

# PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

|                                                                                                             |                            |                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CITY PLANNING CASE:</b>                                                                                  | <b>ENVIRONMENTAL CASE:</b> | <b>COUNCIL DISTRICT:</b>                                                                                                                                                         |
| ENV-2020-3533-EIR-1A                                                                                        | ENV-2020-3533-EIR          | CD-11                                                                                                                                                                            |
| <b>RELATED CASE NOS.:</b>                                                                                   | <b>COUNCIL FILE NO:</b>    | <b>PROCEDURAL REGULATIONS:</b>                                                                                                                                                   |
| CPC-2016-1208-CU-SPR;<br>AA-2017-397-PMEX;<br>ENV-2016-1209-MND                                             |                            | <input type="checkbox"/> Ch. 1 as of 1/21/24 (Not subject to Processes & Procedures Ord.)<br><input checked="" type="checkbox"/> Ch. 1A (Subject to Processes & Procedures Ord.) |
| <b>PROJECT ADDRESS / LOCATION:</b>                                                                          |                            |                                                                                                                                                                                  |
| 12531 – 12575 West Beatrice Street; 5410 – 5454 South Jandy Place                                           |                            |                                                                                                                                                                                  |
| <b>APPLICANT:</b>                                                                                           | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>                                                                                                                                                            |
| NSB Associates, Inc.                                                                                        | 310-550-1570               | <a href="mailto:kmansfield@nsbinc.com">kmansfield@nsbinc.com</a>                                                                                                                 |
| <b>APPLICANT'S REPRESENTATIVE:</b>                                                                          | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>                                                                                                                                                            |
| Clare Bronowski, Rand, Paster & Nelson, LLP                                                                 | 213-557-7227               | <a href="mailto:clareb@rpnllp.com">clareb@rpnllp.com</a>                                                                                                                         |
| <b>APPELLANT:</b>                                                                                           | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>                                                                                                                                                            |
| Supporters Alliance for Environmental Responsibility (SAFER)                                                | 510-836-4200               | <a href="mailto:mitchell@lozeaudrury.com">mitchell@lozeaudrury.com</a>                                                                                                           |
| <b>APPELLANT'S REPRESENTATIVE:</b>                                                                          | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>                                                                                                                                                            |
| Lozeau Drury LLP<br>Mitchell Thielemann                                                                     | 510-836-4200               | <a href="mailto:mitchell@lozeaudrury.com">mitchell@lozeaudrury.com</a>                                                                                                           |
| <b>PLANNER CONTACT:</b>                                                                                     | <b>TELEPHONE NUMBER:</b>   | <b>EMAIL ADDRESS:</b>                                                                                                                                                            |
| Kathleen King                                                                                               | (213) 847-3624             | <a href="mailto:kathleen.king@lacity.org">kathleen.king@lacity.org</a>                                                                                                           |
| <b>ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):</b>                        |                            |                                                                                                                                                                                  |
| <input checked="" type="checkbox"/> N/A                                                                     |                            |                                                                                                                                                                                  |
| <b>FINAL ENTITLMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION: (UNAPPEALED OR NON-APPEALABLE ITEMS)</b> |                            |                                                                                                                                                                                  |
| <input checked="" type="checkbox"/> N/A                                                                     |                            |                                                                                                                                                                                  |
| <b>ITEMS APPEALED:</b>                                                                                      |                            |                                                                                                                                                                                  |
| Environmental Impact Report (EIR)                                                                           |                            |                                                                                                                                                                                  |

| ATTACHMENTS:                                                         | REVISED:                            | ENVIRONMENTAL DOCUMENT:                                                                 | REVISED:                 |
|----------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> Letter of Determination          | <input type="checkbox"/>            | <input type="checkbox"/> Categorical Exemption (CE)<br>(Notice of Exemption)            | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Findings of Fact                 | <input type="checkbox"/>            | <input type="checkbox"/> Statutory Exemption (SE)<br>(Notice of Exemption)              | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Staff Recommendation Report      | <input type="checkbox"/>            | <input type="checkbox"/> Negative Declaration (ND)                                      | <input type="checkbox"/> |
| <input type="checkbox"/> Conditions of Approval                      | <input type="checkbox"/>            | <input type="checkbox"/> Mitigated Negative Declaration (MND)                           | <input type="checkbox"/> |
| <input type="checkbox"/> T Conditions                                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> Environmental Impact Report (EIR)                   | <input type="checkbox"/> |
| <input type="checkbox"/> Proposed Ordinance                          | <input type="checkbox"/>            | <input type="checkbox"/> Mitigation Monitoring Program (MMP)                            | <input type="checkbox"/> |
| <input type="checkbox"/> Zone Change Map and Ordinance               | <input type="checkbox"/>            | <input type="checkbox"/> Sustainable Communities<br>Project Exemption (SCPE)            | <input type="checkbox"/> |
| <input type="checkbox"/> GPA Resolution                              | <input type="checkbox"/>            | <input type="checkbox"/> Sustainable Communities<br>Environmental Assessment (SCEA)     | <input type="checkbox"/> |
| <input type="checkbox"/> Land Use Map                                | <input type="checkbox"/>            | <input type="checkbox"/> Sustainable Communities<br>Environmental Impact Report (SCEIR) | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Exhibit A – Plans                | <input type="checkbox"/>            | <input type="checkbox"/> Appendices                                                     | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Mailing List (both Word and PDF) | <input type="checkbox"/>            | <input type="checkbox"/> Other:                                                         | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Interested Parties List          | <input checked="" type="checkbox"/> |                                                                                         |                          |
| <input checked="" type="checkbox"/> Appeal                           | <input type="checkbox"/>            |                                                                                         |                          |
| <input type="checkbox"/> Development Agreement                       | <input type="checkbox"/>            |                                                                                         |                          |
| <input type="checkbox"/> Site Photographs                            | <input type="checkbox"/>            |                                                                                         |                          |
| <input type="checkbox"/> Other:                                      | <input type="checkbox"/>            |                                                                                         |                          |

#### NOTES / INSTRUCTIONS:

Copies of the Draft EIR, Final EIR, and Erratum are available on Planning's website:

Draft EIR: <https://planning.lacity.gov/development-services/eir/new-beatrice-west-project-0>

Final EIR: <https://planning.lacity.gov/development-services/eir/new-beatrice-west-project-1>

Erratum: <https://planning.lacity.gov/development-services/eir/new-beatrice-west-project-2>

| CITY COUNCIL NOTICE TIMING:                                | NOTICE LIST (SELECT ALL):                                | NOTICE PUBLICATION:                                        |
|------------------------------------------------------------|----------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> 10 days                           | <input checked="" type="checkbox"/> Owner                | <input type="checkbox"/> 10 days                           |
| <input type="checkbox"/> 15 days                           | <input checked="" type="checkbox"/> Applicant            | <input type="checkbox"/> 15 days                           |
| <input checked="" type="checkbox"/> 24 days                | <input type="checkbox"/> Adjacent/Abutting               | <input type="checkbox"/> 24 days                           |
| <input type="checkbox"/> N/A / None                        | <input type="checkbox"/> 100' radius                     | <input checked="" type="checkbox"/> N/A / None             |
| <input type="checkbox"/> Other: [enter here if applicable] | <input type="checkbox"/> 300' radius                     | <input type="checkbox"/> Other: [enter here if applicable] |
|                                                            | <input type="checkbox"/> 500' radius                     |                                                            |
|                                                            | <input checked="" type="checkbox"/> Neighborhood Council |                                                            |
|                                                            | <input checked="" type="checkbox"/> Interested Parties   |                                                            |
|                                                            | <input checked="" type="checkbox"/> Other: Appellant     |                                                            |

#### FISCAL IMPACT STATEMENT:

☐ Yes

☐ No

\*If determination states administrative costs are recovered through fees, indicate "Yes."

|                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PLANNING COMMISSION:</b>                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                             |
| <input checked="" type="checkbox"/> City Planning Commission (CPC)<br><input type="checkbox"/> Cultural Heritage Commission (CHC)<br><input type="checkbox"/> Central Area Planning Commission<br><input type="checkbox"/> East LA Area Planning Commission<br><input type="checkbox"/> Harbor Area Planning Commission               | <input type="checkbox"/> North Valley Area Planning Commission<br><input type="checkbox"/> South LA Area Planning Commission<br><input type="checkbox"/> South Valley Area Planning Commission<br><input type="checkbox"/> West LA Area Planning Commission |
| <b>PLANNING COMMISSION HEARING DATE:</b>                                                                                                                                                                                                                                                                                              | <b>COMMISSION VOTE:</b>                                                                                                                                                                                                                                     |
| March 13, 2025                                                                                                                                                                                                                                                                                                                        | 8 – 0                                                                                                                                                                                                                                                       |
| <b>LAST DAY TO APPEAL:</b>                                                                                                                                                                                                                                                                                                            | <b>DATE APPEALED:</b>                                                                                                                                                                                                                                       |
| April 17, 2025                                                                                                                                                                                                                                                                                                                        | April 8, 2025                                                                                                                                                                                                                                               |
| <b>COUNCIL TIME TO ACT:</b>                                                                                                                                                                                                                                                                                                           | <b>TIME TO ACT START:</b>                                                                                                                                                                                                                                   |
| <input type="checkbox"/> 30 days<br><input type="checkbox"/> 45 days<br><input type="checkbox"/> 60 days<br><input checked="" type="checkbox"/> 75 days<br><input type="checkbox"/> 90 days<br><input type="checkbox"/> 120 days<br><input type="checkbox"/> N/A / None<br><input type="checkbox"/> Other: [enter here if applicable] | <input checked="" type="checkbox"/> Appeal Filing Date<br><input type="checkbox"/> Received by Clerk<br><input type="checkbox"/> Last Day to Appeal<br><input type="checkbox"/> N/A / None<br><input type="checkbox"/> Other: [enter here if applicable]    |
| <b>TRANSMITTED BY:</b>                                                                                                                                                                                                                                                                                                                | <b>TRANSMITTAL DATE:</b>                                                                                                                                                                                                                                    |
| Cecilia Lamas<br>Commission Executive Assistant II                                                                                                                                                                                                                                                                                    | May 13, 2025                                                                                                                                                                                                                                                |



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE: APRIL 2, 2025**

**Case No.: ENV-2020-3533-EIR (SCH No. 2020120119)**

Council District: 11 – Park

Plan Area: Palms – Mar Vista – Del Rey

Related Cases: CPC-2016-1208-CU-SPR-1A; AA-2017-397-PMEX-1A

**Project Site:** 12531 – 12575 West Beatrice Street; 5410 – 5454 South Jandy Place

**Applicant:** NSB Associates, Inc.

Representative: Clare Bronowski, Rand, Paster & Nelson, LLP

At its meeting of **March 13, 2025**, the Los Angeles City Planning Commission took the actions below in conjunction with the previously approved Project:

Demolition of an existing 23,072 square-foot office building and two accessory buildings, totaling 7,188 square feet; the retention of an 87,881 square-foot office building; and the construction of a new eight-story office building with up to 196,100 square feet of office space and 3,400 square feet of ground floor commercial space. Upon completion, the Project would total 287,381 square feet of floor area on an approximately 4.5-acre site, with a Floor Area Ratio (FAR) of 1.46:1. The new office building would include three above-grade and two subterranean levels of parking (additional parking would be provided in the surface parking lot adjacent to the existing office building located at 12541 West Beatrice Street) and would have a maximum building height of 135 feet to the top of the parapet.

In August 2017, the City Planning Commission (CPC) adopted the Project's mitigated negative declaration (MND) (Case No. ENV-2016-1209-MND) and approved a Conditional Use Permit for a Major Development Project and Site Plan Review (Case No. CPC-2016-1208-CU-SPR). In June 2018, the Deputy Advisory Agency (DAA) approved the Project's Lot Line Adjustment (Case No. AA-2017-397-PMEX) to the boundary lines between three legal lots under the same ownership. These decisions were subsequently appealed by an aggrieved party. In February 2018, the City Council denied the appeals of the Conditional Use Permit and Site Plan Review, sustaining the actions of the CPC; and, in November 2018, the CPC denied the appeal of the Lot Line Adjustment and sustained the action of the DAA. Petitions were filed against the City's approvals and in January 2020, the Los Angeles County Superior Court vacated the City's approval of the Project's MND, and required an Environmental Impact Report (EIR) be prepared for the Project, but did not invalidate the Project's underlying land use approvals. A Project EIR was prepared for the New Beatrice West Project pursuant to the judgement in *Karney Management v. City of Los Angeles* (Case No. BS172677, consolidated with Case No. 18STCP03226).

1. The City Planning Commission has reviewed and considered the information contained in the Environmental Impact Report prepared for the previously approved Project, which includes the Draft EIR, No. ENV-2020-3533-EIR (SCH No. 2020120119) dated January 2024, the Final EIR, dated February 2025, and the Erratum dated February 2025 (collectively, New Beatrice West Project EIR), as well as the whole of the administrative record; and



**CERTIFIED** that:

- a. The New Beatrice West Project EIR has been completed in compliance with the California Environmental Quality ACT (CEQA);
- b. The New Beatrice West Project EIR was presented to the City Planning Commission as a decision-making body of the lead agency; and
- c. The New Beatrice West Project EIR reflects the independent judgment and analysis of the lead agency.

