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COMMISSION OFFICE
(213) 978-1300

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200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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July 10, 2023

Los Angeles City Council
c/o Office of the City Clerk
City Hall, 395
Los Angeles, CA 90012

Attention: PLUM Committee

Dear Honorable Members:

**STAFF RECOMMENDATION REPORT FOR A SUSTAINABLE COMMUNITIES
ENVIRONMENTAL ASSESSMENT (SCEA), LOCATED AT 8141, 8155, 8159 NORTH VAN NUYS
BOULEVARD AND 14528, 14550 WEST TITUS STREET; CF 23-0728**

This report includes Environmental Findings, Justification, supporting documents, and technical analyses for the Sustainable Communities Environmental Assessment (SCEA) that was published for public review from March 2, 2023, to April 3, 2023 for the following project:

| | |
|------------------------|---|
| Project Name: | 8141 Van Nuys Boulevard |
| Environmental Case No. | ENV-2020-4228-SCEA |
| Project Applicant: | Grand Pacific 7-28, LLC (dba Panorama Tower) |
| Project Address: | 8141, 8155, 8159 North Van Nuys Boulevard, 14528 and 14550 West Titus Street |
| Community Plan: | Mission Hills – Panorama City – North Hills |
| Council District: | 6 – Vacant |

An initial study has been prepared and circulated in compliance with Public Resources Code (PRC) Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project. The Transit Priority Project (TPP) has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Report(s) (EIR), including the Southern California Association of Governments (SCAG) Connect SoCal 2020 - 2045 Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS); finding that all potentially significant effects identified in the initial study have been identified and analyzed in the SCEA; finding that with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or, incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance, or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

It is hereby requested that the City Council consider and determine if the proposed project qualifies for a SCEA, pursuant to PRC Section 21155.2.

Background

Through the "Sustainable Communities and Climate Protection Act of 2008," known as Senate Bill 375 (SB 375), the state legislature created a new document for environmental review called a Sustainable Communities Environmental Assessment (SCEA). The intent of a SCEA is to encourage projects that would implement regional plans to reduce greenhouse gas emissions (e.g., by building housing near public transit) by providing for streamlined environmental review of Transit Priority Projects that are consistent with an adopted sustainable communities strategy. The SCEA provides complete environmental analysis by evaluating the potential effects of a Project in an Initial Study similar to a Mitigated Negative Declaration (MND), with additional requirements specific to a SCEA as described below.

SB 375 requires Metropolitan Planning Organizations (MPOs), such as SCAG, to create a new component in their Regional Transportation Plan to include a Sustainable Communities Strategy. Government Code Section 65080(b)(2)(B) requires the SCS to set forth a forecasted development pattern for the region that integrates transportation policies to reduce greenhouse gas emissions and achieve the reduction targets approved by the California Air Resources Board. SB 375 also contains new environmental clearances in the California Environmental Quality Act (CEQA) for projects that can qualify under PRC Section 21155 as TPPs. The SB 375 clearances are intended to meet the goals of the SCS to encourage higher density, infill development located near transit. If a project qualifies as a TPP and would mitigate potentially significant impacts to a level of insignificance, the lead agency may choose to prepare a SCEA. Under PRC Section 21155, to be a TPP, the project must be consistent with the general land use designation, density, building intensity, and policies in the SCAG RTP/SCS; and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in a regional transportation plan. Under PRC Section 21155.2(b), a TPP may qualify for a SCEA if it meets all of the following:

- The Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in applicable EIRs; and
- An initial study is prepared, and the initial study shows the Project will have less than significant impacts, including if needed, through the imposition of mitigation measures.

The evaluation of a SCEA differs from standard MND environmental review in that it requires the following additional analysis: (1) consistency analysis with the SCAG RTP/SCS; and (2) analysis to demonstrate all applicable mitigation measures from applicable EIRs have been incorporated into the Project. The SCEA also has additional procedural requirements from an MND. Under a SCEA, the City is not required to analyze growth inducing impacts or project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network. The Initial Study should identify any cumulative effects that have been adequately analyzed and mitigated in prior applicable certified EIRs. Projects that use the SCEA provisions will still need to obtain discretionary permits or other approvals from the lead agency.

