V. OTHER CEQA CONSIDERATIONS

1. Significant Unavoidable Impacts

Section 15126.2(b) of the *State CEQA Guidelines* requires that an EIR describe any significant impacts that cannot be avoided. Specifically, Section 15126.2(b) states:

> *Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.*

Based on the analysis in **Section IV, Environmental Impact Analysis**, of this Draft EIR, implementation of the Project would result in significant unavoidable environmental impacts to Cultural Resources (direct impacts to Morrison Hotel, a historic resource) and Noise (on-site construction noise to adjacent sensitive receptors and off-site construction vibration from haul trucks traveling by sensitive receptors).

As detailed in **Section IV.B, Cultural Resources**, of this Draft EIR, the Project would remove the east elevation of the Morrison Hotel and partially reconstruct the north elevation. It would demolish the majority of two of four exterior elevations, roof, and all interior floors, stairs, and corridors. The Project would also change the shape of the building from an “E”-shape to a “C”-shape. The shape and form of the building and its light courts are character-defining features. As a result of the physical changes the hotel would no longer be able to convey its historic significance for eligibility to be listed in the National Register, California Register, and as an HCM as an early twentieth century Beaux-Arts tourist hotel.

The Project would be required to comply with mitigation measure **MM CUL-1**. Implementation of the mitigation measure would document the existing building, ensure compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties, and monitor construction and conservation methods during the partial rehabilitation of the Morrison Hotel. As the Project is not in conformance with the Secretary of the Interior’s Standards for Rehabilitation and would result in material impairment to the historic resource, the impact cannot be mitigated to a level that is less than significant. No additional feasible mitigation measures exist, therefore the impact would remain significant. Although the Project would result in a significant unavoidable impact to the Morrison Hotel, the Morrison Hotel would be retained on the Site and the impact would be limited in scope, and would not indirectly impact other historic resources in the area or result in a cumulatively considerable significant impact.

As detailed in **Section IV.H., Noise**, of this Draft EIR, mitigated construction noise levels in the form of temporary acoustical shielding/acoustical tent would provide a reduction of at least 11 dBA at the ground floor level, and as such, construction noise levels would not exceed 5 dBA

above ambient noise levels at the ground floor level of any receptor or the applicable standards of 75 dBA at the nearby sensitive receptors. However, the temporary noise barrier would not be effective in reducing the construction-related noise levels to the upper levels of the mixed use/residential buildings located at (R1) 1249 E. Grand (E on Grand), (R2) 424 W. Pico Boulevard (Onyx) and the (R8) residential building located at 1212 Flower Street. There are no other feasible mitigation measures to further reduce the construction noise at the receptor locations above the first floor at R1, R2 and R8. Therefore, even with incorporation of mitigation measures **MM NOI-1**, construction noise impacts associated with on-site noise sources remain significant and unavoidable. This on-site construction noise impact is anticipated to result in a cumulatively considerable significant impact as well.

The Project would generate approximately 159 haul truck trips per day travelling to and from the Project Site. There are mixed uses (commercial/residential) and multi-family apartment along the proposed haul route from the Project Site to the freeway system enroute to Sunshine Canyon Landfill in Sylmar. Heavy-duty construction trucks would generate ground-borne vibration (similar to the trucks and buses that uses these routes in the existing conditions) as they travel along the anticipated truck route(s). According to the FTA, it is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Busses and trucks rarely generate vibration that exceeds 70 Vdb, which would be less than the significance threshold of 72 VdB; however, at a distance of 30 feet, the vibration level experienced by residential receptors along the haul route could be as high as 83.6 VdB, which would exceed the significance threshold of 72 VdB. As no feasible mitigation for the haul trucks would be available, human annoyance-related vibration impacts from off-site construction activities are considered to be significant and unavoidable. This off-site construction vibration impact is anticipated to result in a cumulatively considerable significant impact as well.

2. Reasons Why the Project is being Proposed, Notwithstanding Significant Unavoidable Impacts

In addition to identification of the Project's significant unavoidable impacts, Section 15126.2(b) of the State CEQA Guidelines also requires a description of the reasons why a project is being proposed, notwithstanding significant unavoidable impacts associated with the project.

