

# APPLICATIONS



## APPEAL APPLICATION Instructions and Checklist

### THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: \_\_\_\_\_

Reviewed & Accepted by (DSC Planner): \_\_\_\_\_

Receipt No.: \_\_\_\_\_ Date: \_\_\_\_\_

Determination authority notified       Receipt Number: \_\_\_\_\_

### PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

### RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

### APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- Area Planning Commission (APC)       City Planning Commission (CPC)       City Council  
 Zoning Administrator (ZA)

### CASE INFORMATION

Case Number: CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI; ENV-2024-326-MND

APN: 5032-022-018, 5032-022-017, 5032-022-005, 5032-022-004, and 5032-022-003

Project Address: 3701 - 3761 West Stocker Street, Los Angeles, CA 90008

Final Date to Appeal: April 8, 2026

### JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?       Entire       Part

Are specific Conditions of Approval being appealed?

YES

NO

If Yes, list the Condition Number(s) here: All Conditions

On a separate sheet provide the following:

Reason(s) for the appeal

Specific points at issue

How you are aggrieved by the decision

## APPELLANT

Check all that apply.

Person, other than the Applicant, Owner or Operator claiming to be aggrieved

Representative

Property Owner

Applicant

Operator of the Use/Site

## APPELLANT INFORMATION

Appellant Name: CREED LA c/o Aidan P. Marshall

Company/Organization: Adams, Broadwell, Joseph & Cardozo

Mailing Address: 601 Gateway Blvd. Ste. 1000

City: South San Francisco

State: CA

Zip Code: 94080

Telephone: (650) 589-1660

E-mail: amarshall@adamsbroadwell.com

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

Self

Other: CREED LA

Is the appeal being filed to support the original applicant's position?

YES

NO

## REPRESENTATIVE / AGENT INFORMATION

Name: Aidan P. Marshall

Company/Organization: Adams, Broadwell, Joseph & Cardozo

Mailing Address: 601 Gateway Blvd. Ste. 1000

City: South San Francisco

State: CA

Zip Code: 94080

Telephone: (650) 589-1660

E-mail: amarshall@adamsbroadwell.com

## APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Appellant Signature: 

Date: April 7, 2026

## GENERAL NOTES

*A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.*

*The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

## GENERAL APPEAL FILING REQUIREMENTS

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below.

## ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

**Online Application System (OAS):** The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.



QR Code to Online Appeal Filing

## IN PERSON APPEAL FILINGS

**Drop off at DSC:** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- b. Alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

## CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

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

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

## APPEAL DOCUMENTS

### 1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- Appeal Application
- Justification/Reason for Appeal
- Copy of Letter of Determination (LOD) for the decision being appealed

### 2. Electronic Copy

- Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

### 3. Appeal Fee

- Original Applicant.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable, or a fee

equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.

- Aggrieved Party.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

#### 4. Noticing Requirements (Applicant Appeals Only)

- Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

### SPECIFIC CASE TYPES

#### ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

### DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to [LAMC Section 13B.2.5. \(Director Determination\) of Chapter 1A](#) or [LAMC Section 13B.2.3. \(Class 3 Conditional Use\) of Chapter 1A](#) as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
  - Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

### WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to [LAMC Section 12.37 I of Chapter 1](#) or [LAMC Section 10.1.10. \(Waiver and Appeals\) of Chapter 1A](#) as applicable.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

### [VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant [LAMC Section 13B.7.3.G. of Chapter 1A](#).

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

## NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to [LAMC Section 13B.6.2.G. of Chapter 1A](#). Nuisance Abatement/Revocations cases are only appealable to the City Council.

### Appeal Fee

- *Applicant (Owner/Operator)*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- *Aggrieved Party*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

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April 6, 2026

**Via Online Submission**

Los Angeles City Council

Online Portal: <https://plncts.lacity.org/oas>

**Re: Appeal of the Stocker Street Creative Project (Case Nos. CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI; ENV-2024-326-MND; SCH No. 2025110100)**

Dear Council President Harris-Dawson and Councilmembers:

On behalf of Coalition for Responsible Equitable Economic Development Los Angeles (“CREED LA”), we submit this appeal to the City Council of the City of Los Angeles (“City”) City Planning Commission (“Commission”) approvals of the Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI) (“Project”).

On March 24, 2026, the City Planning Commission (“Commission”) issued a Letter of Determination (“LOD”), approving Site Plan Review, Conditional Use Permits (“CUP”), Project Permit Compliance Review and Design Review, and Initial Study/Mitigated Negative Declaration (“IS/MND”) for the Project.<sup>1</sup>

CREED LA hereby appeals all actions taken by the Commission with regard to the Project as described in the March 24, 2026, LOD. The reasons for this appeal are set forth herein and described in greater detail in the attached comments, which document the City’s failure to comply with the California Environmental Quality Act (“CEQA”) and the Los Angeles Municipal Code (“LAMC”). Attached are CREED LA’s comments submitted during the IS/MND comment period on December 8, 2025,<sup>2</sup> and CREED LA’s comments responding to the Commission staff report on

<sup>1</sup> City of Los Angeles, Letter of Determination re Case No.: CPC-2024-325-CU-MCUP-CUX-SPP-DRB-SPR-WDI (March 24, 2026).

<sup>2</sup> **Attachment A:** Letter from Adams Broadwell, Joseph & Cardozo (“ABJC”) to City re: Preliminary Comments on the Initial Study/Mitigated Negative Declaration for the Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI): (December 8, 2025).

L8099-006acp

February 23, 2026, summarized below.<sup>3</sup> CREED LA's February 23<sup>rd</sup> comments were submitted in advance of the Commission hearing, and identify the issues which remained unresolved prior to Project approval. We incorporate by reference the attached comments and exhibits, which are in the City's record of proceedings for the Project.<sup>4</sup>

## **I. Standing to Appeal and Statement of Interest**

CREED has standing to appeal the Project approvals. The Project's CUPs may be appealed to the City Council pursuant to LAMC Section 12.24(I) by any interested person within fifteen days of the mailing of the decision.<sup>5</sup>

CREED LA and its members are interested persons who would be adversely affected by the Commission's determinations. CREED LA is a non-profit organization formed to ensure that the construction of major urban projects in the Los Angeles region proceeds in a manner that minimizes public and worker health and safety risks, avoids or mitigates environmental and public service impacts, and fosters long-term sustainable construction and development opportunities. The organization's members include Los Angeles residents, the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, and their members, their families, and other individuals who live and work in and around the City of Los Angeles and the Los Angeles region.

Individual members of CREED LA live, work, recreate, and raise their families in the City of Los Angeles and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first

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<sup>3</sup> **Attachment B:** Letter from ABJC to City re: Agenda Item 7 – Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI) (February 23, 2026).

<sup>4</sup> We reserve the right to supplement these comments at later hearings and proceedings on the Project. Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121,

<sup>5</sup> LAMC Section 12.24(I) (“An applicant or any other person aggrieved by the initial decision of the Area Planning Commission or the City Planning Commission may appeal the decision to the City Council. The appeal shall be filed within 15 days of the date of mailing of the initial decision on forms provided by the Department.”).

April 7, 2026

Page 3

in line to be exposed to any health and safety hazards that exist onsite. CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members.

Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA submitted written comments to the City on the Project's MND, supported by expert comments, as well written and oral comments to the Commission explaining CREED LA's objections to the City's proposed approval of the Project without complying with CEQA or local land use requirements.<sup>6</sup>

CREED LA's appeal is timely filed within 15 days from the mailing date of the Commission's LOD. Therefore, CREED LA has standing to appeal the Commission's determinations.

## **II. Reasons for Appeal**

### **A. The City Has Not Complied with CEQA: the Commission Improperly Approved the Project in Reliance on an Inapplicable CEQA Document**

The Commission's approval of the Project violates CEQA because the City prepared an MND for the Project, rather than an Environmental Impact Report ("EIR"). CEQA requires an EIR, rather than an MND, be prepared when there is substantial evidence supporting a fair argument that the Project would result in significant impacts.<sup>7</sup> CREED LA's comments on the Project's IS/MND presented substantial evidence supporting a fair argument that the Project would result in significant and unmitigated air quality, public health, energy, noise, and public utilities impacts. The City is thus required to prepare an EIR for the Project.

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<sup>6</sup> Pub. Res. Code 21177(a), (b).

<sup>7</sup> Pub. Resources Code, §§ 21080, subd. (d), 21082.2, subd. (d); CEQA Guidelines, §§ 15002, subd. (k)(3), 15064, subds. (f)(1), (h)(1); *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* ("Laurel Heights IP") (1993) 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-151; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* ("Quail Botanical") (1994) 29 Cal.App.4th 1597, 1601-1602.

The Commission Staff Report included responses to CREED LA's comments, but CEQA provides: "[i]f there is disagreement among expert opinion supported by facts ... the Lead Agency shall treat the effect as significant and shall prepare an EIR."<sup>8</sup> Here, the Commission Staff Report failed to resolve the issues raised in the comments, ignored substantial evidence supporting a fair argument that the Project has significant impacts which are not fully mitigated by the mitigation measures proposed in the MND, and asked the Commission to adopt the MND and approve the Project without substantial evidence to support the required findings

In summary, the IS/MND lacked a quantitative health risk analysis of impacts from exposure to the Project's construction emissions. CREED LA's air quality and public health consultant, Dr. Clark, prepared a health risk analysis which found that exposure to the Project's construction emissions would result in an incremental cancer risk of 13.4 in one million, in excess of the South Coast Air Quality Management District's ("SCAQMD") cancer risk threshold of 10 in one million. Dr. Clark's findings demonstrate a significant impact which the IS/MND failed to disclose or mitigate. The Staff Report includes a new health risk analysis by the City which asserts that health risk is not significant. But Dr. Clark demonstrated that the City's analysis remained inaccurate and found that, even under the City's calculations, the Project continues to result in a significant health risk of 11.2 in one million, exceeding the Air District threshold of 10 in one million and demonstrating an ongoing significant impact.<sup>9</sup> The City cannot rely on an unsupported health risk determination to support Project approval. Moreover, the City's disagreement with Dr. Clark is precisely the type of dispute between experts which requires an EIR under the fair argument standard.<sup>10</sup>

Further, the IS/MND's conclusion that the Project's hazardous materials impacts would be less than significant remains unsupported. CREED LA previously commented that the IS/MND violated CEQA by failing to analyze the site for soil contamination (either in a Phase I or II environmental site assessment ("ESA")). The Staff Report responds that "a Phase 1 Environmental Site Assessment for the project site was prepared on January 5, 2021. The Phase 1 ESA was not included in the IS/MND, although it was and is available for review in the City files."<sup>11</sup> The

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<sup>8</sup> 14 Cal. Code Regs., § 15064(b), (g); see *Keep Our Mountains Quiet v. County of Santa Clara* (6th Dist. 2015) 236 Cal.App.4th 714.

<sup>9</sup> Clark Comments, p. 2.

<sup>10</sup> 14 Cal. Code Regs. § 15064(f)(1); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 934-935, 938 ('opposing views are substantial evidence going the other way, which is insufficient to refute the claim of a fair argument').

<sup>11</sup> Staff Report, PDF pg. 1995.

Staff Report then asserted that “[t]he detailed Phase 1 ESA does not identify significant hazardous conditions.... The less-than-significant conclusion within the Hazard and Hazardous Materials section of the IS/MND remains accurate.”<sup>12</sup> However, the Commission Staff Report failed to attach the Phase I report and the City has not provided it in response to CREED LA’s requests. **As of the date of this appeal, the City still has not made the Phase I ESA available.** This reliance on a hidden study violates both CEQA and the Public Records Act.<sup>13</sup>

The courts are clear that a CEQA document may not rely on hidden studies or documents that are not provided to the public.<sup>14</sup> The failure to provide even a few pages of a CEQA documents for a portion of the CEQA review period invalidates the entire CEQA process, and such a failure must be remedied by permitting additional public comment.<sup>15</sup> Thus, if the City intends to rely on a Phase I ESA to support a no-impact conclusion, the ESA must be attached to a Draft EIR and circulated for public comment with the environmental document. The City failed to do that here. Moreover, the City failed to provide access to the Phase I ESA in response to CREED LA’s record requests of November 24, 2025, and January 30, 2026. The City’s failure to make the record available also violates the Public Records Act.<sup>16</sup>

The Project would also have potentially significant and unmitigated air quality and energy impacts that the IS/MND did not address. The IS/MND drastically underestimated the Project’s operational consumption of energy: the IS/MND analyzed the Project as an office project, whereas studio and sound stage production is much more energy-intensive. The Project’s energy consumption and emissions of criteria air pollutants and greenhouse gases (“GHGs”) are thus potentially significant.

The Project would also have potentially significant and unmitigated public utilities impacts. CREED LA commented that the IS/MND lacked analysis of necessary public utilities improvements, and that an Information of Fire Flow

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<sup>12</sup> *Id.*

<sup>13</sup> *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 (“Whatever is required to be considered in a [CEQA document] must be in that formal report; what any official might have known from other writings or oral presentations cannot supply what is lacking in the report.”); Government Code §§ 7920.000.

<sup>14</sup> *Id.*

<sup>15</sup> *Ultramar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689, 699.

<sup>16</sup> Government Code §§ 7922.000, 7922.525, 7922.530; *see Sukumar v. City of San Diego* (4<sup>th</sup> Dist. 2017), 14 Cal.App.5th 451 (an agency’s “inability or unwillingness to locate and produce” requested records “is tantamount to withholding requested information” under the Act).

Availability Request (“IFFAR”) must be prepared for the Project. The Staff Report responded, without support, that no off-site utility improvements would be required besides installation of underground electrical service. But unsupported conclusions are not substantial evidence. The missing analysis must be included in an EIR.

In sum, substantial evidence supports the fair argument that the Project’s impacts would be potentially significant. An EIR must be prepared.