Project Description

The subject of this SCEA is a Project that proposes the development of a new 7-story mixed-use building to be constructed on the southeast portion of the Project Site, including 200 residential units and approximately 2,060 square feet of ground floor commercial on the southeast corner of the Project Site (Proposed Building). The 200 units would all be market-rate and consist of 159 1-bedroom units, 39 2-bedroom units, and 2 studio units.

A 3-level 504 space parking structure (Parking Building) would be constructed on the western half of the Project Site. A 10,674 square foot warehouse space (not open to the public) would be located between the Parking Building and surface parking lot along Titus Street. A 12-space surface parking lot would be constructed on the north midpoint of the Project Site accessed from Titus. The Project also includes a signage program.

The Project Site is currently developed with an existing vacant 14-story building that is comprised of 194 residential units and 9,533 square feet of previously permitted commercial and retail spaces (Existing Building) and a 219-space surface parking lot located at the northeast corner of Van Nuys Boulevard and Titus Street. The Project will encompass a total floor area of approximately 361,086 square feet.

The requested entitlements include:

1. Community Design Overlay District compliance review pursuant to Section 13.08 of the Los Angeles Municipal Code (LAMC) with the Panorama City Community Design Overlay (CDO) for the proposed buildings, and signage program.
2. Site Plan Review (SPR) pursuant to Section 16.05 of the LAMC for any development project which creates, or results in an increase of, 50 or more dwelling units or guest rooms, or combination thereof.

The Project's environmental clearance is before the Planning and Land Use Management Committee of the City Council; the validity of the requested land use entitlements will be evaluated by the appropriate decision maker at a later date.

Public Comments

The SCEA was released for public comment from March 2, 2023 to April 3, 2023. Planning staff received three comments from various members of the public. In a letter dated March 29, 2023, Mitchell Tsai Law Firm representing the Southwest Mountain States Regional Council of Carpenters (SWMSRCC) contends that the SCEA is inadequate and expresses concerns regarding local hire requirements, as well as requesting an EIR to be prepared. In a letter dated April 3, 2023, Lozeau Drury representing the Supporter Alliance for Environmental Responsibility (SAFER) believes that the SCEA did not adequately analyze health risks and did not evaluate the consistency with the current 2022 Scoping Plan and California's long-term climate of goal of carbon neutrality by 2045, as well as inadequately mitigating the Project's noise impacts. In a letter dated April 3, 2023, the Los Angeles Conservancy commends the project for meeting the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Attached as Exhibit A of this Staff Report, a Response to Comments dated June 22, 2023 has been added to the Council File and provides the City's responses to each of the written comments received for the SCEA. Copies of the written comments in their entirety can be found in the administrative record of Case No. ENV-2020-4228-SCEA and as part of the Response to Comments letter. In summary, there is no substantial evidence that the project will have a significant effect on the environment in any of the areas of environmental concern identified by the public. Furthermore, only the project's environmental clearance is before the Planning and Land Use Management Committee of the City Council; the validity of the requested land use entitlements will be evaluated by the appropriate decisionmaker at a later date.

Mitigation Measures

As described in the SCEA, PRC Section 21151.2(a) requires that a TPP such as the Project incorporate all feasible mitigation measures, performance standards, or criteria from prior applicable EIRs. As a new predominantly multifamily residential project to be developed on an urban infill site that is within a SCAG-identified high-quality transit area and transit priority area, the most relevant prior EIR for the Project is the program EIR (PEIR) prepared for SCAG's 2020-2045 RTP/SCS, which was adopted by SCAG on September 3, 2020 and certified by the California Air Quality Board (CARB) on October 30, 2020. An analysis of the SCAG mitigation measures that are applicable to the Project is provided in Section IV, Mitigation Measures from Prior EIRs, of the SCEA.

