

# I. SUMMARY

---

## A. INTRODUCTION

This summary is intended to highlight major areas of importance in the environmental analysis, for use by decision makers and the public, and to provide the information required per Section 15123 of California Environmental Quality Act (CEQA) and the *CEQA Guidelines*. The summary includes a discussion of the environmental review process, a description of the proposed project, requested actions from the City of Los Angeles, areas of known controversy and issues to be resolved. A summary of the potential environmental impacts that could occur as a result of the proposed project as well as alternatives to the proposed project, their level of significance, mitigation measures and level of impact after mitigation are also included in this chapter.

## B. THE ENVIRONMENTAL REVIEW PROCESS

CEQA requires that an environmental review be conducted for activities and approvals that involve discretionary actions. CEQA applies to all California government agencies at all levels, including local agencies; regional agencies; and state agencies, boards and commissions. An Environmental Impact Report (EIR) is an informational document required by CEQA when substantial evidence exists that a project may have a significant physical environmental effect. The EIR is intended to provide information to decision makers, agency staff and the public about (1) the potential environmental impacts of a proposed project; (2) ways in which the significant effects of a project might be minimized or avoided; and (3) alternatives to the project which could reduce or avoid the significant impacts associated with the project.

CEQA applies to projects for which a governmental agency can use its judgment or discretion in deciding whether to carry out or approve the project. The public agency that has the principal responsibility for carrying out or approving the project is termed the "Lead Agency." For the purpose of this EIR, the City of Los Angeles City Planning Department is the Lead Agency. This EIR will also be used by other agencies in their decision-making processes. Responsible Agencies include any public agencies, other than the Lead Agency, that have discretionary approval power over the project. Trustee Agencies are those state agencies that have jurisdiction by law over natural resources held in trust for the people of the State of California. Additionally, Reviewing Agencies includes those agencies that do not have discretionary power over the project but that are expected to review the EIR for adequacy and accuracy.

The initial steps of the environmental review process are to determine whether CEQA applies and whether an EIR is required. For this project, the City Planning Department determined that CEQA did

apply and, after review of the project indicated the possibility of significant environmental impacts, the preparation of an EIR was determined to be necessary.

As a first step of the EIR process, the Lead Agency distributes a Notice of Preparation (NOP). The NOP is intended to solicit input from responsible agencies and other interested parties. The City Planning Department circulated an NOP for the proposed project on August 17, 2005, beginning a 30-day review period. Written comments were received from agencies and also received from interested individuals and community groups in writing and as public statements at a scoping meeting held by the City Planning Department on September 8, 2005. A second NOP was circulated on November 15, 2005, to notify agencies and interested parties of changes to the project description. The second 30-day review period ended on December 15, 2005. The NOP, Revised NOP and the comments received on the NOP and Revised NOP are contained in **Appendix I** to this Draft EIR.

Subsequent to the NOP review period, a Draft EIR (DEIR) was prepared. This DEIR shall be circulated for a public review period of at least 45 days as required by CEQA. During this review period, the City Planning Department will again accept comments from agencies and the public. After the close of the public review period, written responses will be prepared to all comments received on the DEIR. These comments and responses, in combination with the text of the DEIR, will constitute the Final EIR (FEIR). The FEIR will then be presented to the decision makers. The FEIR must be certified as adequate and complete before any discretionary actions may be taken to implement the project.

## **C. DOCUMENT ORGANIZATION**

This Draft EIR is organized into the following eight sections.

**I. Summary** presents an overview of the significant effects of the project, proposed mitigation and alternatives.

**II. Project Description** presents a description of the proposed project, including the objectives, location and characteristics of the project.

**III. General Description of Environmental Setting** includes a general overview of the existing environmental characteristics of the area to help orient the reader.

**IV. Environmental Impact Analysis** contains analysis of each of the environmental topics addressed in this EIR. Each topic is addressed in separate subsections. The environmental topics addressed in this EIR include the following:

- Land Use;

- Population and Housing;
- Geology;
- Water Resources;
- Air Quality;
- Transportation;
- Hazards and Hazardous Materials;
- Noise;
- Public Services;
- Public Utilities;
- Visual Resources; and
- Cultural Resources.

**V. Growth Inducement** provides discussion of the ways in which the project could foster economic or population growth.

**VI. Project Alternatives** provides analysis of alternatives to the project. As required by the *CEQA Guidelines*, a discussion of the reasons for selection of the alternatives analyzed is provided with a comparative analysis of each alternative with the project.

**VII. Effects Found Not to be Significant** provides an overview of the issues determined not to be significant through the Initial Study process.

**VIII. Organizations and Persons Contacted, References** lists all documents and persons contacted that were used as a basis of information for the EIR and provides a list of all persons and organizations contributing to the preparation of the EIR.

**Appendices** to this EIR include the NOP, Revised NOP, comments received on the NOP and Revised NOP and various supporting technical studies and data summarized in this EIR.

## **D. BRIEF SUMMARY OF THE PROPOSED ACTION**

The project applicant seeks to develop three different underutilized sites in Downtown Los Angeles, including the rehabilitation of an important City of Los Angeles Historic-Cultural Monument, the Herald Examiner building.

The project is comprised of three separate but related components: (1) the Broadway site; (2) the Hill Street site; and (3) the 12<sup>th</sup> Street site.

## 1. Broadway Site

The proposed project involves the rehabilitation of the existing 103,500-square-foot Broadway building located on the Broadway site. Ms. Julia Morgan, working closely with William Randolph Hearst, designed this building in 1913 for use by the *Herald* and later by the *Herald Examiner* newspapers. The *Herald Examiner* operation used the building from 1915 until 1989. Since ceasing production and circulation of the *Herald Examiner* in 1989, the building has remained unoccupied and used only occasionally by the film industry.

As described in the Cultural Resources Technical Report, included in **Appendix IV.L** of this EIR, the *Herald Examiner* building has been formally determined eligible for listing in the National Register of Historic Places by the Keeper of the National Register (evaluation code “2S1”) and is listed in the California Register of Historical Resources. The building is also designated as City of Los Angeles Historic-Cultural Monument #178.

Implementation of the proposed project would involve rehabilitation of the existing building in compliance with the Secretary of the Interior’s Standards for Rehabilitation, and thus, would respect the building’s original design. The existing bridgeway, which connects the second floor of this building to the Press building located on the parcel immediately west of the Broadway site, would be demolished. The remainder of the building would be rehabilitated.

## 2. Hill Street Site

The Hill Street site currently contains the existing 74,512-square-foot Press building, which was constructed in 1948 and ceased operation in 1989. The building was constructed adjacent to the *Herald Examiner* building to accommodate printing presses, paper storage and parking associated with *Herald Examiner* operations. A bridge connects the second floor of the Press building with the second floor of the *Herald Examiner* building described above. The building is currently vacant. Although the adjacent *Herald Examiner* building has been determined eligible for listing in the National Register of Historic Places, is listed in the California Register of Historic Places, and has been designated as City of Los Angeles Historic-Cultural Monument #178, the existing Press building located on the Hill Street site has not been listed or found eligible for listing in either the National or California Register of Historic Places.

Implementation of the proposed project would involve demolition of the existing unused Press building and the construction of a new 23-story, mixed-use building. The new high-rise structure would consist of

approximately 256 condominium units with approximately 324,440 square feet consisting of one- and two-bedroom residential units ranging in size from approximately 760 to 2,000 square feet and 2,560 square feet of retail space. Smaller residential units are anticipated to generally be located on the lower floors and larger ones on the top floors.

In addition to the condominium uses, the new building is anticipated to include private decks, an outdoor roof deck on the 19<sup>th</sup> floor and a plaza over the garage. Also, part of the building is anticipated to be a four-level subterranean parking structure with approximately 422 parking stalls. Approximately 1.25 stalls would be provided for each residential unit and an additional 0.25 stalls for guest parking for each residential unit, for a total of 384 parking stalls available for use by building residents. The remaining 38 parking stalls would be available for occupants of the adjacent rehabilitated Broadway building, as no parking has ever been provided on the Broadway site.

### **3. 12<sup>th</sup> Street Site**

The 12<sup>th</sup> Street site is currently developed with an asphalt-paved surface parking lot located on the southeast corner of West 12<sup>th</sup> Street and South Broadway. Demolition of this surface parking lot is proposed to allow for the construction of a new 37-story, mixed-use structure (the 12<sup>th</sup> Street building). This new building would consist of approximately 319 condominium units and 8,050 square feet of commercial/retail space on the first floor. The residential floor area in the building, approximately 362,555 square feet, is anticipated to consist of one- and two-bedroom residential units ranging in size from 875 to 1,770 square feet, as well as top-floor penthouses approximately 2,400 square feet in size. Smaller units are anticipated to generally be located on the lower floors and larger ones would be located on the top floors.

In addition to the condominium uses, the new building would include private decks for each residential unit, a roof deck on the 19<sup>th</sup> floor and a plaza over the garage. A six-level parking structure, with two subterranean parking levels and four above-grade parking levels, would be constructed and is estimated to provide approximately 487 parking stalls. Approximately 1.25 parking stalls would be provided per residential unit, with an additional 0.25 parking stalls provided for guest parking per residential unit.

### **4. Project Construction**

Construction of the proposed project would be phased and involve separate construction activities and timelines at each of the three project sites. Construction at the Broadway site is estimated to begin in 2006 and include abatement of hazards in the existing Broadway building, selective demolition and then rehabilitation in a manner consistent with the Secretary of the Interior's Standards for Building Rehabilitation. Construction at the other two project sites is anticipated to involve the demolition of

existing on-site uses, excavation for the subterranean parking structures, construction of the parking garages and then construction of the new buildings. Construction at the Hill Street site is estimated to begin in 2007 and be complete in 2009, and construction at the 12<sup>th</sup> Street site is estimated to begin in 2008 and be complete in 2010.

## **E. PROJECT OBJECTIVES**

The project applicant seeks to develop three different underutilized sites in Downtown Los Angeles, including the careful rehabilitation of an important City of Los Angeles Historic-Cultural Monument. More specifically, the objectives of the Herald Examiner project are:

- to rehabilitate the 1913 Herald Examiner building, a City of Los Angeles Historic-Cultural Monument, which ceased newspaper operation in 1989;
- to provide much needed housing, including innovative urban dwellings, for the City of Los Angeles;
- to provide high quality housing in an underutilized urban area of the City of Los Angeles;
- to provide conveniently located housing for downtown professionals who commute from neighboring communities and counties;
- to provide retail shopping and dining opportunities for the local community;
- to provide renovated office facilities for the community in the historic Herald Examiner building;
- to develop the site with a land use consistent with the intent of the Central Business District Redevelopment Plan and the City Center Project Redevelopment Plan;
- to improve and integrate the streetscape along Broadway, South Hill Street, 11<sup>th</sup> Street and 12<sup>th</sup> Street;
- to encourage privately-financed redevelopment and investment in a redevelopment area without reliance on public subsidy;
- to enhance the property tax base for the Central Business District Redevelopment Project Area and the Central City Project Redevelopment Plan;
- to provide jobs within the Central Business District Redevelopment Project Area and City Center Project Redevelopment Area;
- to abate hazardous materials in the interest of public safety;
- to provide dedicated off-street parking for the historic Broadway building; and
- to create innovative architectural design statements that will create recognizable high quality, world-class buildings for Downtown Los Angeles.

## F. CITY ACTIONS REQUESTED

The Los Angeles Department of City Planning is acting as lead agency as defined by CEQA for environmental review of this project. Upon certification of the EIR by the City of Los Angeles, a variety of discretionary and ministerial actions will be required, including, but not limited to, the following:

### 1. Broadway Site:

- Cultural Heritage Review;
- Vesting tract map for retail subdivision purposes;
- All other building and construction related permits granted under the authority of the Department of Building and Safety;
- Floor Area Ratio (FAR) Averaging Conditional Use Permit (CUP) with the Hill Street and 12<sup>th</sup> Street buildings;
- An Alcohol CUP; and
- Other approvals as necessary.

### 2. Hill Street Site:

- FAR Averaging CUP to share excess floor area among the Broadway building, Hill Street building and 12<sup>th</sup> Street building as a unified site;
- Variance from residential density limitation;
- Possible variance for floor area;
- Vesting tract map for condominium subdivision purposes;
- Site Plan review;
- All other building and construction related permits granted under the authority of the Department of Building and Safety;
- An Alcohol CUP; and
- Other approvals as necessary.

### 3. 12<sup>th</sup> Street Site

- FAR Averaging Conditional Use Permit to share excess floor area among the Broadway building, Hill Street building and 12<sup>th</sup> Street building as a unified site;
- Variance from residential density limitation;
- Possible variance for floor area;
- Vesting tract map for condominium subdivision purposes;

- Vacation of Right-of-Way for the alley (part of vesting tentative tract map);
- Site Plan Review;
- All other building and construction related permits granted under the authority of the Department of Building and Safety;
- An Alcohol CUP; and
- Other approvals as necessary.

## **G. LOCATION AND BOUNDARIES**

The Herald Examiner project consists of development proposed on three sites owned by the project applicant in Downtown Los Angeles. These three sites are located in the South Park area in Downtown Los Angeles in the Central Business District Redevelopment Project Area and the City Center Project Redevelopment Area. The sites are located approximately half a mile north of the Santa Monica Freeway (I-10), an east-west freeway, and approximately three-quarters of a mile east of the Harbor Freeway (I-110), a north-south freeway. The location of each of these sites included in this proposed project is described below.

### **1. Broadway Site**

The Broadway site's Herald Examiner building, referred to as the Broadway building in this report, is located on a 41,860-square-foot lot located at the southwest corner of 11<sup>th</sup> Street and South Broadway at 1111 South Broadway. The Broadway site is bounded by South Broadway on the east, 11<sup>th</sup> Street on the north, the Press building on the west and an alley and the former Transamerica Center building on the south (currently referred to as the SBC tower).