### **B. The Commission Lacked Substantial Evidence to Approve the Project’s Entitlements**

Because there is substantial evidence in the record demonstrating that the Project has significant, unmitigated environmental and public health impacts, and because the City relied on an inapplicable CEQA document, the Commission lacked substantial evidence to approve the Project’s entitlements and permits.

Section 16.05(A) of the LAMC provides that the purpose of Site Plan Review is to “evaluate and mitigate significant environmental impacts, [...] promote public safety and the general welfare [and] control or mitigate the development of projects which are likely to have a significant adverse effect on the environment as identified in the City’s environmental review process, or on surrounding properties by reason of inadequate site planning or improvements.” The Commission lacked substantial evidence to approve the Project’s Site Plan Review because the Project would result in significant public health and environmental impacts, as summarized above. Section 16.05 also provides that the City cannot approve a site plan review “unless an appropriate environmental review clearance has been prepared in accordance with the requirements of CEQA.” Here, the City erroneously relied on an IS/MND, instead of preparing an EIR. Thus, approval of the Project’s Site Plan Review was unsupported by the record and contrary to law.

In order to approve the Project’s CUPs, the City must find that the Project “will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.”<sup>17</sup> Here, the Project would result in potentially significant air quality, public health, energy, noise, and public utilities impacts, which would affect the surrounding neighborhood. Thus, approval of the Project’s CUPs was unsupported by the record and contrary to law.

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<sup>17</sup> LAMC Section 12.24(E).

To approve the Project's Project Permit Compliance and Design Review, the City must find that the Project "incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible."<sup>18</sup> Here, the Project has not incorporated the requisite mitigation measures to reduce the Project's impacts to a less-than-significant level. Thus, approval of the Project's Project Permit Compliance and Design Review was unsupported by the record and contrary to law.

### III. CONCLUSION

CREED LA respectfully requests that the City Council set a hearing on this appeal, and that the City Council uphold this appeal and vacate the Commission's approval of the Project. The City must prepare an EIR in compliance with CEQA before the Project can be considered for approval.

Sincerely,



Aidan P. Marshall

Attachments  
APM:acp

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<sup>18</sup> LAMC Section 11.5.7

# **ATTACHMENT A**

# ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

## ATTORNEYS AT LAW

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*Of Counsel*

DANIEL L. CARDOZO  
MARC D. JOSEPH

December 8, 2025

### **VIA EMAIL AND OVERNIGHT MAIL**

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City of Los Angeles  
Department of City Planning  
200 North Spring Street, Room 721  
Los Angeles, CA 90012

Email: [kyle.winston@lacity.org](mailto:kyle.winston@lacity.org)

**Re: Preliminary Comments on the Initial Study/Mitigated Negative Declaration for the Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI):**

Dear Mr. Winston:

We are writing on behalf of Coalition for Responsible Equitable Economic Development Los Angeles ("CREED LA") to provide preliminary comments on the Initial Study/Mitigated Negative Declaration ("IS/MND") prepared by the City of Los Angeles ("City") for the Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI) ("Project"), proposed by 3731-41 Stocker Opportunity LLC & 3751-3761 Stocker Traditional LLC ("Applicant").

The Project consists of the demolition of five office buildings totaling approximately 123,354 square feet ("SF") and the construction of a campus for studio and sound stage production, totaling approximately 256,758 SF, plus a parking garage (122,358-square-foot open parking garage with 344 parking stalls).<sup>1</sup> The campus would consist of six new buildings, which will include sound stages, production support facilities, offices, retail use, an approximately 16,500 SF indoor/outdoor restaurant, 31,000 SF open space event area, security office and mill shop.<sup>2</sup> The Project site is located at 3701-3761 Stocker Street (Assessor Parcel Numbers 5032-022-018, 5032-022-017, 5032-022-005, 5032-022-004, and 5032-022-

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<sup>1</sup> MND, p. 1.

<sup>2</sup> MND, p. 1.

003) in the West Adams-Baldwin Hills-Leimert Community Plan Area of the City of Los Angeles, California.<sup>3</sup>

CREED LA reviewed the IS/MND with the assistance of air quality expert James Clark, Ph.D.<sup>4</sup> The IS/MND is incomplete and fails to meet CEQA's basic requirements. For example, the IS/MND fails to describe existing conditions related to hazardous materials at the Project site, including existing soil and building conditions. The IS/MND does not include a Phase I or II Environmental Site Assessment, industry-standard reports for detecting hazardous materials on the Project site. Omitting this analysis results in an unsupported conclusion that the Project site contains no hazardous conditions and would have no significant hazardous materials impacts from construction and operation. If undisclosed contamination exists, it may place construction workers, neighbors, and future tenants at risk. The IS/MND also fails to include an analysis of health risks to nearby sensitive receptors from exposure to toxic air contaminants ("TACs") during construction activities. The IS/MND fails to quantify the Project's energy consumption, disclose energy-consuming activities that would result from the proposed studio production uses, or analyze concrete energy-reducing measures.

Based upon our review of the IS/MND and supporting documentation, it is also clear that substantial evidence supports a fair argument that the Project would have potentially significant air quality, public health, energy, noise, and public utilities impacts that are not adequately mitigated by the mitigation proposed in the IS/MND. Dr. Clark prepared a health risk analysis, using data and assumptions from the IS/MND's air study, which shows that Project construction emissions would result in an incremental cancer risk of 13.4 in one million, in excess of the South Coast Air Quality Management District's ("SCAQMD") cancer risk threshold of 10/million.<sup>5</sup> Further, the air quality analysis drastically underestimates the Project's operational consumption of energy: the IS/MND analyzes the Project as an office project, whereas studio and sound stage production is much more energy-intensive. The Project's energy consumption and emissions of criteria air pollutants and greenhouse gases ("GHGs") are potentially significant. The City cannot approve the Project until the errors in the IS/MND are remedied by preparing an environmental impact report ("EIR") which fully discloses and mitigates the Project's potentially significant impacts.

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<sup>3</sup> MND, p. 7.

<sup>4</sup> Dr. Clark's comments and curricula vitae and are attached hereto as **Exhibit A** ("Clark Comments").

<sup>5</sup> Clark Comments, pg. 6.

We reserve the right to supplement these comments at later proceedings and hearings related to the Project.<sup>6</sup>

## I. STATEMENT OF INTEREST

CREED LA is a non-profit organization formed to ensure that the construction of major urban projects in the Los Angeles region proceeds in a manner that minimizes public and worker health and safety risks, avoids or mitigates environmental and public service impacts, and fosters long-term sustainable construction and development opportunities. The organization's members include Los Angeles residents, the Sheet Metal Workers Local 105, International Brotherhood of Electrical Workers Local 11, Southern California Pipe Trades District Council 16, and District Council of Iron Workers of the State of California, and their members, their families, and other individuals who live and work in and around the City of Los Angeles and the Los Angeles region.

Individual members of CREED LA live, work, recreate, and raise their families in the City of Los Angeles and surrounding communities. Accordingly, they would be directly affected by the Project's environmental and health and safety impacts. Individual members may also work on the Project itself. They will be first in line to be exposed to any health and safety hazards that exist onsite. CREED LA has an interest in enforcing environmental laws that encourage sustainable development and ensure a safe working environment for its members. Environmentally detrimental projects can jeopardize future jobs by making it more difficult and more expensive for business and industry to expand in the region, and by making the area less desirable for new businesses and new residents. Indeed, continued environmental degradation can, and has, caused construction moratoriums and other restrictions on growth that, in turn, reduce future employment opportunities.

CREED LA supports the development of residential, commercial, and mixed-use projects where properly analyzed and carefully planned to minimize impacts on public health, climate change, and the environment. These projects should avoid adverse impacts to air quality, public health, climate change, noise, and traffic, and must incorporate all feasible mitigation to ensure that any remaining adverse impacts are reduced to the maximum extent feasible. Only by maintaining the highest standards can commercial development truly be sustainable.

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<sup>6</sup> Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield ("Bakersfield")* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.

## II. THE CITY MUST PREPARE AN ENVIRONMENTAL IMPACT REPORT TO COMPLY WITH CEQA

CEQA requires that lead agencies analyze any project with potentially significant environmental impacts in an EIR.<sup>7</sup> “Its purpose is to inform the public and its responsible officials of the environmental consequences of their decisions before they are made. Thus, the EIR protects not only the environment, but also informed self-government.”<sup>8</sup> The EIR has been described as “an environmental ‘alarm bell’ whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return.”<sup>9</sup>

CEQA’s purpose and goals must be met through the preparation of an EIR, except in certain limited circumstances.<sup>10</sup> CEQA contains a strong presumption in favor of requiring a lead agency to prepare an EIR. This presumption is reflected in the “fair argument” standard. Under that standard, a lead agency “shall” prepare an EIR whenever substantial evidence in the whole record before the agency supports a fair argument that a project may have a significant effect on the environment.<sup>11</sup>

In contrast, a mitigated negative declaration may be prepared only when, after preparing an initial study, a lead agency determines that a project may have a significant effect on the environment, but:

- (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review *would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur*,
- and (2) there is *no substantial evidence* in light of the whole record before the public agency that the project, as revised, *may* have a significant effect on the environment.<sup>12</sup>

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<sup>7</sup> See Pub. Resources Code, § 21000; CEQA Guidelines, § 15002.

<sup>8</sup> *Citizens of Goleta Valley v. Bd. of Supervisors* (“Goleta Valley”) (1990) 52 Cal.3d 553, 564, internal citations omitted.

<sup>9</sup> *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795, 810.

<sup>10</sup> See Pub. Resources Code, § 21100

<sup>11</sup> Pub. Resources Code, §§ 21080, subd. (d), 21082.2, subd. (d); CEQA Guidelines, §§ 15002, subd. (k)(3), 15064, subds. (f)(1), (h)(1); *Laurel Heights Improvement Assn. v. Regents of the Univ. of Cal.* (“*Laurel Heights IP*”) (1993) 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-151; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (“*Quail Botanical*”) (1994) 29 Cal.App.4th 1597, 1601-1602.

<sup>12</sup> Pub. Resources Code, § 21064.5 (emphasis added).

Courts have held that if “no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.”<sup>13</sup> The fair argument standard creates a “low threshold” favoring environmental review through an EIR, rather than through issuance of a negative declaration.<sup>14</sup> An agency’s decision not to require an EIR can be upheld only when there is no credible evidence to the contrary.<sup>15</sup>

“Substantial evidence” required to support a fair argument is defined as “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.”<sup>16</sup> According to the CEQA Guidelines, when determining whether an EIR is required, the lead agency is required to apply the principles set forth in Section 15064, subdivision (f):

[I]n marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.<sup>17</sup>

Furthermore, CEQA documents, including EIRs and MNDs, must mitigate significant impacts through measures that are “fully enforceable through permit conditions, agreements, or other legally binding instruments.”<sup>18</sup> Deferring formulation of mitigation measures to post-approval studies is generally impermissible.<sup>19</sup> Mitigation measures adopted after Project approval deny the

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<sup>13</sup> See, e.g., *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320.

<sup>14</sup> *Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754

<sup>15</sup> *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th, 1307, 1318; see also *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988, 1002 (“*Friends of B Street*”) (“If there was substantial evidence that the proposed project might have a significant environmental impact, evidence to the contrary is not sufficient to support a decision to dispense with preparation of an EIR and adopt a negative declaration, because it could be ‘fairly argued’ that the project might have a significant environmental impact”).

<sup>16</sup> CEQA Guidelines, § 15384, subd. (a).

<sup>17</sup> Pub. Resources Code, § 21064.5.

<sup>18</sup> CEQA Guidelines, § 15126.4, subd. (a)(2).

<sup>19</sup> *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 308-309; Pub. Resources Code, § 21061.

public the opportunity to comment on the Project as modified to mitigate impacts.<sup>20</sup> If identification of specific mitigation measures is impractical until a later stage in the Project, specific performance criteria must be articulated and further approvals must be made contingent upon meeting these performance criteria.<sup>21</sup> Courts have held that simply requiring a project applicant to obtain a future report and then comply with the report's recommendations is insufficient to meet the standard for properly deferred mitigation.<sup>22</sup>

With respect to this Project, the IS/MND fails to satisfy the basic purposes of CEQA. The IS/MND fails to adequately disclose, investigate, and analyze the Project's potentially significant impacts, and fails to provide substantial evidence to conclude that impacts will be mitigated to a less than significant level. Because the IS/MND lacks basic information regarding the Project's potentially significant impacts, the IS/MND's conclusion that the Project will have a less than significant impact on the environment is unsupported.<sup>23</sup> Moreover, substantial evidence shows that the Project may result in potentially significant impacts that are not reduced to less than significant levels with the mitigation measures included in the IS/MND. Therefore, a fair argument can be made that the Project may cause significant impacts requiring the preparation of an EIR.

#### **A. The IS/MND Fails to Disclose and Mitigate Significant Health Risk Impacts**

##### **1. The IS/MND Fails to Analyze Health Risks from the Project's Construction and Operational Emissions**

Project construction and operation would generate DPM, a type of TAC.<sup>24</sup> DPM would be emitted during construction by heavy equipment and diesel trucks, and likely during operations by a diesel backup generator or other diesel-fueled stationary equipment.<sup>25</sup> DPM has been linked to a range of serious health problems including an increase in respiratory disease, lung damage, cancer, and premature death. The Project's emissions of DPM would impact sensitive receptors near the

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<sup>20</sup> *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1393; *Quail Botanical*, *supra*, 29 Cal.App.4th at pg. 1604, fn. 5.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Pub. Resources Code, § 21064.5.

<sup>24</sup> SCAQMD, Classification of Diesel PM as a Carcinogen, <https://www.aqmd.gov/home/rules-compliance/compliance/toxic-hot-spots-ab-2588/iws-facilities/dice/dice-b2>; OEHHA, Health Effects of Diesel Exhaust (May 21, 2001), <https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf>.

