



SUSTAINABLE COMMUNITIES PROJECT CEQA EXEMPTION

Miramar Development Project

Environmental Case: ENV-2020-3753-SCPE

Project Location: 1917-2005 1/2 W. 3rd Street, Los Angeles, California 90057

Community Plan Area: Westlake Community Plan

Council District: 13 – Mitch O’Farrell

Project Description: The Applicant proposes to develop the Miramar Development Project (Project) on an approximately 30,432 square foot property located at 1917-2005 1/2 W. 3rd Street (Project Site). The Project would consist of a 7-story residential building and 10,708 square feet of open space in the City of Los Angeles (City). The Project Site, located within the Westlake Community Plan area, is currently improved with a pedestrian walkway, landscaping, stairs, an outdoor seating area, and a surface parking lot with seven parking spaces and a driveway. The Project would include one basement lobby level with a bicycle storage area, mail room, and fitness and community rooms and seven residential levels above. The Project would include a total of 137 units, 136 of which would be restricted to Low Income households and 1 unit would be a non-restricted manager’s unit. The Project would include 64 studios, 59 one-bedroom units, and 14 two-bedroom units. A total of 104 bicycle parking stalls (10 short-term stalls and 94 long-term stalls) would also be provided. The proposed building would be approximately 87 feet 9.5 inches in height as measured from the lowest adjacent ground level and contain approximately 106,386 square feet of floor area, resulting in a proposed floor area ratio (FAR) of 3.61:1.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

Environmental Science Associates (ESA)

APPLICANT:

Miramar Development, LP

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MIRAMAR DEVELOPMENT PROJECT SUSTAINABLE COMMUNITIES PROJECT CEQA EXEMPTION

1.0 Project Description

Miramar Development, LP (the Applicant) proposes to develop the property located at 1917-2005 1/2 W. 3rd Street (Project Site) (portion of Assessor Parcel Number [APN] 5154-020-030) within the Westlake Community Plan area of the City of Los Angeles (City).¹ The Project Site is comprised of two legal lots and is currently improved with a pedestrian walkway, landscaping, stairs, an outdoor seating area, and a surface parking lot with seven parking spaces and a driveway. The driveway would be retained and repaved as part of the Project, while the seven parking spaces would be removed. The Project Site is 30,432 square feet (0.70 acre). The Project Site is bound by the Miramar Towers Site to the north, a single-family residence to the east, W. 3rd Street to the south, and a multi-family residential use to the west.

The Project Site has a General Plan land use designation of Highway Oriented Commercial and is within the Westlake Community Plan area. The Project Site is zoned C2-1, which allows a residential density of one dwelling unit per 400 square feet of lot area. At 30,432 square feet in size, the Project Site has a base density of 77 units (30,432 square feet of lot area divided by 400 square feet). The C2-1 zone allows a maximum FAR of 1.5:1. After dedications, the net lot area of the Project Site is 29,422 square feet, which yields a maximum buildable area of 44,133 square feet. The Project Site is located within a Methane Zone.²

The Project would construct a 106,386 square foot, 7-story residential building featuring a total of 137 residential units and 10,708 square feet of open space. The Project would include 64 studios, 59 one-bedroom units, and 14 two-bedroom units, 136 of which would be restricted to Low Income households and 1 unit would be a non-restricted manager's unit. Open space would be provided in the form of exterior areas, community recreation

¹ The Project Site was previously a part of an age-restricted (62 and older) Section 8 development site located at 2000 Miramar Street ("Miramar Towers"). In 2018, the property owner filed two lot line adjustment cases with the Department of City Planning to subdivide the property (Case Numbers AA-2018-7423-PMEX and AA-2018-7418-PMEX ["Approved Lot Line Adjustments"], which resulted in the separation of the 30,432 square foot Project Site from the Miramar Towers parcels to the north ("Miramar Towers Site"). In addition, while the Site and the Miramar Towers Site currently share the same APN, 5154-020-030, the County Assessor's Office is processing a request for new and separate APNs for the Project Site. As of June 29, 2020, the County has issued the new APNs in shell status as 5154-020-033 and 5154-020-034.

² City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.

rooms, and landscaped areas. The Project Site currently contains 28 non-protected trees (including 6 street trees), that would be replaced with 35 trees (28 on-site trees and 7 street trees).³ The sidewalk on 3rd Street is currently upheaved by the existing street tree roots and will require the tree roots to be cut so that a new, ADA-compliant sidewalk can be constructed. The removal and replacement of any trees within the public right-of-way would require consultation with the City of Los Angeles Division of Urban Forestry and approval by the Board of Public Works. The Project would develop seven residential levels above one level of a basement lobby level.

Surrounding uses are developed with residential and commercial structures. The property to the north, at the Miramar Towers Site, is developed with an eight-story senior apartment building. The abutting property to the east is developed with a single-family home and a two-story multi-family residential building. The properties south of the Project Site, across 3rd Street, are improved with commercial, medical, and multi-family residential uses. The property to the west is developed with a four-story multi-family residential building.

The Project Site is also located within a City-designated Transit Oriented Communities (TOC) zone, which encourages the construction of affordable housing near bus and train stations.⁴ The Project Site is within a TOC Tier 3 Affordable Housing Incentive Program area. The TOC program is available to all housing developments located within a one-half mile radius of a Major Transit Stop. As defined in the TOC Affordable Housing Incentive Program Guidelines, a Major Transit Stop is a site containing a rail station or the intersection of two or more bus routes with a service interval of 15 minutes or less during the morning and afternoon peak commute periods.⁵ The Los Angeles County Metropolitan Transportation Authority (Metro) B Line (Red) and D Line (Purple) Westlake/MacArthur Park Station is 0.48-mile southwest of the Project Site. Additionally, the Project Site is also adjacent to Metro Local 16/17 and 200 routes, and the Pico Union/Echo Park bus loop.

Furthermore, the Project is eligible for Tier 4 incentives because it is a 100-percent affordable housing development. Pursuant to the TOC Guidelines, a project is considered 100-percent affordable if it consists of 100-percent on-site restricted affordable units, exclusive of a building manager's unit or units. The Project will provide 136 restricted affordable units and one manager's unit. Thus, the Project is eligible for three Base Incentives (Residential Density, Floor Area Ratio, and Automobile Parking), and two Additional Incentives (Setbacks and Open Space). The Project seeks to use all three Base Incentives and two Additional Incentives, as described below.

³ One tree is required for every four residential units. The Project's 137 units would require 34.25, or 35 trees. The six street trees will be subject to final replacement requirements to the satisfaction of the Division of Urban Forestry.

⁴ City of Los Angeles, Department of City Planning, 2020. Transit Oriented Communities Incentive Program. Available at: <https://planning.lacity.org/plans-policies/transit-oriented-communities-incentive-program>, accessed June 12, 2020.

⁵ City of Los Angeles Department of City Planning, 2018. Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines). Available at: <https://planning.lacity.org/ordinances/docs/toc/TOCGuidelines.pdf>, accessed June 12, 2020.

