA 90024

COMMENT NO. 34-1

I write this letter in response to the Environmental Impact Report referenced above. After review of the EIR document for the proposed development at 10131 Constellation Boulevard, I must raise my objection to the project.

RESPONSE NO. 34-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

COMMENT NO. 34-2

A principle reason for my objection is the approval by DOT of the traffic study performed by Kaku Associates in Volume II. This study is faulty and reaches the wrong conclusions because it is based on *estimates* of present traffic and not on readily available *measurements* of present traffic. The scientific engineering method does not allow for estimates based on modeling of reality to be used when measurements of reality are available. To quote Count Alfred Korzybski's seminal book on General Semantics, "The map is not the country." I question the validity of this report.

The traffic generated by the bank and night club is very specific to this highly unique location, a fact clearly not taken into account by the general modeling techniques of the ITE trip generation rates or by the WLA TAMP traffic generation rates used as the basis for the Kaku calculations. The drive-through feature of the bank is seldom used because of the extremely high traffic density patterns of the area. This bank depends primarily on walk-in customers who already work in the dense surrounding office complexes. Although I live only a mile away, I would not dream of using this bank by driving to it. It would take me fifteen minutes each way to drive to the bank. I can walk the distance in less time. The traffic estimates for the office associated with the bank and the night club appear to be similarly flawed. This traffic study should never have been approved by the LADOT and must be redone to achieve any semblance of accuracy or credibility. Accuracy in the traffic generation study is necessary for the EIR to be validated and accepted by the City of Los Angeles.

Two weeks after writing the paragraphs above, I also had the opportunity to review the Traffic Study performed by Mr. Tom Brohard, Professional Traffic Engineer. By contrast, his study and

report relied on factual data derived from real traffic counts and interviews with bank parking attendants and a manager of the night club. His report points out, quantitatively, the gross inaccuracies in the Kaku report and study. I commend this report to you as much more factual.

RESPONSE NO. 34-2

Refer to Response to Comments Nos. 27-1 and 27-2, above. In addition, issues relating to Project and existing use trip generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for the Project and existing uses are consistent with ITE and LADOT guidelines and do not need to be revised (see Final EIR Section IV.A, Topical Response No. 2). Refer also to Response to Comment Nos. 7-106 through 7-115 regarding the Brohard comments.

COMMENT NO. 34-3

I also call to your attention that the Brohard report calls into question much of the rest of the DEIR because so many of its conclusions were based on the inaccurate traffic report. Clearly, every aspect of the EIR which can be traced in any way to the erroneous traffic report must either be redone or independently validated as not dependent on the traffic report.

RESPONSE NO. 34-3

The Draft EIR provides an adequate analysis of potential traffic impacts of the Project. Refer to Response to Comment Nos. 7-106 through 7-115. As previously stated, estimated trips for the Project and existing uses are based on ITE and LADOT trip generation guidelines and, as such, are valid for the purpose of the traffic analysis. Therefore, the operational air quality and noise analyses in the EIR that depend on the forecasted trips do not require revision.

COMMENT NO. 34-4

While I do not claim expertise outside the field of engineering, I am also disturbed by the environmental issues and therefore, indirectly, the engineering safety issues. I understand that much of this site is an abandoned oil drilling site. Further, it is at a surface level significantly below the level of the surrounding terrain and has acted for decades as a water drainage sump and natural settling basin. This entire region of rolling hills was formed by alluvial deposits of sand and gravel from the Santa Monica mountains and foothills to the north. In more recent geological times this has been overlaid with less permeable clays and mixed soils. In the Century Westwood Watch area just to the northwest, where I live, there are multiple layers of underground aquifers, some very near to the surface. Along many streets, we have ground water levels that are ten feet or less below the surface.

The safety issues I raise relate to the surface and subsurface conditions of the present site and, even more so, to the interaction of the construction with the local aquifers which constitute the

City of Los Angeles' underground water basin. I did not find sufficiently detailed studies on the following issues: Will this proposed construction interfere with the current natural drainage and water settlement action which replenishes the City's underground water basin? Have the construction methods proposed taken into account the natural ground water flows at this site and how these flows will be accommodated? Will these natural aquifer flows interact with the safety of the buildings and surrounding streets and properties? Will this site have to be permanently dewatered? If so, will the water be restored to the City's underground water basin?

RESPONSE NO. 34-4

As noted, as described in the Draft EIR (II, Summary; Section IV.G, Water Quality), the central portion of the is currently characterized by a west-trending depression, approximately 20 to 40 feet below street level. This depression was created as an excavation during the late 1950s or early 1960s to reduce the visual impact of the then-ongoing oil production activities (see Appendix F of this Final EIR). As stated in the Draft EIR (Section IV.G, Water Quality), a preliminary geotechnical investigation was completed at the site in 2004. Eleven borings were excavated up to 80 feet in depth at the site in conjunction with that investigation. Groundwater aquifer levels were found to range from 61 to 78 feet below the ground surface. Temporary standpipes were installed in the exploratory borings and were monitored in August 2004 and February 2006. Groundwater aquifer levels were found to range from 75 to 80 feet below the ground surface as measured from street level. As anticipated in the Draft EIR (Volume 1, page B-21), localized or laterally discontinuous zones of perched water appear to be present at shallower depths above the groundwater table. These zones are associated with seasonal run-off. Based upon the 2004 and 2006 water level measurements, the groundwater aquifer at the site is approximately 20 to 30 feet below the anticipated base of the development. Accordingly, the excavation for the proposed site improvements is not anticipated to extend to the level of the groundwater aquifers. However, as discussed in the Draft EIR (Section IV.G, Water Quality) the building excavations may encounter localized zones of perched groundwater above the level of the regional groundwater aquifer. As stated in the Draft EIR, if groundwater is encountered during development, the groundwater would be tested and discharged in accordance with NPDES requirements. Since the proposed structures are not anticipated to extend to the level of the groundwater aquifers, no dewatering of a groundwater aquifer is anticipated. As further discussed in the Draft EIR (IV.F, Hazards and Hazardous Materials), the Project site is located within a City "Methane Zone." All new buildings within a Methane Zone are required to install a methane mitigation system in compliance with the City Methane Seepage Regulations. The methane mitigation system required for the buildings may encounter nuisance water that may need to be periodically removed. Given the localized nature of the perched zones and limited influence of the infiltration and removal of the water, any construction dewatering or removal of water that accumulates in the methane collection piping is not anticipated to impact the level or quality of groundwater (see Appendix F of this Final EIR).

The soil and groundwater data from the 2004 geotechnical investigation and the 2004 and 2006 water level measurements indicate that the Project site does not appear to contribute to any significant recharge of the groundwater table (see Appendix F of this Final EIR).

COMMENT NO. 34-5

Further, at present this site is a mini wetland. Are there any ecological issues which need to be considered?

RESPONSE NO. 34-5

Please refer to Response to Comment No. 7-34.

COMMENT NO. 34-6

Is there a methane gas or subsidence issue?

RESPONSE NO. 34-6

The Draft EIR provides a comprehensive analysis of the potential methane impacts of the Project (see Section IV.F of the Draft EIR). The Project site is located within a City “Methane Zone.” Pursuant to the City Methane Seepage Regulations, Division 71 of Article 1, Chapter IX of the LAMC, all new buildings within a Methane Zone shall comply with the requirements of the Methane Seepage Regulations and the Methane Mitigation Standards established by the Superintendent of Building. Methane testing is to be conducted before site grading. All buildings in the Methane Zone are required to provide a methane mitigation system based on the measured concentrations of methane gas and pressure at the site. As stated in Mitigation Measure F-2, prior to issuance of building permits, the Applicant would comply with the applicable requirements of the City Methane Seepage requirements.

Due to the broad area of oil production in the Cities of Los Angeles and Beverly Hills, any subsidence, if it occurs at all, would not be localized or cause ground or structural instability. The 2004 geotechnical investigation (referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application) evaluated the potential impacts from subsidence. As noted in the report and the Draft EIR, the Project site is located within the limits of the Beverly Hills Oil Field. Oil production has been ongoing in the Beverly Hills Oil Field for over 50 years. Ground subsidence in the general area has been documented. Between 1955 and 1970, the magnitude of subsidence was approximately 2½ inches. This subsidence is regional in nature and does not appear to have resulted in any perceptible differential settlement or associate damage to structures. Regional subsidence is not expected to adversely affect the proposed structures at the Project site. Therefore, neither methane nor subsidence is an issue that needs to be addressed further.

COMMENT NO. 34-7

I trust that the City of Los Angeles will take my concerns in the manner in which they are presented, with the best interests of the City and its citizens in mind.

RESPONSE NO. 34-7

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 35

Marlene Felix
2724 Midvale Avenue
Los Angeles, CA 90064

COMMENT NO. 35-1

As a long time resident of Los Angeles and particularly the Westside, I am very concerned about the proposed above noted project.

As I understand it, this project will have almost as many residential units as currently exists in my local HOA area. The current infrastructure with its congestion and gridlock at every intersection can't absorb any MORE traffic. Not only will the traffic be impacted by the residents of the project, but by the employees of the development as well as the employees of the residents.

Continuous construction and increased density on the Westside additionally impact the streets, libraries, police and fire departments, schools, parks, as well as services.

I request that you take these matters into consideration and make sure you accurately assess or mitigate the impact of this project in the immediate as well as the general Westside area.

RESPONSE NO. 35-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR provides a comprehensive analysis of traffic, libraries, police, fire, schools, parks, and other public services. The Draft EIR evaluates the Project's environmental impacts on traffic (Draft EIR, Section IV.B, pages 141-180), libraries (Draft EIR, Section IV.H.5, pages 413-420), police services (Draft EIR, Section IV.H.2, pages 379-388), fire protection (Draft EIR, Section IV.H.1, pages 363-378), and schools (Draft EIR, Section IV.H.3, pages 389-400). Also see the Project's Initial Study as presented in Appendix A of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections, an estimated 14 intersections currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see

Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

The Draft EIR provides a comprehensive analysis of all environmental issues, including, but not limited to, those associated with traffic, libraries, police and fire departments, schools, and parks. Based on this analysis and the related technical studies, the Draft EIR concludes that the construction and increased density generated by the Project would not exceed the capacities of street intersections (Draft EIR, Section IV.B, pages 174-177), libraries (Draft EIR, Section IV.H.5, pages 419-420), police services (Draft EIR, Section IV.H.2, pages 386 and 387), fire protection (Draft EIR, Section IV.H.1, page 376), and schools (Draft EIR, Section IV.H.3, page 398). As discussed in the Draft EIR (pages 408-412) potentially significant impacts associated with parks would be reduced to a less than significant level on the basis of Mitigation Measure H.4-1, which would require the Project Applicant to do one or more of the following: (1) dedicate additional parkland such that the Project would result in a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to in-lieu fees.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. In addition, a summary of the Project's cumulative impacts is presented in Topical Response No. 10-Cumulative Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 36

Ivan Finkle
10340 Rochester Avenue
Los Angeles, CA 90024

COMMENT NO. 36-1

As a resident of the affected area near Century City I am virtually a prisoner in my own home after 3:00 due to the incredible amount of traffic. The traffic volume grows daily. I am alarmed that even now, the slightest problem on one of our streets or freeways causes a major traffic jam. Needless to say that a significant disturbance, such as a terrorist event, would be disastrous. For this reason I urge that the project at 10131 Constellation Boulevard be reduced in size.

RESPONSE NO. 36-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. Using City of Los Angeles significance criteria, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Please see Topical Response No. 1 – Traffic Study Methodology and Topical Response No. 3 – Traffic Impacts as presented in Section IV.A of this Final EIR.

COMMENT NO. 36-2

This project calls for construction of 483 luxury units. The impact on traffic will be significant. Not only will residents add to the traffic, but their household employees, maintenance personnel, moving vans etc. will also be using the streets. The neighborhood cannot support so much added traffic.

RESPONSE NO. 36-2

As discussed in the Draft EIR (Section IV.B, Table 11, page 168), the Project is estimated to generate an average of 4.18 trips per dwelling unit per day for a total of 2,019 trips. The trip generation rates utilized are intended to capture all trips generated by the high-rise condominium use, including trips from residents, guests, household employees, maintenance personnel, building staff, moving vans, etc.. Also, as shown in Table 11, the existing uses to be removed are estimated to generate a total of 3,655 trips per day. Thus, the Project would result in a net reduction of 1,636 trips per day. The reduction in total traffic would reduce the impact of traffic on the local neighborhood compared to existing conditions. Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As discussed therein, the trip generation rates for the Project and existing uses are consistent with ITE and LADOT guidelines (see Final EIR Section IV.A,

Topical Response No. 2). In addition, issues relating to traffic analysis methodology are addressed in Topical Response No. 1. As concluded therein, the methodology, which is consistent with LADOT guidelines, provides an accurate assessment of existing and future traffic conditions (see Final EIR Section IV.A, Topical Response No. 1). The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). As discussed therein, the existing uses that would be removed from the Project site are forecasted to generate a total of approximately 3,990 trips per day. Thus, the Project, which would generate approximately 2,019 trips per day, would result in a net reduction of 1,971 daily trips.

COMMENT NO. 36-3

I live in the Century Westwood Watch neighborhood. The proposed number of units in this project actually exceeds the number of residential units currently existing in our area. The impact would be untenable.

I suggest the number of units be cut by at least 30%.

RESPONSE NO. 36-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 37

Steve & Susan Fiske
10736 Esther Ave.
Los Angeles, CA 90064

COMMENT NO. 37-1

As a resident of the City and the Westside since 1956, my wife and I wish to express our concerns about this project as currently proposed.

Traffic has been increasing at a steady pace in this area and is already at a level beyond capacity. With the recent modifications made to Motor Ave. to restrict traffic through Cheviot Hills, it pushed those vehicles to surrounding streets and areas including Overland Ave. which is 1/2 a block from our residence. We have already found it very difficult to exit and turn onto our street at various hours of the day and your proposed project will only further add a tremendous burden to our neighborhood.