<sup>25</sup> *Id.*;

Project site, which include residences, a convalescent center, and a school in close proximity to the Project site.<sup>26</sup> The IS/MND fails to quantify the Project's health risk impacts and compare the impacts to the City's significance threshold, which provides that a project's incremental cancer risk would be significant if it exceeds 10 in one million.<sup>27</sup> The City's approach does not comply with CEQA.

CEQA requires analysis of human health impacts. CEQA Guidelines Section 15065(a)(4) provides that the City is required to find a project will have a significant impact on the environment and prepare an EIR if the environmental effects of a project will cause a substantial adverse effect on human beings.<sup>28</sup> The Supreme Court has also explained that CEQA requires the lead agency to disclose the health consequences that result from exposure to a project's air emissions.<sup>29</sup> Courts have held that an environmental review document must disclose a project's potential health risks to a degree of specificity that would allow the public to make the correlation between the project's impacts and adverse effects to human health.<sup>30</sup>

In *Bakersfield Citizens for Local Control v. City of Bakersfield*, the court found that the EIR's description of health risks were insufficient and that after reading them, "the public would have no idea of the health consequences that result when more pollutants are added to a nonattainment basin."<sup>31</sup> Likewise, in *Sierra Club*, the California Supreme Court held that the EIR's discussion of health impacts associated with exposure to the named pollutants was too general and the failure of the EIR to indicate the concentrations at which each pollutant would trigger the identified symptoms rendered the report inadequate.<sup>32</sup> Some connection between air quality impacts and their direct, adverse effects on human health must be made. As the Court explained, "a sufficient discussion of significant impacts requires not merely a determination of whether an impact is significant, but some effort to explain the nature and magnitude of the impact."<sup>33</sup> CEQA mandates discussion, supported by substantial evidence, of the nature and magnitude of impacts of air pollution on public health.<sup>34</sup>

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<sup>26</sup> IS/MND, pg. 11.

<sup>27</sup> IS/MND, Appendix A, pg. 44.

<sup>28</sup> PRC § 21083(b)(3), (d).

<sup>29</sup> *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 516, 523.

<sup>30</sup> *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

<sup>31</sup> *Id.* at 1220.

<sup>32</sup> *Sierra Club*, at 521.

<sup>33</sup> *Id.* at 519, citing *Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 514–515.

<sup>34</sup> *Sierra Club*, 6 Cal.5th at 518–522.

For development projects like this one, the Office of Environmental Health Hazard Assessment's ("OEHHA") risk assessment guidelines recommend a formal health risk analysis ("HRA") for short-term construction exposures to TACs lasting longer than 2 months and exposures from projects lasting more than 6 months should be evaluated for the duration of the project.<sup>35</sup> In an HRA, lead agencies must first quantify the concentration released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern.<sup>36</sup> Following that analysis, then the City can make a determination of the relative significance of the emissions. The IS/MND provides that exposure to TACs would be significant if it would result in a cancer risk greater than or equal to 10 in a million and/or a HI [non-cancerous] greater than or equal to 1.<sup>37</sup>

Here, the IS/MND fails to quantify sensitive receptors' exposure to TACs and compare the impact to the City's quantitative threshold. As such, no connection between the Project's emissions and their direct, adverse effects on human health has been made.<sup>38</sup> Further, the City lacks substantial evidence to conclude that the significance threshold would not be exceeded.

The IS/MND argues that no significant health risk impact would occur from exposure to construction emissions because they would be short-term (35 months).<sup>39</sup> The IS/MND reasons that SCAQMD guidance describes health effects from TACs "in terms of individual cancer risk, which is the likelihood that a person exposed to TACs over a 70-year lifetime will contract cancer," and that exposure to TACs for a shorter period would not result in a "a long-term (i.e., lifetime or 30-year) exposure."<sup>40</sup> The IS/MND does not support this reasoning with scientific evidence. The IS/MND's reasoning is also incorrect: individual cancer risk is not just affected by the duration of exposure to TACs, but also the concentration of the individual's unique exposure scenario and the toxicity of the chemical. Accordingly, OEHHA

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<sup>35</sup> Office of Environmental Health Hazard Assessment (OEHHA), Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015 (OEHHA 2015), Section 8.2.10: Cancer Risk Evaluation of Short Term Projects, pp. 8-17/18;

<https://oehha.ca.gov/air/crnrr/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>.

<sup>36</sup> IS/MND, Appendix A, pg. 44.

<sup>37</sup> AVAQMD, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines (August 2016), available at

<https://www.avaqmd.ca.gov/files/e5b34d385/AV%20CEQA%20Guides%202016.pdf>.

<sup>38</sup> *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184.

<sup>39</sup> IS/MND, pg. 45.

<sup>40</sup> IS/MND, pg. 45.

guidance sets a recommended threshold for preparing an HRA of a construction period of two months or more.<sup>41</sup> Because the IS/MND contains no quantitative analysis of TAC emissions, the City lacks substantial evidence to support the IS/MND's untenable conclusion that exposing sensitive receptors to TACs over the Project's two-year (25 month) construction period would not result in health impacts or increase the cancer risk to those receptors. As construction of the instant Project will last at least two years, an HRA must be prepared.

The IS/MND also argues that "none of the Project's emissions exceed any local or regional thresholds."<sup>42</sup> This statement is misleading, because the IS/MND fails to compare the Project's health risk impacts to the applicable 10 in one million significance threshold. Instead, the IS/MND purports to compare the Project's emissions to Localized Significance Thresholds ("LSTs"), which do not address health risk from exposure to TACs such as DPM.

The City's reliance on LSTs is misplaced, as the purpose of LSTs is not to represent health risk significance thresholds for TACs such as DPM. Rather, LSTs represent the maximum criteria pollutant emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area.<sup>43</sup> DPM is not a criteria pollutant for which there is an applicable federal or state ambient air quality standard. The seven criteria air pollutants are: ozone ("O<sub>3</sub>"); carbon monoxide ("CO"); nitrogen dioxide ("NO<sub>2</sub>"); sulfur dioxide ("SO<sub>2</sub>"); particulate matter less than 10 microns ("PM<sub>10</sub>"), PM less than 2.5 microns ("PM<sub>2.5</sub>"); and lead ("Pb"). Conversely, DPM is made of dozens of constituent particles that cause cancer. For example, the California Air Resources Board explains that DPM is composed of carbon particles and numerous organic compounds, including over 40 known cancer-causing organic substances.<sup>44</sup> Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene. Diesel exhaust also contains gaseous pollutants, including volatile organic compounds and oxides of nitrogen (NO<sub>x</sub>). Accordingly, CARB has identified DPM as a "toxic air contaminant" with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these

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<sup>41</sup> See "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: [http://oehha.ca.gov/air/hot\\_spots/hotspots2015.html](http://oehha.ca.gov/air/hot_spots/hotspots2015.html) ("OEHHA Guidance"), p. 8-18.

<sup>42</sup> IS/MND, Appendix A, pg. 55.

<sup>43</sup> <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2>.

<sup>44</sup> <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>.

pollutants. In sum, LSTs were not designed to reflect the unique health risks of toxic air contaminants like DPM.

The IS/MND also states that construction emissions would be less than significant because the “average diesel PM emissions from on-site heavy-duty equipment would be approximately 1.13 pounds per working day, spread across the five-acre site.”<sup>45</sup> The IS/MND lacks substantial evidence to conclude that this level of emissions would be less than significant, as it did not model sensitive receptors’ exposure to these emissions. As will be explained below, Dr. Clark prepared an HRA showing that this level of TAC emissions would result in significant health risks.

The IS/MND thus fails to meet CEQA’s informational and analytical requirements, and the Project’s health risk impacts remain potentially significant and unmitigated. These potentially significant impacts must be analyzed and mitigated in an EIR.

## **2. Substantial Evidence Supports a Fair Argument that the Project’s TAC Emissions would Result in a Significant Health Risk Impact**

Dr. Clark performed a quantitative health risk analysis using values from the IS/MND’s air study. Assumptions regarding types of construction equipment, hours of operation, and construction schedule were based on information in the air study. Dr. Clark’s analysis demonstrates that emissions from the Project’s construction could result in an excess cancer risk of 13.4 in one million for a sensitive receptor (infant) at existing residences.<sup>46</sup> This cancer risk would exceed the SCAQMD significance threshold of 10 in one million. This significant impact must be disclosed and mitigated in an EIR.

### **B. The IS/MND Fails to Disclose and Analyze Cumulative Health Risk Impacts**

The IS/MND reasons that projects that do not exceed significance thresholds for *project-level* air quality and health risk impacts would not be *cumulatively* considerable.<sup>47</sup> These thresholds are sourced from SCAQMD’s 2003

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<sup>45</sup> IS/MND, Appendix A, pg. 55.

<sup>46</sup> Clark Comments, pg. 6.

<sup>47</sup> IS/MND, Appendix A, pg. 58.

White Paper.<sup>48</sup> This approach violates CEQA because it improperly focuses upon the individual project's relative effects and omits facts relevant to an analysis of the collective effect this and other sources will have upon air quality.<sup>49</sup> These facts include that the Project site is located in an SB 535 Disadvantaged Community<sup>50</sup> and that other construction projects are proposed nearby.<sup>51</sup> The City's analysis is not supported by substantial evidence, as SCAQMD itself acknowledges that the 2003 guidance is outdated and reliance on its thresholds underestimates impacts.<sup>52</sup>

The IS/MND's approach has been rejected by the courts for failing to comply with CEQA's requirement that a project mitigate impacts that are "cumulatively considerable."<sup>53</sup> The leading case on this issue is *Kings County Farm Bureau v. City of Hanford*.<sup>54</sup> In *Kings County*, the city prepared an EIR for a 26.4-megawatt coal-fired cogeneration plant. Notwithstanding the fact that the EIR found that the project region was out of attainment for PM<sub>10</sub> and ozone, the city failed to incorporate mitigation for the project's cumulative air quality impacts from project emissions because it concluded that the Project would contribute "less than one percent of area emissions for all criteria pollutants."<sup>55</sup> The city reasoned that, because the project's air emissions were small in ratio to existing air quality problems, that this necessarily rendered the project's "incremental contribution" minimal under CEQA. The court rejected this approach, finding it "contrary to the intent of CEQA." The court stated:

We find the analysis used in the EIR and urged by GWF avoids analyzing the severity of the problem and allows the approval of projects which, when taken in isolation, appear insignificant, but

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<sup>48</sup> South Coast Air Quality Management District, 2003, "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution".

<sup>49</sup> *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("*Kings County*"); see also, *Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.

<sup>50</sup> IS/MND, Appendix A, pg. 177.

<sup>51</sup> IS/MND, pg. 152 ("Related Projects within 500 feet of the Project site include: Apartment with 127 dwelling units at 3831 West Stocker Street located across the street from the Project site, and a mixed-use development at 3650 West Martin Luther King Jr. Boulevard located 310 feet from the Project site.").

<sup>52</sup> SCAQMD, CEQA Policy Development: Analyzing Cumulative Impacts from Air Toxics in CEQA Documents, November 6, 2024 Working Group, [https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561\\_13](https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561_13), pg. 5.

<sup>53</sup> PRC § 21083(b)(2); 14 CCR § 15130; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692, 719-21.

<sup>54</sup> *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal. App. 3d 692 ("*Kings County*"); see also, *Friends of Oroville v. City of Oroville* (2013) 219 Cal. App. 4th 832, 841-42.

<sup>55</sup> *Kings County*, *supra*, at 719.

when viewed together, appear startling. Under GWF's "ratio" theory, the greater the over-all problem, the less significance a project has in a cumulative impacts analysis. We conclude the standard for a cumulative impacts analysis is defined by the use of the term "collectively significant" in Guidelines section 15355 and the analysis must assess the collective or combined effect of energy development. The EIR improperly focused upon the individual project's relative effects and omitted facts relevant to an analysis of the collective effect this and other sources will have upon air quality.<sup>56</sup>

In *People of the State of California v. City of Fontana*, the Attorney General's petition for writ of mandate challenged an MND that erroneously applied SCAQMD guidance in the same way as the instant IS/MND.<sup>57</sup> The petition explained:

[T]he MND's cumulative air quality impact analysis does not account for—or even acknowledge—the multitude of other warehouses near the Project. Rather than consider the environmental setting within which the Project will be situated, the MND simply states that the Project will not result in a cumulatively considerable increase in emissions because the Project's individual air quality impacts will be less than significant. The MND even applies this reasoning to its analysis of health impacts from localized emissions, despite making no attempt to determine or disclose the severity of the existing health impacts from localized emissions in the community.<sup>58</sup>

The Attorney General further explained that merely citing to the 2003 SCAQMD guidance does not justify a failure to analyze a Project's cumulative impacts:

The MND cites Appendix D of an August 2003 white paper published by the South Coast Air Quality Management District ("SCAQMD") entitled "White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution" ("2003 SCAQMD White Paper"). **To the extent that the 2003 SCAQMD White Paper asserts that any project with less than significant individual air quality impacts also necessarily has less**

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<sup>56</sup> *Id.* at 721.

<sup>57</sup> *People of the State of California v. City of Fontana*, Case No. CIVSB2121829, Petition for Writ of Mandate, available at [https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723\\_docket-CIVSB2121829\\_petition-for-writ-of-mandate.pdf](https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf).

<sup>58</sup> *People of the State of California v. City of Fontana*, Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 9, paragraph 32, available at [https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723\\_docket-CIVSB2121829\\_petition-for-writ-of-mandate.pdf](https://climatecasechart.com/wp-content/uploads/case-documents/2021/20210723_docket-CIVSB2121829_petition-for-writ-of-mandate.pdf).