Pursuant to the TOC Guidelines, the Project is eligible for the following three base incentives:

1. The Project would be permitted 1 dwelling unit per 400 square feet of space, for a maximum of 77 residential units. Pursuant to the TOC Guidelines, the Project is eligible for an 80-percent density increase from the base density for a maximum of 139 total units. The Project proposes development of up to 137 residential units, including 64 studios, 59 one-bedroom units, and 14 two-bedroom units.
2. The C2-1 zone allows a maximum FAR of 1.5:1. Using TOC Tier 4 Base Incentives, the Project is eligible for a FAR increase up to 4.25:1, or 129,336 square feet of buildable area. The building proposed would be 106,386 square feet for a FAR of 3.61:1, which is within the permitted development envelope.⁶
3. TOC Tier 4 projects are eligible for a Base Incentive to allow no required vehicular parking for residential units. The Project does not propose any other uses beyond the residential use. As such, no vehicular parking is required. Pursuant to Los Angeles Municipal Code (LAMC) Section 12.21.A.16, the Project would be required to provide 10 short-term and 94 long-term bicycle parking stalls. The Project would provide 10 short-term bicycle parking stalls and 94 long-term bicycle parking stalls and storage on the basement level, as well as a bicycle maintenance bench.

The Project is also eligible for and will utilize two additional incentives:

1. LAMC Section 12.14 would require a 0-foot front yard setback and 5-foot side and rear yard setbacks. The Project requests to use the side and rear yard requirements for the RAS3 Zone in lieu of the side and rear yard requirements otherwise required by LAMC Section 12.14. The RAS3 zone requires 5-foot side yard setbacks and 5-foot rear yard setbacks.
2. LAMC Section 12.21G.2 would require the Project to provide 14,050 square feet of open space. The Project requests a 25 percent reduction in the required minimum open space to permit 10,537 square feet. The Project proposes 10,708 square feet of open space, which is greater than the permitted development envelope.

⁶ The Project Site includes a three-foot street dedication along 3rd Street. Therefore, the calculation for the FAR is based on the buildable area of 29,322 square feet, which is the total net lot area excluding the dedication area.

2.0 Sustainable Communities Strategy Criteria

SUSTAINABLE COMMUNITIES STRATEGY CRITERIA – Public Resources Code (PRC) Section 21155		
PRC § 21155(a). Consistency with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy.	Consistent?	
	Yes	No
As described in Section 1, Project Description, the Project would develop a 137-unit affordable housing building at 1917-2005 1/2 W. 3rd Street in the City. The Project Site is comprised of 2 legal lots totaling approximately 30,342 square feet (0.70 acre) that is currently developed with a pedestrian walkway, landscaping, and a surface parking lot with seven parking spaces and a driveway. The Project would include a 7-story residential building with 137 dwelling units, including 64 studios, 59 one-bedroom units, and 14 two-bedroom units set aside for Low Income households, and 1 one-bedroom manager's unit at market-rate. The Project would include 104 bicycle parking stalls (94 long-term stalls and 10 short-term stalls). The proposed building would be approximately 87 feet 9.5 inches in height and contain approximately 106,386 square feet of floor area, resulting in a proposed FAR of 3.61:1. The Project is consistent with the general use designation, density, and building intensity outlined in the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS).⁷ Based on Exhibit 13 and Exhibit 14 of SCAG's SCS Background Documentation, the Project Site and surrounding area are within the "Urban" Land Development Category.⁸ The 2016 RTP/SCS provides the following definition for the "Urban" Land Development Category: These areas are often found within and directly adjacent to moderate and high density urban centers. Nearly all urban growth in these areas would be considered infill or redevelopment. The majority of housing is multi-family and attached single-family (townhome), which tend to consume less water and energy than the larger types found in greater proportion in less urban locations. These areas are supported by high levels of regional and local transit service. They have well-connected street networks, and the mix and intensity of uses result in a highly walkable environment. These areas offer enhanced access and connectivity for people who choose not to drive or do not have access to a vehicle.⁹	X	

⁷ The California Air Resources Board has accepted SCAG's determination that the 2016 RTP/SCS would achieve the identified greenhouse gas emission reduction targets (California Air Resources Board Executive Order G-16-066).

⁸ Southern California Associate of Governments (SCAG), 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS), pages 20-21. Available at: <http://scagrtpscs.net/Documents/2016/draft/d2016RTPSCS.pdf>, accessed June 5, 2020.

⁹ SCAG, 2016. 2016 RTP/SCS. Page 20.

The RTP/SCS defines 'Urban' areas as: "often found within and directly adjacent to moderate and high density urban centers. Nearly all urban growth in these areas would be considered infill or redevelopment. The majority of housing in these areas is multi-family and attached single-family (townhome), which tend to consume less water and energy than the large types found in greater proportion in less urban locations. These areas are supported by high levels of regional and local transit service. They have well-connected street networks, and the mix and intensity of uses result in a highly walkable environment. These areas offer enhanced access and connectivity for people who choose not to drive or do not have access to a vehicle".¹⁰

The 'Urban' Land Development Category comprises the following urban footprint scenario models.¹¹ The Project Site would be generally consistent with the City Residential place type within the Urban Land Use Development Category, as described further below.

- City Residential place type is "dominated by mid- and high-rise residential towers, with some ground-floor retail space. Parking is usually structured below or above ground. Residents are well served by transit, and can walk or bicycle for many of their daily needs." The land use mix for this place type is typically approximately 65 percent residential, four percent employment, 11 percent mixed use, and 20 percent open space/civic. The residential mix is typically 97 percent multi-family and 3 percent townhome. The average total net FAR is 2.9:1, height ranges from 5 to 40 stories, and the gross density ranges from 35 to 37 households per acre.¹²
- The Project's scale would be generally consistent with the City Residential place type as it would develop one 7-story multi-family residential building in a highly-urbanized part of the City that is well served by multiple regional and local transit lines, as well as other modes of transportation. While a typical FAR for the City Residential place type is 2.9:1, the Project would have a generally comparable FAR of 3.61:1 with multi-family residential uses. The typical gross density for the Urban Residential place type is 131 households per acre. The Project would have a generally comparable density of approximately 196 dwelling units per acre (137 units / 0.7 acres). It would also be consistent with the Urban Residential mix of 100-percent multi-family.

Given that the Project would develop Low Income residential uses within walking distance of multiple transit opportunities and facilitate bicycling through the provision of on-site bicycle parking spaces and a bicycle maintenance area on the ground floor, the Project would provide opportunities for residents to use public transit or bicycling for work trips, and walk or bike to retail businesses near the Project Site. The existing Metro B Line (Red) and D Line (Purple) Westlake/MacArthur Park Station

¹⁰ SCAG, 2016. 2016 RTP/SCS. Page 20.

¹¹ SCAG, 2016. 2016 RTP/SCS. Background Documentation, Reference Document 6 and 9.