As discussed above, the Project would result in significant and unavoidable direct impact to Morrison Hotel, a historic resource, due to demolishing portions of the existing building. The Project is being proposed notwithstanding the significant unavoidable impact because the restoration, reconstruction, and rehabilitation proposed by the Project would be an improvement of existing conditions of the Morrison Hotel, which is currently uninhabitable, including the 111 single-room occupancy (SRO) units. The existing wood framing, steel beams, and column supports on all levels have also been damaged and have deteriorated extensively due to exposure to weather, fire, dry rot, and lack of maintenance as a vacant building for over 15 years. The Project would rehabilitate and reconstruct the most visually recognizable character-defining features at the Project Site, including the features on the primary south, west, and partial north elevations. The Project would also require compliance with the Wiggins Settlement Agreement

and a one-to-one replacement of the existing 111 SRO units at 407-413 East 5th Street and/or at a qualified alternative site.

The Project would also create new jobs for both construction and long-term operations, and it would bring residents and employees to the area to support area businesses and increase revenue for the City. The Project would be a transit-oriented, high-density Project that would generate new economic opportunities for the Downtown area. In addition, the Project would provide new residential units to help support the demand for new housing in the region and City, and that of the Central City Community Plan Area in particular.

The Project is also being proposed because it is consistent with the goals of both Southern California Association of Government's (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS) as well as Connect SoCal (2020-2045 RTP/SCS), the City's Central City Community Plan, and the City's long-range planning direction for properties located near major transit stops. The Project would provide an opportunity to fulfill policy directives reflected in both local and regional land use plans by concentrating mixed-use, pedestrian-friendly development in an area that is targeted for higher density, urban growth. Specifically, the Project Site is located in a High-Quality Transit Area (HQTA) as designated by SCAG. HQTAs are described as generally walkable transit villages or corridors that are within 0.5-mile of a well-serviced transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours. Local jurisdictions are encouraged to focus housing and employment growth within HQTAs. Furthermore, the Project is consistent with both RTP/SCS goals to maximize mobility and accessibility for all people and goods in the region, ensure travel safety and reliability, preserve and ensure a sustainable regional transportation system, protect the environment, encourage energy efficiency, facilitate the use of alternative modes of transportation, contribute to regional prosperity, and support healthy and equitable communities.

At the local level, the Project Site is designated as High Density Residential in the Central City North Community Plan. The Project would be located in an area well-served by existing public transportation, including numerous Los Angeles County Metropolitan Transportation Authority (Metro) local and rapid bus service and rail service, Orange County Transportation Authority, City of Santa Monica Big Blue Bus, and Los Angeles Department of Transportation DASH and Commuter Express Service bus lines. The Project Site is also located approximately 600 feet from the Pico Metro Station, which provides service for the Metro A Line (Blue) and E Line (Expo) rail lines. Thus, the Project would focus growth along major transportation corridors and within walking distance of a transit station. Additionally, as discussed in **Section IV.G, Land Use and Planning**, of this Draft EIR, the Project would not conflict with the General Plan Framework Element, the General Plan Housing Element, the Central City Community Plan (or the draft policies of the proposed 2040 DTLA Community Plan), Los Angeles Municipal Code, City Center Redevelopment Plan, Citywide Design Guidelines, or Downtown Design Guidelines.

The Project advances both SCAG and the City's goals and objectives regarding land use, the regional and local economy, and the environment. The Project would provide temporary and permanent jobs, address the current and projected need for increased housing supply and hotel uses, and provides new sources of tax revenue for City services. The Project's location within an

urban core well-served by existing public services and utilities and public transit, which reduces VMT and associated GHG emissions, also contributes toward SCAG and the City's objectives. Overall, the Project's benefits would outweigh the limited significant unavoidable impact to the Morrison Hotel's eligibility to be listed in the National Register, California Register, and as an HCM.

3. Significant Irreversible Environmental Changes

Section 15126.2(c) of the *State CEQA Guidelines* states that the "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely." Section 15126.2(c) further states "irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

The types and level of development associated with the Project would consume limited, slowly renewable, and non-renewable resources. This consumption would occur during construction of the Project and would continue throughout its operational lifetime. The development of the Project would require a commitment of resources that would include (1) building materials and associated solid waste disposal effects on landfills; (2) water; (3) energy resources, fuel and operational materials/resources, and (4) the transportation of goods and people to and from the Project Site.