**than significant cumulative air quality impacts, it is inconsistent with CEQA** for at least the reasons stated above. Moreover, the 2003 SCAQMD White Paper lacks substantial evidence to support such a contention, and thus the MND’s reliance on it violates CEQA. (Cal. Code Regs., tit. 14, § 15064.7, subd. (c).) The MND further violated CEQA by failing to provide substantial evidence to support its reliance on the 2003 SCAQMD White Paper, Appendix D as “guidance.” (Ibid.) Finally, even if the MND’s reliance on the 2003 SCAQMD White Paper were proper and supported by substantial evidence, the MND did not consider other evidence—such as public comments and the existence of many other sources of pollution near the Project site—showing that the Project could have a significant cumulative air quality impact. (See Cal. Code Regs., tit. 14, § 15064, subd. (b).) [emphasis added]<sup>59</sup>

The Attorney General’s litigation resulted in a settlement which requires compliance with an ordinance adopted on April 12, 2022, that establishes sustainability standards for warehouses in Fontana.<sup>60</sup> The City of Fontana’s decision to suspend its erroneous reliance on SCAQMD’s drop-in-the-bucket approach and to address cumulative impacts in a settlement with the Attorney General’s office reflects an approach consistent with CEQA.

In response to the State’s litigation, SCAQMD commenced a process to replace the outdated guidelines relied upon by the City.<sup>61</sup> Draft Guidance from SCAQMD’s November 6, 2024 Working Group states: “[o]ur current policy recommends using the same significance thresholds for project-level and cumulative-level impacts, **which may underestimate a project’s cumulative impact...** a project’s incremental effect on the environment, though individually limited, may be cumulatively considerable.”<sup>62</sup> The draft guidance recommends that agencies use a more stringent health risk significance threshold for SB 535 Disadvantaged Communities.<sup>63</sup> Although the protocols have not been formally

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<sup>59</sup> *People of the State of California v. City of Fontana*, Case No. CIVSB2121829, Petition for Writ of Mandate, pg. 13, paragraph 49.

<sup>60</sup> *Id.*, Stipulation For Entry Of Final Judgment On Consent, available at [https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414\\_docket-CIVSB2121605-CIVSB2121829\\_stipulation.pdf](https://climatecasechart.com/wp-content/uploads/case-documents/2022/20220414_docket-CIVSB2121605-CIVSB2121829_stipulation.pdf).

<sup>61</sup> SCAQMD, CEQA Policy Development: Analyzing Cumulative Impacts from Air Toxics in CEQA Documents, November 6, 2024 Working Group, [https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561\\_13](https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561_13) (Fontana case referenced on pg. 4).

<sup>62</sup> *Id.* at 5.

<sup>63</sup> SCAQMD, CEQA Policy Development: Analyzing Cumulative Impacts from Air Toxics in CEQA Documents, [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new)); [https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-\(new\)](https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new));

adopted, SCAQMD has commented on recent projects, recommending that the draft protocols be applied.<sup>64</sup> Thus, the City's significance thresholds for cumulative impacts are no longer supported by substantial evidence.

This Project's cumulative impacts are potentially significant. The Project's construction emissions could combine with construction of concurrent projects to result in heightened health risk impacts—impacts not reflected in the City's analysis. The IS/MND identified several projects proposed within 500 feet of the Project site. Sensitive receptors could be exposed to emissions of TACs far greater than disclosed in the IS/MND. Further, the Project census tract ranks in the 84<sup>th</sup> percentile for exposure to PM 2.5<sup>65</sup>—the Project's emissions would add to similar, existing sources of pollution. The IS/MND admits that the Project region is out of attainment for the federal and State one-hour and eight-hour ozone standards, State PM10 standards, federal 24-hour PM2.5 standard, and federal and State annual PM2.5 standard.<sup>66</sup> This constitutes substantial evidence supporting a fair argument that cumulative health risk impacts would be significant. Nevertheless, the City inexplicably asserts that cumulative impacts would be less than significant based on a project-specific threshold.<sup>67</sup> The City must prepare an EIR that properly evaluates and mitigates cumulative impacts.

### **C. Use of Back-Up Generators is a Reasonably Foreseeable Component of the Project**

The IS/MND's analysis of the Project's air quality impacts fails to include emissions associated with the reasonably foreseeable use of back-up generators.<sup>68</sup> Use of back-up generators is reasonably foreseeable for the Project because (1) the IS/MND acknowledges that back-up generators may be required,<sup>69</sup> (2) the film production uses anticipated by the Project regularly use diesel generators,<sup>70</sup> and (3) diesel generators would run during routine testing and emergencies.

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[https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561\\_13](https://www.aqmd.gov/docs/default-source/ceqa/documents/wgm-6-20241106.pdf?sfvrsn=405a8561_13).

<sup>64</sup> SCAQMD, Comments on Draft Environmental Impact Report (DEIR) for the Proposed DJT4 Parcel Delivery Facility Project (Proposed Project) (SCH No. 2023070241) (December 20, 2024).

<sup>65</sup> <https://www.arcgis.com/apps/View/index.html?appid=c3e4e4e1d115468390cf61d9db83efc4> (CalEnviroScreen data for 3761 Stocker St, View Park, CA, 90008, USA).

<sup>66</sup> IS/MND, Appendix A, pg. 13.

<sup>67</sup> FEIR, pg. II-47.

<sup>68</sup> IS/MND, Appendix A, pg. 169.

<sup>69</sup> IS/MND, Appendix A, pg. 11, 38.

<sup>70</sup> Trellis, How Disney and Netflix are getting rid of diesel on production sets, October 21, 2024, <https://trellis.net/article/how-disney-and-netflix-are-getting-rid-of-diesel-on-production-sets/>; BBC, How to make movies without a huge carbon footprint, 16 August 2022, <https://www.bbc.com/news/business-62051070..>

In *East Oakland Stadium Alliance v. City of Oakland*,<sup>71</sup> the Court of Appeal upheld an EIR's analysis of emissions from backup generators. The EIR's analysis assumed that generators would operate for 50 hours of testing and maintenance annually, while allocating no time for actual emergency use. In discussing the lead agency's duty to analyze backup generator emissions, the Court stated that "if the annual need for emergency generator use is reasonably foreseeable, the EIR was not entitled to disregard such use merely because it would occur at unpredictable times."<sup>72</sup> The Court explained that use of a generator was reasonably foreseeable because, "[a]s noted in the EIR, some parts of the Bay Area are subject to predictable, sustained power outages undertaken to reduce the risk of fire."<sup>73</sup> Thus, "[t]he EIR was required to make neither a generally applicable nor a worst-case assumption; rather it was required to make a reasonable estimate of likely annual use of the generators at the project site."<sup>74</sup>

Here, as in *East Oakland Stadium Alliance*, backup generator emissions are a reasonably foreseeable consequence of the Project. First, the IS/MND acknowledges that "[d]uring long-term operations, sources of DPM may include heavy duty diesel-fueled delivery trucks and stationary emergency generators,"<sup>75</sup> and "[s]tationary source emissions are generated from proposed emergency generators during routine maintenance/testing."<sup>76</sup> An estimate of these emissions must be included in the air study.

Not disclosed in the IS/MND is that diesel generators are commonly used in the film and television industry. Diesel generators account for an estimated 700,000 tons of emissions annually across the film and television industry.<sup>77</sup> Diesel generators are commonly used to power the heavy vehicles and generators needed for filming.<sup>78</sup> Other CEQA documents prepared for sound stage and production support projects in the City account for use of backup generators during operations.<sup>79</sup> Because the Project proposes a campus for studio and sound stage

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<sup>71</sup> (2023) 889 Cal. App. 5th 1226.

<sup>72</sup> *Id.* at 1252.

<sup>73</sup> *Id.* at 1253.

<sup>74</sup> *Id.*

<sup>75</sup> IS/MND, Appendix A, pg. 11.

<sup>76</sup> IS/MND, Appendix A, pg. 38.

<sup>77</sup> Trellis, How Disney and Netflix are getting rid of diesel on production sets, October 21, 2024, <https://trellis.net/article/how-disney-and-netflix-are-getting-rid-of-diesel-on-production-sets/>.

<sup>78</sup> BBC, How to make movies without a huge carbon footprint, 16 August 2022, <https://www.bbc.com/news/business-62051070>.

<sup>79</sup> City of Los Angeles, EIR for Radford Studio Center Project (SCH No. 2023060056), Appendix D, pg. 14, 1103, available at [https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App\\_G.pdf](https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App_G.pdf), <https://planning.lacity.gov/development-services/eir/radford-studio-center-1>; see Air Quality &

production, the IS/MND must include a reasonable estimate of diesel generator emissions during operations.

Diesel generator emissions are also reasonably foreseeable due to routine testing of generators. SCAQMD Rule 1470 permits testing of generators for up to 50 hours annually.<sup>80</sup> Emergency use is also reasonably foreseeable due to increasingly common Public Safety Power Shutoff (“PSPS”) events and extreme heat events (“EHE”). EHEs are defined as periods where the temperatures throughout California exceed 100 degrees Fahrenheit.<sup>81</sup> From January 2019 through December 2019, Southern California Edison reported 158 of their circuits underwent a PSP event.<sup>82</sup> In Los Angeles County, two circuits had 4 PSPS events during that period, lasting an average of 35 to 38 hours. The total duration of the PSPS events lasted between 141 hours to 154 hours in 2019. According to the California Public Utilities Commission (“CPUC”) de-energization report<sup>83</sup> in October 2019, there were almost 806 PSPS events that impacted almost 973,000 customers (~7.5% of households in California). The California Air Resources Board estimates that with 973,000 customers impacted by PSPS events in October 2019, approximately 125,000 back-up generators were used by customers to provide electricity during power outages.<sup>84</sup> The widespread use of back-up generators to adapt to PSPS and EHE events suggests that back-up generators are a reasonably foreseeable consequence of the Project.

Generators commonly rely on fuels such as natural gas or diesel,<sup>85</sup> and therefore emit criteria air pollutants, greenhouse gases, and toxic air contaminants. Generator emissions can significantly impact public health through DPM

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Greenhouse Gas Technical Study For The 5426 San Fernando Studios Project, pg. 47, available at <https://www.glendaleca.gov/home/showpublisheddocument/70372/638742829816300000>.

<sup>80</sup> Available at <https://www.aqmd.gov/docs/default-source/rule-book/reg-xiv/rule-1470.pdf>.

<sup>81</sup> Governor of California. 2021. Proclamation of a state of emergency. June 17, 2021.

<sup>82</sup> SCAQMD. 2020. Proposed Amendment To Rules (PARS) 1110.2, 1470, and 1472. Dated December 10, 2020. [http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2\\_1470\\_1472/par1110-2\\_1470\\_wgm\\_121020.pdf?sfvrsn=6](http://www.aqmd.gov/docs/default-source/rule-book/Proposed-Rules/1110.2/1110-2_1470_1472/par1110-2_1470_wgm_121020.pdf?sfvrsn=6).

<sup>83</sup> <https://www.cpuc.ca.gov/deenergization/> as cited in CARB, 2020. Potential Emission Impact of Public Safety Power Shutoff (PSPS), Emission Impact: Additional Generator Usage associated With Power Outage.

<sup>84</sup> California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at <https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps>.

<sup>85</sup> SCAQMD, Fact Sheet on Emergency Backup Generators, <http://www.aqmd.gov/home/permits/emergency-generators> (“Most of the existing emergency backup generators use diesel as fuel”).

emissions.<sup>86</sup> Generators can also emit significant amounts of NO<sub>x</sub>, SO<sub>2</sub>, PM<sub>10</sub>, carbon dioxide (“CO<sub>2</sub>”), carbon monoxide CO, volatile organic compounds (“VOC”), and PM<sub>2.5</sub>.<sup>87</sup> Failure to measure onsite generator emissions results in an underestimation of the Project’s air quality, greenhouse gas, and health risk impacts. Dr. Clark explains that these emissions may be potentially significant.<sup>88</sup> The City must quantify operational emissions from backup generators and compare them to applicable significance thresholds. Without this information, the IS/MND’s conclusion that operational emissions are less than significant is unsupported.

#### **D. Air Quality and Energy Impacts Would be Greater than Analyzed in the IS/MND**

The IS/MND fails to quantify this specific project’s energy consumption. Instead, the IS/MND references energy consumption for a generic land use category from the air study’s CalEEMod analysis which does not describe the Project’s intended uses.<sup>89</sup> The IS/MND bases its energy “analysis” on the land uses that are

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<sup>86</sup> California Air Resources Board, Emission Impact: Additional Generator Usage Associated with Power Outage (January 30, 2020), available at <https://ww2.arb.ca.gov/resources/documents/emissions-impact-generator-usage-during-psps> (showing that generators commonly rely on gasoline or diesel, and that use of generators during power outages results in excess emissions); California Air Resources Board, Use of Back-up Engines for Electricity Generation During Public Safety Power Shutoff Events (October 25, 2019), available at <https://ww2.arb.ca.gov/resources/documents/use-back-engines-electricity-generation-during-public-safety-power-shutoff> (“When electric utilities de-energize their electric lines, the demand for back-up power increases. This demand for reliable back-up power has health impacts of its own. Of particular concern are health effects related to emissions from diesel back-up engines. Diesel particulate matter (DPM) has been identified as a toxic air contaminant, composed of carbon particles and numerous organic compounds, including over forty known cancer-causing organic substances. The majority of DPM is small enough to be inhaled deep into the lungs and make them more susceptible to injury. Much of the back-up power produced during PSPS events is expected to come from engines regulated by CARB and California’s 35 air pollution control and air quality management districts (air districts)”).

<sup>87</sup> University of California, Riverside Bourns College of Engineering—Center for Environmental Research and Technology, Air Quality Implications Of Backup Generators In California, (March 2005), pg. 8, available at <https://citeseerx.ist.psu.edu/document?repid=rep1&type=pdf&doi=84c8463118e4813a117db3d768151a8622c4bf6b>; South Coast AQMD, Fact Sheet on Emergency Backup Generators (“Emissions of Nitrogen Oxides (NO<sub>x</sub>) from diesel-fired emergency engines are 200 to 600 times greater, per unit of electricity produced, than new or controlled existing central power plants fired on natural gas. Diesel-fired engines also produce significantly greater amounts of fine particulates and toxics emissions compared to natural gas fired equipment.”), available at <http://www.aqmd.gov/home/permits/emergency-generators#Fact2>.