RESPONSE NO. 37-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 38

Marlene Frankel
10530 Tennessee Ave.
L.A., CA 90064

COMMENT NO. 38-1

I live near the corner of Beverly Glen & Olympic. My aunt lives on the corner of Century Park East & Olympic. At 6:30 pm, after eating dinner with my aunt it easily takes 20 min to travel the mile between our homes. I am appauled [sic] that the City of Los Angeles will allow almost 500 condos to be built in Century City. There are already enough people going in and out of Century City. Please do not allow this project to proceed without careful study. Please **DOWNSIZE** this project. I support the actions of the Westwood South Homeowners Association in opposition of this project.

RESPONSE NO. 38-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a thorough and careful analysis of existing and future traffic impacts (Draft EIR, Section IV.B) and concludes that the Project would result in a net decrease in daily and P.M. peak hour traffic when compared to the traffic generated by the uses to be removed from the Project site. As discussed in the Draft EIR (Table 12, pages 170 and 171), at the intersection of Beverly Glen and Olympic Boulevards, the Project would result in a decrease in the A.M. peak and P.M. peak hour V/C ratios. In addition, at the intersection of Century Park East and Olympic Boulevard the Project would result in no change in the A.M. peak hour V/C ratio and a decrease in the P.M. peak hour V/C ratio. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

Furthermore, the projected environmental conditions as analyzed in the EIR do not support the downsizing of the Project. No further analysis of this issue is warranted.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 39

Lance Garber,
Laurie Bickove
10312 Cheviot Drive
L.A.,CA 90064

COMMENT NO. 39-1

We strongly oppose any more construction in Century City as it places an unmanageable and unfair traffic burden on our Cheviot Hills neighborhood streets.

RESPONSE NO. 39-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As discussed in the Draft EIR (Section IV.B, Table 11, page 168), the Project is estimated to generate a total of 2,019 trips. Also, as shown in Table 11, the existing uses to be removed are estimated to generate a total of 3,655 trips per day. The Project would result in a net reduction of 1,636 trips per day. Since the Project is estimated to result in net decrease in trips, the Project would not place an unmanageable traffic burden on the Cheviot Hills neighborhood streets. The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). As discussed therein, the existing uses that would be removed from the Project site are forecasted to generate a total of approximately 3,990 trips per day. Thus, the Project, which would generate approximately 2,019 trips per day, would result in a net reduction of 1,971 daily trips.

LETTER NO. 40

Eugene Golden
Suite 203
6022 Wilshire Boulevard
Los Angeles, California 90036

COMMENT NO. 40-1

My wife and I have been residents at 1363 Club View Dr., Los Angeles, CA 90024, for more than 40 years. and have witnessed the incredible increase of traffic on Club View Dr. as it has become, in addition to Beverly Glen Blvd., a main artery leading to developments in Century City.

This winding street, with inadequate site lines of traffic coming in the opposite direction, was never intended to accommodate such enormous (and fast) traffic. When we moved in, residents on Club View Dr. could actually drive out of their driveways during hours of 8:00 a.m. to 9:30 a.m. and 5:00 p.m. to 6:30 p.m. without being blocked by both standing and moving traffic.

We do not believe that there has been an adequate assessment of the cumulative impact of the "Project" with the others under construction and with upcoming construction. Before such construction should be permitted, there must be plans to find arteries other than Club View Dr. and other adjoining streets in our area to reach the "Project." There is great foreseeable danger to children and older residents, whose vision is not good, for which the city will be held responsible if it permits such "Project" to proceed without protecting these residents.

While there may be some inconveniences to new residents in Century City by traveling over streets other than Club View Dr. and adjoining streets, such inconveniences pale when the safety and health of the residents of my area are considered. Therefore, we must strongly register our objections to the "Project" unless alternate routes and arteries going north and south are found other than Club View Dr. and adjoining streets in our area.

RESPONSE NO. 40-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a thorough evaluation of cumulative traffic impacts on 32 study intersections within a two-mile radius from the Project site. The cumulative traffic analysis considers 49 related projects plus a 1.5 percent increase in regional traffic per year to 2010, the estimated year of completion. As discussed in the Draft EIR (Section IV.B, pages 167 and 172), the Cumulative Base Condition would result in service levels of E or F at 17 of the 32 study

intersections. The Project, however, would generate less traffic than under existing conditions and, as discussed in the Draft EIR (Section IV.B, pages 172 and 174), the cumulative traffic impact would be greater under Cumulative Base Conditions without the Project than under Cumulative Base Conditions with Project. Cumulative Base Conditions assume the continuation of the existing commercial land uses on the Project site. Since the Project is not anticipated to impact the regional street network it is not expected to directly or indirectly impact Club View Drive. See also Topical Response No. 4, as presented in Section IV.A of this Final EIR, regarding an additional local street analysis. The Draft and Final EIRs have adequately assessed cumulative traffic impacts in accordance with LADOT guidelines and no further analysis of cumulative traffic is warranted.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 15 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

LETTER NO. 41

Raymond H. Goldstone, Esq.
10535 Missouri Avenue
Los Angeles, CA 90025-5943

COMMENT NO. 41-1

My name is Raymond H, Goldstone. I have been a resident of the City of Los Angeles for 63 years and a homeowner in the Westside of the City of Los Angeles for 16 years.

I write to express my serious concerns about the project identified above as it is currently proposed. Amongst my principal concerns are the following:

- The absence of a substantive, defensible demonstration of the need, perhaps the right, to build a project of the size proposed; and

RESPONSE NO. 41-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR comprehensively addresses the need for the proposed Project. See Section IV.A, Land Use and Planning, of the Draft EIR. As described in the Draft EIR, the City of Los Angeles General Plan Framework states that the City's housing production has not kept pace with the demand for housing (Draft EIR, page 100). The need for housing is further articulated in the General Plan Framework Housing Chapter (Draft EIR pages 120 and 121).

Furthermore, the Draft EIR thoroughly demonstrates the right to build the Project as proposed. See Section IV.A of the Draft EIR. As discussed in Response to Comment No. 22-1 and in Section IV.A, Land Use and Planning, of the Draft EIR, the Project site is zoned C2. Under the existing C2 zone, the Applicant is permitted to build "by right" any project consistent with the C2 zone (including office, retail, hotel, and multiple family dwellings consistent with the R4 zone), up to a floor area density of 6:1 FAR, so long as the project would not exceed the allocated Specific Plan Development Trips for the property (3,654,181 CATGP trips). Based solely on the floor area, up to 538 residential units (compared to the Project's 483 residential units) could be constructed within the 215,393 square foot Project site (based on the LAMC's standard of 400 square feet of land area per unit). As shown in Section IV.A, Table 6 on pages 133 and 134 of the Draft EIR, the Project would be consistent with the density, setbacks, height, parking, and open space requirements of the Project site's existing zoning. The Project would be consistent with the policies and regulations contained in the Century City North Specific Plan (Draft EIR, Section IV.A, pages 129-132), including Sections 3.C.2.a and 3.C.2.b, which restrict development to 2,112,991 potential

Replacement Trips (daily) and an additional 1,541.90 CATGP Trips (daily) allocated under Phase II of the CCNSP. In addition, with regard to the allocated trips, a total of 3,654.181 CATGP Trips is allocated to the Project site pursuant to City records. Using a trip factor of 7.55 trips per condominium unit (per Section 2 of the CCNSP), the Project would generate 3,646.55 trips per day. Therefore, the Project would not exceed the trip allocation for the Project site.

Based on the above, the Draft EIR demonstrates both the need and the right to build the Project as proposed.

COMMENT NO. 41-2

- The absence of an accurate traffic study that correctly assesses the impacts that a project of the size proposed will have upon the people who must use the already gridlocked streets in and around the proposed location; upon the residents in the adjacent residential neighborhoods who already must contend with dangerous and increasing traffic levels; and upon the businesses, customers, residents and the millions of visitors who currently use the heavily congested streets in the Westside of the City of Los Angeles

In connection with my second concern (*supra*), permit me to note what I regard to be a particularly important, nay, dangerous flaw: The traffic study prepared for the proposed project overstates the trips currently generated by the site. Consequently, the future impacts of the proposed project are improperly understated.

RESPONSE NO. 41-2

The Draft EIR provides a comprehensive analysis of traffic impacts of the Project. See Section IV.B of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studied, an estimated 14 intersections currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 2-Project Trip Generation and Topical Response No. 3-Traffic Impacts. Refer also to Topical Response No. 4. – Additional Analysis with Reduced Existing Trip Credit, as presented in Section IV.A of this Final EIR.

COMMENT NO. 41-3

The proposed project should be downsized to reflect accurately the actual current traffic use patterns. Additionally, thoughtful consideration must be given to whether meaningful mitigations

are possible; and, if they are, how those mitigations can and will be achieved, monitored and enforced.

RESPONSE NO. 41-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. See also Response to Comment No. 22-3. As discussed in the Draft EIR, the proposed Project is allowed on the site based on applicable zoning and trip allocation for the Project Site. See Response to Comment No. 41-2 regarding existing trip credits. The mitigation measures presented for the Project in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

COMMENT NO. 41-4

Thus, at this time, I oppose the project as proposed. Further, I support without reservation the actions of the Westwood South Homeowners' Association in its opposition to the project as currently proposed.

RESPONSE NO. 41-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 42

Lewis Hall
10313 Cheviot Drive
LA 90064

COMMENT NO. 42-1

We don't want any more traffic on Motor Avenue. It is so congested now. Please don't allow any more construction in Century City.

RESPONSE NO. 42-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please see Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, including Motor Avenue, the Congestion Management Program (CMP) regional system, project access, or transit.

LETTER NO. 43

Steven Heller
2012 Pelham Avenue
Los Angeles CA 90025

COMMENT NO. 43-1

I am a life long resident of West Los Angeles and was born as Century City was being conceived and planned. Now I live a very short distance away from Century City and current planning seems to be for it to smother my neighborhood.

I am very concerned about this proposed project. My understanding is that evidence has not been adequately put together for this project regarding, among other things, available trips in Century City, and the rights to build a project of this size.

RESPONSE NO. 43-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. See also Response to Comment No. 22-1 regarding the right to build. The Draft EIR thoroughly demonstrates the right to build the Project as proposed. See Section IV.A, Land Use and Planning, of the Draft EIR. Recordkeeping with regard to the status of total allocated trips for individual parcels within the CCNSP is currently maintained by the Los Angeles City Planning Department. As stated on page 132 of the Draft EIR, according to Los Angeles City Planning Department records, as of August 1, 2005, a total of 1,541.190 Phase II CTGP Trips are available on Parcel 7 (i.e., portion of the Project site). In addition, City records set forth a total of 2,112.991 potential replacement CATGP Trips that could be generated by demolishing the Century Club restaurant, the drive-through bank facility, and the bank building that currently exist on Parcel 8 (i.e., the balance of the Project site). Estimated trips for existing uses were reviewed and approved by the Los Angeles Department of Transportation (LADOT) and are based on the same Institute of Transportation Engineers (ITE) and West Los Angeles Transportation and Mitigation Specific Plan (WLA TIMP) source materials that are used to estimate future traffic generation for similar uses in the area, as required by the LADOT. Thus, a total of 3,654.181 CATGP Trips is allocated to the Project site pursuant to City records. Using a trip factor of 7.55 trips per condominium unit (per Section 2 of the CCNSP), the Project would generate 3,646.55 trips per day. Therefore, the Project would not exceed the trip allocation for the Project site. Therefore, based on the trip allocation for the Project site, there exists the right to develop the site as proposed. Please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A of this Final EIR.

As discussed in Section IV.A, Land Use and Planning, of the Draft EIR, the Project site is zoned C2. Under the existing C2 zone, the Applicant is permitted to build "by right" any project consistent with the C2 zone (including multiple family dwellings consistent with the R4 zone), up to a floor area density of 6:1 FAR, so long as the project would not exceed the allocated trips for the property (3,654,181 CATGP trips). Based solely on the floor area, up to 538 residential units (compared to the Project's 483 residential units) could be constructed within the 215,393 square foot Project site (based on the LAMC's standard of 400 square feet of land area per unit). As shown in Section IV.A, Table 6 on pages 133 and 134 of the Draft EIR, the Project would be consistent with the density, setbacks, height, parking, and open space requirements of the Project site's existing zoning.

COMMENT NO. 43-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated. Didn't we already go through this with the Avenue of the Stars (ABC Entertainment) project--must we do it over again with this project? (Sigh.)

RESPONSE NO. 43-2

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A, Land Use and Planning. Also see Response to Comment No. 22-2.

COMMENT NO. 43-3

The project should be downsized to reflect actual current use patterns and to consider the impact on the surrounding neighborhoods, which count too. Also, consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored. This is important to nearby residents who will have to live with the project forever after it is built.

RESPONSE NO. 43-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. See Response to Comment No. 22-3. The Draft EIR includes an extensive analysis of the potential impacts of the proposed Project on the surrounding neighborhoods. Examples of such analyses include, but are not limited to, Traffic and Circulation (Draft EIR, Section IV.B, pages 141-180), Visual Resources (Draft EIR, Section IV.C, pages 181-267), Air Quality (Draft EIR, Section IV.D, pages 268-303), and Noise (Draft EIR, Section IV.E, pages 304-335). In addition to disclosing the Project's potential impacts, the Draft EIR includes all feasible mitigation measures to reduce the Project's significant impacts to the extent feasible.

Furthermore, the Draft EIR provides a comprehensive analysis of meaningful mitigation measures. The mitigation measures presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

COMMENT NO. 43-4

I support the actions of the Westwood South Homeowners' Association and other surrounding associations in opposition to the project as currently proposed.

RESPONSE NO. 43-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 44

JaneAnne Jeffries Johnson
2320 Greenfield Avenue
Los Angeles, CA 90064-1908

COMMENT NO. 44-1

I have lived at or near the above address for 62 years. I wish to express my serious concerns about the project referenced above, as I feel it will contribute to overpopulation of our area. Already, living between Olympic and Pico Blvds. on the north and south and Sepulveda and Westwood Blvds. on the west and east, I can hardly get on and off my street, no matter which direction I travel.

Fortunately, I have only one mile to travel to the elementary school where I teach. Going to the dentist in Beverly Hills has become a major source of time and frustration. Century City is already terribly overbuilt. I can hardly get to the dog groomer at Veteran Avenue and Santa Monica Boulevard because of everlasting highway construction. I am against added projects, especially at the magnitude of this one.