### **2. Hill Street Site**

The Hill Street site, which is located adjacent to, and immediately west of, the Broadway site discussed above, consists of an approximately 46,220-square-foot parcel located along South Hill Street between 11<sup>th</sup> Street and 12<sup>th</sup> Street at 1108 South Hill Street. The site is bounded by the Broadway site on the east, 11<sup>th</sup> Street on the north, South Hill Street on the west and an alley and the former Transamerica Center building on the south.

### **3. 12<sup>th</sup> Street Site**

The 12<sup>th</sup> Street site is currently an asphalt-paved parking lot. The site consists of approximately 47,916 square feet and is located on the south side of 12<sup>th</sup> Street between South Broadway and South Main Street

at 1201 South Main Street. The site is bounded by 12<sup>th</sup> Street on the north, South Main Street on the east, a property with two existing buildings on the south and South Broadway on the west.

## **H. AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED**

Comments received from the public, responsible agencies and interested parties on the circulated NOP, Revised NOP and at the public scoping meeting highlighted environmental issues of concern regarding the proposed project. Review of comments received during the NOP and Revised NOP circulation period indicated areas of controversy, such as land use and planning; air quality; the potential presence of hazards and hazardous materials; population and housing; public services, transportation and traffic; utilities and service systems; and the intended future uses of the historic Herald Examiner building. All of the areas of controversy are addressed in this EIR.

## **I. SUMMARY OF ENVIRONMENTAL IMPACTS**

### **1. Land Use and Planning**

#### *Project Impacts*

As discussed in **Section IV.A, Land Use**, the proposed project complements surrounding land uses, as it is a mixed-use project, which includes residential, office and commercial uses. Surrounding land uses include commercial, office, retail, residential, entertainment and parking. Therefore, the proposed project does not have the potential to significantly impact surrounding land uses or to disrupt, divide or isolate the neighborhood.

Additionally, after the discretionary approval process is complete and all approvals are granted, the proposed project will comply with the goals and policies of all applicable land use plans, including the City of Los Angeles General Plan Framework; the City of Los Angeles General Plan, Central City Community Plan; the City of Los Angeles Zoning Ordinance; the Redevelopment Plan for the Central Business District Redevelopment Project Area; the Redevelopment Plan for the City Center Redevelopment Project Area; the Greater Downtown Strategic Plan; the South Park Development Strategies and Design Guidelines; and the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide. Therefore, the project would not have a potentially significant impact related to land use inconsistencies with policies and plans.

#### **Mitigation Measures**

The project would not result in any significant environmental impacts upon applicable land use plans or surrounding land uses; therefore, no mitigation measures are required.

## Cumulative Impacts

The proposed project and the surrounding projects identified in **Section III, General Description of Environmental Setting**, are consistent with all applicable land use plans. Additionally, the proposed projects would further the goals and objectives of the applicable land use plans, contributing to a revitalized, renewed and economically and culturally diverse Central City area of Downtown Los Angeles. Therefore, the proposed project, along with surrounding proposed projects, would not result in a significant cumulative land use impacts.

## Adverse Effects

No significant impacts to land use would result from the proposed project; therefore, no adverse effects to land use in the Central City area would be anticipated upon project implementation.

## 2. Population and Housing

### *Project Impacts*

As discussed in **Section IV.B, Population and Housing**, implementation of the proposed project is consistent with population and housing growth projections and would not have the potential to significantly affect population and housing growth in Downtown Los Angeles. The proposed project's addition of 1,087 residents and 575 new condominium units is accounted for within growth projections for the City of Los Angeles and the Central City Community Plan area. The three project sites are already developed and served by transportation, public services and public utilities and, as detailed in **Section IV.F, Transportation, Section IV.I, Public Services**, and **Section IV.J, Public Utilities**, would not require the construction or expansion of infrastructure to meet the needs of the additional residential population. Therefore, the increase in population would not result in a significant impact on infrastructure. Finally, the project sites are designated as within the Downtown Center Business Improvement District, an area targeted for growth by the City of Los Angeles and numerous other projects are proposed for the surrounding area. Hence, growth in the project area is expected with or without the proposed project. No potential for significant impacts to population and housing growth would result.

## Cumulative Impacts

SCAG's 2004 Regional Transportation Plan Growth Forecast Report projects that the City of Los Angeles will add 61,739 dwelling units between 2005 and 2010.<sup>1</sup> The proposed Herald Examiner project and the identified related projects would collectively add approximately 5,926 dwelling units, representing an

---

<sup>1</sup> Southern California Association of Governments. 2004 Regional Transportation Plan/Growth Vision: Socio-Economic Forecast Report, June 2004.

approximately 9.6 percent (5,926 dwelling units of the forecasted 61,739 units) contribution toward the projected dwelling unit increase for the City of Los Angeles. Based on the 2000 Census value of approximately 1.89 persons per occupied multi-family housing, the number of people generated from 5,926 multi-family dwelling units would be approximately 11,200 persons.

As with the project, the related projects are situated in an area that is urbanized and that contains established infrastructure. As urban infill, these projects would neither encroach on isolated or open space areas nor would they remove physical impediments to growth. Furthermore, these projects are in areas the city has targeted for growth, has developed transportation and other public service infrastructure, and lies within close proximity to the Central City business and economic district, as described above. As such, the cumulative impact of the project and the related projects are accounted for within regional growth forecasts and projections, and thus, would not have a significant impact on population or housing growth.

#### **Mitigation Measures**

No mitigation measures are required because the proposed project would not result in any significant population or housing growth impacts.

#### **Adverse Effects**

Implementation of the project would result in an increase in housing units and population. However, these increases would not result in unavoidable significant impacts with respect to population or housing growth.

### **3. Geology**

#### ***Project Impacts***

As discussed in **Section IV.C, Geology**, the proposed project is located 5.3 miles from the nearest fault and would comply with applicable building codes, which ensure safety in the event of an earthquake. The groundwater depth is not shallow, and therefore, would not pose a threat of soil liquefaction. Also, the project site is not located on a slope, and therefore, is not at risk for landslides. Therefore, the proposed project would not result in significant impacts related to geologic hazards, such as surface fault rupture, strong seismic ground shaking, seismic related ground failure, including liquefaction or landslides.

A medium soil expansion potential has been assumed for the near surface clayey soils encountered around the Broadway and Hill Street sites. This expansion potential for on-site soils is considered to be a

potentially significant impact for the proposed project. Therefore, mitigation measures are necessary to reduce this impact to less than significant.

The near surface soils at the project site have a saturated resistivity value of 1,200 to 1,500 ohms-centimeter, indicating a moderate corrosivity potential for ferrous metals in contact with these soils. Therefore, the impact of corrosion from soils to building materials would be significant, and mitigation measures are required.

The project would adhere to conditions under the National Pollution Discharge Elimination System Permit (NPDES) set forth by the Los Angeles Regional Water Quality Control Board (LARWQCB) as well as the South Coast Air Quality Management District's Rule 403 – Fugitive Dust, and would prepare and submit a Storm Water Pollution Prevention Plan (SWPPP). As such, potential sedimentation and erosion impacts of project construction would be less than significant.

The project site is located in a highly urbanized area and is neither on nor around any unique or natural geologic or topographic features; therefore, the project would not result in a significant impact by altering landforms.

### **Mitigation Measures**

- MM-GEO-1. The Hill Street and 12<sup>th</sup> Street structures shall be designed in accordance with the CBC, LABC and the SEAOC to ensure safety in the event of an earthquake.
- MM-GEO-2. Prior to start of soil-disturbing activities at the site, a Notice of Intent (NOI) and SWPPP shall be prepared in accordance with, and in order to partially fulfill, the California State Water Resources Control Board Order No. 99-08-DWQ, NPDES General Permit No. CAS000002 (General Construction Permit) and Chapter 6 Article 4.4, Stormwater and Urban Runoff Pollution Control from the Los Angeles Municipal Code. The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the Clean Water Act (CWA) and Chapter 6 Article 4.4, Stormwater and Urban Runoff Pollution Control from the Los Angeles Municipal Code, by requiring controls of pollutant discharges that utilize best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT) to reduce pollutants.
- MM-GEO-3. The project applicant shall implement dust control measures consistent with SCAQMD Rule 403 – Fugitive Dust, during the construction phases of new project development. The following actions are currently recommended to implement Rule 403 and have been

quantified by the SCAQMD as being able to reduce dust generation between 30 and 85 percent depending on the source of the dust generation:

- Apply water and/or approved nontoxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas that have been inactive for 10 or more days);
- Replace ground cover in disturbed areas as quickly as possible;
- Enclose, cover, water twice daily or apply approved chemical soil binders to exposed piles with 5 percent or greater silt content;
- Water active grading sites at least twice daily during construction activities;
- Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph) over a 30-minute period;
- All trucks hauling dirt, sand, soil or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code;
- Sweep streets at the end of the day if visible soil material is carried over to adjacent roads;
- Install wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip; and
- Post and enforce traffic speed limits of 15 mph or less on all unpaved roads.

*Earthwork*

MM-GEO-4. Prior to the start of construction, the existing structures, concrete pavement and landscaping shall be removed from the site. All undocumented fill extending below the bottom of the design excavation shall be removed. It is anticipated that excavation for the subterranean structure would remove any existing fill from within the limits of the structure. Any loose, disturbed or otherwise unsuitable materials encountered at the bottom of the excavation, shall be excavated to firm acceptable material. Excavation activities shall not disturb adjacent utilities, buildings and structures to remain. Existing utilities shall be removed and adequately capped at the project boundary line or salvaged/rerouted as designed.

MM-GEO-5. All exposed subgrade soil surfaces, including subgrade surfaces below the proposed basement floor slabs, shall be observed by a Converse Consultants representative prior to placement of fill or placement of slabs. If soft, yielding or unsuitable soils are exposed at the subgrade surface, then the unsuitable soils shall be removed and replaced with

properly compacted fill soils. Sandy soils shall be maintained at within three percent of optimum moisture until the concrete slab-on-grade has been completed.

MM-GEO-6. All fill and backfill soils shall be placed in lifts not exceeding 8 inches in thickness, moisture conditioned at near optimum moisture and compacted to 90 percent of the laboratory maximum density determined in accordance with American Society of Testing and Materials (ASTM) Test Method D-1557 (95 percent relative compaction in accordance with City of Los Angeles criteria if sand is used for backfill). All fill and backfill shall be placed and compacted under observation and testing performed by Converse Consultants.

MM-GEO-7. Fill soils shall consist of site sand soils or imported sandy soils free of organics, cobbles, boulders, rubble or rock larger than 3 inches in largest dimension. Any imported soils shall be sandy soils and have an Erodibility Index (EI) less than 40. Import soils shall be evaluated and possibly tested by a qualified geotechnical consultant if the materials are questionable. Imported soils shall, also, have a minimum of 25 percent fines (material passing #200 sieve).

#### *Foundations*

MM-GEO-8. Conventional spread footings founded on undisturbed natural soils may be used to support the proposed subterranean parking structure. Footings for the proposed building shall be founded at least 24 inches below lowest adjacent final grade. Continuous spread footings and isolated rectangular footings shall have a minimum width of 24 inches.

MM-GEO-9. Conventional footings supported by native soil with the above minimum size and embedment depths may be designed for the net allowable vertical bearing pressure presented in **Table IV.C-2, Vertical Bearing Capacity, Conventional Spread Footings**.

MM-GEO-10. The maximum anticipated settlement of a square footing below the bottom of structures founded on undisturbed native soils is estimated to be less than 0.50 inch for a column load of 800 kips (1 kips is equivalent to 1000 pounds). Differential settlements are expected to be on the order of 0.25 inch between similarly loaded adjacent footings below the bottom of the parking structure.

MM-GEO-11. As an alternate to conventional spread footings a mat foundation may be used to support the new structures. A mat foundation shall be founded on undisturbed natural soils.

Mats shall be founded at least 18 inches thick. A coefficient of vertical subgrade reaction (k), will be calculated (in pounds per cubic inch (pci)) as  $k = 250 ([B+1]/2B)$ , where B is mat width in feet, for mats of various size.

- MM-GEO-12. Resistance to lateral loads can be provided by friction acting at the base of the foundations and by passive earth pressure. A coefficient of friction of 0.40 will be assumed with the dead load forces. An allowable passive lateral earth pressure of 350 pounds per square foot (psf) per foot of depth, up to a maximum of 3,500 psf, may be used for sides of footings or basement walls poured against undisturbed native soils or with compacted backfill. This lateral pressure shall be considered to be actual earth pressure. An appropriate factor of safety shall be added in the structural design of the structure.
- MM-GEO-13. Bearing values and passive pressure indicated in **Table IV.C-2** and **MM-GEO-12** are for total dead load and frequently applied live loads. The above vertical bearing and passive pressure will be increased by 33 percent for a short duration of loading which will include the effect of wind or seismic forces.

#### *Slabs-on-Grade*

- MM-GEO-14. Slabs-on-grade shall be placed on native soils or properly compacted subgrade soils as described in **MM-GEO-5**.
- MM-GEO-15. Slabs-on-grade shall have a minimum thickness of 4 inches for support of nominal ground-floor live loads without hydrostatic uplift pressures. Minimum reinforcement for slabs-on-grade shall be No. 3 reinforcing bars, spaced at 18 inches on-center each way. The thickness and reinforcement of more heavily-loaded slabs will be dependent upon the anticipated loads and shall be designed by a structural engineer. A static modulus of subgrade reaction equal to 200 pounds per square inch (psi) per inch may be used in structural design of concrete slabs-on-grade.
- MM-GEO-16. Equivalent welded wire mesh may be used for reinforcement of concrete slabs-on-grade. However, to be effective, it is imperative that the reinforcement be located within the center third of the slab thickness. The commonly used procedure of "hooking" the reinforcement during concrete placement seldom, if ever, results in proper location of the slab reinforcing.
- MM-GEO-17. Care shall be taken during concrete placement to avoid slab curling.