**ADOPTED** the following:

- a. The related and prepared New Beatrice West Project Environmental Findings;
  - b. The Statement of Overriding Considerations; and
  - c. The Mitigation Monitoring Program prepared for the New Beatrice West Project EIR; and
2. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Zamora  
Second: Lawshe  
Ayes: Choe, Diaz, Klein, Mack, Newhouse, Saitman  
Absent: Cabildo

**Vote: 8 – 0**



Cecilia Lamas, Commission Executive Assistant II  
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission as it relates to the Environmental Impact Report is appealable to the Los Angeles City Council within 15 days of the date the Project approval is final. Any Appeal not filed within the 15-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; or 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401.

**FINAL APPEAL DATE: APRIL 17, 2025**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: CEQA Findings, Appeal Filing Procedures

cc: Milena Zasadzien, Principal City Planner  
Mindy Nguyen, Senior City Planner  
Kathleen King, City Planner

## FINDINGS

### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

#### I. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and environmental impacts of the New Beatrice West Project (Project), located at 12531-12575 West Beatrice Street and 5410-5454 South Jandy Place in Los Angeles, California (Project site). The Project proposes the demolition of an existing 23,072 square-foot office building and two accessory buildings, totaling 7,188 square feet; the retention of an 87,881 square-foot office building; and the construction of a new eight-story office building with up to 196,100 square feet of office space and 3,400 square feet of ground floor commercial space. Upon completion, the Project would total 287,381 square feet of floor area on an approximately 4.5-acre site, with a Floor Area Ratio (FAR) of 1.46:1. The new office building would include three above-grade and two subterranean levels of parking and would have a maximum building height of 135 feet to the top of the parapet.

In August 2017, the City Planning Commission (CPC) adopted the Project's mitigated negative declaration (MND) (Case No. ENV-2016-1209-MND) and approved a Conditional Use Permit for a Major Development Project and Site Plan Review (Case No. CPC-2016-1208-CU-SPR). In June 2018, the Deputy Advisory Agency (DAA) approved the Project's Lot Line Adjustment (Case No. AA-2017-397-PMEX) to the boundary lines between three legal lots under the same ownership. These decisions were subsequently appealed by an aggrieved party. In February 2018, the City Council denied the appeals of the Conditional Use Permit and Site Plan Review, sustaining the actions of the CPC; and, in November 2018, the CPC denied the appeal of the Lot Line Adjustment and sustained the action of the DAA. Petitions were filed against the City's approvals and in January 2020, the Los Angeles County Superior Court vacated the City's approval of the Project's MND and required an Environmental Impact Report (EIR) be prepared for the Project, but did not invalidate the Project's underlying approvals.

In compliance with CEQA, PRC Section 2100 et seq. and the California Code of Regulations Title 15, Chapter 6 (CEQA Guidelines), the City, as the Lead Agency, has prepared a Project EIR (Case No. ENV-2020-3533-EIR and SCH No. 2020120119) pursuant to the judgment in *Karney Management v. City of Los Angeles*, Case No. BS172677 (Consolidated with Case No. 18STCP03226). The findings discussed in this document are made relative to the conclusions of the EIR.

For purposes of the EIR, the Project was analyzed in the context existing prior to the adoption of any Project approvals or entitlements by the City. Thus, all impacts of the Project's discretionary approvals were considered.

The City of Los Angeles (City), as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number ENV-2020-3533-EIR/State Clearinghouse No. 2020120119). The EIR was prepared in compliance with the California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) Section 21000 et seq. and the California Code of Regulations Title 15, Chapter 6 (CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

PRC Section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” CEQA Section 21002 goes on to state that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles included in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 150919[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

- 1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.
- 2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.
- 3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final Environmental Impact Report for the project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely “potentially significant,” these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

The findings provided below include the following:

- Description of Significant Effects—A description of the environmental effects identified in the EIR.
- Project Design Features—A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures—A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding—One or more of the three possible findings set forth above for each of the significant impacts.

- **Rationale for Finding**—A summary of the rationale for the finding(s).
- **Reference**—A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines Sections 15093, 15043[b]; see also CEQA Section 21081[b].)

## **II. Environmental Review Process.**

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents:

**Initial Study.** The Project was reviewed by the City of Los Angeles Department of City Planning (Lead Agency) in accordance with the requirements of CEQA Section (PRC 21000 et seq.). The City prepared an Initial Study in accordance with Section 15063(a) of the CEQA Guidelines.

**Notice of Preparation.** Pursuant to the provisions of Section 15082 of the CEQA Guidelines, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 31-day period commencing on December 8, 2020, and ending on January 8, 2021. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. Written comment letters responding to the NOP were submitted to the City by various public agencies, interested organizations and individuals. The NOP, Initial Study, and NOP comment letters are included in Appendix A of the Draft EIR.

**Draft EIR.** The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2020120119), incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City CEQA Guidelines (City of Los Angeles California Environmental Quality Act Guidelines). Consistent with the requirements of Sections 15087 and 15105 of the CEQA Guidelines, the Draft EIR was submitted to the State Clearinghouse, Office of Planning and Research and was circulated for public review commencing on January 4, 2024 and ending on February 20, 2024, for a total review period of 47 days. A Notice of Availability (NOA) was distributed on January 4, 2024 to all property owners and occupants within 500 feet of the Project Site and interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at the City of Los Angeles, Department of City Planning, and the following local libraries: Los Angeles Central Library, Playa Vista Branch Library, and Mar Vista Branch Library. A copy of the document was also posted online at <https://planning.lacity.org>. Notices were filed with the County Clerk on January 4, 2024.

**Notice of Completion.** A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on January 4, 2024, and notice was provided in newspapers of general and/or regional circulation.

**Final EIR.** The City released a Final EIR for the Project in February 2025 which is hereby incorporated by reference in full. The Final EIR constitutes the second part of the EIR for the Project and is intended to be a companion to the Draft EIR. The Final EIR also incorporates the Draft EIR by reference. Pursuant to Section 15088 of the CEQA Guidelines, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Section II, Responses to Comments, of the Final EIR. On February 24, 2025, responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the EIR pursuant to CEQA Guidelines Section 15088(b). Notices regarding availability of the Final EIR were also sent to anyone who commented on the Draft EIR, and interested parties.

**Erratum.** The City prepared an Erratum for the Project in February 2025. The Erratum includes a minor correction to the New Beatrice West Project EIR's Cultural Mitigation Measure (CUL-MM-1) regarding archaeological resources. The original mitigation measure included incorrect references to paleontological resources/materials and the potential submittal of a paleontological survey report to the Los Angeles County Natural History Museum. These modifications clarify and refine the EIR and provide supplemental information to the City decision-makers and the public. CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code (PRC) Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. CEQA Guidelines Section 15088.5 also provides that "[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

### **III. Record of Proceedings.**

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;
- The Draft EIR and Appendices, and Final EIR and Appendices, and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The City of Los Angeles General Plan and related EIR;
- The Southern California Association of Governments' (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2019011061));
- The Municipal Code of the City of Los Angeles, including but not limited to the Zoning Ordinance and Subdivision Ordinance;



- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at the City of Los Angeles, Figueroa Plaza, 221 North Figueroa Street, Suite 1350, Los Angeles, CA 90012.

In addition, copies of the Draft EIR and Final EIR are available on the Department of City Planning's website at <https://planning.lacity.org/development-services/eir> (to locate the documents, search for either the environmental case number or project title in the Search Box). The Draft and Final EIR are also available at the following three Library Branches:

- Los Angeles Central Library—630 West 5th Street, Los Angeles, CA 90071
- Mar Vista Branch Library—12006 Venice Boulevard, Los Angeles, CA 90066
- Playa Vista Branch Library—6400 Playa Vista Drive, Los Angeles, CA 90094

#### **IV. Project Description**

The Project proposes the demolition of an existing 23,072 square-foot office building and two accessory buildings, totaling 7,188 square feet; the retention of an 87,881 square-foot office building; and the construction of a new eight-story office building with up to 196,100 square feet of office space and 3,400 square feet of ground floor commercial space. Upon completion, the Project would total 287,381 square feet of floor area on an approximately 4.5-acre site, with a Floor Area Ratio (FAR) of 1.46:1. The new office building would include three above-grade and two subterranean levels of parking and would have a maximum building height of 135 feet to the top of the parapet.

#### **V. No Impact or Less than Significant without Mitigation**

Impacts of the Project that were determined to have no impact or be less than significant in the EIR (including having a less than significant impact as a result of implementation of project design features and compliance with existing regulations) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR.

## Aesthetics

### Impact Summary

The Project site is located in an urbanized area and lacks access to any scenic vistas. Thus, the Project would not block or obstruct views of visual resources. The Project site is not located along a state scenic highway, and the Project would not damage scenic resources within a state scenic highway or conflict with applicable zoning or regulations regarding scenic quality. Additionally, the Project would not degrade the existing visual character or quality of the site and its surroundings. The Project would implement Project Design Features AES-PDF-1, AES-PDF-2, AES-PDF-4, and AES-PDF-8, which would preserve visual character during construction and operation. Finally, the Project would implement Project Design Features AES-PDF-3 and AES-PDF-5 through AES-PDF-7 and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Draft EIR pages IV.A-25 through IV.A-45)

### Project Design Features

**Project Design Feature AES-PDF-1:** Temporary construction fencing will be placed along the periphery of the Project site to screen construction activity from view at the street level.

**Project Design Feature AES-PDF-2:** The Project Applicant will ensure through appropriate postings and daily visual inspections that no unauthorized materials are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

**Project Design Feature AES-PDF-3:** Outdoor lighting used during construction will be shielded and/or aimed such that the light source cannot be seen from adjacent properties, the public right-of-way, or from above. However, construction lighting shall not be so limited as to compromise the safety of construction workers.

**Project Design Feature AES-PDF-4:** New on-site utilities that may be required to serve the Project will be installed underground.

**Project Design Feature AES-PDF-5:** All new outdoor lighting required for the Project will be shielded and directed towards the interior of the Project site such that the light source does not project directly upon any adjacent property or the public right-of-way.

**Project Design Feature AES-PDF-6:** Glass used in building façades will be anti-reflective or treated with an anti-reflective coating in order to minimize glare (e.g., minimize the use of glass with mirror coatings). Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements will be permitted.

**Project Design Feature AES-PDF-7:** Above-grade parking will be fully integrated into the building design utilizing extensive glazing so that it is free of blank walls and open screening, to the satisfaction of the Director or Planning.

**Project Design Feature AES-PDF-8:** The applicant will plant clinging vines along the screening of the parking levels to create a green wall, to the satisfaction of the Director of Planning.

## **Agriculture and Forestry Resources**

### **Impact Summary**

The Project site is located in an urbanized area of the City of Los Angeles and is developed with commercial buildings and surface parking. The Project site and surrounding area are not zoned or designated for agricultural or forest uses, and no agricultural or forest lands occur on-site or in the vicinity of the Project site. The Project site and surrounding area are also not enrolled under a Williamson Act Contract. No impacts to agriculture and forestry resources would occur. (Draft EIR page VI-15)

## **Air Quality**

### **Impact Summary**

The Project would not conflict with or obstruct implementation of the Air Quality Management Plan (AQMP) of the South Coast Air Quality Management District (SCAQMD). Further, regional and local emissions would be below established SCAQMD daily and localized thresholds during both construction and operation for criteria pollutants and toxic air contaminants, as applicable. Impacts would be less than significant. (Draft EIR pages IV.B-48 through IV.B-70)

No objectionable odors are anticipated as a result of either construction or operation of the Project and construction and operation of the Project would comply with all applicable SCAQMD regulations. Impacts would be less than significant. (Draft EIR pages VI-15 through VI-16)

## **Project Design Features**

**Project Design Feature AIR-PDF-1:** Where power poles are available, electricity from power poles and/or solar powered generators rather than temporary diesel or gasoline generators would be used during construction.