RESPONSE NO. 44-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. With regard to the traffic impacts of the Project, please refer to Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. As concluded therein, as well as within Section IV.B, Traffic and Circulation of the Draft EIR, the Project would have a less than significant impact at any of the study intersections during either the A.M. or P.M. peak hours and a less than significant impact with regard to Project traffic on local residential streets, driveway access, and the Congestion Management Program's (CMP) freeway, arterial, and transit systems. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

LETTER NO. 45

Nicandro and Elizabeth Juárez
2735 Midvale Avenue
Los Angeles, CA 90064

COMMENT NO. 45-1

We appreciate having the opportunity to comment on the above-mentioned project because we live on the Westside, not far from Century City, and have been in our home since 1969. There has been a great deal of development in our area since then, also a lot of increase in traffic and congestion.

We wish to show support to the local homeowners associations which are protesting the development, so we hope the Department of City Planning will seriously consider and follow through on mitigation options.

RESPONSE NO. 45-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 46

Mrs. Donald L. Keene
1530 Club View Drive
Los Angeles, CA 90024

COMMENT NO. 46-1

Once again I find myself writing to you with the hope that you and those who make important decisions regarding the future development of our Century City area will seriously take into consideration the consequences of your decisions for our community. The traffic on our roads in and around Century City, as in so many areas near us, is often total gridlock. The number of cars which generate additional traffic on our residential streets grows each day and travels much faster than is safe in spite of speed bumps. We are told that those cars will use main arteries but they don't. You know as well as I that drivers going from here to there seek the easiest solution to their drive and neighborhoods truly do suffer.

RESPONSE NO. 46-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR). As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studies, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g, Section III, Corrections and Additions, of this Final EIR).

COMMENT NO. 46-2

Please consider carefully the many proposals for hug developments in our area from Wilshire Boulevard to Beverly Glen. Right now I believe you are discussing the project at 10131 Constellation Blvd. Please, you need to consider those of us who live in this area. Continued

large developments affect our air quality, street congestion, the maintenance of our streets and neighborhood safety.

We need your help. The projects proposed are all too grand, and you need to make a stand on our behalf.

RESPONSE NO. 46-2

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts, including cumulative impacts related to air quality, traffic, and public services, is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. Please see Topical Response No. 10 - Cumulative Impacts as presented in Section IV.A of this Final EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10-Cumulative Impacts. As such, please refer to Topical Response No. 10. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

LETTER NO. 47

Mary & Dennis Kopp
2340 Veteran Avenue
Los Angeles, CA 90064

COMMENT NO. 47-1

I appreciate having the opportunity to comment on the above-referenced project. As a long-time resident of the City and the Westside, I wish to express my serious concerns about this project as currently proposed. In Particular:

The accounting of the available trips in Century City and the right of the proponent to build the project at this size has not been clearly demonstrated.

RESPONSE NO. 47-1

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project (see Draft EIR, Section IV.A, Table 5, page 132) and Topical Response No. 7 Project Consistency with the Century City North Specific Plan. Record keeping with regard to the status of total allocated trips for individual parcels within the CCNSP is currently maintained by the Los Angeles City Planning Department. As described in Table 5, according to Los Angeles City Planning Department records, as of August 1, 2005, a total of 1,541.190 Phase II CTGP Trips are available on Parcel 7 (i.e., portion of the Project site). In addition, City records set forth a total of 2,112.991 potential replacement CATGP Trips that could be generated by demolishing the Century Club restaurant, the drive-through bank facility, and the bank building that currently exist on Parcel 8 (i.e., the balance of the Project site). Estimated trips for existing uses were reviewed and approved by the Los Angeles Department of Transportation (LADOT) and are based on the same Institute of Transportation Engineers (ITE) and West Los Angeles Transportation and Mitigation Specific Plan (WLA TIMP) source materials that are used to estimate future traffic generation for similar uses in the area, as required by the LADOT. Thus, a total of 3,654.181 CATGP Trips is allocated to the Project site pursuant to City records. Using a trip factor of 7.55 trips per condominium unit (per Section 2 of the CCNSP), the Project would generate 3,646.55 trips per day. Therefore, the Project would not exceed the trip allocation for the Project site. Therefore, based on the applicable zoning and the trip allocation for the Project site, the right exists to develop the site as proposed.

COMMENT NO. 47-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated. The traffic data in the Draft EIR must be recalculated to accurately reflect current uses.

RESPONSE NO. 47-2

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for the Project and existing uses are consistent with ITE and LADOT guidelines and accurately assess existing and future trips from the existing and proposed land uses (see Final EIR Section IV.A, Topical Response No. 2). Therefore, the recalculation of traffic data in the Draft EIR is not warranted.

COMMENT NO. 47-3

This project will contain almost as many residential units as currently exist in our entire area and the infrastructure, with intersections already at gridlock, cannot absorb ANY additional traffic. The safety of our local streets is also at risk as major arteries back-up and local streets are used as alternate routes and as commuters look for ways to access the 10 and 405 freeways.

RESPONSE NO. 47-3

As discussed in the Draft EIR (Section IV.B, Table 11, page 168), the Project is estimated to generate a total of 2,019 trips. Also, as shown in Table 11, the existing uses are estimated to generate a total of 3,655 trips per day. Thus, the Project would result in a net reduction of 1,636 trips per day. Since the Project is estimated to result in a net decrease in trips, the Project would result in less than significant impacts on the area's arterial highways and local streets. Since the Project would result in a net decrease in trips, it would not cause cut-through traffic or other effects of regional congestion. The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). As discussed therein, the existing uses that would be removed from the Project site are forecasted to generate a total of approximately 3,990 trips per day. Thus, the Project, which would generate approximately 2,019 trips per day, would result in a net reduction of 1,971 daily trips.

COMMENT NO. 47-4

Some of our streets experience gridlock during peak hours and excessive speeding in off-peak. In addition, as luxury, full service units, traffic will not only be generated by the residents but also by all the employees of the association/ development as well as service personnel working for individual residents. The use of standardized trip generation rates has not been adequately validated.

RESPONSE NO. 47-4

Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees.

Please see Topical Response No. 1-Traffic Study Methodology, Topical Response No. 2-Project Trip Generation, and Topical Response No. 3-Traffic Impacts, as presented in Section IV.A of this Final EIR.

COMMENT NO. 47-5

The project EIR has done nothing to accurately assess or mitigate the cumulative impact of this project with others in the immediate area and others in the general area. Not only is there major development underway in our community, but there is significant construction in nearby Beverly Hills that relies upon Santa Monica, Wilshire, Olympic, Pico and all the other local arterials for access. Our infrastructure is already failing.

Continuous construction and increased density require additional investments in the transit system, the streets, police, fire, library, and school facilities, and recreation and park resources and services.

RESPONSE NO. 47-5

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 15 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 47-6

The project should be downsized to reflect current actual use patterns. The City's review of this project should be a thorough analysis beyond ensuring that building and municipal codes are followed and deadlines met. In addition, thoughtful consideration must be given as to whether meaningful mitigations can be achieved, and if they or specific project conditions are required, that they be measurable and incorporated into the project with a process for monitoring over time.

RESPONSE NO. 47-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The scale of the Project is consistent with surrounding uses and, in relation to traffic generation, would be consistent with the allocated and replacement trips for the Project site under the CCNSP and, as such, downsizing is not warranted. The mitigation measures for the Project presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

LETTER NO. 48

Larry J. Kosmont, CRE
2760 Dunleer Place
Los Angeles CA 90064

COMMENT NO. 48-1

I am a homeowner residing at 2760 Dunleer Place, Los Angeles, California 90064. My residence is located near Century City and the above referenced project. I offer the following comments to the Draft Environmental Impact Report for the proposed 10131 Constellation Boulevard project.

RESPONSE NO. 48-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

COMMENT NO. 48-2

The EIR fails to adequately address and mitigate traffic impacts to Overland Avenue:

Because the 10131 Constellation project is not located near any freeway on and off ramps, nor is it located near any "through" streets of noteworthy distance, a significant amount of vehicular traffic traveling to and from the project will access the site via:

1. Constellation Boulevard to Century Park West to Olympic Boulevard to **Overland Avenue** to the 10 Freeway, or
2. Constellation Boulevard to Avenue of the Stars to Olympic Boulevard to **Overland Avenue** to the 10 Freeway, or
3. The reverse routes.

Due to the significant increase in traffic on Overland Avenue as the result of the proposed project, the EIR should contain mitigation measures to benefit Overland Avenue that include:

- Traffic calming measures on Overland Avenue from National Place to Olympic Boulevard
- Traffic safety improvements to benefit Overland Avenue from National Place to Olympic Boulevard

- Beautification measures on Overland Avenue from National Place to Olympic Boulevard

The implementation of these measures would, in part, help to mitigate the impacts of what will be significantly increased traffic on Overland Avenue traveling to and from the project site.

Thank you for your consideration of these measures as part of the project's Mitigation Measures and conditions of approval.

RESPONSE NO. 48-2

As discussed in the Draft EIR, according to LADOT protocols, the Project would not generate a significant traffic increase under cumulative base conditions at the intersection of Olympic Boulevard and Overland Avenue during the A.M. peak hour or P.M. peak hour (Section IV.B, Table 12, page 171). In addition, the Project would result in a reduction in total daily traffic (Section IV.B, page 167). Because the Project would not significantly increase traffic levels on Overland Boulevard, the implementation of mitigation measures along Overland Avenue is not warranted. The conclusions of the Draft EIR trip generation analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.g., Section III, Corrections and Additions, of this Final EIR). As discussed therein, the existing uses that would be removed from the Project site are forecasted to generate a total of approximately 3,990 trips per day. Thus, the Project, which would generate approximately 2,019 trips per day, would result in a net reduction of 1,971 daily trips.

LETTER NO. 49

Budd Lehman
1815 Westholme Ave
Los Angeles, CA 90025

COMMENT NO. 49-1

As a resident of the City and of the Westside, I have serious concerns about this project as currently proposed

The project must be downsized to reflect actual current use patterns. Consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored. Current studies do not reflect reality.

RESPONSE NO. 49-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The comment does not demonstrate that the Project's estimation of current use patterns is not accurately calculated in the Draft EIR. As such, no justification exists for the downsizing of the Project. Mitigation measures for the Project presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to reduce impacts and ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

COMMENT NO. 49-2

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 49-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 50

Howard Lesner, Executive Director
Sinai Temple
10400 Wilshire Boulevard
Los Angeles, CA 90024-4602

COMMENT NO. 50-1

As a resident of the City and of the Westside, I want to express my serious concerns about this project as currently proposed, The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated.

RESPONSE NO. 50-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR thoroughly demonstrates the right to build the Project as proposed. See Section IV.A, Land Use and Planning of the Draft EIR. Also, this issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1.

COMMENT NO. 50-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

RESPONSE NO. 50-2

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A, Land Use and Planning. Please see Response to Comment No. 22-2.

COMMENT NO. 50-3

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 50-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please see Response to Comment No. 22-3. The Draft EIR provides a comprehensive analysis of meaningful mitigation measures. The mitigation measures presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 51

Mel Leventhal
9111 Monte Mar Dr.
Los Angeles, CA 90035

COMMENT NO. 51-1

I appreciate having the opportunity to comment on the above-referenced project. As a long-time resident of the City and the Westside, I wish to express my serious concerns about this project as currently proposed. In particular:

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly reduced. Our infrastructure, with intersections already at gridlock cannot absorb ANY additional traffic. This project will generate new peak hour traffic which is the most troublesome in our area.

RESPONSE NO. 51-1

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A, Land Use and Planning. Also, please see Response to Comment No. 22-2.

COMMENT NO. 51-2

- 1) Since we are immediately adjacent to Century City we will again be impacted by the additional traffic generated by these residential units. The major streets that run through our neighborhood, Robertson Blvd, La Cienega [sic] Blvd., Pico Blvd., and Beverwil are almost impassable during peak hours due to traffic generated from Century City. Our side streets are being inundated and made unsafe due to cut through traffic.

RESPONSE NO. 51-2

The Draft EIR thoroughly addresses cumulative traffic impacts. See Draft EIR, Section IV.B, Traffic and Circulation. Please see Topical Response Nos. 2-Project Trip Generation, and Topical Response No. 10-Cumulative Impacts as presented in Section IV.A of this Final EIR.

COMMENT NO. 51-3

- 2) As luxury, full service units, traffic will not only be generated by the residents but also by all the employees of the association/development as well as service personnel working for individual residents.

RESPONSE NO. 51-3

Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. Also see Topical Response No. 2-Project Trip Generation as presented in Section IV.A of this Final EIR. Also, please refer to Response to Comment No. 7-23 regarding transit usage in Century City.

COMMENT NO. 51-4

- 3) During non-peak hours we experience dangerous situations as a result of traffic that does not obey the speed limit. The Department of Transportation will not provide us with sufficient stop signs or other means to slow traffic down. We cannot handle more speeding traffic

RESPONSE NO. 51-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The commentor expresses a concern regarding an existing condition not created by the proposed Project. The Draft EIR determined that the Project would not create significant impacts relative to local streets.

COMMENT NO. 51-5

- 4) The project EIR has done nothing to accurately assess the cumulative impact of this project with others in the immediate area and others in the general area. Not only is there major development underway in our community, but there is significant construction in nearby Beverly Hills that relies upon Santa Monica, Wilshire, Olympic, Pico and all the other local arterials for access. Our infrastructure is already failing.
- 5) Continuous construction and increased density require additional investments in the infrastructure and in public services in our community. Police, fire, library, school and recreation and park resources and services are inadequate to support the added population. Protections for our environment as well as additional fire and police services are needed.