- MM-GEO-18. Slabs shall be designed and constructed as promulgated by the American Concrete Institute (ACI) and the Portland Cement Association (PCA). Prior to the slab pour, all utility trenches shall be properly backfilled and compacted.
- MM-GEO-19. In areas where a moisture sensitive floor covering (such as vinyl tile or carpet) is used, slabs shall be protected by at least a 10-mil-thick polyethylene vapor barrier between the slab and compacted subgrade. Where a vapor barrier is used, it shall be protected with 2 inches of sand placed above the barrier, to reduce the potential for punctures and to aid concrete curing. Polyethylene sheets shall be overlapped a minimum of 6 inches and shall be taped or otherwise sealed.

### *Subterranean Walls*

- MM-GEO-20. Basement wall footings that are a load carrying structural part of the basement structure may be evaluated and/or designed in accordance with the vertical bearing value presented in **Table IV.C-2**. Lateral bearing pressure and coefficient-of-friction given in **Table IV.C-2** may also be used for design of retaining walls.
- MM-GEO-21. Walls, which are top-restrained, and support level on-site or similar soil backfill will be evaluated and/or designed for a uniform earth pressure distribution. An earth pressure equal to  $21H$  psf, where  $H$  is the height of the wall in feet, is recommended.
- MM-GEO-22. Freestanding cantilever retaining walls designed to retain level on-site or similar soil backfill shall be designed to resist an equivalent fluid pressure of 32 pounds per cubic foot (pcf).
- MM-GEO-23. Basement walls for the easterly side of the proposed Hill Street building shall include surcharge pressures from the adjacent footings of the existing Broadway building.
- MM-GEO-24. The surcharge pressures presented in **Appendix IV.C, Figure 4, Lateral Surcharge from Broadway Building Footings**, shall be added to the earth pressure presented in **Table IV.C-2** and be considered actual pressures (factor of safety equal to 1.0).
- MM-GEO-25. If loading from any source other than the Broadway building is located within a distance equal to the height of the wall, its surcharge effect shall be added to the above earth pressure. Surcharge coefficients of 30 percent and 45 percent of any other surcharge may be used in the design of cantilever and braced walls, respectively. The surcharge for automotive and truck traffic within 10 feet horizontally of the wall shall a uniform lateral pressure of 100 psf applied to the top 10 feet of the wall.

- MM-GEO-26. The lateral pressure values presented herein considered actual earth pressure with no increase for factors of safety. The design engineer shall add an appropriate factor of safety to the wall design.
- MM-GEO-27. Where a wet wall condition is not desirable, the wall shall be waterproofed.
- MM-GEO-28. Over stressing retaining walls during the compaction of backfill shall be avoided.

*Corrosivity and Chemical Attack*

- MM-GEO-29. Additional testing during construction, prior to the placement of footings should be preformed to confirm if the sulfate concentrations found on the sites are considered significant or not.
- MM-GEO-30. The services of a Corrosion Engineer should be retained to further develop project specific recommendations for the project of ferrous metal in contact with the soil on the project sites.

*Temporary Excavations*

- MM-GEO-31. Temporary slopes may be used during excavations where not constrained by adjacent utilities and structures. Where space is limited due to adjacent facilities and buried utilities to be salvaged and protected, shoring will be required.
- MM-GEO-32. Based upon the soils encountered in the borings, sloped temporary excavations shall be cut according to the slope ratios presented in **Table IV.C-3, Temporary Excavation Slopes**.
- MM-GEO-33. Surfaces exposed in sloped excavations shall be kept moist, but not saturated, to retard raveling and sloughing during construction. Adequate provisions shall be made by the contractor to protect slopes from erosion during periods of rainfall. Surcharge loads shall not be permitted within a horizontal distance equal to the depth of the cut from the top of slopes. There is the potential that sandy strata may be encountered that will require temporary cut slopes to be less steep than tabulated above. As a result, the excavation slope shall be observed on a periodic basis during the excavation of the subterranean portion of the structure in order to verify soil conditions. Workers entering excavations shall be protected from possible caving and raveling soils.

*Cantilevered Shoring*

- MM-GEO-34. Shoring design must consider the support of adjacent underground utilities and/or structures and shall consider the effects of shoring deflection on supported improvements.
- MM-GEO-35. Temporary cantilever shoring shall be designed to resist a lateral earth pressure equivalent to a fluid density of 28 pcf. This equivalent fluid pressure is valid only for shoring retaining level ground.
- MM-GEO-36. Surcharge pressures shall be added to the above earth pressures for surcharges within a distance from the top of the shoring less than or equal to the shoring height. A surcharge coefficient of 30 percent of any uniform vertical surcharge shall be added as a horizontal shoring pressure for cantilever shoring. Surcharge pressure from the existing footings from the Broadway building as presented in **Appendix IV.C, Figure 4**, may be used in the shoring design. These values for earth pressure are considered actual earth pressure with no increase for factors of safety. The shoring design engineer shall add an appropriate factor of safety when designing the shoring system.
- MM-GEO-37. Vertical skin friction against soldier piles extending below the bottom of the parking structure shall be taken as 400 psf.
- MM-GEO-38. Lateral resistance for soldier piles may assume to be provided by passive pressure below the bottom of excavations. The allowable passive pressure for soldier piles spaced at least 3 diameters on center shall be taken as 700 psf on the pile per foot of depth, measured below the bottom of excavation. Closer spaced soldier piles shall be designed using a passive resistance of 350 psf. The allowable maximum passive resistance shall not exceed 7,000 psf. It shall be noted that the above values for passive earth pressure given for the design of soldier piles have been adjusted for potential arching between piles and no additional increases for arching shall be assumed.
- MM-GEO-39. Caving soils shall be anticipated between the piles. To limit local sloughing, continuous lagging or guniting can support caving soils. All lumber to be left in the ground shall be treated in accordance with Section 204-2 of the *Standard Specifications for Public Works Construction* (2000 Edition, Green Book).
- MM-GEO-40. A qualified geotechnical consultant shall review plans and specifications for proposed shoring and shall observe the installation of shoring. A licensed surveyor shall be

retained to establish monuments on shoring and the surrounding ground prior to excavation. Such monuments shall be monitored for horizontal and vertical movement during construction. Results of the monitoring program shall be provided immediately to the project Structural (shoring) Engineer and geotechnical consultant for review and evaluation. Adjacent buildings shall be photo documented prior to construction.

***Braced (Tied-Back Shoring)***

- MM-GEO-41. A tied-back soldier pile shoring system may be used to maintain temporary support of deep vertical wall excavations. Braced or tied-back shoring, retaining a level ground surface, shall be designed for a uniform pressure distribution of  $19 H$  psf where  $H$  is the height of the retained cut in feet.
- MM-GEO-42. Surcharge pressures shall be added to this earth pressure for surcharges within a distance from the top of the shoring less than or equal to the shoring height. A surcharge coefficient of 45 percent of any uniform vertical surcharge shall be added as a horizontal shoring pressure for braced shoring. Surcharge pressure from the existing footings from the Broadway building as presented in **Appendix IV.C, Figure 4**, may be used in the shoring design. These values for earth pressure are considered actual earth pressure with no increase for factors of safety. The shoring design engineer in designing the shoring system shall add an appropriate factor of safety.
- MM-GEO-43. For design of tied-back used as part of the shoring, it shall be assumed that the potential wedge of failure is determined by a plane at 30 degrees from the vertical, through the bottom of the excavation. Tied-back anchors may be installed at angles of 15 to 40 degrees below a horizontal plane. Tied-back installation and testing guidelines and procedures are presented in **Appendix IV.C, "Guide Specifications for Installation and Acceptance of Tied-back Anchors."**
- MM-GEO-44. An average soil friction value of 400 pounds per square foot shall be used for estimating the allowable capacity of conventional drilled friction anchors.
- MM-GEO-45. The capacity of "Post-Grouted" anchors shall be determined in accordance with the California Department of Transportation (Caltrans) *Trenching and Shoring Manual* Criteria.
- MM-GEO-46. Only the frictional resistance developed beyond the assumed failure plane shall be included in the tieback design for resisting lateral loads.

### ***Soil Stability***

- MM-GEO-47. As a result of the low to medium expansion characteristics of the on-site clayey soils, continued maintenance of the moisture content of the subgrade soils will be required during the construction until the concrete slab-on-grade has been completely constructed.
- MM-GEO-48. Final grades shall slope at one to two percent away from the structure to prevent ponding and to reduce percolation of water into foundation soils.

### ***Geology and Soils Comprehensive Mitigation Measure***

- MM-GEO-49. If conditions encountered during construction appear to be different from those assumed in the investigative report conducted by Converse Consultants, a qualified geotechnical consultant shall be notified immediately.

### **Cumulative Impacts**

Potential geologic hazards associated with the proposed project are site-specific and do not represent a cumulative impact concern. Implementation of the proposed project, the identified related projects and other projects in the Southern California region would cumulatively increase the number of structures and people exposed to geologic and seismic related hazards. As long as project design and construction occurs consistent with proper engineering practices and to the requirements of applicable portions of the Los Angeles Municipal Code as they apply to each component of the project, seismic and regional geologic hazards would not be considered cumulatively considerable. Also, the project, along with other projects in the area, would comply with regulations regarding potential erosion during grading and construction, and, therefore, erosion and sedimentation impacts would not be cumulatively considerable.

### **Adverse Effects**

The proposed project incorporates the City's requirements pertaining to geologic hazards, including grading and fill techniques and seismic safety. With the implementation of the mitigation measures recommended in this EIR to mitigate potentially significant impacts associated with geologic hazards and sedimentation and erosion, no significant adverse impacts would result from the construction and operation of the proposed Herald Examiner project.

## 4. Water Resources

### *Project Impacts*

As discussed in **Section IV.D, Water Resources**, both project construction and operation would result in significant impacts to surface water quality; however, these impacts can be reduced to less than significant with the implementation of mitigation measures. Grading associated with construction could result in soil erosion, which could affect surface water quality in the vicinity of the project sites and downstream. During project operation, surface runoff is not likely to increase, because both current and project buildout conditions include impervious surfaces. However, storm water quality may be significantly impacted by project operation, because the intensity of land use would increase compared to the site's current underutilized state. Through the incorporation of a recommended mitigation measures, this impact would be reduced to a less than significant level.

The project would not result in significant impacts to groundwater quality. The excavation for the high-rise buildings and subterranean parking structures proposed would not interfere with groundwater flow, because reported high groundwater depth is 120 feet below ground surface in the project area, and the deepest excavation would be 42 feet for the Hill Street site subterranean parking structure. Also, the project would not expand any area of groundwater affected by contaminants, because the groundwater beneath the project area is not currently contaminated. Finally, because the current and proposed surfaces of the project sites are impervious, the project sites would not contribute to groundwater recharge. Therefore, the project would not result in significant impacts to groundwater quality, including regulatory water quality standards.

### **Mitigation Measures**

The following mitigation measures are proposed to ensure that there are no potentially significant impacts to surface or ground water quality.

- MM-WR-1. Prior to start of soil-disturbing activities at the site, an NOI and SWPPP shall be prepared in accordance with, and in order to partially fulfill, the California State Water Resources Control Board Order No. 99-08-DWQ, NPDES General Permit No. CAS000002 (General Construction Permit). The SWPPP shall meet the applicable provisions of Sections 301 and 402 of the CWA and Chapter 6 Article 4.4, Storm water and Urban Runoff Pollution Control from the Los Angeles Municipal Code by requiring controls of pollutant discharges that utilize BAT and BCT to reduce pollutants. Examples of BAT/BCT that may be implemented during site grading and construction could include straw hay bales, straw bale inlet filters, filter barriers and silt fences.

MM-WR-2. The project applicant shall prepare and implement a Standard Urban Stormwater Mitigation Plan (SUSMP) per the requirements of Chapter 6 Article 4.4, Storm water and Urban Runoff Pollution Control from the Los Angeles Municipal Code to ensure that storm water runoff is managed for water quality concerns through implementation of appropriate and applicable Best Management Practices (BMPs). Prior to issuance of any grading or building permits, the Stormwater Division of Bureau of Sanitation and/or County must approve the SUSMP. The following is a listing of applicable BMPs that may be implemented as part of the project through the preparation of the SUSMP:<sup>2</sup>

- Provide reduced width sidewalks and incorporate landscaped buffer areas between sidewalks and streets;
- Use permeable materials for private sidewalks, driveways, parking lots or interior roadway surfaces (examples: hybrid lots, parking groves, permeable overflow parking, etc.);
- Comply with all zoning and applicable ordinances to reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more homes together;
- Direct rooftop runoff to pervious areas such as yards, open channels or vegetated areas and avoid routing rooftop runoff to the roadway or the storm water conveyance system;
- Infiltration trenches;
- Oil/Water separators;
- Catch basin inserts;
- Continuous flow deflection/separation systems;
- Storm drains inserts;
- Media filtration;
- Bioretention facility;
- Dry-wells;
- Cisterns;
- Foundation planting;
- Catch basin screens;
- Normal flow storage/separation systems;

---

<sup>2</sup> Los Angeles County Department of Public Works, September 2002. *Development Planning for Storm Water Management: A Manual for the Standard Urban Storm Water Mitigation Plan (SUSMP)*. Retrieved from [http://ladpw.org/wmd/NPDES/SUSMP\\_MANUAL.pdf](http://ladpw.org/wmd/NPDES/SUSMP_MANUAL.pdf) on November 18, 2005.

- Clarifiers;
- Filtration systems; and/or
- Primary wastewater treatment systems.

MM-WR-3. The project site contractor shall establish an erosion control plan prior to the initiation of construction activities. The erosion control plan shall include:

- Use of natural drainage, detention ponds, sediment ponds or infiltration pits to allow runoff to collect and seep into the ground at a rate which would reduce or prevent downhill erosion;
- Use of barriers to direct and slow the rate of runoff and to filter out large-sized sediments;
- Use of downdrains or chutes to carry runoff from the top of a slope to the bottom; and
- Control the use of water for irrigation so as to avoid off-site runoff.