¹² SCAG, 2016. 2016 RTP/SCS. Background Documentation, Reference Document 6.

is 0.48 mile southwest of the Project Site. Additionally, numerous local bus routes are located within one-half mile of the Project Site, including Metro Lines 14, 16/17, 18, 20, 200, 603, and 720. Thus, the Project will encourage the utilization of transit as a mode of transportation to and from the Project Site and contribute to the productivity and use of the regional transportation system by providing housing near transit. As such, due to the Project's proposed multi-family residential use, building height, density, and proposed FAR, the Project is generally consistent with the City Residential place type and the 'Urban' Land Development Category as well as the associated use, density, and building intensity projections specified in the RTP/SCS. The Project is also generally consistent with the goals and policies in the RTP/SCS, as outlined in Attachment B, <u>Consistency with the Goals of the 2016-2040 RTP/SCS</u>. As such, the Project meets this criterion.		
PRC § 21155(b). To be considered a Transit Priority Project (TPP), as defined by § 21155(b), the project must meet all of the following criteria. A TPP shall:	Consistent?	
	Yes	No
(1) Contain at least 50 percent residential use, based on total building square footage and, if the project contains between 26 percent and 50 percent nonresidential uses, a floor area ratio of not less than 0.75; The Project would be comprised of a 7-story residential building with a total building area of 106,386 square feet that will consist of 137 residential units. No other uses would be present on-site besides the residential uses. Therefore, the Project would contain 100-percent residential use. Since the Project would not contain non-residential uses, the Project would not be subject to the FAR requirements outlined in this criterion. Nevertheless, the Project would have a FAR of 3.61:1, which is greater than 0.75:1. As such, the Project meets this criterion.	X	
(2) Provide a minimum net density of at least 20 dwelling units per acre; and The Project would develop the 30,342 square feet (0.70 acre) Project Site with a 7-story residential building that includes 137 dwelling units. The net housing density for the Project is approximately 196 dwelling units per acre (137 units / 0.7 acres), which is greater than the required minimum of 20 units per acre. As such, the Project meets this criterion.	X	
(3) Be within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in PRC Section 21064.3, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.	X	

A project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one half mile from the stop or corridor. The California Public Resources Code (PRC) Section 21064.3 defines a major transit stop as a site that contains any of the following: (a) an existing rail or bus rapid transit station; (b) a ferry terminal served by either a bus or rail transit service; or (c) the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. "High quality transit corridor," as used in the definition of "transit priority project," means a corridor with fixed-route bus service with service intervals no longer than 15 minutes during peak commute hours. Cal. Pub. Res. Code § 21155(b). Finally, a project shall be considered to be within one-half mile of a major transit stop or high-quality transit corridor if all parcels within the project have no more than 25 percent of their area farther than one-half mile from the stop or corridor and if not more than 10 percent of the residential units or 100 units, whichever is less, in the project are farther than one-half mile from the stop or corridor. Cal. Pub. Res. Code § 21155(b). The nearest existing Metro B Line (Red) and D Line (Purple) Westlake/MacArthur Park Station is located 0.48-mile southwest of the Project Site. As such, the Project Site is within one-half mile of a major transit stop. • The B Line runs between Downtown Los Angeles and North Hollywood.¹³ • The D Line shares the Metro B Line (Red Line) track until Wilshire/Vermont (west of the Project Site) where it forks and ends with two stops in Koreatown. Within the next decade, several service expansions to the D Line are planned.¹⁴ As such, the Project satisfies the CEQA exemption transit proximity requirement by being within one-half mile of a light rail station and is not required to further demonstrate proximity to intersecting bus routes or high quality transit corridors that provide bus service intervals of 15 minutes or less. Furthermore, the Project Site is in an area identified a High Quality Transit Area by SCAG.¹⁵ As such, the Project is consistent with this criterion.		
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¹³ Los Angeles Metro, 2020. Metro B Line (Red). Available at: <https://www.metro.net/riding/guide/B-line/>, accessed June 3, 2020.

¹⁴ Los Angeles Metro, 2020. Metro D Line (Purple). Available at: <https://www.metro.net/riding/guide/D-line/>, accessed June 3, 2020.

¹⁵ SCAG, 2016. 2016 RTP/SCS. Exhibit 5.1, High Quality Transit Areas in the SCAG Region for 2040 Plan.

PRC § 21155.1(a). The TPP complies with all of the following environmental criteria:	Consistent?	
	Yes	No
(1) The TPP and other projects approved prior to the approval of the TPP but not yet built can be adequately served by existing utilities, and the TPP applicant has paid, or has committed to pay, all applicable in-lieu or development fees. A considerable increase in demand for services or utilities would not be anticipated with the implementation of the proposed Project since it is located in an existing heavily-urbanized location served by existing public utilities and services. The Los Angeles Department of Water and Power (LADWP) provides electricity and water and City of Los Angeles Bureau of Sanitation (LASAN) provides sewer services and solid waste collection to the Project Site. LASAN also manages the City's storm drain infrastructure. The Southern California Gas Company (SoCalGas) provides natural gas services to the City and would be expected to serve the Project Site. <u>Water:</u> Based on the Utility Infrastructure Report prepared for the Project by VCA Engineers, Inc., and Dry Utility Experts dated July 7, 2020 and included as Attachment J, <u>Utility Infrastructure Report</u>, there is an existing 12-inch water main located along 3rd Street fronting the Project Site. In addition, the nearest fire hydrant to the Project Site is located across 3rd Street approximately 200 feet from the Project Site. As evaluated in the <u>Utility Infrastructure Report</u>, when analyzing a project for infrastructure capacity, the projected demands for both fire suppression and domestic water are considered. While domestic water demand is a project's main contributor to water consumption, fire flow demands have a much greater instantaneous impact on infrastructure and are therefore the primary means for analyzing infrastructure capacity. As provided in the Utility Report, in accordance with City policy, a Service Advisory Request (SAR) was submitted to LADWP to determine the availability of water service for the Project. Based on LADWP's review of the Project, LADWP has confirmed that there is sufficient capacity to provide water service to the Project. LADWP's 2015 Urban Water Management Plan (UWMP), which accounts for existing development within the City as well as projected growth through the year 2040, concludes that LADWP would meet all new domestic demand for water due to projected population growth through the year 2040. <u>Wastewater:</u> Regarding wastewater, as discussed in the <u>Utility Infrastructure Report</u> (Attachment J), the Project Site is served by an existing 8-inch sewer line which runs along 3rd Street fronting the Project Site. As discussed in the <u>Utility Infrastructure Report</u>, a Sewer Capacity Availability Review (SCAR) that identifies the Project's estimated total flow was submitted to the City	X	

of Los Angeles Bureau of Sanitation (LASAN) to verify capacity availability. Based on the approved SCAR, LASAN has confirmed that there is sufficient capacity to service the Project, with the installation of the new 8-inch sewer line. In addition, the Project's estimated total flow represents only 0.003 percent of the existing design capacity of 450 million gallons per day at the Hyperion Treatment Plant, and therefore the Hyperion Treatment Plant would be able to accommodate the Project.

Stormwater:

LASAN's review considers the Project demands on the infrastructure in conjunction with existing conditions and forecasted growth. In addition, the City's Integrated Resources Plan addresses the facility needs of the City's wastewater program, recycled water, and urban runoff/stormwater management through the year 2020, and for the next planning horizon, the City has developed the One Water Los Angeles 2040 Plan. The One Water LA 2040 Plan concludes that based on the design capacities and the projected future flows of each water reclamation plant within the City through year 2040, all existing water reclamation plants would have sufficient capacity to manage projected wastewater flows. As such, the Project as well as other projects within the City could be served by the existing sewer infrastructure.

As previously described, LASAN also manages the City's storm drain infrastructure. In addition, per City requirements, the Project is required to comply with the Los Angeles County Department of Public Works Hydrology Manual and the City's LID Ordinance to treat stormwater for pollutants and control runoff at buildout. Therefore, the Project would not create or contribute runoff water which would exceed the capacity of the existing or planned stormwater drainage system. As such, the Project is consistent with this criterion.