RESPONSE NO. 51-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10-Cumulative Impacts. As such, please refer to Topical Response No. 10. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

The Draft EIR adequately addresses all environmental issues, including, but not limited to, those associated with libraries, police and fire departments, schools, and parks and concludes on the basis of technical analyses, that the construction and increased density generated by the Project would not exceed the capacities of the libraries (Draft EIR, Section IV.H.5, pages 419-420), police services (Draft EIR, Section IV.H.2, pages 386-387), fire protection (Draft EIR, Section IV.H.1, page 376), and schools (Draft EIR, Section IV.H.3, page 398). As discussed in the Draft EIR (pages 408-412) potentially significant impacts associated with parks would be reduced to a less than significant level on the basis of Mitigation Measure H.4-1, which would require the Project Applicant to do one or more of the following: (1) dedicate additional parkland such that the Project would result in a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to in-lieu fees.

LETTER NO. 52

Joan Little
1527 Club View Drive
Los Angeles, CA 90024

COMMENT NO. 52-1

I have learned that the above-proposed project will add 483 new residences to Century City if approved. Furthermore, I understand this project will be the first of 3 major projects within a 1-mile radius (the St. Regis Hotel site and the Robinson's May site being the other two). Finally, several smaller residential projects along Santa Monica Blvd. within a mile will happen simultaneously.

RESPONSE NO. 52-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

COMMENT NO. 52-2

I live on Club View Drive, which is part of the Century City Watch area bounded by Wilshire Blvd/Santa Monica Blvd on the north and south and by Beverly Glen Blvd/Club View Dr on the west and east. It is immediately north of Century City. Unfortunately, Club View Drive has become the direct route of choice for Century City residents and commuters wanting to go north. The addition of the subject project alone will add more residences than we have in our entire Century Westwood area and there is no question that the 10131 Constellation residences will add significantly to our traffic. This must be addressed and mitigated in the EIR.

We are a very narrow 2 lane residential street that was never built to accommodate commuter traffic, but provides that role by virtue of one reason only - the expansion of Century City. Century City was built on the premise that there would be a freeway in close proximity. When this did not happen, rather than limit Century City expansion, many residential streets such as Club View took the brunt. Similar streets exist to the south, east and west of Century City. We believe that the expansion must stop now. Otherwise, any further expansion such as the proposed project must provide significant mitigation funds for slowing/restricting traffic on residential streets surrounding Century City. These funds may be used to provide additional speed humps, street barriers, signs or other means that are supported by the community to alleviate the effect of expansion and its attendant traffic increase.

RESPONSE NO. 52-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B of the Draft EIR).

Using City of Los Angeles significance criteria, the Draft EIR concluded that the Project would not create significant impacts relative to intersection capacity, local streets such as Club View Drive, the Congestion Management Program (CMP) regional system, Project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in section IV.A of this Final EIR. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

In recognition of the concerns expressed by various commentors regarding the trip credits used in the DEIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential project trips and traffic conditions if the existing trip credits are reduced, including an assessment of potential local residential street impacts. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A of this Final EIR. The additional analysis concluded that the Project would not have a significant impact on residential streets even with the reduced credit for trips generated by the existing land uses.

COMMENT NO. 52-3

We also request that numerous commuter shuttles be provided free of charge to residents of Century City to take them anywhere within a 2 mile radius, thus limiting the number of cars on residential streets. Further we request that any such vehicles use ONLY main arterials (not residential streets) as part of their operating license.

RESPONSE NO. 52-3

The Draft EIR concluded that the Project would create less than significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Thus, no mitigation measures (such as commuter shuttles) are required. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

COMMENT NO. 52-4

Although Santa Monica Blvd. is being improved, the balance of the infrastructure in the area in general does not support the current number of residences. Adding such a huge number of residents plus multiple service personnel will provide more vehicles than the infrastructure can handle. We ask that this situation be addressed and that mitigations and improvements be provided for this situation in terms of roads and also in terms of police and fire support.

RESPONSE NO. 52-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As discussed in the Draft EIR, the Project would result in an incremental reduction in total daily traffic currently being generated by the Project site. In addition, the Project would be consistent with the goals the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide (RCPG) to locate new housing in job rich areas for the purpose of reducing commuting distances and, thereby, reducing overall traffic. Although any reductions that may occur as a result of the placement of 483 new residential units in Century City, a jobs-rich regional center, are not calculated into the Draft EIR traffic study. Notwithstanding, the traffic analysis still determined that since the Project would replace existing commercial uses that generate a greater number of daily and peak hour trips than the proposed residential use, the Project would not increase traffic at any of the 32 study intersections over the threshold established by the Los Angeles CEQA Threshold Guide for future cumulative base conditions. Therefore, the Project would not have adverse effects on police and fire access as a result of street congestion. In addition, as discussed in the Draft EIR, the population increase generated by the Project would not significantly impact police and fire services. (Refer to Draft EIR, Sections IV.H.1 and H.2, and Section III, Correction and Addition No. IV.H.1, in the Corrections and Additions of this Final EIR.)

COMMENT NO. 52-5

The intent of the original master plan for Century City was to not build on the vast majority of the Project site due to the oil drilling at the time and the possible attendant contamination. This particular site is on or very near the oil drilling of years ago. We ask that this be addressed in the EIR including any possible contamination to the underground water and infrastructure in general.

RESPONSE NO. 52-5

As stated in Section IV.F, Hazards and Hazardous Materials, of the Draft EIR, DOGGR records indicate that there are 28 oil wells on the Project site. These wells have been closed in accordance with current DOGGR standards. As part of the 2004 geotechnical investigation (referenced on page 336 of the Draft EIR, and provided in Volume II of the Entitlements Application), a magnetometer survey and test pits were completed to confirm the locations of the

known oil well casings at the Project site. Soil sampling and remediation was conducted by Chevron in connection with the closure of its operations at the Project site starting in about 1990. Over 200 soil samples were taken at the Project site. Soils with concentrations of contaminants exceeding target clean-up levels were removed and additional confirmation sampling was conducted. No indication of groundwater contamination was identified (see Appendices F, and the Law/Crandall, Inc. closure report therein, and G of this Final EIR.

Pursuant to existing requirements, prior to the issuance of grading or building permits, DOGGR would conduct a construction site plan review and may require reabandonment of previously abandoned wells and/or placement of a vent system over the well casings. Any such vent system would be designed in connection with the methane mitigation system required by the City pursuant to the City's Methane Seepage Regulations. As provided in Mitigation Measure F-2 of the Draft EIR, prior to issuance of building permits, the Project would comply with the requirements of the City Methane Seepage Regulations and with the applicable requirements for DOGGR site plan review.

The Draft EIR also provides a comprehensive analysis of the Project's consistency with all applicable land use plans. See Section IV.A of the Draft EIR.

COMMENT NO. 52-6

Finally, we are concerned that construction activity has become the norm in our area. Yet we are not provided mitigations for this continuous activity. Beginning in 1995 with the Twentieth Century Fox expansion, followed by Constellation Place, the Westfield Century City mall, the current Trammell Crow project and the Santa Monica Blvd. Transit Parkway project we have seen continuous construction activity. Now 10131 Constellation, followed by the St. Regis site redevelopment, followed by the Robinson's May site development in Beverly Hills promises construction until at least 2010. And probably there will be more then. Construction brings with it noise, dirt, traffic backups and traffic diversion onto our residential streets. Yet our peace and quality of environment is not addressed in any of these EIRs. We ask that it be addressed in a cumulative way for each project; that is we ask that each project address all the other project's impacts in their EIR analysis, and that something be done to restore our peace and quiet during this continuous construction.

RESPONSE NO. 52-6

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. Specifically, the Draft EIR evaluates the Project's cumulative construction impacts associated with construction hauling, worker trips, emergency access, pedestrian and vehicle access, bus stop relocation, visual resources,

air quality, and noise and includes all feasible mitigation measures to address potentially significant impacts. All of the Project's mitigation measures, including, but not limited to those addressing Project construction, would be implemented via the Project's Mitigation Monitoring and Reporting Program (MMRP) as presented in Section II of this Final EIR. In addition, a Construction Management and Mitigation Plan (CMP) has been developed to further address the Project's potential construction impacts (see Appendix B of this Final EIR).

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 19 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 52-7

Particularly if lane reductions and traffic backups are the norm, then restrictions to the use of our residential streets by commuter traffic must be implemented for the duration of the construction activity. Again I request a substantial mitigation fund for items such as additional speed humps to slow traffic on residential streets as well as barriers and signs to prevent traffic from using residential streets inappropriately to the detriment of the quiet environment of the homeowners that live there.

Thank you for your consideration.

RESPONSE NO. 52-7

The Draft EIR determined that the Project would create less than significant impacts relative to local streets. Thus, no mitigation measures are required. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 53

Ruth Loomis
1833 Fairburn Ave. #306
Los Angeles, CA 90025

COMMENT NO. 53-1

As a resident of the City and of the Westside, I want to express my serious concerns about this project as currently proposed. The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated. The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 53-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR thoroughly demonstrates the right to build the Project as proposed. See Section IV.A, Land Use and Planning of the Draft EIR. Also, this issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A, Land Use and Planning. Please see Response to Comment No. 22-2.

The Draft EIR provides a comprehensive analysis of meaningful mitigation measures. The mitigation measures presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in

Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 54

Vincent J. Marella
1701 Club View Drive
Los Angeles, California 90024

COMMENT NO. 54-1

I write this letter in response to the draft Environmental Impact Report and in opposition to the above-referenced project.

My wife and I have been residents in the area of the proposed project for the past 33 years. We have lived on Club View Drive just north of Santa Monica Boulevard for the past 21 years and before that we lived on Beverly Glen Boulevard. During that time we have experienced an unbelievable increase in traffic and congestion in the area in general and on our neighborhood streets. Club View Drive, in particular, has suffered and continues to suffer from a proliferation of traffic as a direct result of development in Century City.

Time and again, and with each new proposed project in Century City, we in the neighboring community have seen the same boilerplate draft and final EIRs prepared by paid consultants for the sponsors of proposed projects that predictably conclude that the project can go forward, suggesting what are clearly ineffectual "mitigation measures" ranging from speed bumps to additional stop signs. The result is that we in the neighboring communities of Century City are drowning in traffic and congestion that are dangers to our families and have caused a substantial deterioration in our quality of life. The project proposed for 10131, Constellation Boulevard is yet another high-density project proposed in an area that is already choking in traffic and congestion and should not go forward.

RESPONSE NO. 54-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Potential Project impacts on local streets in the Project area is presented in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

The Draft EIR was prepared in accordance with all CEQA requirements and procedures and in so doing discloses all of the Project's potential impacts to the environment. Furthermore, the analyses presented in the Draft EIR reflect the independent judgment of the City of Los Angeles.

The Draft EIR provides a comprehensive analysis of mitigation measures. The mitigation measures presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts to the extent feasible or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

COMMENT NO. 54-2

The Proposed Project will itself have a substantial negative impact on existing levels of congestion, traffic and noise in Century City and the adjoining residential communities, as well as require public services which are not available.

Even if one were to ignore other ongoing and proposed development in the area, the proposed project should be rejected because of the substantial negative impact it will have in Century City and on the surrounding residential areas.

The proposed project is a huge residential development that will add more residential units than currently exist in our homeowner association area. A total of 483 residential units are proposed which will be enormous traffic generators when just the residents and their guests are considered. In addition, however, the development will generate additional traffic as a result of employees and those who service the development.

The significant levels of increased traffic that will result from this project cannot be meaningfully mitigated. The project is planned for the corner of Constellation Boulevard and Avenue of the Stars - in the heart of Century City - an area already inundated with traffic and congestion. Traffic at that and adjoining intersections is already routinely backed up on a daily basis with local residents and workers traveling to and from Century City. There is no way the existing road base can absorb the additional traffic that will be generated by the proposed project. Nor will the negative impact on streets be limited to Century City. The neighboring residential streets like Club View Drive will also suffer significantly because of increased traffic.

Streets like Club View Drive are routinely used by cars traveling to and from Century City. The recent changes in Santa Monica Boulevard have not changed this condition since northbound access to Club View Drive from Santa Monica Boulevard (and Century City) is unimpeded. There is also still direct access from Club View Drive southbound to Century City through Century Park West.

The negative traffic impact on local streets like Club View Drive will unquestionably result from the proposed project and that impact cannot be meaningfully mitigated because of the volume of traffic that will be created. Normal mitigation measures such as speed bumps and additional stop signs (all of which currently exist) do not even address, much less mitigate, the undeniable negative impact created by the increase in traffic volume.

RESPONSE NO. 54-2

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. The ITE rates were validated against empirical data collected at existing high-rise residential developments in Century City and along the Wilshire Boulevard corridor. Also see Topical Response No. 2-Project Trip Generation.

In regards to project traffic impacts, please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts. The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit.

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the Project's potential impacts with regard to noise in Section IV.E, Noise; and with regard to public services in Section IV.H, Public Services.

The Draft EIR analysis of potential construction noise impacts concludes that the Project's construction noise impacts would be significant and unavoidable. While the construction noise impacts would be reduced via the application of mitigation measures, impacts would remain significant. The Draft EIR analysis of operational noise impacts supports the conclusion that mobile-source noise generated by cumulative traffic (including the Project, related projects, and future ambient growth) would not exceed the 5-dBA significance threshold. The greatest offsite incremental increase in cumulative roadway noise of 1.2 dBA is expected to occur on Beverly Glen Boulevard, north of Santa Monica Boulevard. As shown in Table 34 (Draft EIR, Section IV.E, page

327), compared to existing conditions, the Project is expected to generate a reduction in offsite roadway noise at four of the 27 study locations; no increase in offsite roadway noise at 23 of the 27 off-site roadway noise study locations; and an increase of 0.1 dBA at Avenue of the Stars, north of Constellation Boulevard. The small incremental increase would occur as a result of the reconfiguration of entrance and exit driveways into the Project site. On the basis of this analysis, no significant noise increases as a result of the Project are anticipated on Club View Drive.