MM-WR-4. The project design shall include properly designed and maintained biological oil and grease removal systems in new storm drain systems to treat water before it leaves the project sites.

MM-WR-5. The project contractor, during construction, and the project owner, during operation, shall properly store hazardous materials to prevent contact with precipitation or runoff.

MM-WR-6. The project contractor, during construction, and the project owner, during operation, shall develop and maintain effective monitoring and cleanup program for spills and leaks of hazardous materials.

MM-WR-7. The project contractor, during construction, and the project owner, during operation, shall place equipment to be repaired or maintained in covered areas on a pad of absorbent material to contain leaks, spills or small discharge.

MM-WR-8. The project contractor, during construction, and the project owner, during operation, shall provide periodic and consistent removal of landscape and construction debris.

MM-WR-9. The project contractor, during construction, and the project owner, during operation, shall sweep parking lots at regular, frequent intervals to remove debris. The project contractor, during construction, and the project owner, during operation, shall also remove any significant chemical residue on the project sites through appropriate methods.

- MM-WR-10. The project owner, landscapers and maintenance team, during project operation, landscaping and maintenance activities, shall use non-toxic alternatives for such applications as insecticides, herbicides, rodenticides and fertilizers. Furthermore, chemical controls shall only be applied outdoors when precipitation is not forecast for the project area.
- MM-WR-11. The project contractor, during construction, and the project owner, during operation, shall install detention basins to remove suspended solids by settlement. Trash racks must be installed in the fit basins at the inlets to catch floating solids.
- MM-WR-12. The project contractor, during construction, and the project owner, during operation, shall periodically monitor the water quality of runoff before discharge from the site and into the storm drainage system.
- MM-WR-13. All measures to mitigate hazardous substance impacts to surface water quality during construction to a less than significant level shall be followed as detailed in **Section IV.G, Hazards and Hazardous Materials**.

### **Cumulative Impacts**

Development of the proposed project in combination with the list of related projects identified in **Section III, General Description of Environmental Setting**, could result in the violation of water quality and/or waste discharge requirements during construction and operation. However, each of the related projects would be subject to the same requirements as the proposed project and thus would be required to prepare a SWPPP for construction activities. In addition, all the related projects are required to submit and then implement a SUSMP containing design features and BMPs appropriate and applicable to the project to reduce post-construction pollutants in storm water discharges. Potential water quality impacts of the citywide projects in combination with the proposed project would be less than significant in light of the preparation and implementation of the SWPPP and SUSMP and the enforcement of these requirements by the City. Therefore, the proposed project has no potential to contribute to significant cumulative surface water quality impacts.

Because the proposed project, as well as surrounding projects, would be constructed on already urban and developed sites, the amount of runoff would not substantially increase, and, therefore, substantial increases in erosion, siltation, flooding and exceedance of the storm water drainage system are not expected. Cumulatively, the project does not have the potential for significant impacts related to runoff and storm water drainage.

Existing storm water facilities are adequate to accommodate existing and anticipated flows. The proposed project, as well as the related projects, would be located in the urbanized environment of Downtown Los Angeles. While cumulative future development may require that there be some localized modifications or additions to the existing storm water drainage system, it is expected that these modifications or additions would not be extensive, as storm water drainage systems already exist in the primarily impervious and urbanized area of Downtown Los Angeles. Consequently, there is no potential for significant cumulative impacts from implementation of the proposed project in combination with the identified related projects.

Implementation of related and citywide projects would result in additional development that could indirectly require an increased use of groundwater through the provision of potable water provided by Los Angeles Department of Water and Power (LADWP). However, the provision of water, including the increased use of groundwater supplies, as a result of the cumulative development of the proposed projects and identified related projects is within the established demand projections of the LADWP (refer to **Section IV.J.1, Water**, of this EIR for supplementary analysis of water supplies). Groundwater to be consumed by cumulative development would be consumed according to current plans and projections by the LADWP and would not, therefore, be substantially depleted as a result of the implementation of cumulative development.

Recharge in the Los Angeles River Basin consists of percolation from rainfall, runoff from the surrounding mountainous areas, water spread in the Headwork's spreading grounds, recharge from the Los Angeles River and underflow from the Verdugo Basin. Neither the proposed project nor any of the identified related projects would be developed within these recharge areas, and, as such, cumulative impacts to groundwater recharge would be less than significant.

From the cumulative analysis above, development of the proposed project in combination with the related projects is not expected to substantially degrade surface water or groundwater quality or have any significant cumulative effects.

#### **Adverse Effects**

With the implementation of the mitigation measures listed above, the proposed project is not expected to result in any adverse effects on water resources or water quality.

## 5. Air Quality

### *Project Impacts*

As explained further in **Section IV.E, Air Quality**, the project would result in significant and unavoidable impacts to air quality associated with both the construction and operational phases of the proposed project, based on primary effect thresholds for criteria pollutants set by the South Coast Air Quality Management District (SCAQMD). First, the emission threshold for reactive organic compounds (ROC) would be exceeded during the overlapping construction periods for the Hill Street and 12<sup>th</sup> Street buildings in 2009, and the threshold for oxides of nitrogen (NO<sub>x</sub>) would be exceeded in two consecutive years, during the overlap of construction for the Broadway Street and Hill Street buildings in 2007 and during the build out of the Hill Street and 12<sup>th</sup> Street buildings in 2008 through 2010. The impacts from both ROC and NO<sub>x</sub> emissions would be significant, but temporary, and even with mitigation measures under SCAQMD Fugitive Dust Rule 403, these impacts would be unavoidable. Second, during the operational phase ROC emissions would exceed SCAQMD thresholds in both summer and winter, and NO<sub>x</sub> emissions would exceed the SCAQMD threshold in winter. The impacts of ROC and NO<sub>x</sub> emissions would be significant and unavoidable and would primarily result from the number of vehicle trips associated with the project.

During demolition, the release of asbestos fibers would also be a concern. However, demolition activity is subject to SCAQMD Rule 1403, which requires SCAQMD to be notified before demolition or renovation activity occurs. Additionally, all asbestos-containing materials to be removed prior to the start of demolition and/or renovation activities. Compliance with the requirements of Rule 1403 would avoid significant construction-related air quality impacts from asbestos.

Secondary effect criteria, which include interfering with the attainment of the federal or state ambient air quality standards, resulting in population increases within an area that would be in excess of that projected by SCAG, and generating vehicle trips that cause a carbon monoxide (CO) hotspot or exposing sensitive receptors to a CO hotspot, would not be exceeded. The population increase resulting from implementation of the proposed project falls within SCAG projections, which are the basis for the Air Quality Management Plan (AQMP); therefore, the emissions generated from the proposed project at build-out would not interfere with the attainment plans or contribute to the exceedance of an existing air quality violation. Also, as indicated in the traffic study, all study intersections would operate at Level of Service (LOS) A or B during both construction and operation of the proposed project, and such high levels of service are not associated with localized CO concentrations exceeding state and federal standards.

## Mitigation Measures

### Construction Impacts

MM-AQ-1. Construction emissions generated by the proposed project would exceed thresholds and would be considered significant without mitigation. In addition to the requirements of

Rule 403, the applicant shall develop and implement a dust control plan, as approved by the City, which includes the following measures recommended by the SCAQMD:

- a. Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification or other measures agreed to by the City to all inactive construction areas (previously graded areas inactive for four days or more). (This measure has a reduction efficiency for fine particulate matter (PM<sub>10</sub>) estimated at up to 65 percent.)
- b. Replace ground cover in disturbed areas as quickly as possible. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 49 percent.)
- c. Enclose, cover, water twice daily or apply approved soil binders to exposed piles (i.e., gravel, sand, dirt) according to manufacturers' specifications. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 74 percent.)
- d. Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph. (The reduction efficiency for this measure is not quantified.)
- e. Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded, if necessary. (The reduction efficiency for this measure is not quantified.)
- f. All trucks hauling dirt, sand, soil or other loose materials are to be covered or should maintain at least 2 feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 14 percent.)
- g. Sweep streets at the end of the day if visible soil material is carried over to adjacent roads (recommend water sweepers using reclaimed water if readily available). (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 60 percent.)
- h. Install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off trucks and any equipment leaving the site each trip. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 70 percent.)
- i. Apply water three times daily or chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 85 percent.)
- j. Enforce traffic speed limits of 15 mph or less on all unpaved roads. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 70 percent.)

- k. Pave construction roads when the specific roadway path would be utilized for 120 days or more. (This measure has reduction efficiency for PM<sub>10</sub> estimated at up to 92.5 percent.)

***Operational Impacts***

- MM-AQ-2. The property manager shall provide information to project residents, commercial tenants and employees regarding the availability of alternative modes of transportation such as the Los Angeles Department of Transportation (LADOT) DASH and Metropolitan Transit Authority (MTA) buses.
- MM-AQ-3. The property manager shall ensure that on-site bicycle parking is accessible, safe and secure.

***Stationary Source Mitigation***

- MM-AQ-4. Low emission water heaters shall be installed in all residences and in all non-residential buildings that will have a water supply.
- MM-AQ-5. Built-in energy-efficient appliances shall be installed in all residences.
- MM-AQ-6. Double-glass paned windows shall be installed in all exterior windows of residences and non-residential structures.
- MM-AQ-7. Light-colored roof materials to reflect heat shall be installed on all roofed structures.
- MM-AQ-8. The construction of all inhabitable and/or ventilated structures shall comply with Title 24.
- MM-AQ-9. Shade trees shall be planted on the project site to reduce heating/cooling needs.
- MM-AQ-10. Energy-efficient and automated controls for air conditioners shall be installed in all ventilated buildings and building units.
- MM-AQ-11. Lighting controls and energy efficient lighting shall be installed in all non-residential buildings and on non-residential properties.

***Mobile Source Mitigation***

- MM-AQ-12. Bus passenger benches and shelters shall be constructed on the site along roadways that have transit service.

- MM-AQ-13. Sidewalks that conveniently link on-site uses and that link the site to surrounding uses shall be constructed throughout the site in order to encourage walking.
- MM-AQ-14. On-site commercial uses shall provide preferential parking spaces for carpools and vanpools.
- MM-AQ-15. Commuter information areas, such as kiosks, that provide information about local and regional transit services, such as the LADOT DASH and MTA buses, as well as carpool opportunities, shall be placed in convenient locations on the site.

### Cumulative Impacts

Uses and activities that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP, even if they exceed the SCAQMD's recommended thresholds. According to the methodology described in the SCAQMD *CEQA Air Quality Handbook*, if an individual project reduces the rate of growth of vehicle miles traveled (VMT) and is consistent with the AQMP, then the project's cumulative impact could be considered less than significant.<sup>3</sup> As analyzed in **Section IV.E**, the growth of VMT or average daily trips (ADT) is less than the population growth. As this criterion has been met, and the project is consistent with the AQMP, there is no potential for significant cumulative impacts with respect to this criterion.

However, the operational emissions associated with the proposed project would exceed the recommended thresholds of significance for ROC and NO<sub>x</sub>. Because the Los Angeles Basin is nonattainment for the state and federal ozone (O<sub>3</sub>) and PM<sub>10</sub> standards, a project that creates individually significant air quality impacts would also contribute to cumulatively significant air quality impacts. Thus, the proposed project would have a potentially significant and unavoidable cumulative impact measured under the SCAQMD operational significance thresholds.

### Adverse Effects

Thresholds for ROC and NO<sub>x</sub> would be exceeded during construction of the project. Project operations would result in emissions of ROC and NO<sub>x</sub> in excess of the SCAQMD daily thresholds. Consequently, a significant and unavoidable impact to local or regional air quality would occur with respect to those criteria pollutants, even with the inclusion of mitigation. Additionally, because the Los Angeles Basin is nonattainment for state and federal O<sub>3</sub> and PM<sub>10</sub> standards, the project would result in an unavoidable cumulative impact, even with mitigation measures.

---

3 South Coast Air Quality Management District, *CEQA Air Quality Handbook* (Diamond Bar, California: South Coast Air Quality Management District, November 1993), p. 9-12.

## **6. Transportation**

### ***Project Impacts***

As described in **Section IV.F, Transportation**, the proposed project would not result in any significant impacts to traffic, parking, public transportation or pedestrian safety. None of the 20 analyzed intersections would operate at an LOS E or F during AM or PM peak hours, and, therefore, none would experience significant impacts related to intersection capacity as a result of the proposed project. Additionally, design and landscaping of the project takes into account bicycle, pedestrian and vehicular safety such that pedestrian and bicycle access would safely be available to each of the buildings; therefore, the project would not result in significant impacts to pedestrian and bicyclist safety at project access points. The proposed project is located within immediate access to an array of public transit opportunities; therefore, the project would not result in significant impacts to public transportation. The proposed project also would not result in significant impacts to parking availability because the proposed number of parking spaces would meet the applicable Los Angeles Municipal Code parking requirements, and a further analysis of project parking demand ensured that adequate on-site parking would be provided for all proposed uses. Finally, construction activities would not result in significant impacts to site access, pedestrian access, closure of bus stops or loss of on-street parking.

### **Mitigation Measures**

Traffic generated by the proposed project is not expected to significantly affect any of the 20 study intersections and adequate parking to meet anticipated demand would be provided; therefore, no traffic or parking mitigation measures are required.

### **Cumulative Impacts**

The cumulative traffic conditions attributable to 45 potential related projects in the surrounding area were analyzed in the traffic analysis. Based on the analysis, the project is not expected to result in any significant traffic impacts on its own or in combination with the 45 identified related projects; therefore, no significant cumulative transportation impacts are anticipated.

### **Adverse Effects**

The proposed project is not expected to result in any adverse effects on transportation.