## **Biological Resources**

### **Impact Summary**

The Project site is located in an urbanized area and is currently developed with office uses and surface parking. Landscaping within the Project site is limited to minimal ornamental landscaping and hardscape features. None of the trees within the Project site are protected under the City of Los Angeles Protected Tree and Shrub Regulations. Based on the lack of habitat at the Project site, it is unlikely any special status species would be present on-site. In addition, no approved habitat conservation plans apply to the Project site; the Project site does not support any habitat or natural community; there are no riparian or other sensitive natural communities, or federally protected wetlands as defined by Section 404 of the Clean Water Act on the Project site or in the surrounding area; and there are no water bodies on the Project site or in the vicinity that could serve as habitat for fish. Although Centinela Creek Channel is located approximately 300 feet north of the Project site, construction of the Project would not result in its removal, filling, or other

means of hydrological interruption. Also, there are no established native resident or migratory wildlife corridors on the Project site or in the vicinity. Tree removal would comply with the City's Protected Tree and Shrub Regulations, the Migratory Bird Treaty Act and the California Fish and Game Code. Impacts would be less than significant. (Draft EIR pages VI-16 through VI-17)

### **Cultural Resources (Historical Resources and Human Remains)**

#### **Impact Summary**

Based on a review of the SurveyLA Historic Resources Survey Report for the Palms–Mar Vista–Del Rey community, the HistoricPlacesLA database, and the Los Angeles ZIMAS database, as well as the South Central Coastal Information Center (SCCIC) records search, no historical resources were identified on-site or on adjacent sites. Further, as the Project site is located within an urbanized area and has been subject to previous grading and development, the potential for uncovering human remains on the Project site is low. If human remains are discovered during Project construction, Project construction would be required to comply with applicable regulatory requirements including California Health and Safety Code Section 7050.5, PRC Section 5097.98, and CEQA Guidelines Section 15064.5(e). Thus, impacts related to these thresholds would be less than significant. (Draft EIR page VI-17 through VI-18)

### **Energy**

#### **Impact Summary**

The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or require additional capacity. The Project's energy usage during peak and base periods would also be consistent with electricity and natural gas future projections for the region. Overall, the Project's energy demands would not cause wasteful, inefficient, or unnecessary use of energy. The Project would implement Project Design Features GHG-PDF-1, which requires the Project to achieve LEED Silver certification. In addition, the Project would comply with all applicable energy conservation policies and plans, including CAFÉ fuel economy standards, CARB anti-idling regulations and In-Use Off-Road Diesel Fleet regulations, the California Title 24 energy standards, the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, and SCAG's 2020–2045 RTP/SCS. As such, the Project would not conflict with or obstruct adopted energy conservation plans or violate state or local energy standards for renewable energy or energy efficiency. Impacts would be less than significant. (Draft EIR pages IV.D-24 through IV.D-44)

### **Geology and Soils (not including Paleontological Resources)**

#### **Impact Summary**

No active faults cross the Project site and the Project site is not located within an Alquist-Priolo Fault Zone. Therefore, the potential for surface rupture due to faulting beneath the Project Site is considered low and impacts would be less than significant. (Draft EIR page VI-18)

While the Project site is located in the seismically active region of Southern California and could be subject to strong seismic ground shaking, the Project's design and construction would comply

with all applicable regulatory requirements, including applicable provisions of the Los Angeles Building Code relating to seismic safety. Through compliance with regulatory requirements and site-specific geotechnical recommendations contained in the Geotechnical Engineering Investigation, impacts would be less than significant. (Draft EIR page VI-18)

While the Project Site is located within a liquefaction area and could be susceptible to liquefaction during an earthquake, the Project design and construction would comply with all applicable requirements of the Los Angeles Department of Building and Safety for a site located within a potentially liquefiable area, as well as site-specific design recommendations set forth in the Geotechnical Engineering Investigation. Impacts would be less than significant. (Draft EIR pages VI-18 through VI-19)

The Project site and surrounding area are fully developed and characterized by relatively flat topography, and are not located in a landslide area mapped by the State or the City. No impact would occur. (Draft EIR page VI-19)

All grading activities would require grading permits from LADBS and on-site grading and site preparation would comply with all applicable regulatory requirements, including provisions of the LAMC, as well as Best Management Practices. Furthermore, the Project would be required to comply with the City's Low Impact Development (LID) ordinance and implement standard erosion controls. Impacts related to soil erosion would be less than significant. (Draft EIR page VI-19)

With respect to unstable soils, as discussed above, impacts would be less than significant with compliance with applicable regulatory requirements and site-specific design recommendations set forth in a final design-level geotechnical report. (Draft EIR page VI-19)

The on-site geologic materials are in the low to high expansion range. With adherence to existing regulations and site-specific design recommendations provided in the Geotechnical Engineering Investigation, the proposed structure is feasible from a geotechnical engineering standpoint. Impacts would be less than significant. (Draft EIR page VI-19)

The Project site is served by existing sewage infrastructure and would not require the use of septic tanks or alternative wastewater disposal systems. No impacts related to septic tanks or alternative wastewater disposal systems would occur. (Draft EIR page VI-19)

Finally, the Project site has been previously disturbed/developed and does not contain unique geologic features. Therefore, impacts would be less than significant. (Draft EIR page IV.E-11)

## **Greenhouse Gas Emissions**

### **Impact Summary**

The Project complies with or exceeds the performance-based standards included in the plans, policies, regulations and GHG reduction actions/strategies outlined in CARB's 2008 Climate Change Scoping Plan and subsequent updates, SCAG's 2020–2045 RTP/SCS, and L.A.'s Green New Deal. As such, the Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs and impacts would be less than significant. Furthermore, because the Project does not conflict with applicable plans, policies, and regulations, the Project's incremental increase in GHG emissions would not result in a

significant impact on the environment. Therefore, Project-specific impacts with regard to climate change would be less than significant. (Draft EIR pages IV.E-56 through IV.E-83)

### **Project Design Features**

**Project Design Feature GHG-PDF-1:** The design of the new buildings will incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED Silver® or equivalent green building standards. These include energy conservation, water conservation, and waste reduction features to support and promote environmental sustainability, including, but not limited to, Energy Star appliances, plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) that comply with the performance requirements specified in the City of Los Angeles Green Building Code, weather-based irrigation system, and water-efficient landscaping.

### **Hazards and Hazardous Materials**

#### **Impact Summary**

Construction of the Project would not involve the routine transport of hazardous materials to and from the Project site, although some hazardous materials would be used and disposed of occasionally, which would cease upon completion of the Project. Operation of the Project would involve the routine use of small quantities of potentially hazardous materials typical of those used in office and commercial uses. All hazardous materials would be acquired, handled, used, stored, and disposed of in accordance with all applicable federal, State, and local requirements. Impacts would be less than significant. (Draft EIR pages IV.F-28 through IV.F-29)

The Project's construction and operation would not result in a reasonably release of any hazardous materials. Dewatering operations are expected during construction, and any discharge of groundwater would occur pursuant to, and comply with, the applicable NPDES permit requirements. Further, there are no aboveground storage tanks, and, in the unlikely event that an underground storage tank is found, all materials would be removed in accordance with all applicable federal, State, and local regulations. Additionally, with compliance with existing regulations, implementation of the Project during construction or operation would not release any hazardous materials including Asbestos-Containing Materials, Lead-Based Paint, Polychlorinated Biphenyls (PCBs), Oil Wells, or Methane Gas. Impacts would be less than significant (Draft EIR pages IV.F-29 through IV.F-35)

The Project site is not located within 0.25 mile of an existing or proposed school. Impacts would be less than significant. (Draft EIR pages IV.F-35 through IV.F-36)

The Project Site is listed in the HAZNET database due to the removal of unnamed hazardous material to a landfill in 2012. Due to the proper handling, storage, and disposal of the prior waste, and no reported regulatory violations, the former waste is not considered to be an environmental concern to the Project site. Impacts would be less than significant. (Draft EIR pages IV.F-36 through IV.F-37)



The Project Site is not located within two miles of an airport, private airstrip, or within an area subject to an airport land use plan. Accordingly, no impact would occur. (Draft EIR pages VI-19 through VI-20)

While it is expected that the majority of construction activities for the Project would be confined to the Project site, limited off-site construction activities may occur in adjacent street rights-of-way during certain periods of the day, which could potentially require temporary lane closures. If lane closures are necessary during construction, the remaining travel lanes would be maintained in accordance with the Project's Construction Traffic Management Plan that would be implemented pursuant to Project Design Feature TR-PDF-1 to ensure adequate circulation and emergency access. Additionally, the Project would comply with LAFD access requirements and would not impede emergency access within the vicinity. Impacts would be less than significant. (Draft EIR page VI-20)

The Project site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a City-designated Wildfire Severity Zone. Accordingly, no impact would occur. (Draft EIR page VI-20)

## **Hydrology and Water Quality**

### **Impact Summary**

In accordance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit requirements, the Project would implement a Stormwater Pollution Prevention Plan (SWPPP) adhering to the California Stormwater Quality Association BMP Handbook. The SWPPP would set forth Best Management Practices (BMPs) to be used during construction for stormwater and non-stormwater discharges to minimize the discharge of pollutants in stormwater runoff during construction. In addition, Project construction would occur in accordance with City grading regulations. During operation, consistent with the City's Low Impact Development (LID) Ordinance, the Project would include the installation of capture and use or biofiltration planter BMPs to reduce the quantity and improve the quality of rainfall runoff that leaves the Project site. In addition, with implementation of the Project, the amount of landscaped area would increase, resulting in an overall decrease in the amount of impervious surfaces and thus further reduce stormwater runoff. Further, if groundwater is encountered during construction, temporary pumps and filtration would be utilized in compliance with all relevant NPDES and Los Angeles Regional Water Quality Control Board requirements related to construction and discharges from dewatering operations. The Project site is not located within a 100-year flood plain, nor is it mapped as being located within a flood control basin or within a potential inundation area. Overall, with adherence to regulatory requirements, impacts related to hydrology and water quality would be less than significant. (Draft EIR pages VI-21 through VI-24)

## **Land Use and Planning**

### **Impact Summary**

The Project site is located within a commercial office and industrial low- and medium-rise, mixed-use neighborhood. The Project would replace the existing structures at 12575 W. Beatrice Street with a new office building. The existing office building at 12541 W. Beatrice Street would remain. Thus, the proposed uses would be consistent with the existing uses on site as well as the other commercial developments located adjacent to and in the general vicinity of the Project Site. All

proposed development would occur within the boundaries of the Project Site, and the Project does not propose a freeway or other large infrastructure that would divide a community. Accordingly, impacts related to the physical division of an established community would be less than significant. (Draft EIR page VI-24)

The Project would not conflict with the applicable goals, policies, and objectives in local and regional plans that were adopted for the purpose of avoiding or mitigating an environmental effect, including the Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy, the South Coast Air Quality Management District Air Quality Management Plan, General Plan Framework Element, Conservation Element, Mobility Plan 2035, Palms–Mar Vista–Del Rey Community Plan, LAMC, and the Citywide Design Guidelines include policies that were specifically adopted for the purpose of avoiding or mitigating an environmental effect. The Project would not and therefore would not conflict with the applicable plans. As such, impacts related to conflicts with applicable plans, policies, and regulations would be less than significant. (Draft EIR pages IV.H-18 through IV.H-32)

## **Mineral Resources**

### **Impact Summary**

No mineral extraction operations currently occur on the Project site. Furthermore, the Project site is not located within a City-designated Mineral Resource Zone where significant mineral deposits are known to be present or within a mineral producing area as classified by the California Geologic Survey. No impact would occur. (Draft EIR page VI-24)

## **Noise (Operational Noise, On- and Off-site Construction Vibration Building Damage, Operational Vibration, and Airport Noise)**

### **Impact Summary**

Operational noise levels related to on-site stationary noise sources and off-site mobile noise sources would be below the thresholds established in the LAMC. Impacts would be less than significant. (Draft EIR pages IV.I-38 through IV.I-48)

On-site and off-site vibration levels generated from construction of the Project would be below the building damage criterion. Thus, construction-related vibration impacts pursuant to the FTA significance criterion for building damage from on-site and off-site construction activities would be less than significant. (Draft EIR pages IV.I-51 and IV.1-53 through IV.1-55)

Operation of the Project would not result in the generation of excessive ground-borne vibration levels that would be perceptible in the vicinity of the Project Site and impacts would be less than significant. (Draft EIR page IV.I-55)

The Project Site is not located within the vicinity of a private airstrip or airport land use plan. In addition, based on a report published by the Los Angeles International Airport, the Project site is not located within the 2015 65 dB CNEL noise contours for the airport, indicating airport noise is not an issue at the Project site. No impact would occur. (Draft EIR page VI-24)

## **Project Design Features**

**Project Design Feature NOI-PDF-2:** All outdoor mounted mechanical equipment will be screened from off-site noise-sensitive receptors. The equipment screen will be impermeable (i.e., solid material with minimum weight of 2 pounds per square feet) and break the acoustic line-of-sight from the equipment to the off-site noise-sensitive receptors.

## **Population and Housing**

### **Impact Summary**

Since the Project does not propose a housing component, it would not directly induce a new residential population which would contribute to population growth in the vicinity of the Project site or the Palms–Mar Vista–Del Rey Community Plan area. In addition, the Project's net increase in employment would represent a small fraction of employment growth projected by SCAG's RTP/SCS. Impacts would be less than significant. (Draft EIR page VI-25)

The Project Site is currently developed with office uses and surface parking. As no housing currently exists on the Project Site, the Project would not displace any existing persons or housing, and no impact related to the displacement of people or housing would occur. (Draft EIR Page VI-25)

## **Public Services**

### **Impact Summary**

Project construction and operation would increase the demand for LAFD fire protection services. However, the Project would not include any unique or especially hazardous uses and would comply with all applicable requirements. Compliance with applicable regulatory requirements, including OSHA and LAMC regulations, in addition to Project Design Feature TR-PDF-1, which requires a Construction Traffic Management Plan, would ensure that adequate safe access and fire prevention features that reduce the demand on LAFD facilities and equipment are provided. As such, impacts would be less than significant. (Draft EIR pages IV.J.1-21 through IV.J.1-27)

The Project would introduce a new employee and visitor population to the Project Site. Overall, LAPD concluded that a project of this size could have a minor impact on police protection services. Project Design Features POL-PDF-1 and TR-PDF-1 would implement safety measures and ensure safe access, respectively, during construction. Further, Project Design Features POL-PDF-2 through POL-PDF-6 provide numerous design and operational features to enhance safety within and immediately surrounding the Project site. As such, impacts would be less than significant. (Draft EIR pages IV.J.2-12 through IV.J.2-16)

With respect to schools, the Project does not include residential uses and would not result in a direct increase in the number of students in Los Angeles Unified School District (LAUSD) schools. Furthermore, per Senate Bill 50, the Applicant would be required to pay development fees for schools to LAUSD prior to the issuance of building permits. Pursuant to Government Code Section 65995, the payment of these fees is considered mitigation of Project-related school impacts. Impacts would be less than significant. (Draft EIR page VI-26)

With respect to parks and recreation and libraries, the Project would not include residential uses and would not generate a new residential population that would regularly utilize nearby parks, recreational facilities, and/or libraries. The new employment opportunities that would be generated by the Project may be filled, in part, by employees already residing in the vicinity of the Project site who already utilize existing parks/recreational facilities and libraries. Therefore, only a fraction of the new employees generated by the Project could create a demand for these facilities. While it is possible that some of the employees may utilize local parks/recreational facilities and libraries, such use would be anticipated to be limited due to work obligations and the amount of time it would take for employees to access these facilities. In addition, Project employees would be more likely to use parks/recreational facilities and libraries near their homes during non-work hours. Impacts would be less than significant. (Draft EIR pages VI-26 through VI-27)

### **Project Design Features**

**Project Design Feature POL-PDF-1:** During construction, the Applicant will implement temporary security measures, including security fencing, lighting, locked entry, and regular security patrols during non-construction hours.