Construction of the Project would require consumption of resources that are not replenishable or that may renew so slowly as to be considered non-renewable. These resources would include certain types of lumber and other forest products, aggregate materials used in concrete and asphalt (e.g., sand, gravel and stone), metals (e.g., steel, copper and lead), petrochemical construction materials (e.g., plastics), and water. Fossil fuels, such as gasoline and oil, would also be consumed in the use of construction vehicles and equipment. The consumption of these resources would be spread out through the construction period.

Furthermore, the Project would comply with the Los Angeles Green Building Code, which would reduce resource consumption through compliance with energy efficiency requirements, such as reducing indoor and outdoor water demand, installing energy-efficient appliances and equipment, and complying with California Title 24 Building Energy Efficiency Standards, as amended by the City. The Project would also meet the mandatory measures of the CALGreen Code as amended by the City by incorporating strategies such as high efficiency toilets, low-flow faucets, low-flow showers, and other energy and resource conservation measures. The heating, ventilation, and air conditioning (HVAC) system would be sized and designed in compliance with the CALGreen Code to maximize energy efficiency. In addition, the Project would achieve several objectives of the City of Los Angeles General Plan Framework Element, SCAG's 2016-2040 RTP/SCS and 2020-2045 RTP/SCS, and South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) for establishing a regional land use pattern that promotes sustainability.

The commitment of resources required for the type and level of proposed development would limit the availability of these resources for future generations for other uses during the operation of the

Project. The Project's continued use of non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. The Project Site contains no energy resources that would be precluded from future use through Project implementation. Thus, the Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant, and the limited use of nonrenewable resources is justified.

4. Growth Inducing Impacts of the Project

Section 15126.2(d) of the State *CEQA Guidelines* requires an EIR to discuss the ways in which a project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, pursuant to CEQA, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

a) Direct Growth (Housing and Economic Growth)

The Project would demolish the existing commercial industrial buildings (approximately 32,550 square feet) and surface parking lot. The existing 46,626-square-foot, 111-unit single-resident occupancy Morrison Hotel (Existing Hotel) would be partially demolished, reconstructed, rehabilitated, and expanded by approximately 174,481 square feet (Hotel Expansion). The Project also would construct an approximately 186,155-square-foot, hotel/residential building (Hotel/Residential Tower).

The Existing Hotel currently fronts along Hope Street with three wings extending east, resulting in a building that appears in the shape of an "E" if seen from above. The rehabilitation of the Existing Hotel would include demolishing the approximately 12,280-square-foot inner wing to create a courtyard, creating a "C"-shaped building through removal of the inner wing. The Existing Hotel would be partially rehabilitated to provide 29,187 square feet of hotel uses and 5,155 square feet of ground floor restaurant uses. The Existing Hotel would be expanded with the Hotel Expansion, which would provide 165,800 square feet of hotel uses, a 2,838-square-foot rooftop restaurant and bar, and a 5,843-square-foot museum.

The Hotel/Residential Tower would include 150,366 square feet of residential uses above 32,997 square feet of hotel uses and a 2,792-square-foot ground-floor restaurant. The total floor area of the Project would be approximately 420,303 square feet, for a Floor Area Ratio (FAR) of 7.5:1, with 136 dwelling units and 444 guest rooms. The Project includes 233 parking spaces to be located within three subterranean levels.

Development of the Project, therefore, would create new housing and hotel rooms, generating approximately 328 new residents as well as tourists, respectively, within the Central City Community Plan Area and within an HQTA. The mixed-use Project would also add new

employment at the Project Site, which is estimated to generate approximately 255 net new employees.