The Draft EIR provides a comprehensive analysis of the Project's impacts on public services. The Draft EIR evaluates the Project's environmental impacts on fire protection (Draft EIR, Section IV.H.1), police services (Draft EIR, Section IV.H.2), schools (Draft EIR, Section IV.H.3), parks (Draft EIR, Section IV.H.4), libraries (Draft EIR, Section IV.H.5). The analyses describe existing conditions and the effects of the Project on the service capacities of police and fire services as well as school, library and park facilities within the Project study area. The significance of impacts is based on a comparison of the change generated by the Project to specific thresholds, including thresholds established by the 1998 Los Angeles CEQA Thresholds Guide. The Draft EIR concludes that the construction and increased density generated by the Project would not exceed the capacities of the libraries (Draft EIR, Section IV.H.5 pages 419-420), police services (Draft EIR, Section IV.H.2, pages 386-387), fire protection (Draft EIR, Section IV.H.1, page 376), and schools (Draft EIR, Section IV.H.3, page 398). As discussed in the Draft EIR (pages 408 to 412) potentially significant impacts associated with parks would be reduced to a less than significant level on the basis of Mitigation Measure H.4-1, which would require the Project Applicant to do one or more of the following: (1) dedicate additional parkland such that the Project would result in a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to in-lieu fees.

COMMENT NO. 54-3

Moreover, the project will also require public services which are already strained beyond their limits. For example, the 483 additional residential units in this project will require substantial additional police, fire and paramedic services which are not currently available. For example, police service to the existing residential community is already meager at best. There are insufficient police services currently available to provide regular police patrols to the existing residential area. The existing police response time in the Century City/Westwood area is already greater than for other parts of Los Angeles. Indeed, that lack of police resources has caused many local residents and associations to hire private security patrols.

RESPONSE NO. 54-3

Refer to Response to Comment No. 54-2 regarding the Project's less than significant impacts with regard to public services. With regard to police services in particular, the Draft EIR concludes that if the number of police officers in Reporting District 839 were the same after Project development as under existing conditions, the estimated demand generated by the Project would

increase the ratio of annual arrests per officer from 12.54 to 12.59 per officer. This represents a very small incremental change particularly when viewed in the context of activities occurring over the course of an entire year. Furthermore, annual arrest rates with the development of the proposed Project would be approximately 36 percent less than the 19.66 arrests per officer in the West Bureau (Draft EIR, Section IV.H.2, page 386). The annual average arrests per officer per year are an indicator of demand for police services and, as such, the impact of the Project on police services would be less than significant.

COMMENT NO. 54-4

The Cumulative Impact of the Proposed Project will be overwhelmingly negative and cannot be meaningfully mitigated.

When the cumulative impact of this proposed project is considered, it is obvious that the project should not go forward.

The location of the proposed project is at the epicenter of a literal explosion of current and planned significant projects. In the past several years, Century City has sustained projects such as the Fox Studio expansion, the construction of the MGM towers on Constellation Boulevard approximately one block west of the proposed project, the demolition of the former ABC/Schubert Theater complex and its replacement with two adjoining 12-story office towers directly across from the proposed project, the construction of the Sun America tower also at the same intersection as the proposed project, and the recent renovation and ongoing expansion of the Century City Mall, including a total of 15 move [sic] theaters also within one block of the proposed project.

As if that were not enough, there are several more projects planned for the Century City/Westwood area the negative impacts of which, when taken together with the proposed project, dictate that the project should not go forward. Those planned developments include, but are not limited to, the proposed construction of a high-rise condominium tower at the former St. Regis Hotel site on Avenue of the Stars across from the currently proposed project, as well as a proposed residential/office and retail complex on the site of the current Robinson's-May building adjacent to Century City. In addition to these projects, the recent modifications of Santa Monica Boulevard has sparked a slew of proposed higher-density developments along Santa Monica Boulevard just outside Century City and in our neighborhood.

The impact of any one of these existing or proposed projects will be massive, but when considered with those of the currently proposed project, the impacts to the existing infrastructure and local communities will be undeniable, exponentially negative and not subject to meaningful mitigation.

RESPONSE NO. 54-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area, including the projects referenced by the commentor, in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. The cumulative analyses address all of the related projects identified in the comment.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10-Cumulative Impacts. As such, please refer to Topical Response No. 10 as presented in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 54-5

Based on the above, we oppose the proposed project and urge the Los Angeles Department of City Planning, Councilman Weiss and other responsible city officials to oppose the project and prevent it from going forward.

RESPONSE NO. 54-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 55

Annette and Boris Marks
10508 Wilkins Ave.
Los Angeles, CA 90024

COMMENT NO. 55-1

I am writing to comment on the above-referenced project. I have been living within a mile and a half of the proposed project for over 31 years. Our quality of life will be greatly compromised by the increased traffic it will generate. The traffic data published in the Draft EIR must be recalculated to accurately fit with the current usage.

RESPONSE NO. 55-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B of the Draft EIR).

Using City of Los Angeles significance criteria, the Draft EIR determined that the Project would create less than significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

In recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has been conducted of potential Project trips and traffic conditions if the existing trip credits are reduced, including an assessment of potential local residential street impacts. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit (see Section IV.A. of this Final EIR). The additional analysis concluded that the Project would have a less than significant impact on residential streets even with the reduced credit for trips generated by the existing land uses.

COMMENT NO. 55-2

I believe this is a safety issue as our local streets are more and more being used as alternate routes by those who live and work in Century City. Nothing has been done in this project EIR to

accurately assess the cumulative impact of ALL the surrounding traffic it will generate (this includes Pico, Olympic and Wilshire Boulevards.)

RESPONSE NO. 55-2

The Draft EIR analyzes the cumulative traffic impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative traffic impacts is provided within Section IV.B, Traffic and Circulation, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). The cumulative analysis in the proposed Project's Draft EIR takes into account the proposed St. Regis Project. A comparison of the related Projects lists for the proposed Project and the St. Regis Project indicates a total of 19 related Projects that are on the related Projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related Projects list for the proposed Project. While the proposed Project's related Projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related Projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 55-3

This project needs to be reduced so that it will be in accordance with the current use patterns. How can meaningful mitigation come about which will alleviate the traffic that this project will generate?

Your thoughtful consideration in this matter will be greatly appreciated.

RESPONSE NO. 55-3

The comment does not demonstrate that the Project's estimation of current use patterns is not accurately calculated in the Draft EIR. As such, no justification exists for the downsizing of the Project. Mitigation measures for the Project presented in the Draft EIR are meaningful in that they

reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to reduce impacts and ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Thus, no mitigation measures are required. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A. of this Final EIR.

LETTER NO. 56

Janie Marlowe
12th Floor
1800 Century Park East
Century City, California 90067

COMMENT NO. 56-1

My husband and I live and work in the Century City area and are very much concerned about the above referenced new construction project.

Since we are so close to the proposed building area, we will again be impacted by additional construction inconveniences, especially traffic delays and congestion. The residents and employees in this area have had more than our share of these continuous construction projects. With this development, and two other developments in the planning stages, construction will continue for several more years, until at least 2010. We are extremely weary of the construction traffic problems, the congestion generated, the dust and noise generated, and the sight of noisy heavy equipment that we have had for almost five years already.

RESPONSE NO. 56-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. Specifically, the Draft EIR evaluates the Project's cumulative construction impacts associated with construction hauling, worker trips, emergency access, pedestrian and vehicle access, bus stop relocation, visual resources, air quality, and noise and includes all feasible mitigation measures to address potentially significant impacts. All of the Project's mitigation measures, including, but not limited to those addressing Project construction, would be implemented via the Project's Mitigation Monitoring and Reporting Program (MMRP) as presented in Section II of this Final EIR. In addition, a Construction Management Plan (CMP) has been developed to further address the Project's potential construction impacts (see Appendix B of this Final EIR).

COMMENT NO. 56-2

Please accept our negative position to this project, as well as the two other upcoming projects (St. Regis Hotel, Robinson's May) and give us a break!

RESPONSE NO. 56-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 57

Catherine da Gama
c/o Morris
10790 Wilshire Blvd., #1004
Los Angeles, CA 90024

COMMENT NO. 57-1

I appreciate having the opportunity to comment on the above-referenced project. As a long-time resident of the City and the Westside, I wish to express my serious concerns about this project as currently proposed. In particular:

The accounting of the available trips in Century City and the right of the proponent to build the project at this size has not been clearly demonstrated.

RESPONSE NO. 57-1

The Draft EIR comprehensively analyzes the accounting of available trips for the proposed Project. See Draft EIR, Section IV.A, Land Use and Planning. Please see Response to Comment No. 22-1 and Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 57-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated. The traffic data in the Draft EIR must be recalculated to accurately reflect current uses.

RESPONSE NO. 57-2

The Traffic study prepared for the proposed Project is a conservative assessment of the trip generation of the existing uses. Please see Response to Comment No. 22-2.

COMMENT NO. 57-3

This project will contain almost as many residential units as currently exist in our entire area and the infrastructure, with intersections already at gridlock, cannot absorb ANY additional traffic. The safety of our local streets is also at risk as major arteries back-up and local streets are used as alternate routes and as commuters look for ways to access the 10 and 405 freeways.

RESPONSE NO. 57-3

Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts (see Section IV.A of this Final EIR). The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit.

COMMENT NO. 57-4

Some of our streets experience gridlock during peak hours and excessive speeding in off-peak. In addition, as luxury, full service units, traffic will not only be generated by the residents but also by all the employees of the association/ development as well as service personnel working for individual residents. The use of standardized trip generation rates has not been adequately validated.

RESPONSE NO. 57-4

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. The ITE rates were validated against empirical data collected at existing high-rise residential developments in Century City and along the Wilshire Boulevard corridor. Also see Topical Response No. 2-Project Trip Generation.

COMMENT NO. 57-5

The project EIR has done nothing to accurately assess or mitigate the cumulative impact of this project with others in the immediate area and others in the general area. Not only is there major development underway in our community, but there is significant construction in nearby Beverly Hills that relies upon Santa Monica, Wilshire, Olympic, Pico and all the other local arterials for access. Our infrastructure is already failing. Continuous construction and increased density require additional investments in the transit system, the streets, police, fire, library, and school facilities, and recreation and park resources and services.

RESPONSE NO. 57-5

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

The Draft EIR adequately addresses all environmental issues, including, but not limited to, those associated with traffic, libraries, police and fire departments, schools, and parks and concludes on the basis of technical analyses, that the construction and increased density generated by the Project would not exceed the capacities of street intersections (Draft EIR, Section IV.B, pages 174 - 177), libraries (Draft EIR, Section IV.H.5, pages 419-420), police services (Draft EIR, Section IV.H.2, pages 386-387), fire protection (Draft EIR, Section IV.H.1, page 376), and schools (Draft EIR, Section IV.H.3, page 398). The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

Also, as discussed in the Draft EIR (pages 408-412) potentially significant impacts associated with parks would be reduced to a less than significant level on the basis of Mitigation Measure H.4-1, which would require the Project Applicant to do one or more of the following: (1) dedicate additional parkland such that the Project would result in a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to in-lieu fees.

COMMENT NO. 57-6

The project should be downsized to reflect current actual use patterns. The City's review of this project should be a thorough analysis beyond ensuring that building and municipal codes are followed and deadlines met. In addition, thoughtful consideration must be given as to whether meaningful mitigations can be achieved, and if they or specific project conditions are required,

that they be measurable and incorporated into the project with a process for monitoring over time.

RESPONSE NO. 57-6

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please refer to Response to Comment No. 22-3. The analyses presented in the Draft EIR reflect the independent judgment of the City of Los Angeles as to the potential impacts of the Project across all environmental issues including, but not limited to, an analysis of Project consistency with applicable planning, building and zoning requirements.

The Draft EIR provides a comprehensive analysis of mitigation measures. The mitigation measures presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

LETTER NO. 58

Mrs. William Morris
10790 Wilshire Boulevard, #1004
Los Angeles, CA 90024

COMMENT NO. 58-1

We and some of our neighbors on the Wilshire corridor have just heard about the projects scheduled for development in Century City, and are very concerned about the traffic study done for this project for JMB Developers.

To go from a night club open a few days a week and a small bank building to two forty-seven story (plus), 483 unit buildings seems irresponsible in light of the traffic problems we are currently having in this area. We are facing seven more major developments on the corridor from Santa Monica Boulevard to Malcolm on Wilshire Boulevard in the next few years. Traffic now is gridlock and these additional developments will further strain our already overstressed structure.

It is impossible to park at Gelson's market and other stores now, and with 966 people more, plus employees and service providers this area will be strongly impacted.

We would greatly appreciate your addressing our concerns for the future of this development in Century City. With over-development, our quality of life style will diminish, and we the inhabitants and taxpayers will suffer when the developers are long gone.

RESPONSE NO. 58-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. The Project would also be consistent with the goals of the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide (RCPG) to locate new housing in job-rich areas for the purpose of reducing commuting distances and, thereby, reducing overall traffic. Since the Project's estimated traffic under ITE and LADOT guidelines would not be significant and, since the Project would be located within a jobs-rich regional center, the Project would not be considered over-development in the context of the area.

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. The ITE rates were

validated against empirical data collected at existing high-rise residential developments in Century City and along the Wilshire Boulevard corridor. Also see Topical Response No. 2-Project Trip Generation, as presented in Section IV.A of this Final EIR,.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10, as presented in Section IV.A of this Final EIR,. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 58-2

P.S. We would appreciate notification of further meetings on this matter and other projects in the area, as we never seem to hear about future plans for the neighborhood until they are well under development.

RESPONSE NO. 58-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. All signatories to letters responding to the Draft EIR are included on the City's mailing list that will be used to notify the public of all public hearings relating to the proposed Project.

LETTER NO. 59

Talia Nosrati
2762 Selby Avenue
Los Angeles, CA 90064

COMMENT NO. 59-1

This letter is in regards to the above-mentioned project. I am 22 years old and I have been a resident in this area for 22 years. I must tell you that the traffic in our area has been worsening over the years, and now - more than ever - the traffic is horrendous.

Hundreds of cars race through my block every day beginning at about 3:00 pm until 8:00 pm, attempting to cut through traffic in order to reach the 10-freeway faster. This is not only a shame, but also an enormous danger to my neighbors and myself. Our block (as well as the adjacent blocks) consists mostly of families with young children, as well as pets. It is very scary to count how many times I have personally witnessed a driver zoom past our street (over 35 mph) and barely avoid injuring a jogger, biker, etc.

RESPONSE NO. 59-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The comment describes a condition that presently exists independent of the proposed Project.