**Project Design Feature POL-PDF-2:** The Project will include security measures for entry into the building and parking area, including a keycard system.

**Project Design Feature POL-PDF-3:** The Project will provide proper lighting of the building and walkways to provide for pedestrian orientation and clearly identify a secure route between parking areas and points of entry into the building.

**Project Design Feature POL-PDF-4:** The Project will provide sufficient lighting of parking areas to maximize visibility and reduce areas of concealment.

**Project Design Feature POL-PDF-5:** The Project will design entrances to and exits from the building, open spaces around the building, and pedestrian walkways to be open and in view of surrounding sites.

**Project Design Feature POL-PDF-6:** The Applicant will consult with LAPD regarding the incorporation of additional feasible crime prevention features into the building design and operation. Upon completion of construction of the Project and prior to the issuance of a certificate of occupancy, the Applicant will submit a diagram of the Project site to the LAPD's Pacific Area Commanding Officer that includes access routes and any additional information that might facilitate police response.

### **Transportation**

#### **Impact Summary**

The Project would not conflict with the applicable programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, including the Mobility Plan 2035, Palms-Mar Vista-Del Rey Community Plan, Vision Zero, the LAMC, and SCAG's 2020-2045 RTP/SCS, and impacts would be less than significant. (Draft EIR pages IV.K-25 through IV.K-30)

The Project Site is located in an urbanized area developed with numerous roadways and infrastructure. The roadways adjacent to the Project Site are part of the urban roadway network and contain no sharp curves or dangerous intersections. The Project site driveways provide clear lines of sight. In addition, the Project would not physically modify the curb placement or turning radius at the Jandy Place and Beatrice Street intersection and would not physically alter the sidewalks along Jandy Place and Beatrice Street adjacent to the Project site. The Project would not include any new public roads or incompatible uses that would result in an increase in hazards due to a design feature. Project Design Feature TR-PDF-2 establishes vehicle access from Jandy Place during lunch hours to minimize any potential safety risks to pedestrians. In addition, with incorporation of the previously approved improvements, which will be incorporated into the Project, the Project weekday a.m. and p.m. peak hour traffic volumes would not cause or substantially extend vehicle queuing at the study intersections analyzed and, therefore, would not cause any constraint on the Project access. Impacts would be less than significant. (Draft EIR pages IV.K-34 through IV.K-38)

Emergency access would be maintained throughout construction and operation. Project Design Feature TR-PDF-1 requires a Construction Traffic Management Plan, which would ensure that adequate safe access during construction. In addition, the Project would comply with LAFD access requirements, including required fire lane widths, turning radii, secondary access, etc., and plot plans would be submitted to LAFD for approval. Impacts would be less than significant. (Draft EIR pages IV.K-38 through IV.K-39)

## **Project Design Features**

**Project Design Feature TR-PDF-1:** Prior to the start of construction, a Construction Traffic Management Plan will be prepared and submitted to LADOT for review and approval. The Construction Traffic Management Plan will include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. Furthermore, the Construction Traffic Management Plan and Worksite Traffic Control Plan will include, but not be limited to, the following measures:

- As parking lane and/or sidewalk closures are anticipated, the Worksite Traffic Control Plan, approved by the City of Los Angeles, will route vehicular traffic, bicyclists, and pedestrians around any such closures;
- Ensure that access will remain unobstructed for land uses in proximity to the Project site during construction;
- Parking for construction workers will be provided either on-site or at off-site, off-street locations. Parking shall be prohibited on streets in the vicinity of the Project site; and
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project site and neighboring businesses and residences.

**Project Design Feature TR-PDF-2:** In order to enhance safety for pedestrians on Jandy Place, during the 60-minute lunch time period between 12:30 P.M. and 1:30 P.M., Monday through Friday, the ingress and egress to the Project site from Jandy Place will be closed, and the only available ingress and egress will be via Beatrice Street.

Within the Project's first year of 80-percent occupancy, the Project will submit an analysis of operations of the Jandy Place driveways to determine if any restrictions should be imposed during the A.M. peak and P.M. peak hours to ensure that project driveway operations do not cause a significant impact to traffic flow on Jandy Place at peak hours. This analysis may also review and recommend changes to the 60-minute lunch time Jandy Place driveway restrictions outlined above. The analysis will be submitted to LADOT for review. If deemed warranted by LADOT, the Project will implement additional driveway restrictions and/or make changes to the lunch time driveway restrictions.

## **Tribal Cultural Resources**

### **Impact Summary**

The Project would require excavation for subterranean parking and building foundations and therefore has the potential to uncover previously unidentified tribal cultural resources. However, the Tribal Cultural Resources Report has concluded that no tribal cultural resources have been identified within the Project site. Further, as a result of AB 52 consultation, the Soboba Band of Luiseno Indians requested that a Native American monitor be present during excavation activities. The City also generally applies a standard condition of approval to projects that provides the procedure to be followed in the event of the inadvertent discovery of tribal cultural resources. With implementation of the requirement for a Native American monitor and the City's standard condition of approval, impacts would be less than significant. (Draft EIR pages IV.L-18 through IV.L-19)

## **Utilities and Service Systems**

### **Impact Summary**

Water service to the Project Site would continue to be supplied by LADWP for domestic and fire protection uses. The Project would incorporate a fire sprinkler suppression system in the proposed building to reduce or eliminate the public hydrant demands. In addition, as part of the Project, water service upgrades necessary to achieve the adequate fire flow would be implemented. With the implementation of the water infrastructure upgrades, the public water infrastructure would provide adequate water pressure to serve the Project site's anticipated water demand. Impacts would be less than significant. (Draft EIR pages IV.M.1-17 through IV.M.1-21)

LADWP's 2015 UWMP forecasts adequate water supplies to meet all projected water demands in the City for normal, single-dry, and multiple-dry years through the year 2040. As such, sufficient water supplies would be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts would be less than significant. (Draft EIR page IV.M.1-21)

The Project's increase in average daily wastewater flow would represent a small percentage of the current estimated remaining available capacity at the Hyperion Water Reclamation Plant (HWRP). Therefore, the Project-generated wastewater would be accommodated by the existing capacity of the HWRP and would not exceed wastewater requirements of LARWQCB, thus new or expanded treatment facilities would not be required. In addition, the existing capacity of the



sewer lines near the Project site would have sufficient capacity to serve the Project. Impacts would be less than significant. (Draft EIR pages VI-27 through VI-28)

The Project site is located in an area served by existing telecommunications infrastructure. Installation of new telecommunications infrastructure would primarily take place on-site, with minor off-site work associated with connections to the existing system. No upgrades to off-site telecommunications systems are anticipated. Impacts would be less than significant. (Draft EIR page VI-29)

The Project's estimated net increase in solid waste disposal represents only a small fraction of the remaining capacity at the Class III landfills serving the County. The Project would also comply with all applicable state and local regulations related to solid waste. Impacts would be less than significant. (Draft EIR pages VI-30 through VI-31)

Construction and operation of the Project would not result in an increase in demand for electricity or natural gas that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Impacts would be less than significant. (Draft EIR pages IV.N.4-7 through IV.N.4-10)

## **Project Design Features**

**Project Design Feature WAT-PDF-1:** The Project will replace the existing 8-inch diameter water mains in Beatrice Street and Jandy Place and add fire hydrants in the area to increase fire flow protection based on either a 12,000 gpm fire flow or a 9,000 gpm fire flow as determined necessary by LADWP. The specific improvements based on either a 12,000 gpm fire flow or a 9,000 gpm fire flow are as follows:

- 12,000 gpm fire flow: Approximately 865 linear feet of 16-inch diameter ductile iron pipe, 600 linear feet of 12-inch ductile iron pipe and 4 new fire hydrants would be installed (8 total fire hydrants, including existing, with a flow of 1,500 gpm per hydrant). The new 16-inch pipe will extend in Beatrice Street from Jandy Place to Grosvenor Boulevard. The new 12-inch pipe will be constructed in Jandy Place from the cul-de-sac end to Beatrice Street, and extend westerly on Beatrice Street approximately 200 linear feet, replacing the existing 8-inch water main in those streets.
- 9,000 gpm fire flow: Approximately 550 linear feet of 16-inch diameter ductile iron pipe, 325 linear feet of 12-inch ductile iron pipe and 2 new fire hydrants would be installed (8 total fire hydrants, including existing, with a flow of 1,500 gpm per hydrant). The new 16-inch pipe will extend in Beatrice Street from Westlawn Avenue to Grosvenor Boulevard, replacing the existing 8-inch water main. The new 12-inch pipe will be constructed in Beatrice Street from Jandy Place to Westlawn Avenue, replacing the existing 8-inch water main.

**Wildfire****Impact Summary**

The Project site is not located within a City-designated Very High Fire Hazard Severity Zone, nor is it located within a Wildfire Severity Zone. Therefore, no impact related to wildfire risks would occur. (Draft EIR page VI-31)

**VI. Less than Significant Impacts with Mitigation**

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

**Cultural Resources (Archaeological Resources)****Impact Summary**

The Project site is located within an urbanized area of the City of Los Angeles and has been subject to grading and development in the past. Therefore, surficial archaeological resources that may have existed at one time have likely been previously disturbed. In addition, based on the records search at the SCCIC, no archaeological resources have been found at the Project site. Nevertheless, the Project would require grading and excavation for the construction of the proposed subterranean parking garage, which would extend to a depth of approximately 22 feet below ground surface. Because the Project site is fully developed and has undergone previous development, any new archaeological survey is unlikely to observe surface artifacts. However, since the Project would include excavation to previously undisturbed depths, there is potential for an archaeological site to be identified during construction activities associated with the Project. Additionally, as indicated in the SCCIC records search, the Project site vicinity is potentially sensitive for archaeological resources. Therefore, impacts to archaeological resources would be potentially significant. However, with the implementation of Mitigation Measure CUL-MM-1, impacts would be reduced to less than significant.

**Project Design Features**

None applicable to archeological resources.

**Mitigation Measures**

**Mitigation Measure CUL-MM-1:** A qualified archaeologist shall be retained by the Applicant to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If archaeological materials are encountered, the archaeologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage.

The archaeologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the archaeological survey report shall be submitted to the South Central Coastal Information Center and the Department of City Planning. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the archaeologist.

## **Finding**

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

## **Rationale for Finding**

Mitigation Measure CUL-MM-1 would require that a qualified archaeologist be retained to perform periodic inspections of excavation and grading activities at the Project site to ensure that in the event archaeological resources are discovered, such resources would be handled and treated in accordance with the archaeologist's recommendations. As such, with the implementation of Mitigation Measure CUL-MM-1, impacts related to archeological resources would be reduced to a less than significant level.

## **Reference**

Section IV.C, Cultural Resources (Archaeological Resources), pages IV.C-21 through IV.C-22, of the Draft EIR and Appendix D, SCCIC Records Search, of the Draft EIR.

## **Geology and Soils (Paleontological Resources)**

### **Impact Summary**

There are no previously encountered fossil vertebrate localities located within the Project site. However, the Project would include excavations to a maximum depth of 22 feet below ground surface. Thus, the possibility exists that paleontological artifacts that were not discovered during prior construction and other human activity on the Project site may be encountered during Project excavation activities. As such, impacts to paleontological resources would be potentially significant. However, implementation of Mitigation Measure GEO-MM-1 would reduce impacts to a less than significant level.

### **Project Design Features**

None applicable to paleontological resources.

### **Mitigation Measures**

**Mitigation Measure GEO-MM-1:** A qualified paleontologist shall be retained by the Applicant to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the paleontologist and shall depend on the rate of

excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum and the Department of City Planning. Ground-disturbing activities may resume once the paleontologist's recommendations have been implemented to the satisfaction of the paleontologist.

### **Finding**

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

### **Rationale for Finding**

Mitigation Measure GEO-MM-1 would require that a qualified paleontologist be retained to perform periodic inspections of excavation and grading activities at the Project site to ensure that in the event paleontological resources are discovered, such resources would be handled and treated in accordance with the paleontologist's recommendations. With the implementation of Mitigation Measure GEO-MM-1, impacts related to paleontological resources would be reduced to a less than significant level.

### **Reference**

Section IV.D, Geology and Soils (Paleontological Resources), pages IV.E-11 through IV.E-12, of the Draft EIR and Appendix F, Natural History Museum of Los Angeles County Paleontological Records Search, of the Draft EIR.

### **Transportation (Vehicle Miles Traveled)**

#### **Impact Summary**

Project-level impacts with respect to conflict with CEQA Guidelines Section 15064.3(b) were determined to be potentially significant without mitigation with a daily work VMT per employee of 12.4, which would exceed the daily work VMT per employee of 11.1 for the West Los Angeles Area Planning Commission (APC) area. With the implementation of Mitigation Measure TR-MM-1, the daily work VMT per employee would be reduced to 10.3. Therefore, impacts would be less than significant after implementation of feasible mitigation.

#### **Project Design Features**

None applicable to VMT impacts.