<sup>88</sup> Clark Comments, pg. 12.

<sup>89</sup> IS/MND, Appendix A, pg. 160.

not consistent with the Project description, including office park and strip mall.<sup>90</sup> These generic land use categories do not reflect the specific uses anticipated by the Project, which include studio and sound stage production, restaurant and outdoor event space, and a mill shop for set production. These uses have higher energy consumption than a typical office reflected in the generic CalEEMod land use category. Accordingly, CEQA documents typically analyze sound stage and production support projects as “general heavy industrial.”<sup>91</sup>

Studio and sound stage production requires much greater energy than a typical office due to specific demands of production, which include intensive lighting, specialized A/V equipment, cooling for heat-generating gear, and significant transportation/fuel use. The Project also includes a mill shop for set production.<sup>92</sup> Specialized sources of energy consumption in a studio project include:

- **Lighting:** Parabolic Aluminized Reflector (“PAR”) cans and Hydrargyrum Medium-arc Iodide (“HMI”) lights consume much more energy than LED lights and generate intense heat, necessitating heavy cooling.
- **Cameras & Support:** Digital cameras, monitors, and associated grip/electric gear add to the load.
- **Climate Control:** Cooling large, hot sound stages is a major energy expense, especially with older lighting systems.<sup>93</sup>

High-energy equipment like lights, cameras, and special effects that can consume over 2 MW per soundstage.<sup>94</sup> This level of energy consumption—and the resultant emissions—is not reflected in the City’s CalEEMod analysis. As a result, the City’s analysis underestimates energy consumption, criteria for air pollutant emissions, and GHG emissions. Further, substantial evidence supports a fair argument that

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<sup>90</sup> *Id.*

<sup>91</sup> City of Los Angeles, EIR for Radford Studio Center Project (SCH No. 2023060056), Appendix D, pg. 14, 1103, available at [https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App\\_G.pdf](https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App_G.pdf), <https://planning.lacity.gov/development-services/eir/radford-studio-center-1>; see Air Quality & Greenhouse Gas Technical Study For The 5426 San Fernando Studios Project, pg. 47, available at <https://www.glendaleca.gov/home/showpublisheddocument/70372/638742829816300000>.

<sup>92</sup> Milling is the process of machining using rotary cutters to remove material by advancing a cutter into a workpiece.

<sup>93</sup> [https://www.paclights.com/explore/the-impact-of-recording-studio-lighting-on-energy-savings-and-sustainability#:~:text=LED%20Lights:%20A%20Sustainable%20Choice%20These%20lights.systems%20in%20studios%2C%20further%20decreasing%20energy%20consumption](https://www.paclights.com/explore/the-impact-of-recording-studio-lighting-on-energy-savings-and-sustainability#:~:text=LED%20Lights:%20A%20Sustainable%20Choice%20These%20lights.systems%20in%20studios%2C%20further%20decreasing%20energy%20consumption;);  
<https://www.colborlight.com/blogs/articles/guide-to-film-lighting-equipment>.

<sup>94</sup> <https://www.emtec-engineers.com/news/mep-design-film-studios/#:~:text=Electrical%20systems%20form%20the%20core.many%20markets%2C%20reducing%20operational%20costs..>

these impacts would be potentially significant. These impacts must be analyzed in an EIR.

### **E. The Air Quality Analysis Erroneously Assumes that the Project is Residential**

The qualitative analysis in Appendix A repeatedly references residential units proposed by the Project. These references appear to be in error, as the body of the IS/MND states that the Project only proposes commercial uses.<sup>95</sup> These references include:

- Under “Emissions Calculations,” Appendix A states: “The Project does not include fireplaces in the design of the residential units, and the Los Angeles Green Building Code prevents the installation of woodstoves.”<sup>96</sup>
- Under “Area Source Emissions,” Appendix A states: “Area source emissions were calculated using CalEEMod default assumptions for the multi-family residential (mid-rise apartments) land uses.”<sup>97</sup>
- Under “Building Energy Use,” Appendix A states: “Future fuel consumption rates are estimated based on the specific square footage of the multi-family residences and the ancillary facilities and amenities included in the Project...Energy use (i.e., off-site electricity generation and on-site natural gas combustion) requirements for the Project is calculated within CalEEMod using the CEC’s 2018–2030 Uncalibrated Commercial Sector Forecast (Commercial Forecast) and the 2019 Residential Appliance Saturation Survey (RASS) data sets.”<sup>98</sup>
- In its analysis of the Project’s consistency with AQMP land use policies, Appendix A states: “The Project represents an infill development near transit within an existing urbanized area that would concentrate new residential, retail, and office uses within a TPA and NMA, thus reducing VMT.”<sup>99</sup>
- In its analysis of General Plan consistency, Appendix A states: “The Project would locate residential uses near major employment centers (i.e., Downtown Los Angeles), which would reduce trips and encourage employees to utilize alternative modes of transportation.”<sup>100</sup>

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<sup>95</sup> IS/MND, pg. 42 (“The Project would not construct any new housing units”).

<sup>96</sup> IS/MND, Appendix A, pg. 40-41.

<sup>97</sup> *Id.* at 41.

<sup>98</sup> *Id.* at 42-43.

<sup>99</sup> *Id.* at 48.

<sup>100</sup> *Id.* at 49.

Due to these errors, the IS/MND's discussion of air quality impacts and consistency with applicable plans is not supported by substantial evidence.

**F. The IS/MND's Energy Analysis is Incomplete and Unsupported by Substantial Evidence**

The IS/MND states that a significant impact would occur if the Project would "[r]esult in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation."<sup>101</sup> The IS/MND concludes that impacts would be less than significant.<sup>102</sup> But the IS/MND's analysis of this impact is unsupported by substantial evidence because, in summary, it is two pages in length, fails to quantify the Project's energy consumption, and assumes that compliance with building codes would ensure energy impacts would be less than significant.<sup>103</sup> **And critically, the IS/MND's analysis ignores discussion of energy impacts related to the studio production uses proposed by the Project.** This fails to meet CEQA's requirements.

**1. The IS/MND's Energy Analysis Lacks Analysis Called For in the CEQA Guidelines**

Section 15126.2(b) of the CEQA Guidelines provides that an energy analysis "should include the project's energy use for all project phases and components, including transportation-related energy, during construction and operation... In addition to building code compliance, other relevant considerations may include, among others, the project's size, location, orientation, equipment use and any renewable energy features that could be incorporated into the project." Appendix F, of the CEQA Guidelines calls, in part, for discussion of:

**II.A. Project Description may include the following items:**

1. Energy consuming equipment and processes which will be used during construction, operation and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.
3. Energy conservation equipment and design features.
4. Identification of energy supplies that would serve the project.

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<sup>101</sup> IS/MND, pg. 56.

<sup>102</sup> *Id.*

<sup>103</sup> *Id.* at 56-57.

5. Total estimated daily vehicle trips to be generated by the project and the additional energy consumed per trip by mode.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives

Courts have rejected EIRs that have failed to analyze relevant considerations listed above. In *California Clean Energy Commission v. City of Woodland* ("CCEC"),<sup>104</sup> the Third District Court of Appeal reviewed an EIR for a shopping center on undeveloped agricultural land. The Court found that the EIR was deficient insofar as it does not assess or consider mitigation for transportation energy impacts of the project, which would generate up to 40,051 new vehicle trips a day.<sup>105</sup> The Court explained that "Appendix F states that environmental impacts subject to the EIR process include '[t]he project's projected transportation energy use requirements and its overall use of efficient transportation alternatives,'"<sup>106</sup> concluding that the omission of this analysis violated CEQA. The Court rejected an argument that impacts would be less than significant because the project would include mitigation measures designed to reduce vehicle trips, reasoning "the City cannot say how much less transportation energy is needed for the project as approved because the issue has never been assessed in an EIR... CEQA EIR requirements are not satisfied by saying an environmental impact is something less than some previously unknown amount."<sup>107</sup>

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<sup>104</sup> (2014) 225 CA4th 173.

<sup>105</sup> *Id.* at 210.

<sup>106</sup> Citing Guidelines, Appendix F, Section II(C)(6).

<sup>107</sup> *CCEC, supra*, 225 CA4th 173 at 210.

As in *CCEC*, the IS/MND fails to discuss relevant considerations listed in Appendix F. The IS/MND fails to analyze the energy intensiveness of materials and equipment required for the project.<sup>108</sup> This Project proposes a campus for studio and sound stage production, yet the qualitative discussion of the Project's energy consumption fails to discuss the energy consumption of the equipment required for these uses. The IS/MND states that energy would be used by "heavy equipment used for film production, including cameras, lighting, and sound equipment..."<sup>109</sup> This statement is inadequate because (1) it merely lists broad categories of equipment without actually disclosing the specialized, high-intensity equipment often used in film production, and (2) fails to disclose the energy intensiveness of this equipment. The discussion also makes no reference to energy impacts associated with the 12,957-square-foot mill shop. As such, the IS/MND violates CEQA for failing to disclose "[e]nergy consuming equipment and processes which will be used during construction, operation and/or removal of the project."

The IS/MND also fails to analyze the total energy requirements of the Project by fuel type and end use, either for construction activities or operation.<sup>110</sup> The only quantification of the Project's energy consumption is a generic output from the air study's CalEEMod analysis.<sup>111</sup> This analysis based on the land uses anticipated for the Project (office park, strip mall, parking, etc.).<sup>112</sup> These generic land use categories do not reflect the specific uses anticipated by the Project, which include studio and sound stage production. And as is shown in these comments, these uses have higher energy consumption than a typical office reflected in the generic CalEEMod land use category.

The IS/MND fails to estimate the energy consumed by vehicle trips generated by the Project.<sup>113</sup> This is a major omission because the Project's operations are estimated in the air quality study to generate a total of 3,397 vehicle trips per day.<sup>114</sup>

The IS/MND fails to fully analyze "the degree to which the project complies with existing energy standards."<sup>115</sup> The IS/MND states that the Project would comply with Title 24 standards and is "anticipated to achieve LEED Gold Standard

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<sup>108</sup> CEQA Guidelines, Appendix F, Section II(A)(1), (C)(1).

<sup>109</sup> IS/MND, pg. 56.

<sup>110</sup> CEQA Guidelines, Appendix F, Section II(A)(2).

<sup>111</sup> IS/MND, Appendix A, pg. 160.

<sup>112</sup> *Id.*

<sup>113</sup> CEQA Guidelines, Appendix F, Section II(A)(5), (C)(6).

<sup>114</sup> IS/MND, Appendix H, PDF pg. 9.

<sup>115</sup> CEQA Guidelines, Appendix F, Section II (C)(4).

certification,”<sup>116</sup> but fails to evaluate the feasibility of meeting voluntary standards described in Appendix A5, Nonresidential Voluntary Measures, of the California Green Building Standards Code. These standards are voluntary measures and are not uniformly required for all development projects, but nonetheless constitute “existing energy standards” applicable to the Project.

In sum, the IS/MND’s project description and energy impact analysis are incomplete and fail to adequately inform decisionmakers and the public. The omitted analysis must be provided in an EIR. In addition to this informational defect, the lack of analysis renders the IS/MND’s conclusions unsupported by substantial evidence.

## **2. The IS/MND’s Conclusions Regarding Energy Impacts Are Unsupported by Substantial Evidence**

The IS/MND’s brief discussion of the Project’s energy impacts states that energy impacts would be less than significant because the Project would comply with State and local building codes.<sup>117</sup> Courts have held that simply stating that a Project would comply with building standards does not constitute substantial evidence that energy impacts would be less than significant.

In the *CCEC* case,<sup>118</sup> the EIR concluded that, due to the proposed project’s compliance with Title 24 guidelines and regulations, the Project would be expected to have a less-than-significant impact regarding the wasteful, inefficient, or unnecessary consumption of energy.<sup>119</sup> The Court of Appeal explained that compliance with local and state building codes do not address many aspects of a project’s energy consumption: “[l]ike the Building Code, CALGreen does not address construction and operational energy impacts for a project intended to transform agricultural land into a regional commercial shopping center... Moreover, CALGreen does not address transportation energy impacts for a project such as Gateway II.”<sup>120</sup>

The Court distinguished the Court of Appeal’s decision in *Tracy First v. City of Tracy* (“*Tracy First*”),<sup>121</sup> which rejected a challenge to an EIR arguing that “it is improper to rely on state building standards in determining whether

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<sup>116</sup> IS/MND, pg. 57.

<sup>117</sup> *Id.* at 56.

<sup>118</sup> *CCEC, supra*, 225 CA4th 173.

<sup>119</sup> *Id.* at 212.

<sup>120</sup> *Id.* at 211.

<sup>121</sup> (2009) 177 Cal.App.4th 912, 932.

an energy impact is significant.”<sup>122</sup> The *CCEC* court explained that (1) *Tracy First* involved an EIR including 17 pages discussing energy issues and eight pages discussing energy impacts, (2) the plaintiffs in *Tracy First* made “no argument concerning what more the EIR should have done,” and (3) the *CCEC* EIR failed to fully study the construction and operational energy impacts of the project.<sup>123</sup> “The failure to study the energy impacts resulting from a large part of the planned construction” thwarted “the statutory goals of the EIR process.”<sup>124</sup>

Here, the IS/MND has the same flaws as the EIR rejected in *CCEC*: the IS/MND claims, in a conclusory two-page discussion, that consistency with building codes would result in less than significant impacts, while failing to study energy consumption impacts from the studio production uses proposed by the Project. And unlike the plaintiffs in *Tracy First*, this letter identifies omitted analysis that must be included in an EIR. The IS/MND’s energy analysis is thus unsupported by substantial evidence.