## 7. Hazards

### *Project Impacts*

As described in **Section IV.G, Hazards and Hazardous Materials**, potentially significant impacts during construction of the proposed project relating to hazards could result; however, these impacts can be mitigated to less than significant levels. A significant concentration of lead related to historical site use was found in the clarifier room of the Broadway building basement and represents a potentially significant impact that can be mitigated to less than significant. At the Hill Street site parking area, a geotechnical boring revealed odors and a co-located soil sample for analysis of hazardous substances revealed concentrations of Total Petroleum Hydrocarbons from gasoline (TPH-g). These findings represent a potentially significant contamination and the potential to cause a health hazard impact; however, mitigation measures are available to reduce this potential impact to a less than significant level. At the 12<sup>th</sup> Street site, concentrations of TPH from diesel, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), Tetrachloroethylene (Perc) and lead exceeded the established Regional Water Quality Control Board and Preliminary Remediation Goal for residential soil thresholds at on boring location. These contaminants could result in significant impacts associated with health hazards; however, mitigation measures would reduce these impacts to less than significant.

Asbestos Containing Materials (ACMs) and Lead-Base Paint (LBP) were found in both the Broadway and Press buildings. Construction activities, including the rehabilitation of the Broadway building and demolition of the Press building, could result in the release of the ACM fibers and LBP dust. The presence of these materials represents a potentially significant health hazard. Recommended mitigation measures to remove and properly dispose of ACMs and LBP would reduce this impact to less than significant.

During project operation, the only potentially significant impact related to health hazards expected is the potential for the release of methane gas underlying the project area. Because the project site is within the City of Los Angeles Methane Zone, potential impacts related to methane are considered significant. On-site analysis measured the concentrations of methane detected at each site (presented in **Section IV.G**), and mitigation measures, depending on the concentrations detected, would be required by the City to reduce these potential impacts to less than significant levels. Project design would abate contaminations described above, and project operation would not involve the use of significantly hazardous substances. Also, surrounding sites listed in the federal and state environmental databases for known historical leaks or hazardous conditions were analyzed in the Phase I Environmental Site Assessments relative to the proposed project and deemed insignificant risks to the project site, due to properties such as distance from the site, direction of groundwater flow and status of remediation.

## Mitigation Measures

### *Asbestos Mitigation*

MM-HAZ-1. Prior to demolition and renovation, the project applicant shall comply with applicable legal requirements related to asbestos removal and demolition activities involving ACM, including the requirements of the South Coast Air Quality Management District (SCAQMD) Rule 1403 for ACMs.

### *Lead-Base Paint Mitigation*

MM-HAZ-2. The project applicant shall comply with the requirements outlined by California's Occupational Safety and Health Administration (Cal/OSHA) Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1532.1 during demolition activities. Lead-contaminated debris shall be managed and disposed of in accordance with the applicable provisions of the California Health and Safety Code.

### *Soil Contamination Mitigation*

MM-HAZ-3. Prior to the demolition/grading activities contractors shall be required to have a construction worker safety plan that complies with OSHA Safety and Health Standards and shall address, as appropriate, air monitoring for sub-surface work activities, personnel protective and safety equipment, and worker training.

MM-HAZ-4. Prior to or during excavation and/or grading of the Broadway site, the underground storage tanks (USTs) abandoned in place at the Broadway site shall be evaluated, and removed or closed in place in accordance with applicable regulatory requirements and with the oversight of the Los Angeles Fire Department (LAFD). If contamination is observed during the UST closure activities, the contaminated soil shall be tested and managed in accordance with applicable regulatory requirements and with the oversight of the LAFD.

MM-HAZ-5. Prior to or during excavation and/or grading soil contamination above regulatory standards in the area of each project site shall be evaluated and excavated/disposed of, treated in place, or otherwise managed in accordance with applicable regulatory requirements and with the oversight of the LAFD.

MM-HAZ-6. Prior to excavation and/or grading the applicant shall prepare and provide to contractors a soil management plan that describes the type of contaminants and

subsurface features that may be encountered at the project sites and procedures for evaluating and managing such materials.

- MM-HAZ-7. Grading and demolition contractors shall be required by construction specifications to secure approval of haul routes to export or otherwise transport off-site excavated materials prior to commencement of such activity.

#### *Methane Mitigation*

- MM-HAZ-8. Prior to issuance of a building permit, applicant shall comply with the City Methane Seepage Regulations, Section 91.7100 et seq. of Los Angeles Municipal Code.

- MM-HAZ-9. Should any unrecorded oil well be found during excavation and grading, it shall be abandoned in accordance with the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR). Regulations. Prior to issuance of any building permit within a lot affected by discovery of an unrecorded oil well, the applicant shall submit a final clearance letter issued by DOGGR regarding the proper abandonment of the well(s).

#### **Cumulative Impacts**

Because project implementation would comply with regulatory controls to abate the site-specific hazards, any potential cumulative impacts associated with the project would be decreased, as the harmful substances and subsequent exposure to a health hazard would be removed from the project site. Therefore, cumulative impacts associated with the proposed project are considered to be less than significant.

#### **Adverse Effects**

With implementation of the mitigation measures listed above, potential impacts related to hazards and hazardous materials would be reduced to a less than significant level.

### **8. Noise**

#### *Project Impacts*

As described in **Section IV.H, Noise**, construction of the proposed project would not result in significant impacts related to noise levels. Construction activities are not permitted between 9 PM and 7 AM on weekdays, 6 PM to 8 AM on Saturdays or at any point on Sundays; as such, the project construction would not exceed the ambient noise level by the threshold of 5 decibels measured on an A-weighted scale

(dB(A)) or more at noise sensitive hours. Additionally, the nearest sensitive receptors in the vicinity of Broadway site are multi-family residences located at the southwest corner of 11<sup>th</sup> Street and Grand Avenue, and construction noise at the Broadway and Hill Street sites would not exceed existing ambient exterior noise levels by the threshold of 5 dB(A) or more at this sensitive use. The closest sensitive receptors in the vicinity of 12<sup>th</sup> Street site are multi-family residences located at the southeast corner of Hill Street and Pico Boulevard, and construction noise at the 12<sup>th</sup> Street site would not exceed existing ambient exterior noise levels by 5 dB(A) or more at this noise sensitive use. Increased roadway use from construction-related traffic or operational traffic would not result in the exceedance of noise thresholds for surrounding roadways.

**Section IV.H** also considered parking structure noise and noise from rooftop mounted equipment during the operation of the proposed project, and deemed these sources of noise less than significant. However, noise generated from the use of loading docks at the Hill Street building would result in potentially significant impacts to the residents of the Hill Street building. Mitigation measures are recommended for this significant impact, but even with mitigation, the noise impact of loading docks to the Hill Street residents is unavoidable.

#### **Mitigation Measures**

MM-N-1. All private exterior livable space (i.e., balconies), located on floors 2 through 5 at the Hill Street building fronting the southern boundary, shall be required to construct a 4-foot-tall, solid barrier consisting of a solid material such as, plexiglas or wood, in place of an open wood or iron railing, as specified by an acoustical consultant approved by the City. This solid barrier between the loading docks to the south of the Hill Street building and the exterior livable space would reduce noise levels by 7 (wood) to 10 (plexiglas) dB(A).<sup>4</sup> The acoustical consultant shall specify whether exterior livable space on additional floors would require mitigation prior to the issuance of building permits.

MM-N-2. All private interior livable space, located on floors 2 through 5 at the Hill Street building fronting the southern boundary, shall be required to incorporated construction techniques to reduce interior noise levels to 45 dB(A) or less, as specified by an acoustical consultant approved by the City. Example techniques that may be applied include, but are not limited to: attaching interior sheet rock of the exterior walls assemblies to studs by resilient channels; the staggering of studs or double walls; providing window assemblies with a laboratory tested Sound Transmission Classification (STC) rating of 30

---

<sup>4</sup> Canter, Larry W. "Prediction and Assessment of Impacts on the Noise Environment." Environmental Impact Assessment, 1996.

or greater; baffling roof or attic vents facing the noise source, etc. The acoustical consultant shall specify whether interior livable space on additional floors would require mitigation prior to the issuance of building permits.

### **Cumulative Impacts**

Individual construction noise impacts would only contribute to cumulative impacts when projects are in proximity to each other. The closest related project to the three project sites is a theater proposed at 1050 South Hill Street. Construction of the Hill Street building and the theatre represents the “worst-case” scenario under cumulative construction impacts. The closest sensitive receptors to the theatre and Hill Street site are multi-family residences located at the southwest corner of 11<sup>th</sup> Street and Grand. Given this project’s distance from the two project sites, approximately three rows of intervening mid-rise buildings between the project sites, and incorporation of standard construction mitigation measures, the construction of this project would not contribute to cumulative noise levels in combination with the related theater project. Project construction noise level impacts would not be cumulatively considerable and would not have the potential to result in significant cumulative impacts.

Cumulative noise impacts from increased roadway traffic were calculated based on projected future traffic volumes in the project area. The project would not have the potential to result in a considerable contribution to a significant cumulative noise level impact on the project sites.

### **Adverse Effects**

Construction impacts would be less than significant. All operational impacts would be less than significant or could be mitigated to a less than significant level, except for operational impacts associated with the Hill Street building. Interior noise levels in the residential units at the Hill Street building would remain above 45 dB(A) due to operations at loading docks even with the inclusion of mitigation. Therefore, this impact would be significant and unavoidable because the noise levels would exceed the established interior noise threshold.

## **9. Public Services**

### *Police*

#### **Project Impacts**

As discussed in **Section IV.I.1, Police Protection**, construction of the proposed project would result in potentially significant impacts to police services. During construction of the proposed project, a potential increase in the frequency of calls for equipment theft, trespassing, vandalism and traffic congestion could

result in an increased demand on police services. If the construction workers were forced to park on the street this would cause an increase in the problem of motor vehicle burglary in the area. However, through the implementation of mitigation measures this impact could be reduced to a less than significant level.

During project operation there would be 1,087 new residents and 260 employees at the project sites, which would represent a 3.4 percent increase in population in the Central Community police station jurisdiction over existing conditions. However, the Central Community police station has determined that this 3.4 percent increase in population would not result in a significant impact to police services, the proposed project would not result in a potentially significant impact to the Central Community police services.

In addition, the project would be designed to provide security features that ensure a secure environment for project residents and employees. Secured entry and exit points, security fencing, security lighting and other essential features would be introduced in the project. Also, as recommended through the mitigation measures, prior to the issuance of building permits, the applicant would coordinate with the LAPD's Crime Prevention Unit (CPU) to incorporate necessary security measures for the purpose of incorporating "defensible space" and other crime prevention features into the project. Therefore, through implementation of mitigation, the project would not result in potentially significant impacts.

### **Mitigation Measures**

MM-PP-1. A construction traffic routing plan shall be prepared per LADOT requirements that would facilitate the movement of construction vehicles. In addition, access on to the project sites shall remain clear and unobstructed, proposed roadway modifications shall assure adequate access to the proposed project sites and adjacent areas, security features shall be incorporated on the construction site, such as fencing and locked entrances, and construction equipment, tools and material shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.

MM-PP-2. The project applicant shall contact LAPD'S CPU to incorporate appropriate crime prevention features into the project design. Example crime prevention design features include:<sup>5</sup>

- Housing units can be designed so as to allow neighbors to "self-patrol" their environments.
- Lighting and landscaping may be enhanced in parking lots to improve visibility.

---

<sup>5</sup> Los Angeles Police Department, Crime Prevention Unit. Crime Prevention Tips – Design Out Crime. Retrieved from [http://www.lapdonline.org/bldg\\_safer\\_comms/design\\_out\\_crime.htm#1](http://www.lapdonline.org/bldg_safer_comms/design_out_crime.htm#1) on December 2, 2005.

- Fences around housing developments can be designed in ways that avoid creating hiding places for criminals.
- Signs can be removed from storefront windows to allow clear views in and out of the store.
- Vines or planted coverings may be placed on walls to deter graffiti.

MM-PP-3. Upon completion of the project a diagram of each portion of the property, including access routes and any additional information that might facilitate police response, shall be submitted to the Central Area commanding officer.

MM-PP-4. During project construction, a designated parking area with a security officer shall be provided for the construction workers.

### **Cumulative Impacts**

The proposed project would result in an increase in both residential and commercial land uses within the Downtown Los Angeles area. Both the project and other planned and approved developments throughout the City could cumulatively increase the need for services from the Los Angeles Police Department (LAPD). This demand would be met by increases in law enforcement staffing and equipment as needed, which would be funded by increased revenues from the property tax base and motor vehicle registration fees paid by project residents. Moreover, each project is subject to review by the LAPD to ensure that adequate access, visibility and security is provided. Therefore, the project would not contribute to any significant cumulative impacts to police services.

### **Adverse Effects**

With implementation of the mitigation measures listed above, there would be no adverse effects resulting from the proposed project.

### ***Fire***

#### **Project Impacts**

As discussed in **Section IV.I.2, Fire and Emergency Medical Services**, the project sites are located within the required response distance of 1.5 miles for high density residential and neighborhood commercial developments in the LAFD Fire Code, and according to the LAFD, adequate staff, equipment and fire protection services currently exist to meet the additional demands during both project construction and operation. Additionally, according to the LADWP, adequate fire flow is available to meet the standard of the LAFD Fire Code at the project sites. However, the fire hydrants near the project sites are not the type

specified by the Fire Code; therefore, impacts to fire service could be potentially significant. However, with implementation of mitigation measures, this impact would be reduced to a less than significant level.

### **Mitigation Measures**

MM-F-1. The use of construction and design features, which reduce fire potential and/or promote containment including increased spacing between buildings and fire resistant landscaping shall be implemented.

MM-F-2. Upon completion of the project, a diagram of each portion of the property, including access routes and any additional information that might facilitate fire and emergency medical response, shall be submitted to the Fire Chief.

MM-F-3. During project construction, the contractor shall ensure that roads and alleyways remain unobstructed to provide for emergency access at all times.

MM-F-4. The project applicant shall coordinate with the LAFD to design and implement upgraded fire hydrants in compliance with the LAFD Fire Code for high density residential and neighborhood commercial developments. The fire hydrants must be upgraded to 2 1/2" X 4" double hydrants.