## Mitigation Measures

**Mitigation Measure TR-MM-1:** The Project shall prepare a TDM Plan. The City of Los Angeles requires that the TDM plan be prepared during construction, with the final TDM plan approved by LADOT prior to the City's issuance of the certificate of occupancy for the Project. Implementation of the TDM plan occurs after building occupancy.

The following TDM elements shall be included in the Project:

- Price Workplace Parking—implement workplace parking pricing for employees as specified in the Transportation Assessment.
- Voluntary Travel Behavior Change Program—assign a staff person who will serve as the transportation management coordinator for purposes of developing a transportation program and informing Project employees of available travel options.
- Bike parking per LAMC, including short-term and long-term parking facilities, to support safe and comfortable bicycle travel.
- Include secure bike parking, with its own access point, and bike facilities, such as showers and a repair station, to support safe and comfortable bicycle travel by providing end-of-trip amenities.
- Pedestrian Network Improvements—provide pedestrian access points directly to sidewalks on the adjacent streets, including Jandy Place and Beatrice Street.
- Transit Subsidies—provide a daily transit subsidy as specified in the Transportation Assessment for every employee who requests the transit subsidy, presents evidence of use of transit, and does not request on-site parking.

## Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

## Rationale for Finding

With the implementation of Mitigation Measure TR-MM-1, the Project's daily work VMT would be reduced to 10.3, below the West Los Angeles Area Planning Commission (APC) area daily work VMT per employee of 11.1, and impacts would be reduced to a less than significant level.

## Reference

Section IV.K, Transportation, pages IV.K-30 through IV.K-33, of the Draft EIR and the Transportation Assessment included as Appendix K of the Draft EIR.

## VII. Significant and Unavoidable Impacts

The Final EIR determined that the environmental impacts set forth below are significant and unavoidable. In order to approve the Project with significant unmitigated impacts, the City is

required to adopt a Statement of Overriding Considerations, which is set forth in Section XII below. No additional environmental impacts other than those identified below will have a significant effect or result in a substantial or potentially substantial adverse effect on the environment as a result of the construction or operation of the Project. The City finds and determines that:

- a) All significant environmental impacts that can be feasibly avoided have been eliminated, or substantially lessened through implementation of the project design features and/or mitigation measures; and
- b) Based on the Final EIR, the Statement of Overriding Considerations set forth below, and other documents and information in the record with respect to the construction and operation of the project, all remaining unavoidable significant impacts, as set forth in these findings, are overridden by the benefits of the project as described in the Statement of Overriding Considerations for the construction and operation of the project and implementing actions.

### **Noise (Construction/On-Site Noise)**

#### **Impact Summary**

The significance criterion used is whether Project-related construction noise exceeds the ambient exterior noise levels by 5 dBA (hourly Leq) or more at a noise-sensitive use. The Project will implement Project Design Feature PDF-NOI-1, which will require noise reducing best management practices for construction equipment. As evaluated in Section IV.I, Noise, of the Draft EIR, the estimated noise levels during all stages of Project construction would be below the significance threshold at receptor locations R2 and R4. However, the estimated construction-related noise would exceed the significance criterion at receptor locations R1, R3, and R5. (As provided in Section IV.I, Noise, of the Draft EIR, studios, sound stages, and recording studio uses are not defined as noise sensitive receptors by the L.A. CEQA Thresholds Guide. As such, the studios located in the vicinity of the Project site, including 740 Sound (represented by receptor location R4) and the Vista Studio, Venn Studios, Digital Domain and ATN Stages (together represented by receptor location R5) were included in the noise analysis for informational purposes only and not for determining a CEQA impact). The estimated construction-related noise would exceed the significance threshold by a range of 2.6 dBA at receptor location R3 to up to 26.9 dBA at receptor location R5. Therefore, the Project's temporary noise impact associated with the Project's on-site construction would be potentially significant.

#### **Project Design Features**

**Project Design Feature NOI-PDF-1:** Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Where feasible, electric construction equipment and/or other

noise-reducing best practices will be utilized/implemented near sensitive receptors.

## Mitigation Measures

**Mitigation Measure NOI-MM-1:** Temporary and impermeable sound barriers shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the southern property line of the Project site between the construction areas and receptor locations R1 and R3. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor locations R1 and 5-dBA at receptor location R3.
- Along the western property line of the Project site between the construction areas and the receptor location R5. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R5.
- During the off-site improvements construction—Provide a temporary moveable noise barrier between the construction equipment and the residences along the south side of Beatrice Street (receptor locations R1 and R3) and along the east side of Grosvenor Boulevard (receptor location R2). The temporary noise barrier shall be designed to provide a minimum 10-dBA at the ground level of receptor location R1, 8-dBA at receptor location R2, and 5-dBA at receptor location R3.

## Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

## Rationale for Finding

Implementation of Mitigation Measure NOI-MM-1 would reduce the Project's construction noise levels to the extent feasible. Specifically, implementation of Mitigation Measure NOI-MM-1 (installation of temporary sound barriers) would reduce the noise generated by on-site construction activities at the off-site noise-sensitive uses, by up to 15 dBA at receptor locations R1 and R5 and 5-dBA at R3. As summarized in Table IV.I-11 on page IV.I-35, the estimated construction-related noise would exceed the significance threshold by 22.9 dBA at receptor location R1, 2.6 dBA at receptor location R3, and 26.9 dBA at receptor location R5. Implementation of Mitigation Measure NOI-MM-1, which offers a 5-dBA noise reduction at receptor location R3 would, therefore, reduce the noise impacts at receptor location R3 to a less-than-significant level. However, the estimated construction-related noise levels would still exceed the significance thresholds at receptor locations R1 (apartments), by 7.9 dBA, and R5 (studios), by 11.9 dBA, with the implementation of Mitigation Measure NOI-MM-1. There are no other feasible mitigation measures that could be implemented to further reduce the temporary noise impacts from on-site construction at receptor locations R1 and R5. **Therefore, the Project's**



**construction noise impact associated with on-site noise sources would be significant and unavoidable.**

## **Reference**

See Draft EIR Section IV.I, Noise and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project.

## **Noise (Construction/Off-Site Noise)**

### **Impact Summary**

Off-site construction-related noise sources may include materials delivery, concrete mixing, and haul trucks, as well as construction worker vehicles accessing the Project Site during construction. The most significant noise sources associated with off-site construction-related noise would be from material delivery/concrete/haul trucks. The significance threshold for off-site construction noise impacts is whether Project-related construction noise exceeds the ambient exterior noise levels by 5 dBA (hourly Leq) or more at a noise-sensitive location. The hourly noise levels generated by Project construction trucks would exceed the significance criterion of a 5-dBA increase over the ambient noise level along Beatrice Street (by 5.4 Leq [dBA]), Westlawn Avenue (by 4.8 Leq [dBA]) and Grosvenor Boulevard (by 4.2 Leq [dBA]), during the grading/excavation, foundation, and building construction phases. The estimated construction trucks noise levels along Jefferson Boulevard would be below the existing ambient noise level. Therefore, the Project's temporary noise impacts associated with off-site construction traffic would be potentially significant.

Additionally, improvements required for specified fire flows presented in Project Design Feature WAT-PDF-1 will require off-site construction activities that would involve a limited number of construction equipment, which would comply with Project Design Feature NOI-PDF-1 (noise reducing best management practices). Noise levels associated with the potential water infrastructure improvements would range from 62.7 dBA ( $L_{eq}$ ) at the residential receptor location R3 (located along Westlawn Avenue) to 79.6 dBA ( $L_{eq}$ ) at the residential receptor location R1 (located along Beatrice Avenue) should the City determine that infrastructure improvements are needed near these locations based on the requisite fire flow. The estimated noise levels at the residential uses on the east side of Grosvenor Boulevard (receptor location R2) would be approximately 68.6 dBA (Leq). Noise levels associated with the potential water infrastructure improvements at these locations would be equal to or less than the estimated noise levels from the on-site construction activities that would already be occurring and were addressed in the Draft EIR and, similarly, construction-related noise levels during Project construction would continue to exceed the 5-dBA significance threshold. Therefore, the Projects temporary noise impacts associated with the off-site water improvements would be potentially significant.

## **Project Design Features**

**Project Design Feature NOI-PDF-1:** Power construction equipment (including combustion engines), fixed or mobile, will be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment will be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Where feasible, electric construction equipment or other noise-

reducing best practices will be utilized/implemented near sensitive receptors.

## Mitigation Measures

**Mitigation Measure NOI-MM-1:** Temporary and impermeable sound barriers shall be erected at the locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.

- Along the southern property line of the Project site between the construction areas and receptor locations R1 and R3. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor locations R1 and 5-dBA at receptor location R3.
- Along the western property line of the Project site between the construction areas and the receptor location R5. The temporary sound barrier shall be designed to provide a minimum 15-dBA noise reduction at the ground level of receptor location R5.
- During the off-site improvements construction—Provide a temporary moveable noise barrier between the construction equipment and the residences along the south side of Beatrice Street (receptor locations R1 and R3) and along the east side of Grosvenor Boulevard (receptor location R2), where feasible. The temporary noise barrier shall be designed to provide a minimum 10-dBA at the ground level of receptor location R1, 8-dBA at receptor location R2, and 5-dBA at receptor location R3.

## Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

## Rationale for Finding

The short-term noise impacts associated with off-site construction traffic would be significant along nearby segments of Westlawn Avenue, Beatrice Street and Grosvenor Boulevard due primarily to construction trucks along the haul route prior to reaching Jefferson Boulevard. There are no feasible mitigation measures that could be implemented to reduce this short-term impact because conventional mitigation measures, such as providing temporary noise barrier walls, would not be feasible as the barriers would obstruct vehicular and pedestrian access, as well as visibility to the properties along these street segments and would extend for a significant distance on city streets until the haul trucks reach Jefferson Blvd. **Therefore, the Project's construction noise impact associated with off-site construction traffic would be significant and unavoidable.**

Implementation of Mitigation Measure NOI-MM-1 would reduce the noise generated by off-site construction activities at the adjacent noise-sensitive uses by a minimum 10-dBA at receptor

location R1, 8-dBA at receptor location R2, and 5-dBA at receptor location R3. Noise impacts associated with the water infrastructure improvements would be reduced to a less than significant level at receptor locations R2 and R3. However, construction-related noise levels would still exceed the significance thresholds at receptor location R1 with the implementation of Mitigation Measure NOI-MM-1 as temporary moveable noise barriers are typically limited to a 10-dBA noise reduction (unlike a fixed barrier which can achieve a noise reduction of up to 15-dBA). There are no other feasible mitigation measures that could be implemented to further reduce the temporary noise impacts from off-site construction at receptor location R1. **Therefore, the Project's off-site construction-related noise impacts would be significant and unavoidable.**

## Reference

See Draft EIR Section IV.I, Noise and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project.

## Noise (Construction/On-Site Vibration [Human Annoyance])

### Impact Summary

Construction activities can generate varying degrees of ground vibration, depending on the construction procedures and the type of equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. Per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential, and 65 VdB for recording studio uses. As indicated in **Error! Reference source not found.** in Section IV.I, Noise, of the Draft EIR, the estimated ground-borne vibration levels from construction equipment would be below the significance criteria for human annoyance at off-site sensitive receptor locations R2 through R4. However, the estimated ground-borne vibration levels at receptor locations R1 and R5 would exceed the 72-VdB and 65-VdB significance criteria, respectively. Therefore, on-site vibration impacts during construction of the Project, pursuant to the significance criteria for human annoyance, would be potentially significant.

### Project Design Features

There are no project design features applicable to the Project's human annoyance impacts from ground-borne vibration caused by on-site construction.

### Mitigation Measures

There are no feasible mitigation measures applicable to the Project's human annoyance impacts from ground-borne vibration caused by on-site construction.

### Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

### Rationale for Finding

Mitigation measures considered to reduce vibration impacts from on-site construction activities with respect to human annoyance included the installation of a wave barrier, which is typically a trench or a thin wall of sheet piles installed into the ground (essentially a subterranean sound barrier to reduce noise). To be effective, however, wave barriers must typically be very deep and long, rendering them cost prohibitive and infeasible for temporary applications such as construction. Constructing a wave barrier would also generate the same ground-borne vibration that is sought to be mitigated. **Thus, as explained in the Draft EIR, there are no feasible mitigation measures to reduce construction-related human annoyance impacts from on-site ground-borne vibration.**

### Reference

See Draft EIR Section IV.I, Noise and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project.

### Noise (Construction/Off-Site Vibration [Human Annoyance])

#### Impact Summary

As discussed above, per FTA guidance, the significance criteria for human annoyance is 72 VdB for sensitive uses, including residential, and 65 VdB for recording studio uses. It should be noted that buses and trucks rarely create vibration that exceeds 70 VdB at 50 feet from the receptor unless there are bumps in the road. To provide a conservative analysis, the estimated vibration levels generated by construction trucks traveling along the anticipated haul routes were assumed to be within 25 feet of the sensitive uses, including residential uses along Beatrice Street, Westlawn Avenue, Grosvenor Boulevard, and Jefferson Boulevard; and recording studio uses along Beatrice Street. As indicated in the noise calculation worksheets included in Appendix I of this Draft EIR, temporary vibration levels could reach approximately 72 VdB periodically as trucks pass sensitive receptors located within 25 feet from the anticipated haul routes. Therefore, the sensitive uses along anticipated construction truck routes would be exposed to ground-borne vibration up to 72 VdB, which would exceed the 65-VdB significance criteria (for recording studio use) and would be at the 72-VdB significance criteria (for residential uses) from the construction trucks. As such, potential vibration impacts with respect to human annoyance that would result from temporary and intermittent off-site vibration from construction trucks traveling along the anticipated haul routes would be potentially significant.