Electricity:

Based on the Utility Infrastructure Report (Appendix J), an existing 4.8 kilovolt (kV) primary circuit is available in the alley south of the Project Site, between Westlake Avenue and Bonnie Brae Street, which currently feeds the existing adjacent Miramar Towers building. A 34.5 kV circuit is available on Alvarado Street and would be extended to the Project site if LADWP determines a higher voltage that 4.8 kV is necessary to service the Project. An off-site line extension would be needed to connect to the proposed building's Indoor Customer Station, which would then provide electricity for the Project. The existing transformer at the Project Site, utilized by the adjacent Miramar Towers development, would be relocated off-site to the Miramar Towers site to make space for the Project. The relocated transformer would only be utilized by Miramar Towers.

LADWP's most recently adopted 2017 Power Strategic Long-Term Resources Plan identifies adequate resources (natural gas, coal) to support future generation capacity over the next 20 years. Projections for energy efficiency improvements and economic growth which includes construction projects are also provided within the Long-Term Resources Plan. Therefore, electricity usage resulting from the future operation of the

Project is likely accounted for in the LADWP projections. As such, based on LADWP's 2017 Power Strategic Long-Term Resources Plan, the Project can be served by the existing and planned electrical service. <u>Gas:</u> SoCalGas would be the gas provider for the Project. An existing SoCalGas mainline is available on 3rd Street. There is a 3-inch gas line that runs on 3rd Street with a service line running north toward the existing 7-story Miramar Towers. It then splits into 3-inch and 6-inch gas lines before it reaches the adjacent Miramar Towers building. The 2018 California Gas Report presents a comprehensive outlook for natural gas requirements and supplies for California through the year 2035.¹⁶ The natural gas usage resulting from future operation of the Project as well as other nearby transit projects is likely accounted for in the SoCalGas projections.. As such, based on the 2018 California Gas Report, the Project could be served by the existing and planned natural gas service. <u>Solid Waste:</u> As required by City Ordinance No. 181,519 (Waste Hauler Permit Program), Project construction waste would be hauled by permitted haulers and taken only to City-certified construction and demolition processing facilities that are monitored for compliance with recycling regulations. In addition, during operation, the Project would provide adequate storage areas in accordance with the City of Los Angeles Space Allocation Ordinance (Ordinance No. 171,687), which requires that development projects include an on-site recycling area or room of specified size. The Project would also comply with State and local solid waste reduction and recycling regulations including Assembly Bill (AB) 939, AB 341, AB 1826 and the City's RENEW LA waste diversion goals. <u>Fees:</u> The Project would be required to pay all applicable permit and development fees pursuant to code requirements and conditions of the Project. The applicable fees include but are not limited to the Los Angeles Unified School District fee in compliance with Senate Bill (SB) 50 and parks and recreation fees pursuant to LAMC Section 21.10.3(a)(1). Thus, the Project meets this criterion.		
(2) The site of the TPP does not contain wetlands or riparian areas, does not have significant value as a wildlife habitat, and implementation of the project would not harm protected species. The Project is situated in an established, fully-urbanized area within the City. The commercially/residentially-zoned Project Site is currently improved with a pedestrian walkway, landscaping, stairs, and outdoor seating area, and a surface parking lot.	X	

¹⁶ California Gas and Electric Utilities, 2018. 2018 California Gas Report. Available at: https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf, accessed June 30, 2020.

Review of the United States Fish and Wildlife Service's National Wetlands Inventory identified no protected wetlands in the vicinity of the Project Site and the Project Site is not located within a riparian area.¹⁷ The nearest bodies of water include the MacArthur Park Lake, approximately 0.44 miles southwest of the Project Site and the Echo Park Lake, approximately 0.85-mile northwest of the Project Site. Further, as the Project Site is fully developed, and there are no open spaces with water courses such as streams or lakes within or adjacent to the Project Site. The Project Site and vicinity do not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act. Therefore, the Project would not have a substantial adverse effect on wetlands, riparian habitat, or other sensitive natural communities identified in federal, state, or local plans, policies, and regulations.

Furthermore, the Project Site is not located in or adjacent to a Biological Resource Area as defined by the City.¹⁸ Moreover, the Project Site and immediately surrounding area are not within or near a designated Significant Ecological Area.¹⁹

The Project Site currently contains 28 non-protected trees (including 6 street trees) that would be replaced with 35 trees (28 on-site trees and 7 street trees).^{20,21} The canopy of the existing six street trees is approximately 25 to 30 feet in diameter and the height is approximately 25 feet. The tree canopy would be impacted by the construction as the canopy encroaches approximately 12 to 15 feet over the property line. Additionally, the existing sidewalk on 3rd Street is currently upheaved by the street tree roots and will require the tree roots to be cut so that a new, ADA-compliant sidewalk can be constructed. This would likely damage the health and stability of the street trees, which would pose a hazard to public safety. For these reasons, preservation and/or relocation of the street trees is infeasible. The removal and replacement of any trees within the public right-of-way would require consultation with the City of Los Angeles Division of Urban Forestry and approval by the Board of Public Works.

However, the trees that are to be removed or pruned have the potential to support nesting birds that are protected under the Migratory Bird Treaty Act (MBTA), which prohibits take of all birds and their active nests, as well as the regulations of the California Fish and Game Code. As discussed in Attachment C, Mitigation Measures from Prior EIR – 2016-2040 RTP/SCS, consistent with Mitigation Measures MM-BIO-1(b), MM-BIO-2(b), and MM-BIO-4(b) included in SCAG's 2016–2040 RTP/SCS Final Program EIR, the removal or pruning of trees would occur in accordance with the MBTA

¹⁷ U.S. Fish and Wildlife Service, 2020. National Wetlands Inventory, Wetlands Mapper. Available at: www.fws.gov/wetlands/Data/Mapper.html, accessed June 18, 2020.

¹⁸ City of Los Angeles, Department of City Planning, 1995. Los Angeles Citywide General Plan Framework, Draft Environmental Impact Report, p. 2-18-4. January 19, 1995.

¹⁹ Los Angeles County Department of Regional Planning, 2020. Planning & Zoning Information, GIS-NET3 online database. Available at: <http://planning.lacounty.gov/gisnet3>, accessed June 18, 2020.

²⁰ Brooks + Scarpa, 2020. Miramar Development Planning Entitlement Submittal.