COMMENT NO. 59-2

Please note that Notre Dame Academy is also located in this area (1 block past my street), which already creates an inconvenience to our neighborhood, with the added traffic flow of even more cars.

I truly hope you take my position on this project into consideration. Please feel free to contact me for any further information.

RESPONSE NO. 59-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. CEQA requires an EIR to address impacts of the proposed Project. As the comment is addressing an existing condition no further analysis is required.

LETTER NO. 60

Gary W. Phillips
Maileen W. Phillips
1308 Comstock Avenue
Los Angeles, California 90024

COMMENT NO. 60-1

We are writing as local residents having owned our home since 1977 to strongly oppose the project at *10131 Constellation Boulevard*.

Our carefully consideration [sic] opposition is based on reading over the Draft Environmental Impact Report. That report did not include an assessment of the cumulative impact of this project with other proposed and upcoming construction projects, i.e. development of the former St. Regis Hotel site and development of the Robinson's May site in Beverly Hills which together are projected to add several hundred new residential units to an already traffic-impacted residential area.

We trust that you will give careful consideration to the living standards and conditions of local residents when reviewing the plans of out-of-area developers and lenders.

Thank you, very much, for considering our views.

RESPONSE NO. 60-1

The Draft EIR addresses the cumulative impacts of both the proposed Robinson's May project (Related Project No. 48) and the St. Regis project (Related Project No 18) as shown in Draft EIR, Section II.B, Table 2, pages 90 and 91. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. No further evaluation of these related projects is warranted.

LETTER NO. 61

Bettijane Pike
10808 Richland Ave.
Los Angeles, CA 40064

COMMENT NO. 61-1

I appreciate having the opportunity to comment on the above-referenced project. As a long-time resident of the City and the Westside, I wish to express my serious concerns about this project as currently proposed.

RESPONSE NO. 61-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

COMMENT NO. 61-2

First the accounting of the available trips in Century City and the right of the proponent to build the project at this size has not been clearly demonstrated.

RESPONSE NO. 61-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR thoroughly demonstrates the right to build the Project as proposed. See Section IV.A, Land Use and Planning of the Draft EIR. In addition, the issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. Also, please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 61-3

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

This project will add almost as many residential units as currently exist in our entire HOA area and the infrastructure, with intersections already at gridlock, cannot absorb ANY additional traffic. In addition, as luxury, full service units, traffic will not only be generated by the residents but also by all, the employees of the association/ development as well as service personnel

working for individual residents. The use of standardized trip generation rates should only be allowed if these have been [sic] validated.

RESPONSE NO. 61-3

The issue is raised in Comment No. 22-2. As such, please see Response to Comment No. 22-2. The traffic study prepared for the proposed Project is a conservative assessment of the trip generation. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. The ITE rates were validated against empirical data collected at existing high-rise residential developments in Century City and along the Wilshire Boulevard corridor. Also see Topical Response No. 2-Project Trip Generation.

COMMENT NO. 61-4

Secondly, the project EIR has done nothing to accurately assess or mitigate the cumulative impact of this project with others in the immediate area and others in the general area. Not only is there major development underway in our community, but there is significant construction in nearby Beverly Hills that relies upon Santa Monica, Wilshire, Olympic, Pico and all the other local arterials for access. Our infrastructure is already failing. Continuous construction and increased density require additional investments in the transit system, the streets, police, fire, library, and school facilities, and recreation and park resources and services.

RESPONSE NO. 61-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. The cumulative analyses address all of the related projects and environmental issues identified in the comment.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis

Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10 - Cumulative Impacts. As such, please refer to Topical Response No. 10 as presented in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

COMMENT NO. 61-5

Mitigation needs to be meaningful, measurable, and above and beyond ensuring that building and municipal codes are followed.

RESPONSE NO. 61-5

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of mitigation measures. The issue is raised in Comment No. 22-3. As such, please see Response to Comment No. 22-3.

LETTER NO. 62

Inge Quaglino
ingeq@juno.com

COMMENT NO. 62-1

I would like to add my voice to the concern raised by my neighbors here in Cheviot Hills and Rancho Park of the proposed ADDITIONAL development of condos and lofts in Century City. Century City and the neighboring areas are already inundated with traffic; Santa Monica Blvd., Olympic Blvd. and Pico Blvd. resemble a freeway any time of day; the traffic is horrendous and adding more to this chaos is very unfortunate. Century City traffic is very negatively impacting the Westside already and more development does not make sense. Please listen to the many voices opposing this unreasonable development and reconsider -- we do not want any more development in Century City; enough is enough.

RESPONSE NO. 62-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR). As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studies, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR). Also, please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 63

Mary Lou Rane, Ph.D.
10332 Eastborne Avenue
Los Angeles, California 90024

COMMENT NO. 63-1

I have been a resident of the Century Westwood area for over twenty-five years. I am concerned that the above project will add even more traffic congestion, noise and pollution to our community. The continuous construction to this area has affected the peaceful quality of life that the residents use to enjoy. I urge you to help stop the overcrowding condition that is the result of constant construction of this area.

RESPONSE NO. 63-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. As indicated in the Draft EIR traffic study, reviewed by the Los Angeles Department of Transportation, the Project would not cause a significant increase in traffic congestion, or cause a potentially significant cumulative traffic impact (Draft EIR, Section IV.B, page 174). Due to the reduction in total daily trips compared to existing conditions, the Project would not result in significant air quality impacts during operation (Draft EIR, Section IV.D, pages 291-293) or stationary and mobile source noise impacts (Draft EIR, Section IV.E, pages 327-328) during Project operation. Air quality impacts associated with construction are also determined to be less than significant (Draft EIR, Section IV.D, pages 286-287). The Draft EIR also concludes that a significant noise impact would occur during construction (Draft EIR, Section IV.E, pages 323-324). The Draft EIR also concludes that, if several related projects within the vicinity of the Project were to be developed concurrently, potentially significant cumulative air quality and noise impacts could occur (Draft EIR, Section IV.E, page 335). Under the Regional Comprehensive Plan and Guide (RCPG), the development of high-density residential uses in an employment-rich area may reduce overall commuting distances and, therefore, traffic, air emissions, and noise pollution throughout the Los Angeles Basin. Since the Project would locate housing within close proximity to employment, the Project would implement the RCPG. In addition and as concluded in Section IV.H, Public Services, of the Draft EIR, the Project would have a less than significant impact on existing public services and facilities.

LETTER NO. 64

Janet and Joe Reichmann
1429 Comstock Avenue
Los Angeles, California 90024

COMMENT NO. 64-1

My husband and I have been residents of our Westwood home since 1968. We have watched dramatic changes starting with the Wilshire Corridor and the full development of Century City. With each new phase of development, we expected more traffic and congestion. However, now the proposed developments have gone completely out of control.

For the past 5 years, Santa Monica Blvd, has been a construction nightmare. Just when we thought we could take a breath, we learn of the project on Constellation Blvd. which will create 483 new residences. Then there's the St. Regis Hotel which will become more condominiums. By the time the proposed construction begins on the "Pumpkin Patch", our neighborhood will be unnavigatable [sic]. That site, was deemed unbuildable since 1978 due to its extremely high water table. But the economic issue takes precedence [sic] over safe, reasonable development.

We implore you to evaluate our quality of life before you put stamps of approval on every new development presented to you. There's no tuning back when development moves ahead at the expense of a once peaceful neighborhood.

RESPONSE NO. 64-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. The cumulative analyses address all of the related projects and environmental issues identified in the comment.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 15 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the

Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10 as presented in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

LETTER NO. 65

Diana S. Post
Terry A. Reichelderfer, M.D.
1404 Comstock Avenue
Los Angeles, CA 90024

COMMENT NO. 65-1

I have been a resident on Comstock Ave., since 1988. I have witnessed one large scale construction project after another, each of which increases traffic and congestion and leads to a decreased quality of life in our community. High-rise construction on the south side of Wilshire Blvd, in Westwood, has taken out of service two eastbound lanes of Wilshire Blvd. for most of last year. We still do not have use of those traffic lanes. On the North side of the street in the same community, another high-rise construction is disrupting the westbound flow of traffic. Santa Monica Blvd. has been under construction for five years. New dedicated bus lanes have been constructed from Federal to the border of the city of Santa Monica, Decorative median strip planters have been constructed on Wilshire Blvd. in Santa Monica, The 405 Freeway is being widened. My ten minute (approximately 4 mile) commute between Comstock Ave. and my workplace on 20th Street in Santa Monica has taken as long as two and one-half hours. I can only imagine the amount of pollution caused by cars stalled in traffic for two and one-half hours. It does not appear as though each agency or community is coordinating its' [sic] construction projects with other construction to minimize disruption.

New construction is underway at Westfield Shopping Center, The Trammell Crow project, and in Westwood Village proper, and is proposed for Constellation Blvd, Santa Monica Blvd, Robinson-May, Wilshire at Comstock, and the former St. Regis Hotel. As many of the projects include high-rise condominiums, we will have increased population density in an area which cannot accommodate the present-day traffic. Most of the construction projects seem to serve the needs of private developers rather than the community at large, and these developers do not seem to have any requirement to compensate the community for inconvenience with donation of parks, artwork, school improvements, etc. The single-family residences in our neighborhood gain nothing and lose in quality of life with each new project.

Please consider the negative environmental impact, not only of the 10131 Constellation project by itself, but in conjunction with all the other proposed projects in the same vicinity.

RESPONSE NO. 65-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. The cumulative analyses address all of the related projects identified in the comment.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10 as presented in Section IV.A of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

LETTER NO. 66

Angela Rinaldi
2965 Motor Avenue

COMMENT NO. 66-1

No Constellation Place condos! No more traffic! Please

RESPONSE NO. 66-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 67

William M. Ryan
1448 Comstock Avenue
Los Angeles, CA 90024

COMMENT NO. 67-1

As a resident of 1448 Comstock Avenue for 15 years, I am writing to express my deep concern over changes occurring in the residential portions of our neighborhood as a result of encroaching development, specifically the 10131 Constellation Blvd. Project. I understand that development will move forward. This is a given. But I am very concerned that the quality of life of the residential neighborhood be preserved.

My primary concern is traffic. We already have traffic that does not obey the speed limit. As the volume of traffic increases with increasing Century City density, traffic conditions on residential streets are deteriorating and becoming more dangerous. Yet, The DOT is not providing stop signs on the frontage roads or other means of slowing traffic on residential streets.

Continuous construction and increased traffic density absolutely require protection of the neighborhood environment. I would hope this would be taken into consideration when your EIR is considered.

RESPONSE NO. 67-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B, Traffic and Circulation, of the Draft EIR). As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studies, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Potential Project impacts on local streets in the Project area are analyzed in Section IV.B, Traffic and Circulation, of the Draft EIR. As concluded therein, Project impacts on local streets would be less than significant and do not require mitigation. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR). Also, please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A of this Final EIR.

LETTER NO. 68

Nancy Samovar
nancy@courtcharts.com
3001 Motor Avenue
Los Angeles 90064

COMMENT NO. 68-1

Without exaggeration, everyone I speak to is fed up with the W LA traffic gridlock. People are telling me that they no longer shop in certain locations because they can't deal with the traffic. They have quit dining out in the evening because once home they can't get the guts up to head into the traffic again.

Development must be stopped now in order to keep traffic from killing off the area's existing businesses and to keep pollution and overused services from killing off the people. The Constellation Condo and Loft project project [sic], or any other, must not go forward until a proper transportation system and proper services are put in place.

RESPONSE NO. 68-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR evaluates existing and future traffic conditions and concludes that the Project impacts would be less than significant on local residential streets, on driveway access, and on the Congestion Management Program (CMP) freeway, arterial, and transit systems (Draft EIR, Section IV.B). Issues relating to future traffic are also addressed in Topical Response Nos. 1 through 4, as presented in Section IV.A of this Final EIR. As discussed therein, based on Standard LADOT Methodology, the Project would not have a significant impact at any of the study intersections during either the A.M. or P.M. peak hours. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

The Draft EIR also thoroughly evaluates the impact of the Project on air quality and public services. According to the Draft EIR, construction and operational emissions would be considered adverse, but less than significant, since emission levels would be below the respective SCAQMD regional significance thresholds (Draft EIR, Section IV.D, page 292). The Draft EIR also evaluates the impact of the Project on public services and concludes that the Project, inclusive of the recommended mitigation measures, would have a less than significant impact on fire, police, schools, parks and recreation, and library services (Draft EIR, Sections IV.H.1 through IV.H.5). Since transportation systems and public services would not be significantly impacted, delaying the Project based on the adequacy of such systems is not warranted.

LETTER NO. 69

Nancy Samovar
nancy@courtcharts.com
3001 Motor Avenue
Los Angeles 90064

COMMENT NO. 69-1

I have read engineers' and homeowner associations' responses to the Constellation Place EIR and have been made aware that this EIR contains many errors about car trip counts, traffic counts and omits other important issues.

RESPONSE NO. 69-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. It is assumed that the comments in this letter are addressing the proposed Project as the Constellation Place project has been constructed and is operational. Specific responses to the comments received on the Draft EIR traffic analysis are provided as Response to Comment Nos. 7-106 through 7-115. Based on these responses, as well as the information set forth in Topical Response Nos. 2 through 4 (see Section IV.A, Topical Responses, of this Final EIR), the Project's traffic analysis is a reliable forecast of existing and future conditions.

COMMENT NO. 69-2

I know first hand that the subject site contained at least one oil well, and that there is a body of water that fills and recedes during the rainy season. I would bet that the "lake" at this site is filled with all kinds of studio and oil related detritus and that it is contaminated. The Constellation Place EIR does not adequately address these issues.

RESPONSE NO. 69-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR discloses the presence of 28 oil wells on the Project site that have been closed in accordance with current DOGGR standards (Draft EIR, Section IV.F, page 337). Significant contamination of intermittent standing water in the depression/basin area immediately surrounding the closed monitoring wells is not anticipated since remediation, beginning in 1990, in connection with the closure of the wells was conducted and soils with concentrations of contaminants exceeding target clean-up levels were removed. Additional confirmation sampling was also conducted. An evaluation of potential public health impacts from Project site conditions was performed by Dr. James Embree, Principal Toxicologist with Geomatrix Consultants (see

Appendix G of this Final EIR). The Evaluation found that “the available information on current site conditions, reasonably anticipated precautions taken during the construction phase and the potential for human exposures to residual chemicals in soil strongly support that there will be no significant health risks to either workers during or after the construction phase or residents of the completed project.”