### **3. The IS/MND Fails to Include Sufficient Investigation into Energy Conservation Measures**

The IS/MND fails to include sufficient investigation into energy conservation measures that might be available or appropriate for the Project. The IS/MND concludes that operational energy impacts of the Project would be less than significant because the buildings would be designed and constructed in accordance with the State’s Title 24 guidelines and regulations.<sup>125</sup> The IS/MND also alludes to required energy conservation measures, but these measures are vague and nonbinding:

The Project would include energy conservation, water conservation, waste reduction, and transportation demand management features, and the campus would be constructed to a minimum of Leadership in Energy and Environmental Design (LEED) Gold Standard. The Project would comply with the 2020 Los Angeles Green Building Code (LAGBC), and the 2019 California Green Building Standards Code (CalGreen). In addition, all building systems would meet or exceed current Title 24 Energy Standards to reduce energy and water usage and waste and, thereby, reduce associated greenhouse gas emissions and help minimize the impact on natural resources and infrastructure. In addition, the infill location of the campus would

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<sup>122</sup> *CCEC*, *supra*, 177 Cal.App.4th at 212.

<sup>123</sup> *Id.*

<sup>124</sup> *Id.*

<sup>125</sup> IS/MND, pg. 56.

promote the concentration of development in an urban area with extensive infrastructure and access to public transit facilities. The proximity to public transportation would reduce vehicle miles traveled for employees and visitors.<sup>126</sup>

The IS/MND does not clearly define the measures listed above. Further, the IS/MND is unclear whether LEED Gold certification is aspirational or will be required as a condition of approval, as elsewhere the IS/MND states that “[t]he Project is *anticipated* to achieve LEED Gold Standard certification.”<sup>127</sup>

The IS/MND does not sufficiently consider concrete energy conservation measures like solar facilities, use of alternate fuel sources, or passive energy efficiency measures to ensure the Project’s energy consumption would not be wasteful, inefficient, or unnecessary. This lack of analysis violates CEQA.

CEQA requires an environmental document to discuss mitigation measures for significant environmental impacts, including “measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.”<sup>128</sup> The CEQA Guidelines require discussion of energy conservation measures when relevant, and provide examples in Appendix F:<sup>129</sup>

- 1) Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
- 2) The potential of siting, orientation, and design to minimize energy consumption, including transportation energy, increase water conservation and reduce solid waste.
- 3) The potential for reducing peak energy demand.
- 4) Alternate fuels (particularly renewable ones) or energy systems.
- 5) Energy conservation which could result from recycling efforts.

Courts have rejected EIRs that fail to include adequate analysis investigation into energy conservation measures that might be available or appropriate for a

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<sup>126</sup> IS/MND, pg. 23.

<sup>127</sup> *Id.* at 57.

<sup>128</sup> Pub. Resources Code, § 21100(b)(3); *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 930.

<sup>129</sup> CEQA Guidelines, Appendix F, Section II(D); *see* Section 15126.4(a)(1)(C) (stating “Energy conservation measures, as well as other appropriate mitigation measures, shall be discussed when relevant.”).

project.<sup>130</sup> In *CCEC*,<sup>131</sup> the Court of Appeal rejected an EIR that failed to include discussion regarding the different renewable energy options that might be available or appropriate for the project. The Court held “the City’s EIRs failed to comply with the requirements of Appendix F to the Guidelines by not discussing or analyzing renewable energy options.”<sup>132</sup> The lead agency argued that compliance with the Building Code sufficed to address energy impact concerns for the project.<sup>133</sup> But the Court explained:

Although the Building Code addresses energy savings for components of a new commercial construction, it does not address many of the considerations required under Appendix F of the CEQA Guidelines... These considerations include whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate renewable energy resources, or anything else external to the building’s envelope. Here, a requirement that Gateway II comply with the Building Code does not, by itself, constitute an adequate assessment of mitigation measures that can be taken to address the energy impacts during construction and operation of the project.<sup>134</sup>

The Supreme Court of California agreed with the *CCEC* court’s decision in *League to Save Lake Tahoe Mtn. Area Preservation Found. v County of Placer*, holding that even projects that find a less-than-significant energy impact must “discuss whether any renewable energy features could be incorporated into the project.”<sup>135</sup> In *Save Lake Tahoe*, the Court considered an EIR for a land use specific plan and rezoning to permit residential and commercial development and preserve forest land near Truckee and Lake Tahoe. The EIR did not consider whether it was feasible to power the project on 100 percent renewable electrical energy or some lesser percentage, nor evaluate strategies for reducing reliance on fossil fuels, increasing reliance on renewable resources, reducing peak loads, and reducing the impacts of relying on remote generation facilities. The lead agency reasoned that this analysis was not required because energy impacts would be less than significant. Citing CEQA Guidelines Section 15126.2, subdivision (b) and the decision in *CCEC*, the Court held that when an EIR analyzes the project’s energy use to determine if it creates significant effects, it should discuss whether any renewable energy features could be incorporated into the project. The Court found

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<sup>130</sup> *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256; *Spring Valley Lake Ass’n v. City of Victorville* (2016) 248 CA4th 91.

<sup>131</sup> *CCEC*, *supra*, 225 CA4th 173.

<sup>132</sup> *Id.* at 213.

<sup>133</sup> *Id.* at 210, 211.

<sup>134</sup> *CECC* (2014) 225 CA4th 173, 213.

<sup>135</sup> (2022) 75 CA5th 63, 167–68.

that the EIR violated CEQA for not discussing whether the project could increase its reliance on renewable energy sources to meet its energy demand.

Here, the IS/MND's energy analysis lacks basic analysis of energy consumption measures in violation of CEQA Guidelines Appendix F.

To begin with, the IS/MND's vague discussion of sustainability measures fails to study the specific considerations identified in Appendix F, listed above. Next, the IS/MND fails to discuss any energy consumption measures applicable to the specific studio production uses proposed by the Project. Further, the IS/MND fails to analyze the feasibility of voluntary CALGreen standards. The nonresidential voluntary standards in Appendix A5 include consumption measures applicable to this project. CALGreen Section A5.106.5.1.2 calls for 50% spaces to be reserved for clean air vehicles. CALGreen Section A5.106.5.3 calls for an increased number of EV capable spaces, depending on the total number of spaces.<sup>136</sup> Tier 2 standards require large projects with 201 or more parking spaces to provide 45% EV capable spaces.<sup>137</sup> CALGreen Section A5.203.1.2 sets energy budgets that are less than permitted by the mandatory Title 24 energy standards.<sup>138</sup> CALGreen Section A5.303.2.3 calls for reductions in water consumption by requiring plumbing fixtures and fixture fittings that would reduce the use of potable water by 20% in the case of Tier 2 standards.<sup>139</sup>

The IS/MND fails to fully analyze the feasibility of onsite solar facilities, such as rooftop, parking lot, or ground-level solar photovoltaics to offset energy consumption. The IS/MND states that the Project would comply with applicable building codes and achieve LEED Gold certification, but this does not address what solar facilities would be required by these measures, nor analyze if additional solar facilities would be feasible or effective at reducing emissions.<sup>140</sup> The IS/MND's analysis must be revised to address the energy requirements of the Project and study the degree to which onsite solar facilities could offset consumption.<sup>141</sup> It is common for new studios and production facilities to consider and implement energy-saving measures. For example, Disney and Netflix are investigating energy storage, hydrogen generators and other clean energy technologies that can be used off-grid,<sup>142</sup> and Garden Studios is integrating an advanced energy management

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<sup>136</sup> CALGreen, Table A5.106.5.3.1 Tier 1

<sup>137</sup> Table A5.106.5.3.1, A5.106.5.3.2.

<sup>138</sup> CALGreen Sections A5.203.1.2.1, A5.203.1.2.2.

<sup>139</sup> CALGreen Sections A5.303.2.3.1, A5.303.2.3.2

<sup>140</sup> IS/MND, pg. 76.

<sup>141</sup> CEQA Guidelines, Appendix F, Section II(D).

<sup>142</sup> Trellis, How Disney and Netflix are getting rid of diesel on production sets, October 21, 2024, <https://trellis.net/article/how-disney-and-netflix-are-getting-rid-of-diesel-on-production-sets/>.

platform to aid in monitoring and reducing energy waste.<sup>143</sup> The IS/MND fails to discuss or consider any such energy saving measures.

In sum, the IS/MND's energy analysis fails to analyze measures to reduce the wasteful, inefficient, and unnecessary consumption of energy, and fails to meaningfully address Appendix F's considerations of whether the structures proposed by the Project should be constructed at all, how large they should be, where they should be located, whether they should incorporate renewable energy resources, or anything else external to the buildings' envelope.<sup>144</sup> This analysis must be provided in an EIR.

#### **G. The IS/MND Fails to Disclose Existing Conditions or Impacts Related to Hazardous Materials**

The IS/MND claims that the Project would not “create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.”<sup>145</sup> But the IS/MND fails to analyze the site for soil contamination (either in a Phase I or II Environmental Site Assessment). Courts have held that disturbance of toxic soil contamination at a project site is a potentially significant impact requiring CEQA review and mitigation.<sup>146</sup> Here, the Project's construction may result in disturbance of soil contaminants, particularly during the shoring/earthwork phase.<sup>147</sup> The IS/MND violates CEQA by failing to adequately establish baseline environmental conditions and analyze the potential for disturbance of hazardous materials.

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<sup>143</sup> ESGDive, Film studios prioritize energy efficiency: A look at Garden Studios' innovative approach, June 10, 2024, available at <https://www.esgdive.com/spons/film-studios-prioritize-energy-efficiency-a-look-at-garden-studios-innova/718021/>.

<sup>144</sup> *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 CA4th 256, 264.

<sup>145</sup> IS/MND, pg. 79.

<sup>146</sup> *Cal. Build. Indust. Ass'n v. BAAQMD* (2015) 62 Cal.4th 369, 388-90 (“CBIA v. BAAQMD”) (“the statutory language emphasizes how the analysis of a project's potential to exacerbate existing conditions is not an exception to, but instead a consequence of, CEQA's core requirement that an agency evaluate a project's impact on the environment”); see *Association for a Cleaner Environment v. Yosemite Community College Dist.* (2004) 116 Cal.App.4th 629, 635, 638–640 (project to remove a shooting range that would not increase the lead contamination already present due to bullets might nevertheless “spread[] [that] contamination, which is a direct physical change in the environment,” through increased vehicle and foot traffic and donations of portion of range to another site.”);

<sup>147</sup> IS/MND, pg. 68.

## 1. The IS/MND Fails to Establish Baseline Conditions

The IS/MND's failure to analyze the site for hazardous materials violates CEQA's requirement to establish baseline conditions at the Project site and evaluate the severity of impacts associated with altering baseline conditions.

CEQA requires that a lead agency include a description of the physical environmental conditions in the vicinity of the Project as they exist at the time environmental review commences.<sup>148</sup> As numerous courts have held, the impacts of a project must be measured against the "real conditions on the ground."<sup>149</sup> The description of the environmental setting constitutes the baseline physical conditions by which a lead agency may assess the significance of a project's impacts.<sup>150</sup> Use of the proper baseline is critical to a meaningful assessment of a project's environmental impacts.<sup>151</sup> The City must then assess the severity of the Project's impacts in the CEQA document.<sup>152</sup>

Here, the only analysis of hazardous materials that may be present on the Project site is a review of the EnviroStor database or the Geotracker database.<sup>153</sup> The databases do not constitute a complete analysis of onsite conditions. EnviroStor tracks the Department of Toxic Substances Control's cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities. Geotracker tracks authorized or unauthorized discharges of waste to land, or unauthorized releases of hazardous substances from underground storage tanks. But if a site has not been previously analyzed, it would not show up in these databases. Thus, a site's absence from these databases does not demonstrate that a site is free of soil contamination or other hazardous materials.

There is no evidence in the record demonstrating that additional analysis of baseline conditions is infeasible. Phase I ESAs prepared for the City often include:

- Site inspection to verify current Project site conditions and check for visible evidence of previously disposed and/or currently present hazardous waste, surface contamination, underground and above ground storage tanks

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<sup>148</sup> CEQA Guidelines, § 15125, subd. (a).

<sup>149</sup> *Save Our Peninsula Com. v. Monterey Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 121-22; *City of Carmel-by-the Sea v. Bd. of Supervisors* (1986) 183 Cal.App.3d 229, 246.

<sup>150</sup> CEQA Guidelines, § 15125, subd. (a).

<sup>151</sup> *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Ca.4th 310, 320.

<sup>152</sup> *San Francisco Baykeeper, Inc. v. State Lands Com.* (2015) 242 Cal.App.4th 202, 217.

<sup>153</sup> IS/MND, pg. 81.

(USTs/ASTs), suspect polychlorinated biphenyls (PCBs), and other potential environmental hazards.

- Survey of adjacent properties and the immediate vicinity to determine if any nearby sites posed a significant environmental threat to the Site.
- Review of currently and readily available documents, including maps, aerial photographs, other consultant reports (if any), fire insurance maps, and other accessible records.
- Analysis of vapor intrusion risks.
- Review results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.
- Review of databases such as FINDS, ECHO, HWTS, EDR's Historical Gas Station database, Historical Dry Cleaners database, HAZNET, etc.
- Consult with appropriate governmental agencies having jurisdiction relative to past history of the property, complaints or incidents in the immediate area, and permits that may have been issued.<sup>154</sup>

An EIR must be prepared that includes an evidence-based analysis of baseline conditions.