Where appropriate, the SCEA has identified Project design features, regulatory compliance measures, or potential mitigation measures to avoid or to reduce potentially significant environmental impacts of the proposed Project. The following mitigation measures were identified for the Project:

Transportation

MM-TRAN-1 Transportation Demand Management (TDM) Program

- **Unbundle Parking** - This strategy unbundles the parking costs from the property costs, requiring those who wish to purchase parking spaces to do so at an additional cost from the property cost. The strategy assumes the parking cost is set by the VMT calculator to be a minimum of \$114 per month and paid by the vehicle owners/drivers. Unbundled parking and monthly fees would be part of the leasing and operation plans for the Project. The Project proposes to unbundle parking.
- **Bike Parking** - This strategy involves implementation of short and long-term bicycle parking to support safe and comfortable bicycle travel by providing parking facilities at destinations under existing LAMC regulations applicable to the Project (LAMC Section 12.21.A.16). The Project provides bicycle parking consistent with LAMC Section 12.21.A.16 - The Project will provide the required 17 short term and 129 long term bike parking spaces for a total of 146 bike parking spaces.

MM-TRAN-2 Prior to the start of construction, a Construction Traffic Management Plan (CTMP) shall be submitted to LADOT for review and approval. The CTMP will include a Worksite Traffic Control Plan, which will facilitate traffic and pedestrian movement, and minimize the potential conflicts between construction activities, street traffic, bicycles, and pedestrians. The CTMP will include, but not limited to, the following measures:

- Maintaining access for land uses in the vicinity of the Project Site during construction.

- Schedule construction materials deliveries during off-peak periods to the extent practical.
- Organize deliveries and staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to surrounding roadways.
- Coordinate deliveries to ensure trucks do not wait to unload or load and impact surrounding roadways, and if needed, utilize an off-site staging area.
- Control truck and vehicle access to the Project Site with flagmen.
- Limit sidewalk and lane closures to the maximum extent possible and avoid peak period hours to the extent possible. Where such closures are necessary, the Worksite Traffic Control Plan will identify the location of any sidewalk or lane closures and identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity
- Parking for construction workers will be provided either on-site or at off-site, off-street locations.

TRAN-MM-3 Safety Hazards

- The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- Construction and construction staging shall be planned as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding) from workspace and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
- Temporary pedestrian facilities shall be adjacent to the Project Site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Sidewalk shall be kept open during construction until only when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

Environmental Findings

The City of Los Angeles finds that the Proposed Project complies with the requirements of CEQA for using an SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). The City of Los Angeles has determined that:

The Project is a Transit Priority Project (TPP) pursuant to PRC Section 21155:

- a. The Project is consistent with the general use designation, density, building intensity, and applicable policies specified in the project area in the current SCAG RTP/SCS.
- b. The Project contains at least 50 percent residential use, based on total building square footage, and if the project contains between 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75;
- c. The Project provides a minimum net density of at least 20 dwelling units per acre;
- d. The Project is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan, consistent with PRC Section 21155(b). A major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or 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. 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.

The Transit Priority Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the following prior applicable EIR: SCAG's 2020-2045 RTP/SCS EIR.

An initial study has been prepared and circulated in compliance with PRC Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project.

All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed.

With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:

- i. Changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
- ii. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

Conclusion and Actions for the City Council

The City of Los Angeles finds that the Project complies with the requirements of CEQA for using a SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). City Planning Staff recommends that PLUM recommend for City Council action the adoption of the SCEA, with the following recommended actions:

FIND, pursuant to Public Resources Code (PRC) Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environment Assessment, No. ENV-2020-4228-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;

FIND that the City Council held a hearing on and adopted the SCEA pursuant to PRC Section 21155.2(b);

FIND the Project is a transit priority project pursuant to PRC Section 21155 and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG's 2020-2045 RTP/SCS EIR;

FIND all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA;

FIND with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency;

FIND the SCEA reflects the independent judgment and analysis of the City;

FIND the mitigation measures have been made enforceable conditions on the project; and

ADOPT the SCEA and the Mitigation Monitoring Program prepared for the SCEA.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in cursive script that reads "Kristine Jegalian".

Kristine Jegalian
City Planning Associate

BL:CR:ST:KJ

Enclosures: Exhibit A: Response to Comments