COMMENT NO. 69-3

The citizens of West Los Angeles expect a thorough review of the EIR. Given the cumulative problems each development brings and the fact that additional traffic cannot be handled in this area, I would hope that the only conclusion the City could come to would be not to approve the project until a completed transportation infrastructure is actually in place.

RESPONSE NO. 69-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City’s decision makers prior to any approval action on the proposed Project.

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. A summary of the Project’s cumulative impacts is presented in Topical Response No. 10-Cumulative Impacts. As such, please refer to Topical Response No. 10 in Section IV.A of this Final EIR. As discussed in the Draft EIR, Section IV.B, the Project would not significantly impact existing transportation infrastructure and would, in fact, decrease peak hour and total daily traffic in many locations (see Draft EIR, Table 12, pages 169 through 171). Since the Project would not increase traffic levels, it would not cumulatively contribute to traffic impacts in the area, and existing transportation infrastructure would adequately accommodate the Project. The conclusions of the Draft EIR traffic analysis have been validated by the revised traffic analysis (see Correction and Addition Nos. IV.B.g and h, Section III, Corrections and Additions, of this Final EIR).

LETTER NO. 70

Dr. and Mrs. Robert E. Scott
1552 Ensley Avenue
Los Angeles, CA 90024

COMMENT NO. 70-1

We have lived many years in this neighborhood, and have witnessed, often with pleasure, the maturation of Century City.

But the proposed development above would be a major negative for the surrounding community, from the standpoint of increased traffic and reduced safety for nearby residents and businesses.

Traffic is already at the bursting point on available transportation to and from the area. Any claims to the contrary are clearly made in violation of common sense and any reputable study, and suggest self-interest on the part of the developers as the only motivation.

Assault by commuter traffic on neighboring residential areas is already occurring.

We can see as a likely consequence of this and similar proposed developments, a self-limiting situation, in which businesses and residences alike lose viability through lack of reasonable daily access.

We must oppose such development unless developers can absolutely guarantee that practically all (99%?) of residents, occupants and spouses, of such new dwellings must work in Century City or be legally forced to withdraw. Do you believe that such requirements would withstand legal attack by persons of high financial interest? That seems unlikely. The alternative is strangulation of the community. Better not to build it in the first place.

Please take an iron-clad stand against such a recipe for eventual decay.

RESPONSE NO. 70-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. See Section IV.B of the Draft EIR. As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 study intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts. In addition, the conclusions of the Draft EIR traffic analysis have been validated via the revised traffic analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

The Draft EIR provides a comprehensive analysis of public safety including the provision of police and fire services. Based on the analysis, the Draft EIR concludes that the construction and operation of the Project would not exceed the capacities of police services (Draft EIR, Section IV.H.2, pages 386 and 387), fire protection (Draft EIR Section IV.H.1, page 376), and emergency access during construction (Draft EIR Section IV.B, page 165).

The commentor expresses opposition to the project unless it is guaranteed that all residents, occupants, and spouses of the new dwellings must work in Century City. There is no legal mechanism to enforce such a requirement. The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 71

Diane C. Siegel
10455 Kinnard Avenue
Los Angeles, CA 90024

COMMENT NO. 71-1

As a resident of Westwood, I want to express my serious concerns about this project as currently proposed. The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated.

RESPONSE NO. 71-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR demonstrates the right to build the Project as proposed (see Section IV.A, Land Use and Planning, of the Draft EIR). In addition, the issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. Also, please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 71-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

RESPONSE NO. 71-2

The issue is raised in Comment No. 22-2. As such, please see Response to Comment No. 22-2. The traffic study prepared for the proposed Project is a conservative assessment of the trip generation of the existing uses.

COMMENT NO. 71-3

The project should definitely be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

In addition, if you were trying to get to the Century Plaza Hotel the evening the new AMC Theatres had a premiere on December 12, or actually trying to navigate Century City any time,

as I often do, you would NEVER advocate this additional density of housing. You are ruining one of the nicer parts of this city and creating a huge bottleneck!

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 71-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of meaningful mitigation measures. The issue is raised in Comment No. 22-3. As such, please see Response to Comment No. 22-3.

The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. The ITE rates were validated against empirical data collected at existing high-rise residential developments in Century City and along the Wilshire Boulevard corridor. Also see Topical Response No. 2-Project Trip Generation, as presented in Section IV.A of this Final EIR,.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 72

Constance Courage Shimiaei
Bahman Shimiaei
1916 Midvale Avenue
Los Angeles, CA 90025

COMMENT NO. 72-1

As residents of the City and of the Westside, we want to express our serious concerns about this project as currently proposed. The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated.

RESPONSE NO. 72-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR thoroughly demonstrates the right to build the Project as proposed (see Section IV.A, Land Use and Planning, of the Draft EIR). In addition, the issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. Also, please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 72-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. **By overstating current trips, the future impacts of the project are improperly understated.**

RESPONSE NO. 72-2

The issue is raised in Comment No. 22-2. As such, please see Response to Comment No. 22-2. The Traffic study prepared for proposed Project is a conservative assessment of the trip generation of the existing uses.

COMMENT NO. 72-3

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

RESPONSE NO. 72-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of mitigation measures. The issue is raised in Comment No. 22-3. As such, please see Response to Comment No. 22-3.

COMMENT NO. 72-4

We are also extremely disappointed is the recent capitulation to Viacom on the billboard issue.

We support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 72-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The comment regarding the Viacom billboard is not related to the 10131 Constellation Boulevard Project or the subject Draft EIR.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 73

Joshua Silver
1833 Fairburn Ave. #306
Los Angeles, CA 90025

COMMENT NO. 73-1

As a resident of the City and of the Westside, I want to express my serious concerns about this project as currently proposed. The accounting of the available trips in Century City, and the rights to build a project of this size has not been demonstrated.

RESPONSE NO. 73-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR demonstrates the right to build the Project as proposed (see Section IV.A, Land Use and Planning, of the Draft EIR). In addition, the issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. Also, please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 73-2

The traffic study prepared for this project does not accurately assess the site's current trip generation. By overstating current trips, the future impacts of the project are improperly understated.

RESPONSE NO. 73-2

The issue is raised in Comment No. 22-2. As such, please see Response to Comment No. 22-2. The Traffic study prepared for proposed Project is a conservative assessment of the trip generation of the existing uses.

COMMENT NO. 73-3

The project should be downsized to reflect actual current use patterns. Also, thoughtful consideration must be given to whether meaningful mitigations are possible, and how they can be achieved and monitored.

RESPONSE NO. 73-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

The Draft EIR provides a comprehensive analysis of mitigation measures. The issue is raised in Comment No. 22-3. As such, please see Response to Comment No. 22-3.

COMMENT NO. 73-4

I support the actions of the Westwood South Homeowners' Association in opposition to the project as currently proposed.

RESPONSE NO. 73-4

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 74

D. M. Simmons, Ph.D.
10319 Cheviot Drive
Los Angeles, CA 90064

COMMENT NO. 74-1

Please add my request to those of many of my Cheviot Hills Neighbors, and seven other homeowner's associations:

DO NOT support the Constellation Place Condos and Lofts building project!

This project, if built, will result in an intolerable amount of increased traffic through our already-congested residential neighborhood. Century City, with its lack of arterial and/or freeway access must not be allowed to expand to the detriment of the surrounding neighborhoods and the entire west side!

Please make the wise decision for citizens of the entire community, not the expediant [sic] (and profitable) decision for the ambitious few developers.

RESPONSE NO. 74-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A. of this Final EIR. The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit.

LETTER NO. 75

Ms. Lauren Strogoff and family
10346 Rochester Ave.
Los Angeles, California 90024

COMMENT NO. 75-1

My name is Lauren Strogoff and I am writing to you on behalf of my entire family, which includes my two young daughters, ages 3 and 6. Specifically, I am writing to voice our concerns and opposition to the proposed residential development at 10131 Constellation Blvd. (Ref: ENV-2004062690-EIR).

In truth, this is the first time I have ever written a letter to the city to voice concerns over development in our tiny neighborhood. I have lived in the 1300 block of Rochester Ave since 1999. We moved here because we wanted our children to have a safe neighborhood to grow in and I have relied on our strong neighborhood association to be our watchdog.

It seems however that there is a steady surge of construction going on all around us that is tearing away at the safety and well being of our residents and specifically our children.

RESPONSE NO. 75-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

COMMENT NO. 75-2

Since we are adjacent to Century City, we will once again be impacted by the additional traffic generated by these proposed residential units. That includes additional traffic from employees of the development and all the service personnel working for private residents. We already have foreign traffic that does not obey the speed limit or use common sense in a neighborhood filled with small children. My own children have on more than one occasion nearly been side swiped by fast moving traffic ignorant of the silent rules we all live by.

RESPONSE NO. 75-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR provides a comprehensive analysis of the traffic impacts of the Project (see Section IV.B of the Draft EIR). As concluded therein, the Project would have less than significant traffic impact. The conclusions of the Draft EIR traffic analysis have been validated via the revised traffic

analysis (see Correction and Addition No. IV.B.h, Section III, Corrections and Additions, of this Final EIR).

Using City of Los Angeles significance criteria, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, Project access, or transit. Project trip generation was estimated using trip generation rates from the Institute of Transportation Engineers' (ITE's) Trip Generation, Seventh Edition (2003) for high-rise condominiums. The ITE rates include all trips generated by the units included in the ITE database, including residents, guests, delivery and service vehicles, building staff, and household employees. Please see Topical Response No. 1-Traffic Study Methodology, Topical Response No. 2-Project Trip Generation, and Topical Response No. 3-Traffic Impacts as presented in Section IV.A. of this Final EIR.

COMMENT NO. 75-3

Our immediate neighborhood has been under continuous construction for almost a decade, beginning with the Fox Studio expansion, the MGM building in Century City, the demolition and reconstruction at the site of the prior Schubert Theatre and now with never-ending construction on Santa Monica Blvd.

Continuous construction requires protections for our environment as well as additional fire and police services, schools, parks etc. Our infrastructure is already failing and we aren't getting any additional support in these areas. This simply can't go on.

I appreciate your consideration in halting this project.

RESPONSE NO. 75-3

The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related Projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. Specifically, the Draft EIR evaluates the Project's cumulative construction impacts associated with construction hauling, worker trips, emergency access, pedestrian and vehicle access, bus stop relocation, visual resources, air quality, and noise and includes all feasible mitigation measures to address potentially significant impacts. All of the Project's mitigation measures, including, but not limited to those addressing Project construction, would be implemented via the Project's Mitigation Monitoring and Reporting Program (MMRP) as presented in Section II of this Final EIR. In addition, a Construction Management Plan (CMP) has been developed to further address the Project's potential construction impacts (see Appendix B of this Final EIR).

The Draft EIR also evaluates the Project's environmental impacts on traffic (Draft EIR Sections IV.B), schools (Draft EIR Section IV.H.3), fire protection (Draft EIR Section IV.H.1), and police services (Draft EIR Section IV.H.2), land use (Draft EIR Section IV.A), and other public services including parks and libraries (Draft EIR Section IV.H.4 and H.5) and provides all feasible mitigation measures to reduce impacts. Payment of new school facility development fees as required under California Government Code Section 65995 and payment of fees or dedication of land under the Quimby Act would reduce impacts on schools and parks. Based on the Draft EIR analyses of police, fire, school, park, and library services, the impacts of the Project are concluded to be less than significant.

LETTER NO. 76

David Ting
2331 Greenfield Avenue
Los Angeles, CA 90064

COMMENT NO. 76-1

I support growth and development in our community, but I want to share grave concerns about this project. The impact to the traffic within Century City and surrounding neighborhoods has not been fully studied and insufficient remedies have been proposed. The traffic study prepared for this project does not accurately assess the site's traffic impact to the local community. By overstating current trips, the future impacts of the project are improperly understated. The project should be downsized, and the data should be revised to reflect actual current use patterns.

Any proposal submitted should contain meaningful traffic mitigation strategies as well as metrics to ensure that the impact is well within the proposed/anticipated limits. Any violation of such proposed limits should be met with swift and hefty financial penalties and/or remedies. These metrics must be easily measurable and the thresholds should be agreed to by all stakeholders including our community leaders.

As a Westside resident, I fully endorse the actions of the Westwood South Homeowners' Association in opposition to the project.

RESPONSE NO. 76-1

Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 2-Project Trip Generation as presented in Section IV.A. of this Final EIR. Also see Response to Comment Nos. 22-1 through 22-3.

The Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Thus, no mitigation measures are required.

Comments submitted by the Westwood South Homeowners' Association are contained in Letter No. 17. Please refer to Response to Comment Nos. 17-1 through 17-8.

LETTER NO. 77

Dr. & Mrs. Robert F Tobias
1927 Thayer Ave
Los Angeles CA 90025-5924

COMMENT NO. 77-1

I am a resident of West Los Angeles approximately seven blocks away from the above-referenced project. My husband and I have lived here for over thirty years. I am very pleased to have the opportunity to comment on the Constellation project.

RESPONSE NO. 77-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

COMMENT NO. 77-2

The right of the proponent to build the project at this site hasn't been demonstrated by the accounting of available trips in Century City. The prepared traffic study does not assess the current trip generation correctly.

The current trips were overstated and this greatly influences the future impacts of the project. Our neighborhood is already gridlocked at every major intersection and the project proposes to have almost as many residential units as our neighborhood currently supports.

Living between Olympic and Santa Monica Boulevards is like living between two rivers that overflow twice a day. By adding another large project like this, with all the attendant traffic trips it will bring, I wonder if will be like living in a permanent flood plain.