### **Cumulative Impacts**

The proposed project would result in an increase in both residential and commercial land uses within the Downtown Los Angeles area. Both the project and other planned and approved developments throughout the City would cumulatively increase the need for services from the LAFD. This demand would be met by increases in staffing and equipment as needed, which would be funded by developer fees and the increased tax base associated with the project. Moreover, each project is subject to review by LAFD to ensure that adequate emergency response exists and that adequate emergency site access is provided. Therefore, the project would not individually or cumulatively result in significant impacts to fire protection and emergency medical services.

### **Adverse Effects**

With the implementation of the mitigation measures listed above, no adverse effects would result from the proposed project.

## Public Schools

### Project Impacts

As discussed in **Section IV.I.3, Public Schools**, the planned eight additional Los Angeles Unified School District (LAUSD) campuses to be constructed in the Local District, within which the project sites are located, would alleviate over-crowding and ensure that the project would not result in significant impacts to schools. To further reduce any potentially significant impacts associated with the provision of school services, the project applicant is required to contribute school fees as mitigation.

Additionally, the proposed project would have the potential to alter existing bus routes during both construction and operational phases, and project construction could affect students who walk to school. However, mitigation measures would reduce these potentially significant impacts to less than significant levels.

### Mitigation Measures

MM-SCH-1. As authorized by Senate Bill 50, the project applicant shall pay school impact fees to the Los Angeles Unified School District prior to the issuance of building permits. The current fee schedule for residential and commercial/industrial development is \$3.60 per square foot and \$0.34 per square foot, respectively.<sup>6</sup>

MM-SCH-2. LAUSD Transportation Branch at (323) 342-1400 shall be contacted regarding the potential impact upon existing school bus routes.

- School buses shall have unrestricted access to schools.
- During the construction phase, truck traffic and construction vehicles shall not cause traffic delays for LAUSD transported students.
- During and after construction, changed traffic patterns, lane adjustments, traffic light patterns and altered bus stops shall not affect school buses' on-time performance and passenger safety.
- Because of provisions in the California Vehicle Code, during construction any trucks and/or construction vehicles that encounter school buses using red-flashing-lights-must-stop-indicators must stop.
- The project applicant or its designee would have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of project construction and/or operation that may affect traffic in the vicinity of school areas.

---

<sup>6</sup> Phone conversation with LAUSD Developer Fee Office, Sonia White, November 17, 2005.

- MM-SCH-3. Contractors shall maintain safe and convenient pedestrian routes to all nearby schools. The District would provide School Pedestrian Route Maps upon request.
- MM-SCH-4. Contractors shall maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes may be impacted.
- MM-SCH-5. Installation and maintenance of appropriate traffic controls (signs and signals) to ensure pedestrian and vehicular safety must be provided by the project applicant during project construction and operation.
- MM-SCH-6. No staging or parking of construction-related vehicles, including worker-transport vehicles, would occur on or adjacent to a school property during project construction or operation.
- MM-SCH-7. Funding for crossing guards, at contractor's expense, would be required if and when the safety of children is comprised by construction-related activities at impacted school crossings.
- MM-SCH-8. Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions and attractive nuisance from school students passing by the project sites.
- MM-SCH-9. Contractors are required to provide security patrols, at their own expense to minimize trespassing, vandalism and short-cut attractions from school students passing by the project sites.

### **Cumulative Impacts**

Though the proposed project, along with surrounding projects, would increase student enrollment, and two of the schools which serve the project sites are already operating over capacity, the new school construction planned by LAUSD and required school impact fees would mitigate these cumulative impacts to less than significant levels.

### **Adverse Effects**

With the implementation of the mitigation measures listed above, construction and operation of the proposed project would not result in significant impacts to schools or result in a cumulatively

considerable impact to LAUSD schools. Therefore, no adverse impacts would result from the proposed project.

## ***Recreation and Parks***

### **Project Impacts**

As discussed in **Section IV.I.4, Recreation and Parks**, existing park facilities in the project vicinity are currently heavily used due to the deficit of public parkland and open space in Downtown Los Angeles. The increase in use of neighborhood and community parks in the downtown area that would potentially result from the increase in residents associated with the project is considered significant, as an acceleration of the physical deterioration of existing parks could potentially result. However, this potentially significant impact can be reduced to a less than significant level through implementation of mitigation.

### **Mitigation Measures**

MM-REC-1. In accordance with the requirements of the City of Los Angeles (Ordinance No. 141422, amending Chapter 1, Article 7 of the Los Angeles Municipal Code), the project applicant shall either pay the in-lieu fee to the City and/or develop public park or recreation land on the project sites using equivalent funding or greater. The proportion of total land on the site to be set aside for park and recreation or the amount of in-lieu fees to be paid, shall be determined by the City at the time of final plan approval.

### **Cumulative Impacts**

Given the existing deficiency of parks and recreational facilities in Downtown Los Angeles, both the individual project and the combined effects of the proposed projects in the Downtown Los Angeles area on existing facilities is considered cumulatively significant because the use of existing facilities would increase, thus contributing to an acceleration in the physical deterioration of these facilities. The contribution of the proposed project to this impact is cumulatively considerable. However, through implementation of the mitigation measure identified above, the project's individual contribution to the cumulatively significant impact can be mitigated to a less than significant level.

### **Adverse Effects**

Payment of in-lieu fees to the City and/or parkland and open space dedication on the project sites would allow for reducing both project-level and cumulative impacts associated with accelerating the physical deterioration of existing parks in the Downtown Los Angeles area. Payment of the in-lieu fees would

reduce project and cumulative impacts to a less than significant level. Therefore, no adverse effects are anticipated as a result of the development of the proposed project.

## ***Libraries***

### **Project Impacts**

As discussed in **Section IV.I.5, Libraries**, the proposed project would increase demand for library services with the addition of residents, and the project would reduce the resident to book ratio in the City of Los Angeles. Therefore, the project would have a potentially significant impact on library services. However, to reduce potentially significant impacts to library services associated with project implementation, a mitigation measure requiring the payment of fees to the Los Angeles Public Library (LAPL) would allow the library system to adequately serve the anticipated demand associated with project implementation. The funds would be used for books, computers and other library materials.

### **Mitigation Measures**

MM-LIB-1. The LAPL requires that the project applicant pay a fee of \$200 per capita based on the projected population of the development. The funds would be used for books, computers and other library materials.

### **Cumulative Impacts**

The addition of approximately 11,200 residents to the current estimated citywide population of 3,957,875 would slightly reduce the present volume to resident ratio by 0.01. Based on a future population of 3,969,075 residents, the volume to resident ratio in the City would fall to 1.61 volumes per resident, which is approximately 0.6 percent below the current ratio of volumes per resident. This could result in a potentially significant cumulative impact to library services.

However, as with the proposed project, each of the identified related projects is subject to CEQA review and project-specific impacts associated with the development of each project, relative to libraries, would be subject to mitigation similar to that required for the implementation of this project. Each project's individual contribution to the cumulatively significant impact can be mitigated to a less than significant level. Through this mitigation, adequate library services for the proposed population increase would be available. Therefore, through implementation of mitigation, potentially significant cumulative impacts to library services can be reduced to a less than significant level.

## **Adverse Effects**

With the implementation of the mitigation measure listed above, no adverse impacts to library services are anticipated as a result of the development of the proposed project.

## **10. Public Utilities**

### ***Water***

#### **Project Impacts**

As described in **Section IV.J.1, Water**, the proposed project would increase water demand. However, the water supply assessment prepared by LADWP confirms that adequate water is available to meet the proposed project's demand. As such, implementation of the proposed project and the resulting increase in water demand in the project area would not have the potential to result in significant impacts associated with water service. Additionally, the project is located in an urban area where adequate water infrastructure exists. Therefore, adequate water infrastructure exists to serve the project, and implementation of the proposed project would not have the potential to result in significant impacts associated with existing water infrastructure and capacity. Additionally, the water demand generated by the proposed project is accounted for in LADWP's projections, because the proposed project is consistent with SCAG's growth projections. No new infrastructure for water supply would need to be constructed, and the project would include design features which conserve water.

#### **Mitigation Measures**

- MM-W-1. Landscaping in the courtyard between the Hill Street and Broadway sites must comply with Section 12.41 of the Los Angeles Municipal Code, which includes abiding by standards for water delivery systems to landscapes.
- MM-W-2. The project applicant shall implement the water conservation design features as recommended by LADWP.

#### **Cumulative Impacts**

Development of the proposed project, in association with other projects proposed for the area, would cumulatively increase water demand in the Central City area. However, as detailed in **Section IV.B, Population and Housing**, the proposed development and identified related projects accounts for an approximately 9.6 percent (5,926 dwelling units of the estimated 61,739 units) contribution toward the projected dwelling unit increase in SCAG's growth projections for the Los Angeles Subregion. Using

SCAG's growth forecasts, LADWP has projected that an adequate supply of water exists to accommodate anticipated growth for the next several decades. Given that the Urban Water Management Plan plans for water supplies to serve existing and projected needs, LADWP has determined that they are able to supply the demands of the proposed project and related projects through the foreseeable future, and no significant cumulative impacts related to water demand are anticipated. Therefore, the proposed project does not have the potential to result in potentially significant cumulative impacts on water supply.

### **Adverse Effects**

Through implementation of the mitigation measures above, impacts resulting from the proposed project to water supply and water infrastructure can be mitigated to a less than significant level. Therefore, no adverse effects would result from the development of the proposed project.

### **Wastewater**

#### **Project Impacts**

As discussed in **Section IV.J.2, Wastewater**, construction-related wastewater would not have a significant impact on wastewater disposal and treatment facilities due to the temporary nature of construction and expected low volumes of wastes. During project operation, the estimated wastewater generation for the project is projected to be 115,961 gal/day or .115961 million gal/day. The Hyperion Treatment Plant (HTP) currently treats 340 million gal/day. This would represent an increase of approximately 0.03 percent over the daily volume of wastewater treated at the HTP. As such, it is expected that the HTP has sufficient capacity to accommodate the project's wastewater, and impacts on wastewater treatment capacity would be less than significant. In addition, the Los Angeles Department of Public Works (LADPW), Bureau of Sanitation has determined that the Hyperion Treatment Plan has sufficient capacity for the project.

As stated by the LADPW, Bureau of Sanitation, the current capacity of the existing lines serving the project sites cannot be determined as gauging data for the lines is not available at this time. As such, mitigation measures for detailed gauging and evaluation for determination of local sewer line capacities are required in order to mitigate potentially significant impacts to a less than significant level.

### **Mitigation Measures**

MM-WW-1. Detailed gauging and evaluation for determination of local sewer line capacities shall be done as part of the permit process.

MM-WW-2. If insufficient local sewer line capacities exist, the project applicant shall build a secondary line to connect the flow to the nearest lines with sufficient capacity.

MM-WW-3. A final approval for sewer capacity and connection permit shall be made at time of development of the secondary line.

### **Cumulative Impacts**

Development of the proposed project, redevelopment of land uses in the South Park neighborhood due to the Central Business District Redevelopment Project, along with other related approved and pending projects within the project area, would increase development intensity and wastewater generation. Several improvements to the HTP system have recently been completed and have allowed the system to treat increased wastewater flows. In addition, each new development within the City of Los Angeles is required to comply with the City's water conservation ordinances and other regulations pertaining to sewer collection and disposal. Therefore, there is no potential for cumulative impacts on wastewater.

### **Adverse Effects**

With the implementation of the mitigation measures listed above, construction and operation of the proposed project would not result in significant impacts to wastewater or result in a cumulatively considerable impact to the City of Los Angeles Sewer infrastructure. Therefore, no adverse impacts would result from the proposed project.

### ***Solid Waste***

#### **Project Impacts**

As discussed in **Section IV.J.3, Solid Waste**, construction of the proposed project would not result in significant impacts related to solid waste. Abatement of asbestos and lead-based paint during the demolition process would be handled, transported and disposed of in accordance with applicable laws and regulations by a certified hazardous materials handler. Debris would be trucked from the site for disposal at any of the 28 landfills in the area that accept and recycle construction/demolition materials. In addition, there are three planned drop-off and recycling centers. No new facilities would be required as a result of project construction. Therefore, there is no potential for significant impacts with regard to the generation of solid waste by construction activities.

Operation of the proposed project would generate a net increase of approximately 9,092 pounds per day, or about 1,659 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, the uses within the project would provide adequate areas for

collecting and loading recyclable materials in concert with citywide efforts and programs to reduce the volume of solid waste entering landfills. It has been determined by the LADPW, Bureau of Sanitation that the tonnages generated by the proposed project would not have any appreciable impact on the regional solid waste system. No new solid waste facilities would be required as a result of project implementation. Therefore, there is no potential for significant impacts on solid waste from the operation of the proposed project.

Implementation of the proposed project would follow all goals set forth by the Source Reduction and Recycling Element (SRRE), CiSWMMP, Framework Element and the Curbside Recycling Program, because the proposed project must be reviewed and approved by the City of Los Angeles. There are implementation programs, with which the project must comply to meet the goals contained within the SRRE and City of Los Angeles Solid Waste Management Policy Plan (CiSWMMP). The proposed project would not have a significant impact on city waste diversion policies so long as it complies with city waste diversion programs specific to multi-residential and commercial land uses.

### **Mitigation Measures**

Implementation of the proposed project would not result in significant impacts to solid waste services; therefore, no mitigation is required.

### **Cumulative Impacts**

While in the short-term adequate landfill capacity exists to accommodate the proposed project, in the future, there is a need to develop additional landfills and other waste disposal options to accommodate future growth. The City of Los Angeles Solid Waste Management Plan (AB 939) sets forth strategies that would provide adequate landfill capacity through 2020 to accommodate anticipated growth. The LADPW, Bureau of Sanitation has projected the need for waste disposal capacity based on SCAG's regional population growth projections. The growth associated with the project is within those projections, as detailed in **Section IV.B, Population and Housing**. Furthermore, projects within the City of Los Angeles must comply with the City's SRRE. Overall, the source reduction and recycle efforts laid out in the SRRE have been extremely successful in diverting waste from area landfills. New programs are being implemented to increase the amount of waste diverted by the City, including multi-family recycling, food waste recycling, commercial recycling and technical assistance and support for City Departments to help meet their waste reduction and recycling goals. Based on the above, there is no potential for significant cumulative impacts.