## **2. Impacts from Disturbance of Hazardous Materials May Be Potentially Significant**

There are a variety of potential hazardous materials that have a high probability of being present on the Project site due to the age of the existing structures, the Project site's historic use as a medical campus, and its location. These potentially present hazardous materials are discussed below. In summary, the age of the buildings, constructed in the 1950's, makes the presence of asbestos and lead-based paints likely. Due to the long history of development in the area, there is also potential for soil contamination. Because this IS/MND fails to require any analysis for the presence of hazardous materials either in the IS/MND or after Project approval and requires no mitigation, risks from exposure to these materials are potentially significant. Workers and nearby residents may be exposed to hazardous materials disturbed on the Project site during demolition and excavation. Residences along the haul route may be exposed to hazardous materials in the soil, as the Project would require the export of approximately 21,800 cubic yards of soil during the shoring/earthwork phase.<sup>155</sup> There is no evidence in the record

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<sup>154</sup> [https://planning.lacity.gov/eir/6000 Hollywood Boulevard Project/deir/files/App\\_F.pdf](https://planning.lacity.gov/eir/6000_Hollywood_Boulevard_Project/deir/files/App_F.pdf); <https://planning.lacity.gov/odocument/95bbc6a4-e7d5-47a1-a7a8-b220d7bd3d28/ENV-2021-9032-F.pdf>;

<sup>155</sup> IS/MND, pg. 68.

demonstrating that regulatory compliance would fully mitigate these impacts. An EIR must be prepared that includes analysis of baseline conditions.

**a) Asbestos-Containing Material**

The L.A. CEQA Thresholds Guide provides that exposure to asbestos-containing material (“ACM”) may result in a health hazard, and thus should be analyzed in a CEQA document:

A health hazard may occur where there is contact with or contamination from asbestos-containing material (“ACM”), which includes both friable ACM and Class I nonfriable ACM. Friable asbestos is more easily airborne than non-friable asbestos. Actions which may cause ACM to be broken, crumbled, pulverized, or reduced to powder include physical wear and disturbance by mechanical force, such as, but not limited to, sanding, sand blasting, cutting or abrading, improper handling or removal, or leaching of matrix binders. Class I nonfriable ACM includes, but is not limited to, fractured or crushed asbestos cement products, transite materials, mastic, roofing felts, roofing tiles, cement water pipes and resilient floor covering. Friable ACM is material containing more than 1 percent asbestos that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. California Occupational Safety and Health Administration (CalOSHA) defines asbestos-containing construction material as material which contains more than 1/10 of 1 percent asbestos by weight.<sup>156</sup>

Analysis in recent City of Los Angeles EIR suggests that the existing structures may contain asbestos due to their age:

Asbestos was widely used in the building industry starting in the late 1800s and up until the late 1970s for a variety of uses, including acoustic and thermal insulation and fireproofing, and is often found in ceiling and floor tiles, linoleum, pipes, structural beams, and asphalt. Despite its useful qualities, asbestos becomes a hazard if the fibers separate and become airborne. Inhalation of airborne asbestos fibers could cause lung diseases. Any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979 could contain asbestos or ACMs. Based on the age of the existing buildings, it is possible ACMs could be present within the Project Site.

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<sup>156</sup> City of Los Angeles, L.A. CEQA Thresholds Guide, 2006, pg. F.2-2, available at <https://planning.lacity.gov/eir/CrossroadsHwd/deir/files/references/A07.pdf>.

Here, the Project proposes demolition of a “large campus that has functioned as a cohesive medical campus since the 1950s.”<sup>157</sup> Because these structures were constructed prior to 1979, exposure to asbestos is a potentially significant impact which the IS/MND fails to discuss. Workers and nearby residents may be exposed to ACMs during demolition of the existing structures. An EIR must be prepared which discloses existing site conditions and includes any necessary remediation for hazardous conditions prior to Project construction.

### **b) Lead-Based Paint**

Lead is a naturally occurring element and heavy metal that was widely used as a major ingredient in most interior and exterior oil-based paints prior to 1950.<sup>158</sup> Lead compounds continued to be used as corrosion inhibitors, pigments, and drying agents from the early 1950s to 1972, when the Consumer Products Safety Commission specified limits on lead content in such products. While adults can be affected by excessive exposure to lead, the primary concern is the adverse health effects on children. The most common paths of lead exposure in humans are through ingestion and inhalation. LBP is of concern both as a source of exposure and as a major contributor to lead in interior dust and exterior soil. Due to the age of the existing buildings, it is possible LBPs could be present within the Project Site. Moreover, CalEnviroScreen shows that the census tract ranks in the 86.1 percentile for “lead risk housing.”<sup>159</sup> The IS/MND fails to disclose existing conditions and does not discuss whether workers and nearby residents may be exposed to LBPs during demolition of the existing structures. An EIR must be prepared.

### **H. Substantial Evidence Supports a Fair Argument that the Project May Result in Potentially Significant Public Utilities Impacts.**

Under CEQA, a public utilities impact is considered significant if a project would “[r]equire or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities the construction or relocation of which could cause significant environmental effects.”<sup>160</sup> The IS/MND states that no impacts would result from connections to utilities. However, the IS/MND’s analysis is not supported by substantial evidence.

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<sup>157</sup> IS/MND, pg. 88.

<sup>158</sup> [https://planning.lacity.gov/eir/6000 Hollywood Boulevard Project/deir/files/App F.pdf](https://planning.lacity.gov/eir/6000%20Hollywood%20Boulevard%20Project/deir/files/App%20F.pdf), pg. IV.F-24.

<sup>159</sup> IS/MND, Appendix A, pg. 173.

<sup>160</sup> IS/MND, pg. 139.

The IS/MND's analysis is not supported by substantial evidence because the IS/MND fails to describe existing utilities infrastructure beyond stating that adequate services already exist in the vicinity of the area. Use of the proper baseline is critical to a meaningful assessment of a project's environmental impacts.<sup>161</sup> This analysis fails to inform decisionmakers and the public regarding the magnitude of utilities improvements required for the Project. For example, the IS/MND does not disclose the proximity and size of water mains that would service the Project. And the IS/MND does not disclose current sewer capacity. These omissions make analysis of the Project's water infrastructure improvements impossible.

Analysis of the Project's impacts is similarly omitted from the IS/MND. For example, the IS/MND fails to determine whether any new wastewater infrastructure would be required for the Project, stating "[a]ny new site-specific wastewater infrastructure or upgrades required for the Project would be determined in coordination with the City."<sup>162</sup> The Project proposes a campus twice as large as the existing use (the current 123,354 SF complex would be replaced with a 256,758 SF campus, which have more 889 employees). This new development would thus result in an increase in wastewater. There is no analysis in the IS/MND whether the existing local infrastructure would need to be upsized.

The IS/MND also fails to disclose the fire flow requirements for this Project, whether that fire flow would be met by existing infrastructure, and the environmental impacts resulting from construction of any necessary improvements. This information is necessary to evaluate whether new and upsized water mains are required, or whether new hydrants must be constructed. Construction of improvements to water infrastructure serving the Project site may be required because the Project proposes a development with twice the square footage of the existing use. The City's Municipal Code sets increased fire flow requirements for projects with higher density,<sup>163</sup> demonstrating that the Project's increased density may require expansion of existing infrastructure.

If needed, construction of improvements to water infrastructure would have environmental impacts not analyzed in the IS/MND. Construction of water infrastructure upgrades typically require street excavation and subsequent repair to access water mains. Excavation would require demolition, disruption, and removal of portions of the street along the entire length of water main upgrade.

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<sup>161</sup> *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Ca.4th 310, 320.

<sup>162</sup> IS/MND, pg. 140-141.

<sup>163</sup> LAMC, Table 57.507.3.1.

This would entail excavation and removal of asphalt, soils, and trench backfill materials. These construction activities may result in significant environmental impacts in several areas, including traffic, noise, vibration, and health risk. Impacts may occur closer to sensitive receptors than analyzed in the IS/MND because construction of utilities improvements may occur offsite and potentially closer to sensitive receptors.

The IS/MND improperly defers analysis of the Project's impacts. CEQA requires that an environmental document disclose the severity of a project's impacts and the probability of their occurrence *before* a project can be approved.<sup>164</sup> In *Sundstrom v. County of Mendocino*,<sup>165</sup> the First District Court of Appeal rejected a mitigation measure that required the applicant to submit hydrological studies subject to review and approval by a planning commission and county environmental health department.<sup>166</sup> The Court explained that the deferred analysis of hydrological conditions fails to meet CEQA's requirement that an environmental impact should be assessed as early as possible in government planning:

By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process. (See Pub. Resources Code, § 21003.1; *No Oil, Inc. v. City of Los Angeles*, *supra*, 13 Cal. 3d 68, 84.) In *Bozung v. Local Agency Formation Com.*, *supra*, 13 Cal. 3d 263, 282, the Supreme Court approved "the principle that the environmental impact should be assessed as early as possible in government planning." Environmental problems should be considered at a point in the planning process "where genuine flexibility remains." (*Mount Sutro Defense Committee v. Regents of University of California*, *supra*, 77 Cal. App. 3d 20, 34.) A study conducted after approval of a project will inevitably have a diminished influence on decision-making. Even if the study is subject to administrative approval, it is analogous to the sort of post hoc rationalization of agency actions that has been repeatedly condemned in decisions construing CEQA. (*Id.* at p. 35; *No Oil, Inc. v. City of Los Angeles*, *supra*, 13 Cal. 3d 68, 81; *Environmental Defense Fund, Inc. v. Coastside County Water Dist.* (1972) 27 Cal. App. 3d 695, 706 [104 Cal. Rptr. 197].)

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<sup>164</sup> 14 CCR §§ 15143, 15162.2(a); *Cal. Build. Indust. Ass'n v. BAAQMD* (2015) 62 Cal.4th 369, 388-90 ("CBIA v. BAAQMD") (disturbance of toxic soil contamination at project site is potentially significant impact requiring CEQA review and mitigation); *Madera Oversight Coalition v. County of Madera* (2011) 199 Cal. App. 4th 48, 82; *Berkeley Keep Jets Over the Bay Com. v. Bd. of Port Comrs.* ("Berkeley Jets") (2001) 91 Cal.App.4th 1344, 1370-71; CEQA Guidelines, Appendix G.

<sup>165</sup> (1988) 202 Cal.App.3d 296.

<sup>166</sup> *Id.* at 306.

This IS/MND similarly violates CEQA because it defers all analysis of infrastructure improvements until after Project approval. As a result, the Project may result in significant impacts unanalyzed in the IS/MND. The IS/MND fails as an informational document and fails to support its finding of a less-than-significant impact with substantial evidence. An EIR must be prepared to analyze these potentially significant impacts.

### **I. The IS/MND Underestimates Potentially Significant Construction Noise Impacts**

The IS/MND calculates that the Project's construction would generate noise levels in excess of its 80 dBA significance threshold.<sup>167</sup> Noise levels at the multi-family residences adjacent to the Project and the Baldwin Hills Urgent Care would reach 88.3 dBA, 8.3 dBA over the significance threshold.<sup>168</sup> The IS/MND claims that impacts would be reduced to a less than significant level through imposition of Mitigation Measures N-1 through N-3.<sup>169</sup> The IS/MND attributes a 5 dBA reduction to N-1, which requires all construction equipment be equipped with mufflers, and a 10 dBA reduction to N-2, which requires a temporary noise barrier capable of reducing noise by 10 dBA. The IS/MND finds that noise impacts would be reduced from to 88.3 dBA to 73.3, and would thus be less than significant. These conclusions are unsupported.

In particular, the IS/MND lacks substantial evidence to assume that equipping all construction equipment with mufflers would result in a 5 dBA reduction. Noise reference levels for construction equipment already assumes that mufflers would be equipped, as virtually all construction equipment was fit with mufflers by the 1990s. Specifically, the IS/MND's calculations utilize the Federal Highway Administration's (FHWA) Roadway Construction Noise Model ("RCNM").<sup>170</sup> The bulk of the sound data in this model was obtained during the 1990s and 2000s during the Central Artery Tunnel project in Boston ("The Big Dig"). By the 1990s, virtually all construction equipment was fit with mufflers, so the reference sound levels in the model already reflect noise reduction provided by those components. Prior to the RCNM, the most widely-disseminated data on construction equipment was published by the Environmental Protection Agency (EPA) in 1971. When that data was gathered in the late 1960s, mufflers were not in widespread use, so requiring a muffler as a mitigation measure in the 1970s could result in a substantial reduction in noise levels. Today, requiring that equipment be

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<sup>167</sup> IS/MND, pg. 105.

<sup>168</sup> IS/MND, pg. 104.

<sup>169</sup> *Id.*

<sup>170</sup> IS/MND, Appendix G, pg. 24.

muffled simply ensures that noise levels are not unduly high because of faulty or missing components. As such, the IS/MND overstates noise reductions from the proposed mitigation.

### III. CONCLUSION

The IS/MND does not comply with CEQA. The City lacks substantial evidence to find that the Project will have less than significant impacts. Moreover, substantial evidence supports a fair argument that the Project's impacts may be significant and unmitigated. Due to the IS/MND's deficiencies, the City cannot conclude that the Project's impacts have been mitigated to a less than significant level.

The CEQA Guidelines require that an EIR be prepared if there is substantial evidence supporting a fair argument that any aspect of a project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial.<sup>171</sup> As discussed in detail above, there is a fair argument based on substantial evidence that the Project would result in significant adverse impacts not identified in the IS/MND.

We urge the City to fulfill its responsibilities under CEQA by withdrawing the IS/MND and preparing an EIR to address the issues raised in this preliminary comment letter. This is the only way the City and the public can ensure the Project's significant environmental impacts are mitigated to less than significant levels.

Sincerely,



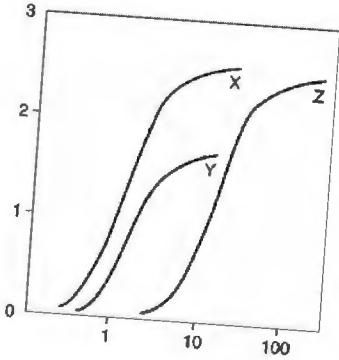
Aidan P. Marshall

Attachment  
APM:acp

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<sup>171</sup> CEQA Guidelines § 15063(b)(1).