²¹ One tree is required for every four residential units. The Project's 137 units would require 34.25, or 35 trees. The 6 street trees will be subject to final replacement requirements to the satisfaction of the Division of Urban Forestry.

and state and local requirements. Thus, the Project would not harm any species protected by the Federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), or the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code) and therefore meets this criterion.		
(3) The site of the TPP site is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code. Government Code Section 65962.5, amended in 1992, requires the California Environmental Protection Agency (CalEPA) to compile list of hazardous materials sites, commonly referred to as the "Cortese List." While Government Code Section 65962.5 makes reference to the preparation of a list, many changes have occurred related to web-based information access since 1992, and information regarding the Cortese List is now compiled on the websites of different agencies. The California Department of Toxic Substances Control (DTSC) maintains a database (EnviroStor) that provides access to detailed information on hazardous waste permitted sites and corrective action, facilities, as well as existing site cleanup information. The Regional Water Quality Control Board (RWQCB) maintains a similar database (Geotracker).²² EnviroStor and Geotracker each provide access to detailed information on hazardous waste permitted sites and corrective action facilities, as well as existing site cleanup information. EnviroStor and Geotracker also provide information on investigation, cleanup, permitting, and/or corrective actions that are permitted, planned, being conducted, or have been completed under DTSC's and the applicable Regional Water Quality Control Board's (RWQCB) respective oversight. A <u>Phase I Environmental Site Assessment</u> (ESA) was prepared by Surveys Inc. for the Project Site in 2020 (Attachment F).²³ As part of this <u>Phase I ESA</u>, a review of all major governmental databases was conducted to identify any information related to hazardous materials on, or in the immediate vicinity, of the Project Site. Responses to requests were received from the United States Environmental Protection Agency (USEPA), Cal-Sites AWP (Annual Work Plan, State Environmental Protection Agency), Cal-Sites ASPIS (Department of Substance Control), the California Hazardous Materials Incident Report System (CHMIRS), the State of California Integrated Waste Management Board's Solid Waste Information System (SWIS), Waste Management Unit Database System (WMUDS), California Water Quality Control Board Leaking Underground Storage Tank (LUST) and Underground Storage Tank (UST), California Water Quality Control Board Hazardous Substance Storage Container Database, Statewide	X	

²² California Environmental Protection Agency (CalEPA), 2019. Background and History, Cortese List. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/Background/>, accessed May 26, 2020.

²³ Surveys Inc., 2020. Phase I Environmental Site Assessment. June 2, 2020.

Environmental Evaluation and Planning System (SWEEPS), California Environmental Protection Agency (CalEPA) and California Water Quality Control Board Aboveground Storage Tank (AST) Registration lists, California Department of Health Services Bond Expenditure Plan (BEP), Department of Toxic Substance Control's EnviroStor Database, Los Angeles Regional Water Quality Control Board (RWQCB) Spills, Leaks, Investigation and Cleanup Cost Recovery Listing (SLIC), DTSC's Volunteer Cleanup Program (VCP), Engineering/Institutional Controls & Deed Restriction Database (ENG/INST CONTROLS & DEEDS), HAZNET, CalEPA CERS HAZ WASTE databases, Brownfields, and Orphan Summary. Accordingly, the Project Site is not located on any list of hazardous waste sites pursuant to Section 65962.5 and, therefore, meets this criterion.		
(4) The site of the TPP is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. (a) If a release of a hazardous substance is found to exist on the site, the release shall be removed or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements; (b) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements. A <u>PEA</u> was prepared by Ramboll for the Project Site (Attachment H). As part of the <u>PEA</u> and prior site assessments, previous uses of the Project Site and nearby properties were evaluated to identify any historically recognized environmental conditions and to determine the existence of hazardous substance releases on the Project Site and also determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. The findings of these reports are summarized below.²⁴ <u>Project Site</u> The Project Site is currently developed with a pedestrian walkway, landscaping, and a surface parking lot with seven parking spaces and a driveway. The Project Site was developed with five dwelling units from 1906 until 1958, with the Project Site becoming vacant by the mid-1970s.	X	

²⁴ Note that the Sustainable Communities Project CEQA Exemption (specifically, Public Resources Code Section 21151.1(a)(4)) does not contemplate or require the preparation of a preliminary endangerment assessment pursuant to the requirements of Health & Safety Code Chapter 6.8, which is a distinct and unrelated statutory regime. This fact has been confirmed by the DTSC, which has noted that Public Resources Code Section 21151.1 does not envision any role or mandate any regulatory oversight by DTSC.

While results of the Phase I ESA showed that nearby properties were listed in the regulatory databases, the Project Site itself was not identified in any of the regulatory databases reviewed. Based upon the review of all pertinent regulatory documents (e.g., Cortese List documents listed above), the Phase I ESA concluded that there is only a low potential for any toxic or hazardous contamination to the Project Site from any of these off-site listed sources.²⁵ Based on the information reviewed for preparation of the PEA, no areas of environmental concern (AOCs) were identified for the Project Site. Since no environmental contamination was identified at the Project Site, there is no known or suspected source of chemical contaminants at the Project Site.²⁶

Soil Sampling

As part of a geotechnical evaluation for the Project Site, soil samples were collected and submitted for laboratory analysis. A total of eight samples were collected from four boring locations. One soil sample (B6-2.0) exhibited a total lead concentration greater than 10 times the limit for lead of 5.0 milligrams per liter (mg/l) and 20 times the leaching limit for lead of 5.0 mg/l. Total petroleum hydrocarbon (TPH) was reported in 4 of the 8 samples analyzed at total concentrations ranging from 45 mg/kg to 720 mg/kg.²⁷ Soil excavated from the Project Site will be stockpiled and characterized for TPH content, and acceptance from the intended receiving facility should be obtained prior to shipping the soil off-site for disposal. For disposal purposes, and with the exception of the area in the vicinity of Boring B6, the soil would be classified as a non-hazardous waste based on TPH content.²⁸

Wet soluble lead was reported in sample B6-2.0 at a concentration of 16 mg/l which is greater than the 5.0 mg/l lead limit. Based on this analytical result, the soil in the vicinity of B6-2.0 would be characterized as a California Hazardous waste based on soluble lead content. The soil would not be characterized as a Resource Conservation and Recovery Act (RCRA) hazardous waste because the soluble lead content of 0.50 mg/l reported for the sample is less than the limit/standard of 5.0 mg/l. The extent of lead impacted soil in the vicinity of Boring B6 is undefined. A Soil Management Plan (SMP) will be prepared for the Project Site prior to the start of grading. Soil management procedures within the SMP shall be described so the hazardous soil can be separated from nonhazardous soil during excavation tasks. Soil management procedures outlined in the SMP will be followed during the Project's excavation and development phases to properly manage the various classes of soil and to minimize risk

- ²⁵ Ramboll, 2020. Draft Preliminary Endangerment Assessment, 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 14, 2020.
- ²⁶ Ramboll, 2020. Draft Preliminary Endangerment Assessment, 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 14, 2020.
- ²⁷ Geocon West, 2020. Limited Soil Sampling and Analysis. 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 7, 2020.
- ²⁸ Geocon West, 2020. Limited Soil Sampling and Analysis. 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 7, 2020.

to workers and the public during construction.²⁹ Hence, since total metal is detected at a concentration greater than or equal to 10 times the respective limit, and assuming that 100-percent of the total metals are soluble, soluble metal analysis by the Waste Extraction Test (WET) is required. Compliance with regulatory requirements would reduce impacts from contamination to less than significant levels in compliance with state and federal requirements.

Methane Buffer Zone

The Project Site is located within a City designated Methane Buffer Zone.^{30,31} Pursuant to City Ordinance No. 175,790 and Ordinance No. 180,619, standard measures to control exposure to methane, such as site testing detection systems, and venting, would be required pursuant to the LAMC as part of the City's required ministerial plan check and permit issuance process. Additionally, testing for the presence of methane and the installation of methane mitigation systems at the Project Site prior to construction activities may be necessary (Division 71 of the Los Angeles Building Code [LABC]). A methane soil gas investigation was conducted at the Project Site and determined that elevated methane concentrations were present on-site.³² The Methane Soil Gas Investigation Report recommends measures will be incorporated into the design of the Project to alleviate methane concentrations. Required compliance with the LAMC and the LABC would ensure that the Project would not result in public health exposure to methane at a level that would exceed the standards established by any state or federal agency. Therefore, there would be no significant impact resulting from exposure to methane as a result of Project implementation.