#### Project Design Features

There are no project design features applicable to the Project's off-site construction-related vibration impacts to human annoyance.

#### Mitigation Measures

There are no feasible mitigation measures applicable to the Project's off-site construction-related vibration impacts to human annoyance.

#### Finding

Pursuant to PRC Section 21081(a)(3), specific economic, legal, social, technological, or other considerations, including consideration for the provision of employment opportunities for highly

trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

### **Rationale for Finding**

There are no feasible mitigation measures that could be implemented to reduce the temporary vibration impacts associated with human annoyance from both off-site construction to a less-than-significant level. **Therefore, the Project's vibration impacts with respect to human annoyance from off-site construction activities would be significant and unavoidable.**

### **Reference**

See Draft EIR Section IV.I, Noise and Appendix I of the Draft EIR for a complete evaluation of noise impacts, thresholds, and evaluation methods conducted for the Project.

## **VIII. Alternatives**

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the Draft EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts.

### **Summary of Findings**

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the Project, reduce the significant unavoidable impacts of the Project to a level that is less than significant, or avoid any significant effect the Project would have on the environment.

### **Project Objectives**

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly described in Section II, Project Description, of the Draft EIR, pages II-6 through II-7, both the City and Applicant have established specific objectives concerning the Project, which are incorporated by reference herein and discussed further below.

## **Alternatives Analyzed**

### **Alternative 1—No Project Alternative**

#### **Description of Alternative**

In accordance with the CEQA Guidelines, the “no project” alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. CEQA Guidelines Section 15126.6(e)(3)(B) states in part that “in certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.” Accordingly, Alternative 1, the No Project Alternative, assumes that the Project would not be approved, no new permanent development would occur within the Project Site, and the existing environment, as described in Section II, Project Description, of the Draft EIR, would be maintained. Thus, the physical conditions of the Project Site would generally remain as they are today. Specifically, the existing buildings and surface parking areas would remain on the Project Site, and no new construction would occur.

#### **Impact Summary**

Alternative 1 would avoid the Project’s significant and unavoidable environmental impacts, including those related to on- and off-site construction noise and vibration (pursuant to the significance criteria for human annoyance). Alternative 1 would also avoid the Project’s less-than-significant impacts as no changes to the existing conditions would occur.

#### **Finding**

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the No Project Alternative, as described in the Draft EIR.

#### **Rationale for Finding**

Under Alternative 1, the existing uses would remain on the Project Site and no new development would occur. As such, Alternative 1 would not meet the Project’s underlying purpose or any of its objectives. Specifically, Alternative 1 would not meet the underlying purpose of the Project, which is to redevelop the infill Project site with an integrated office campus that would generate new economic opportunities and support growing industries located within the Palms–Mar Vista–Del Rey community.

#### **Reference**

Section V, Alternatives, of the Draft EIR.

### **Alternative 2— Same FAR/Reduced Height Alternative**

#### **Description of Alternative**

Alternative 2 would replace the entirety of the 118,141 square feet of existing office and accessory uses within the Project site with a total of 287,381 square feet of new floor area, including 283,981 square feet of office uses and 3,400 square feet of ground floor retail space. The new building

would cover the entire Project site and would be five stories and approximately 84 feet in height to the top of the parapet (a reduction of 51 feet when compared to the Project's height of 135 feet). The new office uses would be developed in a single three-story office building atop a two-story podium structure that would contain the ground floor commercial uses and approximately 583 parking spaces. Overall, this alternative would remove all existing uses on the Project site resulting in approximately 169,240 square feet of net new floor area, the same amount as the Project. Similar to the Project, the FAR would be 1.46:1. However, the entire Project Site would be rebuilt, the existing office building at 12541 W. Beatrice Street would not be retained, and the new building would be constructed over the entire Project Site, thus reducing the height of the western element of the Project while increasing the height and mass of the eastern element.

### **Impact Summary**

Alternative 2 would not avoid the Project's significant and unavoidable on-site and off-site noise and vibration impacts (pursuant to the significance criteria for human annoyance), and actually could result in greater construction noise impacts. Alternative 2 would reduce the Project's less-than-significant toxic air contaminants impacts while increasing the Project's operational GHG emissions, although such impacts would remain less than significant. All other impacts would be similar to those of the Project. Finally, Alternative 2 involves demolition of all structures currently on the Project site and 287,381 square feet of new construction and thus is generally more wasteful than the Project, which would retain the building at 12541 Beatrice Street and integrate it into a new campus with 199,500 square feet of new construction.

### **Finding**

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible Alternative 2, as described in the Draft EIR.

### **Rationale for Finding**

Alternative 2 would not meet the underlying purpose of the Project which is to redevelop the infill Project site with an integrated office campus that would generate new economic opportunities and support growing industries in the Community Plan area. With the same mix of uses and similar design elements, Alternative 2 would meet the following Project objectives.

- Support the Community Plan's Goal 2 to build a strong and competitive commercial sector which promotes economic vitality and serves the needs of the community through the redevelopment and replacement of an older industrial building with a modern commercial building that will respond to the evolving needs of a growing creative office commercial sector;
- Promote the Community Plan's Objective 2-1 to provide opportunities for new commercial development and services within existing commercial areas through the development of a commercial project that would strengthen the economic vitality of the area without introducing incompatible uses;
- Activate the property and the neighborhood by providing retail components, including a café, attractive street-level landscaping, bicycle parking, public gathering spaces, and pedestrian amenities;



- Provide significant employment opportunities in office, research, and creative development uses, which will benefit the community, city, and region; and
- Offer flexible combinations of spaces to accommodate a variety of different tenants.

Alternative 2 would not meet the following Project objectives due to the demolition of the existing building at 12541 Beatrice Street under this alternative.

- Create an interactive creative office campus with open space, shared amenities and landscaping while retaining an existing office building on site; and
- Enhance the appearance of the immediate area by providing architecturally interesting and varied design.

### **Reference**

Section V, Alternatives, of the Draft EIR.

### **Alternative 3—Reduced Development Intensity Alternative**

#### **Description of Alternative**

Alternative 3 would reduce the new floor area proposed under the Project by 25 percent. Specifically, like the Project, Alternative 3 would retain the existing 87,881-square-foot office building on the eastern portion of the Project site, and would replace the existing office building and accessory structures on the western portion of the Project site with a total of 127,655 square feet of new floor area, including 125,155 square feet of office uses and 2,500 square feet of ground floor retail space. The new building would be seven stories and approximately 114 feet in height to the top of the parapet (a reduction of one story and 21 feet when compared to the Project's height of eight stories and 135 feet). The new office uses would be developed in four floors (three full and one partial) atop a three-story podium structure that would contain the ground floor commercial uses and approximately 447 parking spaces. Overall, this alternative would result in approximately 103,100 square feet of net floor area compared to the Project's 169,240 square feet of net floor area and would result in a FAR of 1.10:1.

#### **Impact Summary**

Alternative 3 would not avoid the Project's significant and unavoidable on-site and off-site noise and vibration impacts (pursuant to the significance criteria for human annoyance). In addition, this alternative would result in greater VMT impacts compared to the Project. Alternative 3 would reduce some of the less than significant impacts associated with the Project (i.e., visual character during operation, light and glare during operation, construction related toxic air contaminants, operational air quality and GHG emissions, cultural resources, energy efficiency, paleontological resources, operational noise and vibration, public services, tribal cultural resources, and utilities). All other impacts would be similar to those of the Project.

#### **Finding**

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment

opportunities for highly trained workers, make infeasible Alternative 3, as described in the Draft EIR.

### **Rationale for Finding**

Alternative 3 would include the same uses proposed by the Project while reducing the amount of total new floor area by approximately 25 percent. Alternative 3 would partially meet the underlying purpose of the Project which is to redevelop the infill Project site with an integrated office campus that would generate new economic opportunities and supporting growing industries located within the Palms–Mar Vista–Del Rey community. Alternative 3 would also meet the following Project objectives, although it would not do so as effectively or to the same degree as the Project owing to the reduced amount of development under this alternative.

- Support the Community Plan's Goal 2 to build a strong and competitive commercial sector which promotes economic vitality and serves the needs of the community through the redevelopment and replacement of an older industrial building with a modern commercial building that will respond to the evolving needs of a growing creative office commercial sector;
- Promote the Community Plan's Objective 2-1 to provide opportunities for new commercial development and services within existing commercial areas through the development of a commercial project that would strengthen the economic vitality of the area without introducing incompatible uses;
- Create an interactive creative office campus with open space, shared amenities and landscaping while retaining an existing office building on site;
- Activate the property and the neighborhood by providing retail components, including a café, attractive street-level landscaping, bicycle parking, public gathering spaces, and pedestrian amenities;
- Provide significant employment opportunities in office, research, and creative development uses, which will benefit the community, city, and region;
- Enhance the appearance of the immediate area by providing architecturally interesting and varied design; and
- Offer flexible combinations of spaces to accommodate a variety of different tenants.

### **Reference**

Section V, Alternatives, of the Draft EIR.

### **Alternative 4—Mixed-Use Office and Housing Alternative**

#### **Description of Alternative**

Alternative 4 would develop the Project site with a mix of office and residential uses. Specifically, Alternative 4, like the Project, would retain the existing 87,881-square-foot office building on the eastern portion of the Project site, and would replace the existing office building and accessory structures at 12575 Beatrice Street. The new building would include a total of 199,500 square feet

of floor area, the same floor area proposed by the Project, including 144,000 square feet of office uses on three levels and 55,500 square feet (55 units) of residential uses on a single top floor level. The office and residential uses would be developed atop three above-grade levels of parking. With regard to vehicular parking, Alternative 4 would provide a total of 548 parking spaces. The new building would be seven stories and approximately 114.5 feet in height to the top of the parapet (a reduction of one story and 20.5 feet when compared to the Project's height of eight stories and 135 feet). Overall, Alternative 4 would construct 199,500 square feet of new floor area within the Project site, similar to the Project, and would result in a FAR of 1.46:1, as with the Project.

### **Impact Summary**

Alternative 4 would not avoid the Project's significant and unavoidable noise and vibration impacts (human annoyance). Alternative 4 would reduce several of the less than significant and less than significant with mitigation impacts associated with the Project (i.e., visual character during operation, construction related toxic air contaminants, operational air quality and GHG emissions, cultural resources, paleontological resources, VMT, energy efficiency during operation, operational vibration, tribal cultural resources, and water infrastructure). However, Alternative 4 would result in greater impacts associated with land use, operational outdoor noise, and public services during operation compared to the Project; however, these impacts would remain less than significant. All other impacts would be similar to those of the Project.

### **Finding**

The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the Alternative 4, as described in the Draft EIR.

### **Rationale for Finding**

Alternative 4 would add a residential component, eliminate the 3,400 square feet of ground floor commercial space proposed under the Project, and would reduce the office uses proposed by the Project. Therefore, Alternative 4 would not meet the underlying purpose of the Project, which is to redevelop the infill Project site with an integrated office campus that would generate new economic opportunities and supporting growing industries located within the Palms–Mar Vista–Del Rey community.

Alternative 4 also would not meet the following Project objectives to the same extent as the Project owing to the reduced amount of office space, the introduction of a residential element, and the elimination of ground floor commercial space proposed under the Project.

- Support the Community Plan's Goal 2 to build a strong and competitive commercial sector which promotes economic vitality and serves the needs of the community through the redevelopment and replacement of an older industrial building with a modern commercial building that will respond to the evolving needs of a growing creative office commercial sector;
- Provide significant employment opportunities in office, research, and creative development uses, which will benefit the community, city, and region;

- Enhance the appearance of the immediate area by providing architecturally interesting and varied design; and
- Offer flexible combinations of spaces to accommodate a variety of different tenants.

Alternative 4 would not meet the following Project objectives owing to the elimination of ground floor commercial space proposed under the Project and the addition of the residential component.

- Create an interactive creative office campus with open space, shared amenities and landscaping while retaining an existing office building on site;
- Promote the Community Plan's Objective 2-1 to provide opportunities for new commercial development and services within existing commercial areas through the development of a commercial project that would strengthen the economic vitality of the area without introducing incompatible uses;
- Activate the property and the neighborhood by providing retail components, including a café, attractive street-level landscaping, bicycle parking, public gathering spaces, and pedestrian amenities.

### Reference

Section V, Alternatives, of the Draft EIR.