As discussed in **Section IV.I, Population and Housing**, the City population is expected to grow beyond its estimated 2018 population of 4,059,665 people by approximately 148,360 people (or 3.7 percent) by Project buildout in 2024. By 2045, the horizon year of SCAG projections, the City population is expected to grow by 711,635 people (or 17.5 percent) over 2018 baseline estimates. The Project would account for approximately 0.2 percent of SCAG's estimated population growth in the City by 2024, and 0.05 percent of SCAG's estimated population growth in the City by 2045. Similarly, the number of housing units in the City is expected to grow beyond its estimated 2018 supply of 1,480,426 housing units by approximately 64,381 housing units (or 4.3 percent) by Project buildout in 2024. By 2045, the number of housing units in the City is expected to grow by 312,574 housing units (or 21.1 percent) over 2018 baseline estimates. The Project would account for 0.2 percent of SCAG's estimated increase of 64,381 housing units between 2018 and 2024 and for 0.04 percent of SCAG's estimated increase of 312,574 housing units between 2018 and 2045. Moreover, the number of jobs in the City is expected to grow beyond its estimated 2018 supply of 1,868,214 jobs by approximately 56,428 jobs (or 3.0 percent) by Project buildout in 2024. By 2045, the number of jobs in the City is expected to grow by 267,686 (or 14.3 percent) over 2018 baseline estimates. The Project would account for 0.5 percent of SCAG's estimated increase of 56,428 jobs between 2018 and 2024 and for 0.1 percent of SCAG's estimated increase of 267,686 jobs between 2018 and 2045. (These positions may be filled by persons already residing in the vicinity of the workplace and who generally do not relocate their households due to such employment opportunities.) Thus, the Project's contribution to residential population, housing, and employment opportunities would not substantially induce growth beyond forecasted levels. Instead, the Project would serve to meet demand currently forecasted for the City.

The Project would foster economic growth and revitalize the area. The increased residential population would patronize local businesses and services in the area and would foster economic growth. While the growth generated by the Project would have a negligible effect on the regional and Citywide jobs/housing ratios, the Project would support SCAG and City goals of positive growth trends by providing increased employment opportunities in a well-served HQTA.

The Project would include a mix of uses that would be compatible with adjacent uses and representative of the type of high-density and mixed-use development anticipated in the City of Los Angeles. The Project would conform to multiple Central City Community Plan policies (and draft policies of the proposed 2040 DTLA Community Plan), which promote an arrangement of land uses, streets, and services, which would encourage and contribute to the economic, social, and physical health, safety, and welfare of the people who live and work in the community for specific geographic areas. As discussed in detail and concluded in **Section IV.I, Population and Housing**, of this Draft EIR, the Project's new development would be consistent with the established SCAG regional forecast for the City of Los Angeles, and contributes to an infill growth pattern that is encouraged locally in the City by the General Plan Framework and the Central City Community Plan (and proposed 2040 DTLA Community Plan). Accordingly, the Project would not induce unanticipated direct growth.

b) Indirect Growth (Utility and Infrastructure Growth)

Although the Project would provide new residential and commercial uses, it would not necessitate the extension or expansion of roads or other infrastructure. The Project's location would reduce VMT and would potentially reduce, rather than increase, the need for additional infrastructure. Street access and utilities are fully built-out in the area. Roadways and other infrastructure (e.g., water facilities, electricity transmission lines, natural gas lines, etc.) associated with the Project would not induce growth because the Project Site is located in a developed area of the City and connections to all local utility infrastructures, including water, wastewater, electricity, and natural gas, are readily available to the Project Site. Therefore, utility infrastructure would not be expanding into a new area as a result of the Project. The Project would not cause indirect growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels, and that would result in an adverse physical change in the environment, or introduce unplanned infrastructure (see **Section IV.I, Population and Housing**, and **Section IV.G, Land Use and Planning**, of this Draft EIR). Therefore, the Project would not spur indirect growth other than that already anticipated and would not eliminate impediments to growth. As such, the Project would not foster indirect growth-inducing impacts.

5. Potential Secondary Effects of Mitigation Measures

Section 15126.4(a)(1)(D) of the State CEQA Guidelines requires mitigation measures to be discussed in less detail than the significant effects of the proposed Project if the mitigation measure(s) would cause one or more significant effects in addition to those that would be caused by the Project as proposed. The analysis of Project impacts in Chapter IV, of this Draft EIR resulted in recommended mitigation measures for several environmental topics, which are identified below. The following provides a discussion of the potential secondary effects on those topics that could occur as a result of implementation of the required mitigation measures. **For the reasons stated below, it is concluded that the Project's mitigation measures would not result in significant secondary impacts.**

a) Cultural Resources

Mitigation Measure **MM CUL-1** requires the Project to document the existing building, ensure that the Project design reduces historic resource impacts, and monitor construction and conservation methods during the partial rehabilitation of the Morrison Hotel. Mitigation Measure **MM CUL-2** requires the Project to retain a Qualified Archaeologist to provide technical and compliance oversight of all work as it relates to archaeological resources, conduct Archeological Sensitivity Training for construction personnel, and perform periodic inspections of excavation and grading activities. Mitigation Measure **MM CUL-3** requires that, in the event that unanticipated archaeological materials are discovered, all work activities within 50 feet of the discovery shall cease immediately until the resource has been evaluated by the Qualified Archaeologist and, if the discovery is determined to constitute a historical resource or unique archaeological resource under CEQA, an Archaeological Treatment Plan is prepared and implemented in consultation with