Asbestos Containing Materials (ACM) and Lead Based Paint (LBP)

As discussed in Attachment B of the PEA, based on the absence of buildings on the Project Site, there is a low potential for ACM and LBP.³³ As discussed in Attachment C of this SCPE, consistent with SCAG mitigation measure MM-HAZ-4(b), an assessment to determine the presence of ACM and LBP on the Project Site prior to construction activities would be required. Since it was determined that there is a low potential for ACM and LBP, there would be no hazardous material risk resulting from exposure to ACM and/or LBP as a result of Project implementation.

Therefore, with compliance with applicable regulatory requirements and Project measures, implementation of the Project would not result in

²⁹ Geocon West, 2020. Limited Soil Sampling and Analysis. 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 7, 2020.

³⁰ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.

³¹ Terra-Petra Environmental Engineering, 2020. Report of Methane Soil Gas Investigation, Proposed Development, 2000 Third Street, 1917-2005 1/2 W. 3rd St., Los Angeles, CA 90057. July 13, 2020.

³² Terra-Petra Environmental Engineering, 2020. Report of Methane Soil Gas Investigation, Proposed Development, 2000 Third Street, 1917-2005 1/2 W. 3rd St., Los Angeles, CA 90057. July 13, 2020.

³³ Ramboll, 2020. Draft Preliminary Endangerment Assessment, 1917-2005 1/2 West 3rd Street, Approximately 0.69-acre Southern Portion of Assessor's Parcel Number (APN) 5154-020-030, Los Angeles, CA. July 14, 2020.

impacts pertaining to the release of or exposure to hazardous substances. Furthermore, the analysis and conclusions of the <u>PEA</u> and related <u>Phase I ESA</u> fully address and resolve the hazards-related analysis required by this criterion; namely, the existence of any release of a hazardous substance on the Project Site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. Therefore, the Project meets this criterion.		
(5) The TPP does not have a significant effect on historical resources pursuant to Section 21084.1. A <u>Historic Resources Technical Report</u> (Attachment K) was prepared for the Project Site by the Historic Resources Group.³⁴ The Project Site is currently improved with landscaped areas, pedestrian walkway, stairs, an outdoor seating area, and a surface parking lot. These features that make up the Project Site were developed as part of the Miramar Towers apartment building complex located immediately north of the Project Site and constructed in 1979. The Project Site does not contain any historical resources.³⁵ Additionally, as stated in the <u>Historic Resources Technical Report</u>, the Miramar Towers building, for which the Project Site was developed, is not eligible for historic listing. Two resources in the Project vicinity have been identified by SurveyLA as eligible for local, state, and national listing or eligible for local listing as a City of Los Angeles Historic-Cultural Monument (HCM). The first resource is a single-family residence at 1913 West 3rd Street abutting the Project Site to the east, which has been identified by SurveyLA as eligible for the National Register, California Register, and as a City of Los Angeles HCM. The second resource is a Royal Viking Motel Pole Sign, a freestanding neon sign associated with the motel property located approximately 100 feet west of the Project Site and separated from the Project Site by the 4-story apartment building located at 2007 West 3rd Street. The Royal Viking Motel Pole Sign was identified by SurveyLA as eligible for local listing as a City of Los Angeles HCM. No other historic resources were identified on or in the immediate vicinity of the Project Site.³⁶ Since all new construction associated with the Project would be contained within the Project Site, and the Project Site does not contain any historic resources, the Project would not physically alter or demolish any historical resources located on or adjacent to the Project Site. Therefore, the Project would not result in significant direct impacts to any historic resources.³⁷	X	

³⁴ Historic Resources Group, 2020. Historic Resources Technical Report, 1917-2005 1/2 West 3rd Street, Los Angeles, California. August 2020.

³⁵ Historic Resources Group, 2020. Historic Resources Technical Report, 1917-2005 1/2 West 3rd Street, Los Angeles, California. August 2020.

³⁶ Historic Resources Group, 2020. Historic Resources Technical Report, 1917-2005 1/2 West 3rd Street, Los Angeles, California. August 2020.

³⁷ Historic Resources Group, 2020. Historic Resources Technical Report, 1917-2005 1/2 West 3rd Street, Los Angeles, California. August 2020.

The Project does not include the demolition, relocation, rehabilitation, alteration, or conversion of the 1912 residence located at 1913 West 3rd Street. However, the proposed new construction would include substantial foundation work and the construction of a subterranean lobby level. The excavation work associated with the Project, however, would be located 33 feet or more from the 1913 West 3rd Street residence, and is not anticipated to cause a level of vibration that would result in damage to adjacent structures so that any potential for adverse indirect impacts from vibration associated with construction activity will be avoided and 1913 West 3rd Street will retain its eligibility for listing in the National Register, California Register and designation as a Los Angeles HCM. Given the distance of 100 feet, the Royal Viking Motel Pole Sign would remain unchanged and in its original location after implementation of the Project and the Project would not result in direct adverse impacts to the Royal Viking Motel Pole Sign. Significance and integrity of the Royal Viking Motel Pole Sign would not be materially impaired by the Project and the Royal Viking Motel Pole Sign would retain its eligibility for designation as a Los Angeles HCM. The Project would not result in significant indirect impacts to the Royal Viking Motel Pole Sign.³⁸ Therefore, no significant effects to historical resources would occur, and the Project meets this criterion.		
(6) The TPP site is not subject to any of the following: (a) A wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard. As described above and recognized in the 2016 RTP/SCS, the Project Site is located in a highly urbanized area of the City. The Project Site is not located within a Very High Fire Hazard Severity Zone pursuant to the City's ZIMAS system, nor is it located within a designated Fire Buffer Zone or Mountain Fire District by the 1996 City General Plan's Safety Element.^{39,40} Therefore, the Project Site is not subject to a wildland fire hazard, and the Project meets this criterion. (b) An unusually high risk of fire or explosion from materials stored or used on nearby properties; The <u>Phase I ESA</u> prepared for the Project Site found that the Project Site is not included in any federal, state, or local environmental list that identifies the use, generation, storage, treatment or disposal of hazardous materials and chemicals, or release incidents of such materials which may	X	

³⁸ Historic Resources Group, 2020. Historic Resources Technical Report, 1917-2005 1/2 West 3rd Street, Los Angeles, California. August 2020.

³⁹ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.

⁴⁰ City of Los Angeles, Department of City Planning, 1996. City of Los Angeles General Plan, Safety Element. Available at: <https://planning.lacity.org/cwd/gnlpln/safetyelt.pdf>, accessed June 3, 2020.

impact the Project Site.⁴¹ Based upon the review of all pertinent Regulatory Documents, the Phase I ESA concluded that there is only a low potential for any toxic or hazardous contamination to the Project Site from off-site sources.⁴² Accordingly, the Project Site is not subject to an unusually high risk of fire or explosion from materials stored or used on nearby properties or a risk of public health hazard in excess of federal or state standards. Therefore, the Project meets this criterion.

(c) Risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.