### Alternatives Rejected as Infeasible

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

**Alternatives to Eliminate Significant Noise and Vibration Impacts During Construction:** As discussed in Section IV.I, Noise, of this Draft EIR, the Project would result in short-term significant and unavoidable construction-related noise and vibration (human annoyance) impacts. Specifically, Project construction activities would result in significant and unavoidable construction-related noise impacts related to on-site and off-site construction activities, and significant and unavoidable vibration (human annoyance) impacts related to both on-site construction activities and off-site construction traffic. The following potential alternatives were considered to avoid or substantially lessen the Project's significant and unavoidable construction-related noise and vibration impacts:

- Alternative (a)—Extended Construction Duration: This alternative considers extending the construction period, thus reducing the amount of daily construction activity that would occur under the Project. This alternative was evaluated and rejected as follows:
  - Construction noise levels are dependent on the number of construction equipment (on-site equipment or off-site construction trucks). With an extended construction

duration, the number of on-site construction equipment and off-site construction trips would be reduced. Typically, a reduction of 50 percent in the number of construction equipment pieces or construction traffic (haul and delivery trucks trips) would reduce the construction-related noise levels by approximately 3 dBA (just perceptible).<sup>1</sup> A 50-percent reduction in construction truck trips during site grading/excavation, which is the peak period of construction with the highest number of construction trucks, from 150 to 75 truck trips per hour (refer to Table IV.I-7 in Section IV.I, Noise, of the Draft EIR), would reduce the truck noise along Beatrice Street, Westlawn Avenue, Grosvenor Boulevard, and Jefferson Boulevard to 62.7 dBA  $L_{eq}$ , 61.8 dBA  $L_{eq}$ , 60.1 dBA  $L_{eq}$  and 59.7 dBA  $L_{eq}$ , (an approximately 3-dBA reduction as compared to the Project), respectively. However, when accounting for the ambient noise level (i.e., the Project plus ambient noise levels due to off-site construction trucks), the actual noise levels would only be reduced by 2.3 dBA along Beatrice Street and Westlawn Avenue; 2.0 dBA along Grosvenor Boulevard; and 0.2 dBA along Jefferson Boulevard. In addition, a 50 percent reduction in construction truck trips during the mat foundation phase, from 300 to 150 truck trips per hour, would reduce the truck noise along Beatrice Street, Westlawn Avenue, Grosvenor Boulevard, and Jefferson Boulevard to 64.4 dBA  $L_{eq}$ , 63.5 dBA  $L_{eq}$ , 61.7 dBA  $L_{eq}$  and 61.4 dBA  $L_{eq}$  (an approximately 3-dBA reduction as compared to the Project). Furthermore, when accounting for the ambient noise level (i.e., the Project plus ambient noise levels due to off-site construction trucks) the actual noise levels would only be reduced by 2.6 dBA along Beatrice Street and Westlawn Avenue; 2.3 dBA along Grosvenor Boulevard; and 0.4 dBA along Jefferson Boulevard. Thus, as analyzed, even with a 50 percent reduction in truck trips, the off-site construction noise plus ambient noise would result in a minimal reduction in noise (i.e., less than the 3 dBA perceptible level) and the off-site noise impacts along Beatrice Street, Westlawn Avenue, and Grosvenor Boulevard would remain significant. This potential alternative would also increase the number of days by approximately 150 percent that sensitive receptors would be impacted by the off-site construction trucks, thereby prolonging the duration of the significant impact.

- With respect to on-site construction, a reduction in the number of pieces of construction equipment would also reduce noise levels compared to the Project (depending on the amount of reduction) but would still exceed the significance threshold. Specifically, reducing the on-site construction equipment during the site grading phase from 9 pieces to 4 pieces of equipment (approximately 55 percent) would reduce the construction noise at the off-site receptors by 3.8 dBA, 4.3 dBA, 4.1 dBA, 4.2 dBA and 3.8 dBA  $L_{eq}$  at receptor locations R1, R2, R3, R4 and R5, respectively. The estimated construction noise levels with a 55 percent reduction in the number of construction equipment would still exceed the significance threshold by up to 19.1 dBA  $L_{eq}$  and 23.1 dBA  $L_{eq}$  at receptor locations R1 and R5, respectively. Therefore, the construction noise levels (both on- and off-site construction noise) under this approach would be somewhat less than the Project (depending on the amount of reduction) but would still exceed the significance threshold. This approach would also increase the number of days that a sensitive receptor would be impacted by construction activities by at least 150 percent.

<sup>1</sup> The reference to 3 dBA here and in other parts of the discussion of the noise alternatives considered does not have to do with how much construction noise levels need to be reduced to avoid significant impacts. Rather, it has to do with: (1) the minimum reduction required to be audible to the human ear; and (2) the fact that a lowering of the number of construction pieces and volume of construction traffic by 50 percent is required to result in an audible reduction in on- and off-site construction noise, respectively. In other words, reducing peak day construction activities by 50 percent would result in a barely audible reduction in construction noise.

Furthermore, due to the close proximity of the off-site noise sensitive receptors (e.g., receptor locations R1 and R5 are directly across from the Project site), and the building height (i.e., 4-story residential buildings along Beatrice Street), it would not be practical to reduce the construction noise levels to below the significance threshold as a single piece of equipment would result in noise levels above the significance threshold. As such, the on-site and off-site construction noise impacts under this approach would not be substantially less than the Project and would remain significant.

- The on-site construction vibration impacts (pursuant to the significance criteria for human annoyance) would be significant and unavoidable, similar to the Project, as the vibration impact analysis is based on the peak vibration level generated by individual construction equipment, and under this approach, the same construction equipment would be used. In addition, off-site construction vibration impacts (pursuant to the significance criteria for human annoyance) due to heavy trucks traveling by sensitive receptors would also continue to be significant and unavoidable, similar to the Project, as the trucks would generate the same vibration levels for an extended construction duration.
- Alternative (b)—Central Location of Development: This alternative would involve locating the proposed development closer to the center of the Project site, thus pulling back the proposed development and associated construction activities from the property line, creating more distance between the construction activities and off-site sensitive receptors. This approach was reviewed and rejected for the following reasons:
  - Construction noise levels can be reduced by providing an additional buffer zone between the receptor and the construction equipment. Noise levels from construction equipment would generally attenuate approximately 6 dBA per doubling of distance from the noise source (construction equipment) to the receptor over acoustically “hard” sites (e.g., asphalt and concrete surfaces) and 7.5 dBA per doubling of distance from the noise source to the receptor over acoustically “soft” sites (e.g., soft dirt, grass or scattered bushes and trees. While the on-site construction noise levels associated with the building construction placed closer to the center of the Project site could be reduced compared to the Project, the noise level reduction, depending upon the setback from the property line, would be limited due to the size of the Project site (approximately 250 feet from east to west property lines and 310 feet from north to south property lines). For example, shifting the proposed building approximately 60 feet to the north and east of the property lines would reduce the construction noise levels (during the building construction phase) by approximately 4.9 dBA and 4.4 dBA at receptor locations R1 and R5, respectively. The construction noise levels during the building phase would still exceed the significance threshold by 13.7 dBA and 18.4 dBA at receptors R1 and R2, respectively. However, noise levels during the site demolition, site preparation and grading would be similar to the Project; as construction activities for these phases would be up to the property line, similar to the Project. As such, the on-site construction noise impacts under this approach would remain significant and unavoidable and similar to the Project.
  - Similar to the Project, the on-site construction vibration impacts (pursuant to the significance criteria for human annoyance) of this potential alternative would remain significant, as heavy construction equipment (e.g., drill rig and large bulldozer) used for the site grading would still operate near the property line and adjacent to sensitive uses. Also similar to the Project, the off-site construction

vibration impacts (pursuant to the significance criteria for human annoyance) of this potential alternative would remain significant as heavy trucks would similarly travel by sensitive receptors.

Based on the above, neither of the above potential alternative options related to reduced construction activities would avoid or substantially lessen the significant and unavoidable construction-related on-site and off-site noise and vibration (human annoyance) impacts of the Project. This is because the significant and unavoidable construction-related noise and vibration impacts of the Project are heavily influenced by the close proximity of the Project site and the proposed haul route to existing noise- and vibration-sensitive uses rather than the amount or duration of Project construction activities. Therefore, none of the above alternatives would avoid or substantially lessen the significant noise and vibration impacts of the Project and thus no further consideration of these approaches in the EIR is required.

**Alternative Project site:** The Project's underlying purpose and objectives are intimately tied to the concept of improving existing operations on the Project site by creating an integrated office campus. Thus, an alternative location would not meet the underlying purpose of the Project to redevelop the infill Project site with an integrated office campus that would generate new economic opportunities and supporting growing industries located within the Palms–Mar Vista–Del Rey community. Development on an alternative site would result in no changes to existing on-site conditions, which would therefore provide no potential to achieve the basic Project objectives related to the replacement of an older industrial building with a modern commercial building that will respond to the evolving needs of a growing creative office commercial sector. In addition, the Project Applicant already owns the Project site, and it is unlikely that the Applicant would be able to reasonably acquire, control, or have access to an alternative site with similar uses and square footage. Furthermore, it would be expected that if development of the Project were to occur at an alternative site within a similar urban environment where the site would similarly be located in close proximity to noise and vibration sensitive uses, the significant and unavoidable impacts of the Project would also occur. Furthermore, development of the Project at an alternative site could potentially produce other environmental impacts that would otherwise not occur at the current Project site. Therefore, an alternative site is not considered feasible as it would fail to achieve the underlying purpose and related objectives of the Project. In addition, an alternative site would likely not avoid the Project's significant impacts. Thus, in accordance with Section 15126.6(f) of the State CEQA Guidelines, this alternative was rejected from further consideration.

### **Environmentally Superior Alternative**

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a project shall identify an Environmentally Superior Alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the Environmentally Superior Alternative, the EIR shall identify another Environmentally Superior Alternative among the remaining alternatives. Pursuant to Section 15126.6(c) of the CEQA Guidelines, the analysis below addresses the ability of the alternatives to "avoid or substantially lessen one or more of the significant effects" of the Project.

Of the alternatives analyzed in this Draft EIR, Alternative 1, the No Project Alternative, would avoid all of the Project's significant environmental impacts.

In accordance with the CEQA Guidelines requirement to identify an Environmentally Superior Alternative other than the No Project Alternative, a comparative evaluation of the remaining alternatives indicates that Alternative 3, the Reduced Development Intensity Alternative, would be the Environmentally Superior Alternative. As discussed above, Alternative 3 would provide a total of 127,655 square feet of new floor area, including 125,155 square feet of office and 2,500 square feet of ground floor commercial (retail) uses. Although Alternative 3 would not eliminate the Project's significant and unavoidable noise and vibration impacts and would result in greater transportation impacts compared to the Project (due to reduced mixed-use trip reduction factors associated with the reduced office that result in a slightly greater average VMT per employee), this alternative would reduce several of the less than significant and less than significant with mitigation impacts associated with the Project (i.e., visual character during operation, light and glare during operation, construction related toxic air contaminants, operational air quality and GHG emissions, energy efficiency, operational noise and vibration, public services during operation, and utilities). All other impacts would be similar to those of the Project. Thus, of the range of alternatives analyzed, Alternative 3, the Reduced Development Intensity Alternative, would be the Environmentally Superior Alternative.

While Alternative 3 would be the Environmentally Superior Alternative, it is noted that with the reduction in size and uses, this alternative would only partially meet the underlying purpose of the Project and the associated Project objectives, and would not be economically feasible.

## **IX. Significant Irreversible Environmental Changes**

Section 15126.2(d) of the CEQA Guidelines indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented. 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; and (3) energy resources (e.g., fossil fuels) for electricity, natural gas, and transportation. The Project site contains no energy resources that would be precluded from future use through Project implementation. For the reasons set forth in Section VI, Other CEQA Considerations, of the Draft EIR, 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.

### **Building Materials and Solid Waste**

Construction of the Project would require consumption of resources that do not replenish themselves or which 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), and petrochemical construction materials (e.g., plastics).

The Project's potential impacts related to solid waste are addressed in the Initial Study prepared for the Project, which is included as Appendix A of the Draft EIR. As discussed therein, during construction of the Project, a minimum of 75 percent of construction and demolition debris would be diverted from landfills. In addition, during operation, the Project would provide on-site recycling



containers within a designated recycling area for Project residents to facilitate recycling in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687) and the Los Angeles Green Building Code. In accordance with Assembly Bill (AB) 1826, the Project would also provide for the recycling of organic waste. The Project would adhere to State and local solid waste policies and objectives that further goals to divert waste. Thus, the consumption of non-renewable building materials, such as aggregate materials and plastics, would be reduced with compliance with the State and local solid waste policies.

### **Water**

Consumption of water during construction and operation of the Project is addressed in the Initial Study prepared for the Project, which is included as Appendix A of the Draft EIR. As evaluated therein, given the temporary nature of construction activities, the short-term and intermittent water use during construction of the Project would be less than the net new water consumption estimated for the Project at buildout. During operation, the estimated water demand for the Project would not exceed the available supplies projected by the City of Los Angeles Department of Water and Power (LADWP). Thus, LADWP would be able to meet the water demand of the Project, as well as the existing and planned future water demands of its service area. In addition, the Project would implement a variety of sustainable features related to water conservation to reduce indoor water use, as set forth in Section II, Project Description, of the Draft EIR, including, but not limited to, plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) that comply with the performance requirements specified in the City of Los Angeles Green Building Code, weather-based irrigation systems, and water-efficient landscaping. Furthermore, the Project would be required to reduce indoor water use by at least 20 percent in accordance with the City of Los Angeles Green Building Code. Thus, as evaluated in the Initial Study prepared for the Project, while Project construction and operation would result in some irreversible consumption of water, the Project would not result in the wasteful, inefficient, and unnecessary consumption of water.

### **Energy Consumption**

During ongoing operation of the Project, non-renewable fossil fuels would represent the primary energy source, and, thus, the existing finite supplies of these resources would be incrementally reduced. Fossil fuels, such as diesel, gasoline, and oil, would also be consumed in the use of construction vehicles and equipment. Project consumption of non-renewable fossil fuels for energy use during construction and operation of the Project is addressed in Section IV.D, Energy, of the Draft EIR. As discussed therein, construction activities for the Project would not require the consumption of natural gas but would require the use of fossil fuels and electricity. Trucks and equipment used during Project construction activities would comply with CARB's anti-idling regulations as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. Further, on-road vehicles (i.e., haul trucks, worker vehicles) would be subject to federal fuel efficiency requirements. Furthermore, as detailed in Section IV.D, Energy, of the Draft EIR, the electricity demand at any given time would vary throughout the construction period based on the construction activities being performed and would cease upon completion of construction. When not in use, electric equipment would be powered off so as to avoid unnecessary energy consumption. Therefore, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources.