RESPONSE NO. 77-2

Refer to Response to Comment Nos. 22-1 through 22-3. Please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR with regard to the accounting of available trips in Century City. With regard to the Draft EIR's assessment of the trip generation of existing uses on the Project site and the assessment of potential traffic impacts, the Draft EIR analyzed the Project according to procedures specified in the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP), and the LADOT Traffic Study Policies and Procedures manual (Standard LADOT Methodology). Nevertheless, in recognition of the concerns expressed by various commentors regarding the trip credits used in the Draft EIR impact analysis for the existing on-site uses, an additional analysis has

been conducted of potential project trips and traffic conditions if the existing trip credits are reduced. This analysis is presented in Topical Response No. 4-Additional Analysis With Reduced Existing Trip Credit as presented in Section IV.A. of this Final EIR.

COMMENT NO. 77-3

Please consider the downsizing of this project to reflect its current use patterns. This needs a thorough analysis and your consideration needs to be given so that meaningful mitigations can be implemented.

Thank you for your careful consideration in this matter.

RESPONSE NO. 77-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The comment does not demonstrate that the Project's estimation of current use patterns is not accurately calculated in the Draft EIR. As such, no justification exists for the downsizing of the Project. Mitigation measures for the Project presented in the Draft EIR are meaningful in that they reduce the Project's potentially significant impacts or, where no significant impacts have been identified, serve to reduce impacts and ensure compliance with applicable regulations. All of the mitigation measures contained in the Final EIR, including additional measures that may be adopted by the City's decision makers at the time of Project approval, would be monitored through the Project's Mitigation Monitoring and Reporting Program (MMRP) that would be adopted by the City Council at the time the EIR is certified. The MMRP, which is mandated under Section 21081.6 of the California Public Resources Code, identifies the monitoring and enforcement agencies for each of the listed mitigation measures. An MMRP addressing all of the mitigation measures identified in the Draft EIR is presented in Appendix B of the Draft EIR. This MMRP has been updated as needed and is provided in Section II of this Final EIR.

Also refer to Response to Comment No. 22-3.

LETTER NO. 78

Marilyn Tusher
2557 Midvale Avenue
Los Angeles, CA 90064

COMMENT NO. 78-1

As a long time resident of Westwood Gardens, over 35 years now, I find that I must write to comment on the above referenced project and the attendant EIR that is now under consideration.

The number of trips that are shown as available in Century City, and the right of the developer to be able to build this large a project has not been clearly shown or validated by this EIR.

RESPONSE NO. 78-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR thoroughly demonstrates the right to build the Project as proposed (see Section IV.A, Land Use and Planning, of the Draft EIR). In addition, the issue is raised in Comment No. 22-1. As such, please see Response to Comment No. 22-1. Also, please see Topical Response No. 7 – Project Consistency with the Century City North Specific Plan as presented in Section IV.A. of this Final EIR.

COMMENT NO. 78-2

This traffic study is clearly flawed when it simply does not accurately shown the current trips being made, let alone anything in the near or distant future. All of the intersections are already at the Failing level of gridlock in the surrounding areas, including our own Homeowner's Association. Our neighborhood cannot absorb any further traffic from any project, let alone this subject one now being considered.

RESPONSE NO. 78-2

The Draft EIR provides a comprehensive analysis of the traffic impact of the Project. The traffic study prepared for the proposed Project is a conservative assessment of the trip generation of the existing uses. The traffic study was conducted in accordance with all LADOT requirements. LADOT reviewed the traffic study and addressed the adequacy of the study via their assessment letter dated October 27, 2005 (see Appendix C-1 of the Draft EIR). As noted in the Draft EIR, traffic conditions are currently congested at many locations within the study area, and of the 32 intersections studied, an estimated 14 currently operate at level of service (LOS) E or F during the A.M. peak hour, the P.M. peak hour, or both.

Using City of Los Angeles significance criteria, however, the Draft EIR determined that the Project would not create significant impacts relative to intersection capacity, local streets, the Congestion Management Program (CMP) regional system, project access, or transit. Please see Topical Response No. 1-Traffic Study Methodology and Topical Response No. 3-Traffic Impacts as presented in Section IV.A. of this Final EIR.

COMMENT NO. 78-3

No amount of mitigation will be able to alleviate these problems, not only with the traffic, but the infrastructure of our streets, and public services such as police and fire.

RESPONSE NO. 78-3

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR evaluates the Project's environmental impacts on fire protection (Draft EIR, Section IV.H.1), police services (Draft EIR, Section IV.H.2), schools (Draft EIR, Section IV.H.3), parks (Draft EIR, Section IV.H.4), and libraries (Draft EIR, Section IV.H.5). The analyses describe existing conditions and the effects of the Project on the service capacities of police and fire services as well as school, library and park facilities within the Project study area. The significance of impacts is based on a comparison of the change generated by the Project to specific thresholds, including thresholds established by the 1998 Los Angeles CEQA Thresholds Guide. The Draft EIR concludes that the construction and increased density generated by the Project would not exceed the capacities of the libraries (Draft EIR, Section IV.H.5, pages 419-420), police services (Draft EIR, Section IV.H.2 pages 386-387), fire protection (Draft EIR, Section IV.H.1, page 376), and schools (Draft EIR, Section IV.H.3, page 398). As discussed in the Draft EIR (pages 408-412) potentially significant impacts associated with parks would be reduced to a less than significant level on the basis of Mitigation Measure H.4-1, which would require the Project Applicant to do one or more of the following: (1) dedicate additional parkland such that the Project would result in a total of 3 acres per 1,000 Project residents; (2) pay in-lieu fees for any land dedication requirement shortfall; or (3) provide onsite improvements equivalent in value to in-lieu fees.

COMMENT NO. 78-4

You cannot allow this project to go forward in its present configuration. It has to be totally reconsidered, or abandoned altogether. The quality of life that we as residents are struggling to maintain is being seriously comprised by the city permitting any further development in our area.

Thank you for taking the time to read my comments.

RESPONSE NO. 78-4

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.

LETTER NO. 79

Florence Verger
1362 Comstock Ave.
Los Angeles, CA 90024

COMMENT NO. 79-1

I am opposed to the size and density of the new high rise project being considered in Century City at 1013331 [sic] Constellation Blvd.

For years now our residential neighborhood has been subjected to a tremendous amount of new high rise construction including Santa Monica Blvd., the Shubert property, the Westfield Shopping Center and the Beverly Hills Robinson-Mays Dept. Store property on Wilshire Blvd. Other major projects in and adjacent to Century City have or are being constructed. Population density and service activity are affecting our quality of life in our once quiet neighborhood.

Increasingly, this has affected Comstock Ave., my street. There is much more fast traffic including noisy trucks and cars and dust in the air.

I have lived in my house for more than 54 years and the-quality of my life has diminished. I feel much less safe as cars and trucks rush past and brakes squeel [sic] as they make fast turns onto Rochester Blvd. in front of my house.

RESPONSE NO. 79-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project. The Draft EIR analyzes the cumulative impacts of all known and reasonably foreseeable related projects in Century City and the surrounding area in accordance with all CEQA requirements. The analysis of cumulative impacts is provided within the individual issue areas addressed in Section IV, Environmental Impact Analysis, of the Draft EIR. The cumulative analyses address all of the related projects and environmental issues identified in the comment.

The City of Los Angeles, subsequent to the release of the Project's Draft EIR, issued a Draft EIR for the 2055 Avenue of the Stars Condominium Project (St. Regis Draft EIR). A comparison of the two related projects lists indicates a total of 19 related projects that are on the related projects list for the 2055 Avenue of the Stars Condominium Project that are not on the related projects list for the proposed Project. While the proposed Project's related projects list was compiled as of the date of the Notice of Preparation (May 24, 2005) consistent with all CEQA requirements, and thus adequate under CEQA, to be conservative, all of the cumulative analyses included within the

Project's Draft EIR have been updated to account for the additional related projects in the St. Regis Draft EIR. A summary of the Project's cumulative impacts is presented in Topical Response No. 10, Cumulative Impacts. As such, please refer to Topical Response No. 10 as presented in Section IV.A. of this Final EIR. While the updating of the Project's cumulative analyses are not required under CEQA, it has been conducted to promote good planning practices and to provide a conservative analysis of potential environmental impacts. It is also important to note that the results of the updated cumulative analyses do not result in any new significant cumulative impacts nor a substantial increase in the extent of the Project's cumulative impacts in comparison to what was analyzed in the Draft EIR. Therefore, no further analysis of this issue is required.

Please see Topical Response No. 3-Traffic Impacts. The Draft EIR determined that the Project would not create significant impacts relative to local streets.

LETTER NO. 80

Peter M. Weil
10250 Constellation Boulevard
Nineteenth Floor
Los Angeles, California 90067

COMMENT NO. 80-1

I am submitting this letter to express my strong support for the condominium project proposed for the JMB 10131 Constellation Boulevard. As you may know, I have a unique professional and personal commitment to the City of Los Angeles and in particular the Century City area. I have been a practicing real estate lawyer since 1974 with most of those years in the Century City area. I am a past President of the Century City Bar Association. In addition, I have served the City as the President of the City Planning Commission, the Chairman of the City Board of Zoning Appeals and as a member of the City Board of Airport Commissioners..

Through the years, I have witnessed Century City evolve from primarily an office location to a regional center complete with unmatched commercial office, retail, restaurant, grocery and entertainment uses and activities. A one of the important centers of Los Angeles, the one thing missing today in Century City is higher density residential uses.

The proposed JMB project epitomizes smart growth, good planning and forward thinking. The project will have positive implications for Century City, as well as the City's land use policies. On what is now an underutilized site in the core of Century City, JMB will develop a landmark high-rise residential complex, bringing the site in line with Century City's modern mixed-use environment. The project will be the first development to inject quality housing directly into the commercial core of Century City, thereby promoting a mixed-use environment in Century City. The concepts of mixed-use centers will provide increased opportunities to reduce the use of autos in these centers and citywide. From an aesthetic perspective, implementation of the project will enhance the appearance of the existing Century City commercial district. The project will add landscape features and provide for public space that will serve Century City. Finally, the pedestrian environment that has typically characterized Century City also is reflected in the site plan.

To me, the most appealing feature of the project is that it helps to address the ever increasing demand for market rate housing in Southern California and, in particular, in West Los Angeles. Increasing our housing supply is an essential policy of our Housing Element Not only does the project create housing, it does so in a commercial core, which serves the additional purpose of making more efficient use of existing facilities and thereby reducing the need to develop additional infrastructure.

As set forth in the draft environmental impact report (DEIR), this project has minimal impacts on the environment. The addition of residential units in close proximity to jobs, public transit, shops, restaurants, and entertainment uses will support Century City's existing range of services and commercial activities, further supporting the economic future of the area.

In my opinion, high density residential is the best possible use for this site. In fact, the project is consistent with the General Plan, the Specific Plan and the zoning for the property. This is essentially a by-right project. The proposed project represents an important step toward meeting the long range planning goals of the City. This project is exactly the type of vertical residential development sorely missing and needed in the City of Los Angeles, and something that the City should be embracing wholeheartedly.

Next week, on January 24th, I am co-chairing the 2006 UCLA Extension Real Estate Forecast Conference which is entitled "The Future is Going Up." Had the JMB project been farther along, it would have been a wonderful example of forward thinking city planning which is being implemented from New York to Las Vegas. As a person with strong ties to the City of Los Angeles and Century City, I urge the City to approve this quality residential project. Thank you for your consideration.

RESPONSE NO. 80-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project.

LETTER NO. 81

Alexis Wieland
2647 Glendon Avenue
Los Angeles, Ca 90064

COMMENT NO. 81-1

I don't believe that a project of this size will generate less traffic than a small bank, a restaurant closed at breakfast and dinner, and a vacant lot.

RESPONSE NO. 81-1

Issues relating to Project Trip Generation are addressed in Topical Response No. 2. As concluded therein, the trip generation rates for existing uses are consistent with ITE and LADOT guidelines (see Final EIR Section IV.A, Topical Response No. 2). As discussed in the Draft EIR, the Project would be consistent with the CATGP trip requirement of the CCNSP (Draft EIR, Section IV. A and Topical Response No. 7 – Project Consistency with the Century City North Specific Plan, as presented in Section IV.A of this Final EIR).

COMMENT NO. 81-2

If more development is going into Century City, then in the interests of reducing traffic and improving mobility in West Los Angeles, I would like this project and the City to provide the following improvements in public and alternative transportation.

- Improve the bus layover facility into an attractive transit center with system maps, machines to buy cards, route schedules, lights, emergency phones, a local area map to other lines (on Pico and Santa Monica, for example), etc.
- Initiate and promote improved shuttle bus service(s) to and within Century City - connecting Pico Blvd., Olympic Blvd., Santa Monica Blvd., the mall, Ralphs, Gelsons, Beverly Hills and West LA.
- Construct a network of bike paths to connect to the Exposition right-of-way and fund a more rapid completion of the Exposition bike path.
- Establish and promote use of walking paths - ones with lights, clear markings and a map, Install the crossing of Constellation Blvd.
- Publicly and substantially promote a subway or LRT that serves Century City. Put money aside, dedicate land for a mass transit station and otherwise build the project as

transit friendly. Improve the bus connections in Century City to have easy connections, quick transfers, and rapid service lines.

RESPONSE NO. 81-2

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action the proposed Project. As the Project's transit impacts are concluded in Section IV. B, Traffic and Circulation, of the Draft EIR to be less than significant, the imposition of mitigation measures beyond those identified in the Draft EIR are not required.

LETTER NO. 82

Judith and Barton Wolin
2160 Century Park East #1111
Los Angeles, CA 90067

COMMENT NO. 82-1

When we were ready to retire, we looked at many cities across the western United States, including Las Vegas, Dallas, San Francisco and Los Angeles,

We chose Los Angeles - Century City specifically - because we enjoy living in an urban environment. As a resident of a high-rise condominium in Century City, I know first hand the many benefits of living in such close proximity to numerous cultural institutions, shopping and entertainment venues.

I support the 10131 Constellation condominium project because I believe it will raise the property values of surrounding condominium buildings and that more residents in Century City will make the neighborhood more vibrant on evenings and weekends. I also believe that condominiums are preferable to additional office space.

RESPONSE NO. 82-1

The comment is noted and incorporated into the Final EIR for the review and consideration of the public and the City's decision makers prior to any approval action on the proposed Project.