The Project Site is located within the City's Methane Buffer Zone.^{43,44} Pursuant to City Ordinance No. 175,790 and Ordinance No. 180,619, standard measures to control exposure to methane, such as site testing, detection systems, and venting, would be identified and implemented as part of the Project's required regulatory compliance with the LAMC. Additionally, testing for the presence of methane and the installation of methane mitigation systems at the Project Site prior to construction activities may be necessary (Division 71 of the LABC). A methane soil gas investigation was conducted at the Project Site and determined that elevated methane concentrations were present on-site.⁴⁵ The Methane Soil Gas Investigation Report recommends methane mitigation measures be incorporated into the design of the Project. These recommended design features would include an active sub-slab vent system with an impervious methane/waterproofing membrane, perforated collection pipes, a 4-inch gravel blanket/thickness surrounding the pipes, vent risers with mechanical extraction, electrical seal-offs on dry utility lines, and trench dams at utility trenches. Additionally, a methane gas detection system incorporating gas sensors and alarms shall be required.⁴⁶ Compliance with the LAMC and the LABC would ensure that the Project would not result in public health exposure to methane at a level that would exceed the standards established by any state or federal agency.

Therefore, the Project would not result in public health exposure, either to the public or to future tenants of the Project, at a level that would exceed the standards established by any state or federal agency. As such, the Project meets this criterion.

⁴¹ Surveys Inc., 2020. Phase I ESA: Miramar Development, 1917-2005 1/2 W. 3rd Street, Los Angeles, CA, 90057. June 2, 2020.

⁴² Surveys Inc., 2020. Phase I ESA: Miramar Development, 1917-2005 1/2 W. 3rd Street, Los Angeles, CA, 90057. June 2, 2020.

⁴³ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.

⁴⁴ Terra-Petra Environmental Engineering, 2020. Report of Methane Soil Gas Investigation, Proposed Development, 2000 Third Street, 1917-2005 1/2 W. 3rd St., Los Angeles, CA 90057. July 13, 2020.

⁴⁵ Terra-Petra Environmental Engineering, 2020. Report of Methane Soil Gas Investigation, Proposed Development, 2000 Third Street, 1917-2005 1/2 W. 3rd St., Los Angeles, CA 90057. July 13, 2020.

⁴⁶ Terra-Petra Environmental Engineering, 2020. Report of Methane Soil Gas Investigation, Proposed Development, 2000 Third Street, 1917-2005 1/2 W. 3rd St., Los Angeles, CA 90057. July 13, 2020.

(d) Seismic risk as a result of being within a delineated earthquake fault zone, as determined pursuant to Section 2622, or a seismic hazard zone, as determined pursuant to Section 2696, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake fault or seismic hazard zone.

As discussed in the Geotechnical Investigation prepared for the Project (Attachment D), the Project Site is not located within a designated earthquake fault or seismic hazard zone. Specifically, it is not located within the established Alquist-Priolo Earthquake Fault Zone or a fault zone mapped by the State Geologist pursuant to the Seismic Hazard Mapping Act.^{47,48} Additionally, the Project Site is not located within a City-designated Fault Rupture Study Area.^{49,50,51} No active faults are known to pass through the immediate Project vicinity. The closest active fault to the Project Site, the Hollywood Fault, is located approximately 3.5 miles north of the Project Site.⁵² The Project Site is underlain by the Los Angeles segment of the Puente Hills Blind Thrust and the Upper Elysian Bind Thrust.⁵³ While these blind thrust faults and others in the region do not present a potential surface rupture hazard at the Project Site, these faults are considered active features capable of generating future earthquakes that could result in moderate to significant ground shaking at the Project Site.⁵⁴

The Project is required to comply with the existing building, grading, and seismic regulations of the LABC, which incorporates the Uniform Building Code (UBC) and California Building Code (CBC). Compliance with these regulations is required by LAMC Section 91.7006, which requires the Los Angeles Department of Building and Safety to review and approve a final design-level geotechnical report for the Project prior to the issuance of grading permits. Furthermore, the final geotechnical report would incorporate the building design recommendations contained in the existing Geotechnical Investigation prepared for the Project (Attachment D).

Because the Project Site is not located within a designated earthquake fault or seismic hazard zone, the Project would not result in seismic risk as a result of being within a delineated earthquake fault zone or a seismic hazard zone, and the Project meets this criterion.

(e) Landslide hazard, flood plain, flood way, or restriction zone unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

The Project Site is not within a City-designated Hillside Area, a landslide zone, a liquefaction zone, a fault rupture study area, or a tsunami inundation zone.^{55 56} The Project Site is not located in a 100-year flood hazard area according to the Los Angeles General Plan Safety Element.⁵⁷ Additionally, according to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel #06037C1617G, the Project Site is located outside of any Special Flood Hazard Areas (SFHAs) and is identified as being in an Area of Minimal Flood Hazard. Furthermore, based on the Phase I ESA, no wetlands were identified at

the Project Site or adjoining/immediately surrounding properties and therefore, the risk of flooding from a seismically induced seiche is remote. Therefore, the Project would not result in landslide hazard, flood plain, flood way, or restriction zone impacts, and the Project meets this criterion.		
(7) The TPP site is not located on developed open space. (a) For the purposes of this paragraph, “developed open space” means land that meets all of the following criteria: i. Is publicly owned, or financed in whole or in part by public funds. ii. Is generally open to, and available for use by, the public. iii. Is predominantly lacking in structural development other than structures associated with open spaces, including, but not limited to, playgrounds, swimming pools, ballfields, enclosed play areas, and picnic facilities. The Project Site is privately owned and is currently developed with a pedestrian walkway, a landscaped area (with 28 non-protected trees), and a surface parking lot for the private use by the residents and staff of Miramar Towers. This area is solely used as an ingress and egress area for vehicle and pedestrian access to 3rd Street for occupants of the existing development. The Project Site has not been designated for acquisition by a public agency for use as open space, and is located in a	X	

- ⁴⁷ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.
- ⁴⁸ Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁴⁹ City of Los Angeles, Department of City Planning, 1996. City of Los Angeles General Plan, Safety Element. Available at: <https://planning.lacity.org/cwd/gnlpln/safteyelt.pdf>, accessed June 3, 2020.
- ⁵⁰ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.
- ⁵¹ Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁵² Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁵³ Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁵⁴ Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁵⁵ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.
- ⁵⁶ Geocon West, Inc., 2020. Geotechnical Investigation: Proposed Multi-Family Residential Development, 1917 1/2 - 2005 1/2 West 3rd Street, Angeles, California, Tract: Extension of the Nob Hill Tract, Lots: 1-6; Parcels: 2-5. July 7, 2020.
- ⁵⁷ City of Los Angeles, Department of City Planning, 1996. City of Los Angeles General Plan, Safety Element. Available at: <https://planning.lacity.org/cwd/gnlpln/safteyelt.pdf>, accessed July 2, 2019.