### **Adverse Effects**

No adverse impacts associated with solid waste are anticipated as the result of the development of the proposed project.

### ***Energy***

#### **Project Impacts**

As discussed in **Section IV.J.4, Energy**, the proposed project would not result in significant impacts to energy utilities. The estimated total electricity consumption from the proposed project is anticipated to be approximately 4,286,392-kilowatt hours (kwh) per year. Generally, the LADWP power service systems are flexible and can be readily altered to meet demand requirements. New customer transformer facilities on the project sites would be required by the LADWP, the cost of which would be borne by the project applicant. Project design would be required to comply with sections of the State Building Energy Efficiency Standards, contained in Title 24 of the California Code of Regulations. As stated above, LADWP has determined that the distribution system is adequate to supply the project's needs. Therefore, the proposed project would result in less than significant impacts on power consumption.

The estimated total natural gas consumption for the proposed project is anticipated to be approximately 48,320,328 cubic feet per year. According to The Gas Company, the existing system would be able to meet the proposed project's load based on the above assumptions. The system can also be modified to meet loads that are much larger than the projected gas consumption by the proposed project, as The Gas Company would make improvements to their system to meet customer obligations if needed. Therefore, the proposed project would not result in significant impacts to gas service.

Energy and gas infrastructure currently exists throughout the project area. The proposed project is consistent with planning and growth projections for both the South Park area and the greater Downtown Los Angeles area. Additionally, implementation of the proposed project would not result in the need for additional off-site infrastructure in order to provide needed energy and natural gas supplies. As such, no infrastructure beyond that already in place and/or planned for by LADWP and The Gas Company is required to accommodate the proposed project. Therefore, no potential for significant impacts exists relative to energy infrastructure.

## Mitigation Measures

### *Energy*

- MM-ENG-1. Prior to issuance of each building permit, the project applicant shall submit plans to the City's Building and Safety Department demonstrating that each of the project's buildings complies with the State Energy Conservation Standards for New Residential Buildings (Title 24, part 6, Article 2, California Administrative Code).
- MM-ENG-2. The cumulative effect of the proposed project and other new and added loads resulting from related projects would require near term and/or future additions to distribution system capacity. The project shall require on-site transformer facilities.

### *Gas*

- MM-ENG-3. The project applicant shall consult with The Gas Company regarding the incorporation of feasible energy conservation measures into the project design and construction.
- MM-ENG-4. Prior to recordation of final maps, the applicant shall provide to the Los Angeles Planning Department, a letter from The Southern California Gas Company which states that natural gas would be provided for the proposed project and that all applicable energy conservation features have been incorporated into the project design.

## Cumulative Impacts

The proposed project in combination with the related projects would cause an additional electricity demand estimated at 9,181,217 kwh/year. Thus, LADWP has indicated that the cumulative effects of the project and other added loads would require near term and/or future additions to distribution system capacity. Therefore, a potentially significant cumulative impact associated with electrical infrastructure could result from implementation of the proposed project. However, through the provision of on-site transformer facilities, this potentially significant cumulative impact can be reduced to a less than significant level.<sup>7</sup>

As previously indicated the distribution system in the project area is flexible and can be modified to provide adequate supply to meet increased demand as a result of cumulative projects. Each project would also be required to incorporate applicable energy conservation features into its design. As such, the proposed project would neither cumulatively contribute to a significant impact relative to natural gas

---

<sup>7</sup> Written response from Charles C. Holloway, Supervisor of Environmental Assessment, LADWP, November 9, 2005.

service nor would the proposed project, in combination with the list of related projects in the South Park area of Downtown Los Angeles result in a cumulatively considerable impact to natural gas supplies.

### **Adverse Effects**

Implementation of the proposed project would increase the demand for energy and gas consumption in the project area; however, through implementation of the mitigation measures identified above, the project would not result in a significant impact on energy and/or natural gas supplies. Implementation of the above-listed mitigation measures would reduce impacts to less than significant levels. No adverse effects to energy are anticipated as a result of the proposed project.

## **11. Visual Resources**

### *Project Impacts*

As discussed in **Section IV.K, Visual Resources**, the only potentially significant impact that would result from the proposed project related to visual resources is the contrast of the mass and height of the newly constructed Hill Street building with the rehabilitated historic Broadway building.

As determined by the Cultural Resources Technical Report prepared for the proposed project, the existing Press building does not qualify as a historical resource. In addition, the Press building does not substantially contribute to the valued visual character of the area, as it does not offer distinct or aesthetically valuable features. The rehabilitation of the Broadway building would serve to enhance the visual character and contribution of the historical structure to the community. The existing Broadway building, as well as the two proposed buildings on the Hill Street and 12<sup>th</sup> Street sites would have general designs that can be described as having a striking upper element sitting atop a large base with a strong presence. However, despite the similarity of upper elements sitting atop each building, the mass and height of the proposed Hill Street building is such that it would contrast with the existing historic Broadway building. To minimize contrast between the Hill Street building and the existing historic Broadway building, **MM-VR-1** is recommended. With the implementation of this mitigation measure, this potentially significant contrast would not diminish the aesthetic of the overall downtown area as the proposed high-rise building would be similar in mass and height to neighboring structures and would serve to improve the visual character of the site and area. However, this mitigation measure would not fully mitigate the contrast of the Hill Street building's mass and height relative to the adjacent Broadway building. Therefore, an unavoidable significant impact would result, even after implementation of mitigation.

The project sites and the surrounding vicinity do not include any areas of natural open space; therefore, implementation of the proposed project would not affect natural open spaces areas in the Central City area of Los Angeles, and there is no potential for significant impacts.

As stated in **Section IV.A, Land Use**, Section 12.14 of the City of Los Angeles Municipal Code states that the proposed project is zoned C2 (Commercial Zone), which identifies 70 specific permitted commercial and residential uses within this zone. Uses proposed for the Herald Examiner project, including residential, retail, office, commercial and parking uses, are allowed within the C2 zone. As such, no zone change would be required; there is no potential for significant impacts and the uses are compatible.

One designated Scenic Highway, a portion of I-110, is located in the vicinity of the project and provides views of the Downtown Los Angeles skyline. Implementation of the proposed project would introduce new 23- and 37-story buildings on the Hill Street and 12<sup>th</sup> Street sites, respectively, that would contribute to the expected urban visual characteristics of the skyline. These new buildings would neither obstruct a critical feature visible from the Scenic Highway nor interfere with the aesthetic character. The new structures would be visible from the vantage point at I-110 and Jefferson Boulevard but would not obstruct, affect or prevent views from the designated Scenic Highway. Therefore, the addition of two high-rise structures would not result in the potential for significant impacts to scenic vistas.

The shadows cast onto adjacent properties would not create a significant impact, as the shadows cast from the neighboring SBC Tower building would overlap with those that would be cast by the newly constructed Broadway and Hill Street buildings. In addition, the shadows cast from the 12<sup>th</sup> Street building would not be cast upon shadow sensitive uses. No potential for significant impacts would occur.

Project lighting would include exterior nighttime security lighting and interior lighting associated with the residential, retail, office, commercial, open space and parking uses. Lighting would be directed and aimed at on-site areas of the property, adjacent alleyways, sidewalks surrounding each project site, building entry points and in the courtyard area between the Broadway and Hill Street buildings. No light-sensitive uses are located immediately adjacent to the three project sites. Therefore, the project would not have the potential to generate lighting, which could spill off the project sites such that adjacent light-sensitive uses would be affected. No potential for significant impacts to light-sensitive uses would occur.

## Mitigation Measures

Implementation of the following mitigation measure would reduce potentially significant visual resource impacts from the Hill Street building upon the historic Broadway building, however not to a less than significant level.

MM-VR-1. The project shall incorporate the following design features in order to increase the compatibility of Hill Street building with the Broadway building:

- At the corner of Hill Street and 11<sup>th</sup> Street, the elevation of the new Hill Street building shall be set back in order to reveal the west and north (side) elevations of the historic Broadway building;
- A setback shall be provided on the courtyard façade of the Hill Street building, the height of which shall be controlled by the roofline of the Broadway building. No balconies shall occur below this back line as a reference to the presence and massing of the Broadway building;
- The ground floor of the new Hill Street building shall be 15 feet tall to create a sense of entry and grand scale, similar to the ground floor of the adjacent Broadway building;
- Large glazed openings shall wrap the ground floor, providing a view of the Broadway building from the Hill Street building; and
- The materials and features of the new construction on the Hill Street site shall be distinguishable from those of the Broadway building and shall be designed so as to reflect the historic resource in both the location and use on the east elevation of the Hill Street building that faces the Broadway building.
  - The Broadway-facing façade of the Hill Street building would be designed and constructed with proportions, details and materials that frame, complement and respect the historic Broadway building to ensure its architectural significance is differentiated from the adjacent new construction.

## Cumulative Impacts

No cumulative impacts related to visual character, scenic vistas, shade and shadow or nighttime lighting would result from the proposed project along with related projects in the surrounding area.

## Adverse Effects

Implementation of the proposed project would result in modifications to the aesthetic environment in the project vicinity and to some degree to the Downtown Los Angeles skyline. Based on the above analysis of the thresholds of significance and upon implementation of **MM-VR-1** identified above, these modifications would result in an unavoidable significant impact with respect to visual resources and visual incompatibility between the historic Broadway building and the new Hill Street building.

## 12. Cultural Resources

### *Project Impacts*

#### **Archaeological and Paleontological Resources**

Potential impacts to archaeological and paleontological resources and human remains would be less than significant, with the inclusion of mitigation measures, as determined in the Initial Study prepared for the proposed project. **MM-CR-1** through **MM-CR-3** would reduce potentially significant impacts to archaeological and paleontological resources to less than significant levels.

#### **Historic Resources**

As discussed in **Section IV.L, Cultural Resources**, the existing historic Broadway building would undergo rehabilitation in conformance with the Secretary of the Interior's Standards for Rehabilitation, and the rehabilitation would conform to the Secretary of the Interior's Standards 1 through 10. However, the project would result in a potentially significant impact to cultural resources, due to a substantial adverse change due to the new construction proposed in the immediate vicinity of the historic building. The size of the adjacent new construction on the Hill Street site has the potential to visually compete with the rehabilitated Broadway building. The proposed mass and height of the Hill Street building, approximately 280 feet in height immediately adjacent to the 45- to 125-foot high historic Broadway building, has the potential to overwhelm the historic Broadway building and impair its immediate surroundings. This indirect impact on the immediate surroundings of the Broadway building is considered a significant cultural resources impact.

While the adjacent new construction does result in the potential to adversely impact the immediate surroundings of the historic resources, the addition of a new building would not impact the character-defining features of the historic resource or hamper its feasibility for reuse. The proposed Hill Street building would be located approximately 50 feet west of the historic Broadway buildings. This courtyard is incorporated into the project to define and separate the Broadway building and the new Hill Street building. The setback would differentiate the new construction from the adjacent historic building. **MM-CR-8**, as outlined below, would reduce this potential adverse cultural resources impact of the new adjacent construction to the immediate surrounding of the historic Broadway building by reducing the visual competition of the two buildings to the extent feasible.

### ***Broadway Building***

The Cultural Resources Technical Report, included as **Appendix IV.L**, prepared for the project identified the Herald Examiner building as the only historical resource on the project site. The Herald Examiner building has been formally determined eligible for listing in the National Register of Historic Places by the Keeper of the National Register (evaluation code “2S1”) and is listed in the California Register of Historical Resources. The building is also designated as City of Los Angeles Historic-Cultural Monument #178. Implementation of the proposed project would involve rehabilitation of the Herald Examiner building in compliance with the Secretary of the Interior’s Standards for Rehabilitation. This historically significant building would not be demolished, would be carefully rehabilitated and no significant impact would occur.

### ***Press Building***

The existing Press building, located on the Hill Street site and adjacent to the historic Broadway building, has not been listed or been found eligible for listing in the National Register of Historic Places, the California Register of Historic Places or been determined to be listed as an Historic-Cultural Monument in the City of Los Angeles. Furthermore, the building is not listed in the Historical Resources Inventory (HRI) of the State of California. While the Herald Examiner building was designated by the City of Los Angeles as Historic-Cultural Monument #178, the Press building was not addressed as a contributor to its significance. A technical survey was completed by the Historic Resources Group, which determined that the structure is not a “discretionary” historic resource” under Public Resources Code Section 21084.1 or *CEQA Guidelines* Section 15064.5(a)(4). Therefore, the Press building is not an historic resource for purposes of CEQA, and demolition of the structure would not create the potential for a significant impact.

### ***12<sup>th</sup> Street Site***

No extant structures are located on the 12<sup>th</sup> Street site or on immediately adjacent parcels. Therefore, no potential historical resources would be impacted by the construction of a new building on the site and no potentially significant impact would occur.

### ***Overall Project***

No relocation of significant historical buildings is proposed as part of the project; therefore, there is no potential for significant impacts related to the relocation of a significant resource. The proposed rehabilitation of the Broadway building would conform to the Secretary of the Interior’s Standards 1 through 10. However, the mass and height of the adjacent new construction on the Hill Street site has the

potential to indirectly impact the immediate surroundings of the Broadway building; this is considered a significant cultural resources impact. Mitigation measures have been identified to reduce the severity of the incompatibility; however, even with implementation of mitigation, a significant and unavoidable impact would result.

## Mitigation Measures

### *Archaeological and Paleontological Resources*

MM-CR-1. If archaeological resources are uncovered during excavation of the Hill Street or 12<sup>th</sup> Street sites, the developer must notify the Los Angeles Department of Building and Safety immediately and work must stop within a 100-foot radius until a qualified archaeologist has evaluated the find. Construction activity may continue unimpeded on other portions of the project sites. If the find is determined by the qualified archaeologist to be a unique archaeological resource, as defined by Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2 of the Public Resources Code. If the find is determined not to be a unique archaeological resource, no further action is necessary and construction may continue.