During operation, the Project's increase in electricity demand would be within the anticipated service capabilities of LADWP. As provided in Section IV.D, Energy, of the Draft EIR, the buildout of the Project is projected to generate a net decrease in the on-site demand for natural gas assuming compliance with Title 24 standards and applicable CALGreen and City of Los Angeles Code requirements (e.g., requires all new buildings be all-electric buildings with some exceptions). As the Project's natural gas consumption results in a decrease in the onsite demand for natural gas, the Project would be consistent with the forecasted 2025 consumption in SoCalGas' planning area. In addition, as discussed in Section IV.D, Energy, of the Draft EIR, the Project would be consistent with energy conservation policies and plans relevant to the Project, including the California Title 24 energy standards, the CALGreen Code, the City of Los Angeles Green Building Code, City of Los Angeles Green New Deal, and SCAG's 2020–2045 RTP/SCS. Such requirements of Title 24, CALGreen Code, and Green Building Code include, but are not limited to, specific lighting requirements to conserve energy, window glazing to reflect heat, enhanced insulation to reduce heating and ventilation energy usage, and enhanced air filtration. The Project would implement these measures as required by the applicable code. The Title 24 Standards ensure that builders use the most energy efficient and energy conserving technologies. The Project would comply with Los Angeles Green Building Code, including Section 95.05.211, which requires that the Project provide at minimum 3,300 square feet of roof area reserved for a solar photovoltaic system. In addition, the Project would incorporate features of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) program to be capable of meeting the standards of LEED Silver® or equivalent green building standards. These include energy conservation, water conservation, and waste reduction features to support and promote environmental sustainability, including Project Design Feature GHG-PDF-1, as discussed above and included in Section IV.F, Greenhouse Gas Emissions, of the Draft EIR.

As included in Section IV.D, Energy, of the Draft EIR, gasoline and diesel fuel consumption during operation would account for 0.007 percent of gasoline and 0.006 percent of diesel fuel consumption in Los Angeles County in 2025. The Project includes a number of features that would reduce the number of VMT, such as increased density, a mixed-use development, and increased destination and transit accessibility.

Based on the above and as evaluated in detail in Section IV.D, Energy, and in Section M.2, Utilities and Service Systems—Energy Infrastructure, of the Draft EIR, the Project would not cause the wasteful, inefficient, and unnecessary consumption of energy and would be consistent with the intent of Appendix F of the CEQA Guidelines. In addition, Project operations would not conflict with adopted energy conservation plans. Refer to Section IV.D, Energy, of the Draft EIR, for further analysis regarding the Project's consumption of energy resources.

### **Environmental Hazards**

The Project's potential use of hazardous materials is addressed in Section IV.G, Hazards and Hazardous Materials, of the Draft EIR. The Project site is located within a City-designated Methane Zone as defined by the City Methane Ordinance. Excavation and construction activities within the Project site that involve work in confined spaces on-site could pose a potential for methane and hydrogen sulfide build-up, resulting in a possible hazardous condition. Adherence to industry-standard construction safety measures, as well as compliance with California Occupational Safety and Health Act safety requirements, would serve to reduce the risk in the event that elevated levels of these soil gases are encountered during grading and construction.

The types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used in office and commercial developments. Specifically, operation of the Project would be expected to involve the use and storage of small quantities of potentially hazardous materials in the form of cleaning solvents, paints, pesticides for landscaping, and petroleum products. Construction of the Project would also involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, all potentially hazardous materials used during construction and operation would be used and stored in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Any associated risk would be reduced to a less-than-significant level through compliance with these standards and regulations. As such, compliance with regulations and standards would serve to protect against significant and irreversible environmental change that could result from the accidental release of hazardous materials.

## **X. Growth-Inducing Impacts**

Section 15126.2(e) of the CEQA Guidelines requires a discussion of the ways in which a proposed project could induce growth. This includes ways in which a project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth, or increases in the population which may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Additionally, consideration must be given to characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

### **a. Population**

As discussed in Section II, Project Description, of the Draft EIR, the Project would include the construction of new office and commercial uses. Since the Project does not propose a housing component, it would not directly induce a new residential population growth in the vicinity of the Project site or the Palms–Mar Vista–Del Rey Community Plan area.

### **b. Employment**

The Project would have the potential to generate indirect population growth in the vicinity of the Project Site as a result of the employment opportunities generated by the Project. During construction, the Project would create temporary construction-related jobs. However, the work requirements of most construction projects are highly specialized such that construction workers remain at a job site only for the time in which their specific skills are needed to complete a particular phase of the construction process. The Project would draw from the existing regional pool of construction workers who typically move from project to project as work is available. Project-related construction workers would not be anticipated to relocate their household's permanent place of residence as a consequence of working on the Project and, therefore, no new permanent residents are expected to be generated during construction of the Project. Accordingly, Project construction would not induce substantial population growth.

As discussed in the Initial Study included as Appendix A to the Draft EIR, the Project would generate an estimated total of 791 employees at buildout, for a net increase of 670 employees

over existing conditions. Per the employment data from the 2020–2045 RTP/SCS, an estimated 1,887,969 employees are projected within the City of Los Angeles in 2020. In 2025, the projected occupancy year of the Project, the City of Los Angeles Subregion is anticipated to have approximately 1,937,555 employees. Therefore, the projected employment growth in the City between 2020 and 2025 based on SCAG's 2020–2045 RTP/SCS is approximately 49,586 employees. The Project's net increase in employment (670 employees) would represent 1.4 percent of the growth between 2020 and 2025. Overall, the provision of new jobs would constitute a small percentage of the City's anticipated employment growth and would not be considered "unplanned growth."

Furthermore, while some new Project employees may be anticipated to relocate to the Project vicinity, many would not, nor would existing employees be expected to move as a result of redevelopment of the Project Site. Accordingly, this potential indirect increase in population would not be substantial. Specifically, some employment opportunities may be filled by people already residing in the vicinity of the Project Site, and it is anticipated that other employees would commute to the Project Site from other communities both in and outside of the City, as under existing conditions. Therefore, given that the Project would not directly contribute to substantial population growth in the Project area through the development of residential uses, and since many of the employment opportunities generated by the Project would be filled by people already residing in the Project vicinity or who would commute to the Project Site, the potential growth associated with Project employees who may relocate their place of residence would not be substantial. Further, as the Project would be located in an urbanized area with an established network of roads and other urban infrastructure, the Project would not require the extension of such infrastructure in a manner that would indirectly induce substantial population growth.

### **c. Utility Infrastructure Improvements**

The area surrounding the Project Site is already developed with a mix of residential, commercial, and industrial uses, and the Project would not remove impediments to growth. The Project Site is located within an urban area that is currently served by existing utilities and infrastructure. While the Project would require local infrastructure upgrades to improve fire flow and connections to existing water, sewer, electricity, and natural gas lines on-site and in the immediate vicinity of the Project site, such improvements would be limited to serving Project-related demand and would not necessitate major local or regional utility infrastructure improvements that have not otherwise been accounted and planned for on a regional level. In addition, the Project would not require any major roadway improvements or open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the Project site, to improve safety and walkability, and/or provide Americans with Disabilities Act (ADA) access.

### **d. Conclusion**

Overall, the Project would be consistent with the growth forecast for SCAG's City of Los Angeles Subregion and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of VMT. In addition, the Project would not require any major roadway improvements or open any large undeveloped areas for new use. Any access improvements would be limited to driveways necessary to provide immediate access to the

Project Site and to improve safety and walkability. Therefore, direct and indirect growth-inducing impacts would be less than significant.

## **XI. Energy Conservation**

The Project would be designed and constructed to incorporate features to support and promote environmental sustainability. Specifically, the Project would support environmental sustainability by incorporating sustainable building features and construction protocols required by the Los Angeles Green Building Code (LAMC Chapter IX, Article 9), the California Green Building Standards Code (California Code of Regulations, Title 24, Part 11; referred to as the CALGreen Code), and the California Building Energy Efficiency Standards (California Code of Regulations, Title 24, Part 6; California Energy Code), pursuing U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED)<sup>®</sup> Silver certification or equivalent green building standards. The Project represents an infill development that also involves the re-use of an existing buildings. The Project would incorporate, but would not be limited to: Energy Star appliances; plumbing fixtures and fittings that comply with the performance requirements specified in the Los Angeles Green Building Code; weather-based irrigation systems; water-efficient plantings with drought-tolerant species; shade trees in public areas; green walls in some outdoor areas; vegetated roofs or cool roof systems to help reduce energy use; short- and long-term bicycle parking; electric vehicle (EV) charging infrastructure; a TDM Program; use of daylighting where feasible; energy-efficient lighting; and permeable paving where appropriate

## **XII. Statement of Overriding Considerations**

The EIR identifies unavoidable significant impacts that would result from implementation of the Project. PRC Section 21081 and CEQA Guidelines Section 15093(b) provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The State CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in Section IV, Environmental Impact Analysis, of the Draft EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to on-site and off-site noise and vibration (pursuant to the significance criteria for human annoyance) during construction.

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the Project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the Project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against the Project's significant and unavoidable impacts, the City hereby finds that each of the Project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to on-site and off-site noise and vibration (pursuant to the significance criteria for human annoyance) during construction.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the listed project benefits set forth in this Statement of Overriding Considerations provides a separate and independent ground for the City's decision to approve the Project despite the Project's identified significant and unavoidable environmental impacts. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. The Project would support the Palms–Mar Vista–Del Rey Community Plan's objective to provide opportunities for new commercial development and services within existing commercial areas through the development of a commercial project that would strengthen the economic vitality of the area without the need for zoning amendments and without introducing incompatible uses.
2. The Project would support the growth of the City's economic base by creating jobs in both Project construction and operation. The Project would create commercial opportunities that could serve local employees, generate local tax revenues, and provide new permanent jobs, which would also increase the Project area employment population to support local businesses.
3. The Project would create an integrated creative office campus with open space, shared amenities and landscaping, while retaining an existing office and studio building on the Project Site.
4. The Project would activate the Project Site and neighborhood by providing retail components, including a ground floor café, attractive street-level landscaping in ample setbacks, bicycle parking, and pedestrian amenities.
5. The Project would provide significant employment opportunities in office, research, and commercial uses, including media, arts, and design development, which will benefit the community, city, and region.
6. The Project will bring a first-class, architecturally designed building and campus to revitalize a commercial area adjacent to the Playa Vista neighborhood.

## **General Findings**

1. The City, acting through the Department of City Planning, is the "Lead Agency" for the Project evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR which was circulated for public review reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.
2. The EIR evaluated the following potential project and cumulative environmental impacts: aesthetics, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, noise, public services (fire and police protection), transportation, tribal cultural resources, and utilities

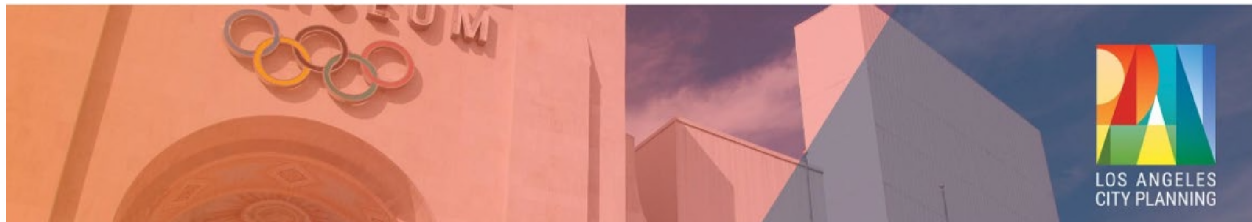
and service systems (water, wastewater, and energy infrastructure). Additionally, the EIR considered, in separate sections, Significant Irreversible Environmental Changes and Growth Inducing Impacts. The significant environmental impacts of the Project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision makers and the public at large in their consideration of the environmental consequences of the Project. The public review periods provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review periods and responds to comments made during the public review periods.
4. Textual refinements and errata were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.
5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.
6. The Final EIR documents changes to the Draft EIR. Having reviewed the information contained in the Draft EIR, the Final EIR, and the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there is no new significant impact, substantial increase in the severity of a previously disclosed impact, significant new information in the record of proceedings or other criteria under CEQA that would require additional recirculation of the Draft EIR, or that would require preparation of a supplemental or subsequent EIR. Specifically, the City finds that:
  - The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or more severe impacts not disclosed in the Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR.
  - The City has thoroughly reviewed the public comments received regarding the project and the Final EIR as it relates to the project to determine whether under

the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

- None of the information submitted after publication of the Final EIR, including testimony at the public hearings on the Project constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.
  - The mitigation measures identified for the Project were included in the Draft EIR and Final EIR. The final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.
7. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City and revised in the MMP as adopted by the City serve that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts the MMP.
  8. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.
  9. The custodian of the documents or other materials which constitute the record of proceedings upon which the City decision is based is the City of Los Angeles, Department of City Planning.
  10. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.
  11. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.
  12. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the project by the City and the other regulatory jurisdictions.





## **LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES**

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

**Online Application System:** The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

**Drop off at DSC:** Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

### **Metro DSC**

(213) 482-7077

201 N. Figueroa Street

Los Angeles, CA 90012

### **Van Nuys DSC**

(818) 374-5050

6262 Van Nuys Boulevard

Van Nuys, CA 91401

### **West Los Angeles DSC**

(CURRENTLY CLOSED)

(310) 231-2901

1828 Sawtelle Boulevard

West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

**An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination.** Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online  
Appeal Filing



QR Code to Forms  
for In-Person Filing