highly urbanized area that includes a mixture of commercial, residential and institutional uses. The Project Site does not meet all of the "developed open space" criteria above, as it is privately owned, and not open to or available for use by the public. The Project Site is also designated and zoned for commercial and multi-family residential uses, and not designated or zoned for open space purposes.⁵⁸ Therefore, the Project Site is not located on developed open space, and the Project meets this criterion.		
(8) The buildings in the TPP are 15 percent more energy efficient than required by Chapter 6 of Title 24 of the California Code of Regulations, and the buildings and landscaping are designed to achieve 25 percent less water usage than the average household use in the region. As shown by the <u>CEQA Exemption Energy and Water Efficiency Compliance Memorandum</u> prepared for the Project (Attachment I), the Project's energy use would be 15.5 percent less than the standards required by Title 24, Part 6 (2016). Moreover, the Project's water use would be 89 percent below the regional baseline. The Project would achieve its energy efficiency through the implementation of multiple measures including, but not limited to, enhanced exterior wall insulation, overhanging balconies for solar shading, high performance windows, and other forms of high-efficiency lighting, high-efficiency heating, ventilation, and air conditioning (HVAC) systems, and centralized hot water system and high-efficiency water fixtures. The Project would achieve its water efficiency through multiple measures including high efficiency water-using appliances such as clothes washers and dishwashers, and efficient irrigation systems. Furthermore, as specifically discussed in the 2018 California Gas Report, SoCalGas projects total gas demand to decline from 2018 to 2035 due to modest economic growth, the California Public Utilities Commission mandated energy efficiency standards and programs, tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure. Consistent with this forecast, pursuant to City and state requirements, the Project would incorporate energy conservation features and comply with applicable regulations including CALGreen and State energy standards under Title 24 that would continue to reduce the use of natural gas Thus, the Project meets this criterion.	X	
PRC § 21155.1(b). The TPP complies with all of the following land use criteria:	Consistent?	
	Yes	No

⁵⁸ City of Los Angeles, ZIMAS, 2020. Parcel information for 1917 W. 3rd St., APN 5525004023. Available at: <http://zimas.lacity.org/>, accessed June 2, 2020.

(1) The site of the TPP is not more than eight acres in total area. The Project is comprised of a 137-unit affordable housing building on a 30,432 square foot lot (0.70 acre). Therefore, the Project Site is less than 8 acres in total area, and the Project meets this criterion.	X	
(2) The TPP does not contain more than 200 residential units. The Project would include 137 residential units. Therefore, the Project would not contain more than 200 residential units, and meets this criterion.	X	
(3) The TPP does not result in any net loss in the number of affordable housing within the project area. The Project Site is currently improved with landscaped areas, pedestrian walkway, stairs, an outdoor seating area, and surface parking and, thus, development of the Project would not result in the loss of any affordable housing within the area. The proposed Project would provide 136 affordable housing units for Low Income households, subsequently resulting in a net increase in the number of affordable housing units in the Project area. Therefore, the Project meets this criterion.	X	
(4) The TPP does not include any single level building exceeding 75,000 square feet. The Project would construct a 7-story building with approximately 106,386 square feet of residential development. Therefore, the Project does not include any single-level building exceeding 75,000 square feet, and meets this criterion.	X	
(5) Any applicable mitigation measures or performance standards or criteria set forth in the prior environmental impacts, and adopted in findings, have been or will be incorporated into the TPP. There are no prior EIRs or other environmental documents prepared specifically for the Project Site. The 2016 RTP/SCS EIR, adopted April 2016, is relevant to the Project and includes a Mitigation Monitoring and Reporting Program (MMRP), which provides a list of mitigation measures SCAG determined a lead agency can and should consider, as applicable and feasible, where the lead agency has identified that a project has the potential for significant effects.⁵⁹ While the SCAG mitigation measures should only be applied to projects that have the potential for significant effects, a discussion of applicability of these measures is also contained in Attachment C. As described therein, many of the mitigation measures identified by SCAG would not apply to the Project and, therefore, would not be incorporated into the TPP (e.g., the Project). The 2016 RTP/SCS MMRP also includes various mitigation measures at the regional level that would be implemented by SCAG (not at the project-level) and are therefore not discussed in Attachment C.	X	

⁵⁹ SCAG, 2016 RTP/SCS PEIR, Exhibit B Mitigation Monitoring and Reporting Program. Available at: http://scagrtpscs.net/Documents/2016/peir/final/2016fPEIR_ExhibitB_MMRP.pdf, 2016, accessed June 17, 2020.

Attachment C, <u>Mitigation Measures from Prior EIR – SCAG 2016-2040 RTP/SCS</u> , contains a full discourse of the Project’s consistency with SCAG’s MMRP. As such, the Project meets this criterion.		
(6) The TPP is determined not to conflict with nearby operating industrial uses. According to ZIMAS, there are no parcels near the Project Site that are zoned for industrial use. An aerial review of land uses on Google Maps revealed that this area is comprised of a mix of uses, including commercial development, residential uses, public open space, and institutional uses. As described above, surrounding uses are generally developed with residential and commercial structures. The property to the north, at the Miramar Towers Site, is zoned R4-1 and is developed with a 7-story senior apartment building (Miramar Towers). The abutting property to the east is zoned C2-1, and is developed with a single-family home and a 2-story multi-family residential building. The properties to the south, across 3rd Street, are zoned C2-1 and are improved with commercial and residential uses. The property to the west is zoned C2-1 and is developed with a 4-story multi-family residential building. The nearest industrial use zone is located 0.72 miles to the north of the Project Site, north of the Hollywood Freeway (US-101) in Echo Park. The area has a CM-1VL Zone with a Commercial Manufacturing land use designation. The area is currently developed with retail and institutional uses, and has several vacant lots. Given the mix of nearby uses, including commercial and both single- and multi-family residential uses, there is no significant potential for a land use or operational conflict occurring between the Project and nearby operating industrial uses. Accordingly, the Project would not conflict with any nearby operating industrial uses, and meets this criterion.	X	
(7) The TPP is located within one-half mile of a rail transit station or a ferry terminal included in a RTP or within one-quarter mile of a high-quality transit corridor included in a RTP. As noted above, PRC Section 21064.3(a) clarifies that a “major transit” stop can include an existing rail transit station. The existing Metro B Line (Red) and D Line (Purple) Westlake/MacArthur Park Station is located 0.48-mile southwest of the Project Site. Additionally, the Project Site is designated as being within a High Quality Transit Area within the SCAG 2016 RTP/SCS.⁶⁰ As such, and as described above, the Project Site is within one-half mile of a major transit stop. Therefore, the Project Site satisfies this criterion.	X	

⁶⁰ Southern California Associate of Governments (SCAG), 2016. 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS), page 77. Available at: <http://scagrtpscsc.net/Documents/2016/draft/d2016RTPSCS.pdf>, accessed June 30, 2020.

PRC § 21155.1(c). The TPP complies meets at least one of the following three criteria:	Consistent?	
	Yes	No
(1) The TPP meets both of the following: (a) At least 20 percent of the housing would be sold to families of moderate income, or not less than 10 percent of the housing would be rented to families of Low Income, or not less than 5 percent of the housing is rented to families of very Low Income. (b) The TPP developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units for very low, low-, and moderate-income households at monthly housing costs with an affordable housing cost or affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, respectively, for the period required by the applicable financing. Rental units shall be affordable for at least 55 years. Ownership units shall be subject to resale restrictions or equity sharing requirements for at least 30 years. (2) The transit priority project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required pursuant to paragraph (1). (3) The transit priority project provides public open space equal to or greater than five acres per 1,000 residents of the project. The Project meets part (1) of this criterion. The Project would provide 100-percent of its total units (136 affordable units of 137 total units, with one unit being a non-restricted manager's unit) to families of Low Income for at least 55 years. Pursuant to LAMC Section 12.22 A.31 and the Project's conditions of approval, the Applicant shall record a covenant against the Project Site ensuring the continued availability and use of the Project's 136 Low Income units for a 55-year period. Therefore, the Project meets this criterion.	X	