MM-CR-2. If paleontological resources are uncovered during excavation of the Hill Street or 12<sup>th</sup> Street sites, the City of Los Angeles Department of Building and Safety must be notified immediately and work must stop within 100-foot radius of the find to allow a qualified paleontologist to appropriately remove the find.

MM-CR-3. If during excavation of the Hill Street or 12<sup>th</sup> Street sites human remains are discovered, the steps described in *CEQA Guidelines* Section 15064.5(e) shall be followed:

- (1) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
  - (A) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
  - (B) If the coroner determines the remains to be Native American:
    1. The coroner shall contact the Native American Heritage Commission within 24 hours.
    2. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American.
    3. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any

associated grave goods as provided in Public Resources Code Section 5097.98, or

- (2) Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.
  - (A) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
  - (B) The descendant identified fails to make a recommendation; or
  - (C) The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

### *Historic Resources*

- MM-CR-4. Rehabilitation of character-defining features and materials shall consist of removing deteriorated paint and corrosion and cleaning with the gentlest means possible, patching and repairing as necessary to match historic surfaces and elements in composition, texture and finish and replacing missing or severely deteriorated elements with compatible material to match the original design and material properties of the material.
- MM-CR-5. Where questions arise about specific details that cannot be discerned from studying the extant physical conditions, historic photographs and documentation, the design shall to be compatible with the building and its character-defining features and shall meet the Secretary of the Interior's Standards for Rehabilitation and the Guidelines for Rehabilitating Historic Buildings.
- MM-CR-6. Historic features and materials, as identified in the Cultural Resources Technical Report, shall be protected throughout construction and repaired and cleaned as necessary using the gentlest means possible.
- MM-CR-7. Photo documentation of existing conditions shall occur prior to the removal and storage of center wood and marble panels, in preparation for the installation of the new door in the historic lobby on the first floor of the Broadway building.
- MM-CR-8. The project shall incorporate the following design features in order to protect the Broadway Building from the new Hill Street building as a part of its views and immediate surroundings:

- At the corner of Hill Street and 11<sup>th</sup> Street, the elevation of the new Hill Street building shall be set back in order to reveal the west and north (side) elevations of the historic Broadway building;
- A setback shall be provided on the courtyard façade of the Hill Street building, the height of which shall be controlled by the roofline of the Broadway building. No balconies shall occur below this back line as a reference to the presence and massing of the Broadway building;
- The ground floor of the new Hill Street building shall be 15 feet tall to create a sense of entry and grand scale, similar to the ground floor of the adjacent Broadway building;
- Large glazed openings shall wrap the ground floor, providing a view of the Broadway building from the Hill Street building; and
- The materials and features of the new construction on the Hill Street site shall be distinguishable from those of the Broadway building and shall be designed so as to reflect the historic resource in both the location and use on the east elevation of the Hill Street building that faces the Broadway building.
  - The Broadway-facing façade of the Hill Street building would be designed and constructed with proportions, details and materials that frame, complement and respect the historic Broadway building to ensure its architectural significance is differentiated from the adjacent new construction.

### **Cumulative Impacts**

While the construction of the new building on the Hill Street site would be on a parcel adjacent to the rehabilitated Broadway building, an historical resource, this project-specific impact would not constitute a cumulative impact on this historical resource. As discussed above, the proximity of the adjacent new construction of the proposed new tower building on the Hill Street site relative to the historic Broadway building would affect the setting of the Broadway building, and the massing and height of the new Hill Street building would visually compete with the historic Broadway building. However, this impact is localized given the close proximity of the Hill Street and Broadway sites. The related projects identified in **Section III, General Description of Environmental Setting**, of this EIR are all located far enough from the Broadway site that implementation of any one or a combination of all the projects would not collectively affect the setting of the Broadway building and no significant cumulative impacts would occur.

### **Adverse Effects**

Implementation of the recommended mitigation measures would reduce potential project impacts related to the rehabilitation of the Broadway building to a less than significant level. The rehabilitation of the Broadway building would conform to Standards 1 through 10 of the Secretary of Interior's Standards for Rehabilitation. However, construction of the proposed structure on the Hill Street site would be of a size,

scale, proportion, and mass that would adversely impact the immediate surroundings of the historic Broadway building. While **MM-CR-8** would reduce this impact to the extent feasible, the impact cannot be reduced to a level that is less than significant due to the sheer height of the Hill Street building.

## **J. DESCRIPTION OF ALTERNATIVES TO THE PROPOSED PROJECT**

As stated above, the principal purpose of alternatives is to define specific strategies that would reduce the magnitude of, or eliminate, potential project-related environmental impacts.

The *CEQA Guidelines* stipulate that alternatives addressed in an EIR should be feasible and should not be considered remote or speculative. The *CEQA Guidelines* state that "...among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries and whether the applicant can reasonably acquire, control or otherwise have access to the alternative site."

In response to the criteria outlining requirements for an alternatives analysis, six alternatives have been selected and evaluated for the proposed project.

- Alternative 1 – No Project Alternative
- Alternative 2 – Reduced Density / Adaptive Reuse: Adaptive Reuse of the Press Building Alternative
- Alternative 3 – Reduced Density: Replace the Press Building with a Building of Similar Scale to the Broadway Building Alternative
- Alternative 4 – Reduced Density: 6:1 FAR Per Site Alternative
- Alternative 5 – Revised Land Use: Residential in Broadway Building Alternative
- Alternative 6 – Affordable Housing: 20–35 Percent Density Bonus Alternative

### **1. Alternative 1 – No Project Alternative**

Under the No Project Alternative, all three of the project sites would remain in their existing condition, and the proposed project would not be implemented.

Implementation of the No Project Alternative would avoid most of the environmental impacts associated with the proposed project; however, under the No Project Alternative, greater impacts to an historic resource would result, as a recognized historic resource would not undergo rehabilitation. Additionally, this alternative would not meet any of the project objectives. Therefore, since this alternative would result in greater impacts to cultural resources in comparison to the proposed project, this alternative is not considered environmentally superior.

## 2. Alternative 2 – Adaptive Reuse of the Press Building Alternative

Under the Adaptive Reuse of the Press Building Alternative, the project would be dramatically modified from that currently proposed. The primary difference between this alternative and the proposed project is that under this alternative, the existing Press building, located on the Hill Street site, would be adapted for reuse rather than demolished and replaced by a 23-story building. The Broadway building would undergo rehabilitation in conformance with the Secretary of the Interior's Standards for Rehabilitation. The 12<sup>th</sup> Street site would be developed in the same manner as the proposed project.

Implementation of this alternative would avoid potentially significant impacts to air quality, visual resources and cultural resources as compared with the proposed project; however, this alternative would not avoid or change the significance of impacts associated with land use and planning, population and housing, geology, water resources, transportation, hazards and hazardous materials, noise, public services or public utilities as compared to the proposed project; operational noise impacts would remain significant under this alternative. As such, Alternative 2 avoids some significant environmental impacts but only partially meets project objectives, in comparison with the proposed project.

While this project alternative does avoid significant impacts to cultural resources, visual resources and air quality, as discussed in **Section VI. Project Alternatives**, this alternative would be financially infeasible and would not be constructed, as it would only result in a 13.6 percent net margin of profit upon buildout. In addition to being financially infeasible, this alternative design assumes the majority of parking for the rehabilitated Press building and Broadway building would be located off site at the 12<sup>th</sup> Street site, thus rendering the project unable to be financed and at a competitive disadvantage in the marketplace. As such, this alternative limits the returns on the project investment such that the project would no longer be economically feasible for the applicant.

## 3. Alternative 3 – Replace the Press Building with a Building of Similar Scale to the Broadway Building Alternative

Under the Replace the Press Building with a Building of a Scale Similar to the Broadway Building Alternative, the project would be slightly modified from that currently proposed. The Broadway building would undergo rehabilitation in conformance with the Secretary of the Interior's Standards for Rehabilitation. The 12<sup>th</sup> Street site would be developed in the same manner as the proposed project. The primary difference between this alternative and the proposed project is that under this alternative, the existing Press building, located on the Hill Street site, would be demolished and replaced by a building designed to be compatible with the adjacent Broadway building such that the building would be similar in size, scale and massing to the adjacent Broadway building.

Implementation of this alternative would avoid significant impacts to air quality, visual resources and cultural resources as compared with the proposed project; however, this alternative would not avoid or change the significance of impacts associated with land use and planning, population and housing, geology, water resources, transportation, hazards and hazardous materials, noise, public services, or public utilities as compared to the proposed project; operational noise impacts would remain significant under this alternative. As such, Alternative 3 avoids some significant environmental impacts but only partially meets project objectives, in comparison with the proposed project.

While this project alternative does avoid significant impacts to cultural resources, visual resources and air quality, as discussed in **Section VI. Project Alternatives**, construction of this alternative would only result in a 16.4 percent net margin of profit upon buildout, which renders it financially infeasible. In addition to being financially infeasible, this alternative design assumes that only 83 parking stalls would be provided at the Hill Street building and the remainder of the parking stalls for the Hill Street building would be located off site at the 12<sup>th</sup> Street site, thus rendering the project unable to be financed and at a competitive disadvantage in the marketplace. As such, this alternative limits the returns on the project investment such that the project would no longer be economically feasible for the applicant.

#### **4. Alternative 4 – 6:1 FAR Per Site Alternative**

Under this alternative, the Broadway building would undergo rehabilitation in conformance with the Secretary of the Interior’s Standards for Rehabilitation. The buildings proposed on the Hill Street and 12<sup>th</sup> Street sites would be reduced in size, in comparison to the proposed project; the buildings would be constructed to the extent permitted by existing allowed floor area ratio (FAR) of 6:1 without any City action required to permit averaging or transfer of FAR from the Broadway site to the Hill Street and 12<sup>th</sup> Street sites.

Implementation of this alternative would avoid significant impacts to air quality as compared with the proposed project; however, this alternative would not avoid or change the significance of impacts associated with land use and planning, population and housing, geology, water resources, transportation, hazards and hazardous materials, noise, public services, public utilities, visual resources or cultural resources as compared to the proposed project. Operational noise impacts, visual resource impacts and cultural resources impacts would remain significant and unavoidable under this alternative; significant air quality impacts would be avoided under this alternative; and all other environmental impacts would remain less than significant. As such, Alternative 4 avoids one significant environmental impact but only partially meets project objectives, in comparison with the proposed project.

While this project alternative does avoid significant impacts to air quality, as discussed in **Section VI. Project Alternatives**, construction of this alternative would only result in a 14.2 percent net margin of

profit upon buildout, which is considered financially infeasible and would not be constructed. As such, this alternative limits the returns on the project investment such that the project would no longer be economically feasible for the applicant.

## **5. Alternative 5 – Residential in Broadway Building Alternative**

Under this project alternative, the Broadway building would be rehabilitated in conformance with the Secretary of the Interior's Standards for Rehabilitation for new retail, office and residential uses. Development proposed for the Hill Street site under this alternative would be similar to that planned for the proposed project. The Press building on the Hill Street site would be replaced with a new 23-story building. Under this alternative the 12<sup>th</sup> Street site would be developed with a 37-story building similar to the proposed project.

Implementation of this alternative would result in comparable impacts to all environmental issue areas; significant impacts would remain for air quality, visual resources, cultural resources and operational noise under this alternative, and all other impacts would be less than significant. As such, Alternative 5 does not avoid or lessen significant impacts associated with the proposed project. Additionally, inclusion of the residential component in the Broadway building drops the net margin return on the Broadway building to -16.3 percent, due to the added expense of the adaptive reuse component required by the residential units, and the total net margin to 18.3 percent, which would render it financially infeasible. Therefore, Alternative 5 does not realize the necessary minimum financial return as compared to the proposed project.

## **6. Alternative 6 – 20 Percent–35 Percent Density Bonus Alternative**

Senate Bill 1818 authorizes a by-right density bonus of up to 35 percent in development projects when a percentage of residential units are set aside for affordable housing (i.e, low income or very low income). Under this alternative to the proposed project, a 20–35 percent density bonus would be granted to the proposed 12<sup>th</sup> Street building with 5–11 percent of the units in the building set aside for very low-income affordable housing.

Implementation of this alternative would result in comparable impacts to all environmental issue areas; significant impacts would remain for air quality, visual resources, cultural resources and operational noise under this alternative, and all other impacts would be less than significant. As such, Alternative 6 does not avoid or lessen significant impacts associated with the proposed project. Additionally, the provision of additional units, offered as affordable housing for low- and very-low income individuals, drops the net margin return on the project to at least 16.1 percent, which would render this alternative

infeasible; thus, this alternative would not be constructed without substantial public subsidy. Therefore, Alternative 6 does not realize the same financial return as the proposed project.

## **7. Environmentally Superior Alternative**

Section 15126.6(e)(2) of the *CEQA Guidelines* indicates that an analysis of alternatives to the proposed project shall identify one alternative as the environmentally superior alternative. Alternative 2 – Adaptive Reuse of the Press Building Alternative, would result in less environmental impacts than the proposed project. From an environmental perspective, this alternative is superior to the proposed project as it reduces the level of impacts associated with the proposed project and, in particular, would reduce significant unavoidable adverse impacts to air quality, visual resources and cultural resources

However, this alternative would not provide housing to the same extent as the proposed project, and thus, would only partially achieve project objectives. Moreover, this project alternative would not create returns on project investment that would justify the cost of the rehabilitation of the historic Herald Examiner building and the public benefit that comes with it. By providing 575 for-sale condominium units collectively on the Hill Street and 12<sup>th</sup> Street sites, the project applicant is financially able to rehabilitate the Broadway building in conformance with the Secretary of the Interior's Standards for Rehabilitation. Therefore, while this project alternative is considered environmentally superior, it neither fully meets all of the project objectives nor is it financially feasible to implement.