the City of Los Angeles. As such, these measures represent procedural actions that would be beneficial in protecting cultural resources to the extent feasible that could potentially be encountered on-site. None of the mitigation measures require physical alterations to the environment nor would they result in additional impacts to historical or archaeological resources. **Accordingly, implementation of MM CUL-1, MM CUL-2, and MM CUL-3 would not result in adverse secondary impacts.**

b) Geology and Soils

Mitigation Measure **MM GEO-1** requires the retention of a Qualified Paleontologist to provide technical and compliance oversight of all work as it relates to paleontological resources, including conducting paleontological resources sensitivity training, conducting an initial spot-check of excavation extending beyond fine feet below the surface to determine when and where paleontological monitoring shall occur, reporting to the Site should paleontological resources be uncovered, conducting assessments of and preparing treatment recommendations and curation for any discovered paleontological resource, and preparing a final monitoring and mitigation report for submittal to the City and appropriate repository. As such, this measure represents procedural actions that would be beneficial in protecting paleontological resources that could potentially be encountered on-site. The mitigation measure would not require physical alterations to the environment nor would it result in additional impacts to paleontological resources. **Accordingly, implementation of MM GEO-1 would not result in adverse secondary impacts.**

c) Noise

Mitigation Measure **MM NOI-1** requires the construction contractors to equip all construction equipment with either properly operating and maintained mufflers or enclosures/acoustical tents and/or sound barriers that achieve a minimum reduction of 11 dBA in construction noise for all construction phases. Mitigation Measure **MM NOI-2** requires that prior to operating outdoor amplified music and entertainment speakers on the fifth-floor terrace, an acoustical design plan be prepared and submitted to the City demonstrating that the composite noise levels would be no more than 104 dBA (94 dBA L_{eq} on or before 10 PM) at a distance of 10 feet from the edge of the building. Mitigation Measure **MM NOI-3** prohibits vibratory rollers and/or any other equivalent vibratory equipment from being used in certain range of sensitive uses off site during all construction phases. Mitigation measure **MM NOI-4** prohibits vibratory rollers and/or other equivalent vibratory equipment within 12 feet of the adjacent industrial building to the north.

Mitigation measures **MM NOI-1**, **MM NOI-3**, and **MM NOI-4** would be temporary and implemented for construction equipment on the Project Site in order to ensure that construction noise and vibration impacts would not impact the surrounding sensitive receptors. Mitigation Measure **MM NOI-2** entails implementation of noise-attenuating strategies and technologies to ensure outdoor amplified music and speakers do not impact surrounding sensitive uses during operation of the fifth-floor terrace. Thus, none of the mitigation measures require physical alterations to the environment nor would they generate any additional noise. **As such, these mitigation measures for noise and vibration would reduce impacts and would not result in secondary impacts on the environment.**

6. Impacts Found Not to be Significant

Section 15128 of the CEQA Guidelines states that an EIR shall contain a brief statement indicating reasons that various possible significant effects of a project were determined not to be significant and not discussed in detail in the EIR. An Initial Study was prepared for the Project and is included in **Appendix A** of the Draft EIR. The Initial Study provides a detailed discussion of the potential environmental impact areas and the reasons that each environmental area is or not analyzed further in this Draft EIR. The City of Los Angeles determined through the Initial Study that the Project would not have the potential to cause significant impacts to aesthetics; agriculture and forestry; air quality (odors); biological resources; cultural resources (human remains); geology and soils (fault rupture, seismic ground shaking, liquefaction, landslides, erosion/loss of topsoil, expansive soil, and septic tanks); hazards and hazardous materials; hydrology and water quality (violation of water quality standards, soil erosion, flooding, and storm drainage systems); land use and planning (community division); mineral resources; noise (airport/airstrip); public services (schools and parks); recreation; transportation (design features); utilities and service systems (solid waste reductions statutes and regulations); and wildfire. For further discussion of these issues and more detailed evaluation of potential impacts, refer to the Project's Initial Study, provided in **Appendix A** of this Draft EIR.