# **EXHIBIT A**



December 8, 2025

Adams Broadwell Joseph & Cardozo  
 601 Gateway Boulevard, Suite 1000  
 South San Francisco, CA 94080

**Attn: Mr. Aidan Marshall**

**Subject: Comments On Stocker Street Creative Initial Study, Case  
 Number: ENV-2024-326-MNDx**

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**Clark & Associates**  
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At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed the materials related to the City of Los Angeles’ (the City) Initial Study (IS) for the above-referenced project.

Clark’s review does not constitute validation or endorsement of the conclusions or content presented in the IS. Any lack of comment on specific items should not be interpreted as acceptance or approval of those items.

According to project summary listed in CEQANet, “The Project consists of the demolition of five substantially unoccupied office buildings, totaling approximately 123,354 square feet and the construction of a campus for studio and sound stage production, totaling approximately 256,758 square feet exclusive of the parking garage (114,405 square feet), on an approximately five-acre site that slopes approximately 35 feet northwest to northeast. The integrated campus would consist of six new buildings (Buildings A through F). Building A would be a three-story (45 feet, 54 feet including architectural features and 56 feet including the equipment screen wall), 34,710-square-foot office building that would include 500 square feet of retail space and a 8,452-square-foot food court on the first floor. Building B would be a seven-story (110 feet), 138,725-square-foot building with 42,697 square feet of studio production support facilities on the first two

floors and 84,548 square feet of office space above. The roof (partial 7th floor) would include an enclosed 9,081-square-foot restaurant with an adjacent approximately 7,500-square-foot open/garden area that would provide outdoor seating for the restaurant and be used for special events. Building C would be a one-story (14 feet), 300-square-foot security office that would include a restroom, breakroom and surveillance monitors and computer equipment. Building D would be a one-story (63 feet), 31,941-square-foot building with 30,000 square feet of studio sound stages and 1,941 square feet of back-of-house facilities. Building E (82 feet) would be a 42,363-square-foot building with a basement with office space, a 12,957-square-foot mill shop with a mezzanine for set production, and 19,200 square feet of studio sound stages. Building F would be a five-story (45 feet and 54 feet including architectural features), 122,358-square-foot open parking garage with 344 parking stalls, a 2,683-square-foot community room at street level, and 5,270 square feet of back-of-house facilities. There would also be a 31,000-square-foot open space area between Buildings A, B, and F designed for community gatherings and special events. Project grading activities would include 27,800 cubic yards of cut and 6,000 cubic yards of fill; 21,800 cubic yards of soil would be exported from the Project site subject to a haul route permit. The Project would not include the removal of any street trees. The Project would include the removal of 29 mature trees on-site; however, a total of sixty-one new trees would be planted on site as part of the Project

The facts presented in this comment letter lead me to reasonably conclude that the Project could result in significant, unmitigated impacts if allowed to proceed as envisioned in the IS. A draft environmental impact report (EIR) is necessary to address these substantial concerns fully and transparently.

## **Specific Comments**

### **1. The City's Analysis Fails To Include A Phase 1 Environmental Site Assessment (ESA) Of The Existing Site Conditions**

The IS fails to include a basic environmental site assessment (ESA) or Phase 1 of the existing property. The City has failed to conduct a reasonable analysis of the baseline conditions at the Project Site. Phase I ESAs are an industry-standard first step in evaluating environmental conditions at a

project site<sup>1</sup> and are routinely used in CEQA documents prepared for projects under consideration by the City of Los Angeles. They typically include:

- A site inspection to verify current Project site conditions and check for visible evidence of previously disposed and/or currently present hazardous waste, surface contamination, underground and above ground storage tanks (USTs/ASTs), suspect polychlorinated biphenyls (PCBs), and other potential environmental hazards.
- Survey of adjacent properties and the immediate vicinity to determine if any nearby sites posed a significant environmental threat to the Site.
- Review of currently and readily available documents, including maps, aerial photographs, other consultant reports (if any), fire insurance maps, and other accessible records.
- Analysis of vapor intrusion risks.
- Review results from a search of available current land title records for environmental cleanup liens and other activity and use limitations, such as engineering controls and institutional controls.
- Review of databases such as FINDS, ECHO, HWTS, EDR's Historical Gas Station database, Historical Dry Cleaners database, HAZNET, etc.
- Consult with appropriate governmental agencies having jurisdiction relative to past history of the property, complaints or incidents in the immediate area, and permits that may have been issued.<sup>2</sup>

The purpose of a Phase I ESA is to identify evidence or indications of recognized environmental conditions (RECs) or other qualified RECs at the Site as defined by ASTM Designation E 1527-21 and/or any potential environmental concerns. Section 1.1.1 of ASTM *Designation E 1527-21* defines an REC as “(1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject

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<sup>1</sup> See e.g. ASTM, ASTM E1527-21: Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, available at <https://store.astm.org/e1527-21.html> (last visited 12-8-25).

<sup>2</sup> [https://planning.lacity.gov/eir/6000\\_Hollywood\\_Boulevard\\_Project/deir/files/App\\_F.pdf](https://planning.lacity.gov/eir/6000_Hollywood_Boulevard_Project/deir/files/App_F.pdf);  
<https://planning.lacity.gov/odocument/95bbc6a4-e7d5-47a1-a7a8-b220d7bd3d28/ENV-2021-9032-F.pdf>;

property under conditions that pose a material threat of a future release to the environment. A *de minimis* condition is not a recognized environmental condition.”<sup>3</sup> *De minimis* conditions are those that generally do not present a threat to human health or the environment and that generally would not be the subject of the enforcement action if brought to the attention of appropriate governmental agencies.

ASTM *Designation E1527-21* also defines ‘Historical’ and ‘Controlled’ RECs (HREC and CREC, respectively). An ‘Historical REC’ is defined as “a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations).” A ‘Controlled REC’ is defined as “recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).” An HREC is not an REC if a property meets current standards for unrestricted residential use. A CREC remains an REC when a property does not meet the unrestricted residential use requirement unconditionally.

The IS lacks a Phase I ESA and therefore fails to disclose any of this information about the Project site. Based on a review of historic property information contained elsewhere in the IS, it is likely that the site may contain hazardous conditions which must be disclosed in the CEQA document. The five buildings were originally constructed between 1950 and 1959 and historically functioned as a medical-office complex.<sup>4</sup> Given the age of the structures, likely materials included in the construction of the buildings may include lead paint, PCB-impacted caulks and building materials, asbestos laden mastics, tiles, and wraps for electrical and hot water pipes, volatile organic compounds (VOCs) in clean materials and or storage areas, evidence of leaks/spills within the buildings, and the potential for methane intrusion from subsurface sources. The City has failed to complete any of the steps above or identified any potential contamination in the existing buildings. To accurately disclose existing conditions, the City must at a minimum perform a Phase I ESA and should report the results in an EIR for the Project.

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<sup>3</sup> ASTM E1527 – 21, available at <https://nationalduediligenceservices.com/wp-content/uploads/2023/03/ASTM-Standard-Update-2023.pdf>, pg. 1.

<sup>4</sup> IS, Appendix C, pg. 2.

## **2. The City's Air Quality Analysis Fails To Include A Quantitative Health Risk Analysis Of The Impacts Of Toxic Air Contaminants From The Construction Phase And Operational Phase Of The Project For The Nearest Sensitive Receptor(s)**

On page 55 of Appendix A to the IS, the Proponent states that "Diesel PM is a known carcinogen, and extended exposure to elevated concentrations of diesel PM can increase excess cancer risks in individuals. Based on SCAQMD guidance, health effects from TACs are usually described in terms of individual cancer risk, which is the likelihood that a person exposed to TACs over a 70-year lifetime will contract cancer. Project construction activity would not result in long-term substantial sources of TAC emissions (i.e., 30 or 70 years) and would not generate ongoing construction TAC emissions. Given the temporary and short-term construction schedule (approximately 25 months), the Project would not result in a long-term (i.e., lifetime or 30-year) exposure as a result of Project construction."

This reasoning is unsupported because the determination of a significance threshold for construction activities and operational activities is based on a *quantitative risk analysis* that requires the City to perform a multistep, quantitative health risk analysis for TACs from the construction and operational phases of the Project. No effort is made in the EIR to quantify the potential health impacts from TACs generated by construction activities from the Project on these sensitive receptors. Given that the closest receptor to the Project site is the residence located less than 25 meters from the edge of the Project Site, it is clear that there is sufficient evidence to warrant a quantitative analysis of the potential health risks to the residents.

The City therefore lacks supporting evidence for the conclusion that the emissions from the Project would not result in significant health effects by virtue of the distance to the receptors. The City's failure to perform such an analysis is clearly a major flaw in the DEIR and may be placing the residents of the nearby homes at risk from the construction phase and operational phase of the Project.

The inherent toxicity of TACs requires the City to first quantify the concentration of each TAC released into the environment at each of the sensitive receptor locations through air dispersion modeling, calculate the dose of each TAC at that location, and quantify the cancer risk and hazard index for each of the chemicals of concern. Following that analysis, then the City can make a determination of the relative significance of the emissions. The results should then be presented in an

EIR and circulated for public review prior to approving any agreements with the Proponent or issuing any permits for the Project.

**3. The Concentration Of DPM At The Nearest Residence Results In An Excess Cancer Risk Greater Than 10 In One Million.**

Using data in the City’s own air quality analysis, I performed a quantitative health risk analysis of the TAC emissions from the offroad equipment that will be used during the Construction Phase of the Project. On page 55 of Appendix A, the Proponent states that “Over the course of the construction duration, the analysis in CalEEMod determined that average diesel PM emissions from on-site heavy-duty equipment would be approximately 1.13 pounds per working day, spread across the five-acre site.” Using this averaged emission of DPM I have calculated an annual concentration of 0.0xxx micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) of DPM at the residences to the west and south of the Project Site. **This concentration results in an excess cancer risk of 13.4 in one million for a sensitive receptor (infant) at that location.** Clearly, the emissions of DPM will need to be reduced to ensure that the excess cancer risk is below SCAQMD’s significance threshold of 10 in one million.

Using the emission rate calculated in the CalEEMOD model for each construction phase, the total amount of DPM emitted from off-road equipment would be equal to the number of work days multiplied by the emission rate calculated in the CalEEMOD model.

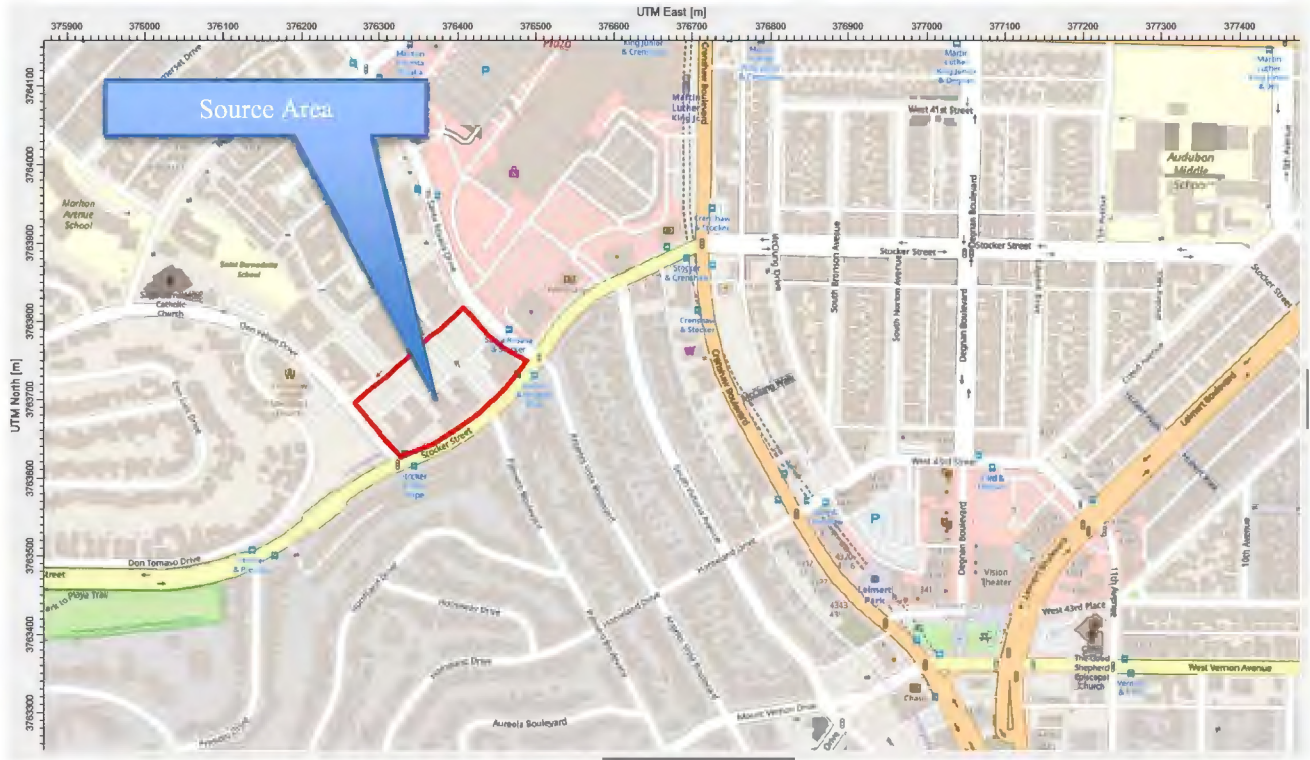
$$DPM \text{ (lbs)} = \sum \text{Emission Rate} \left( \frac{\text{lbs}}{\text{day}} \right) * \text{Number Of Work Days (days)}$$

The total amount of DPM emitted from on-site heavy-duty equipment used over the 27.5 month (600 days) construction phase would therefore be 678 pounds. This would equate to approximately 512.56 grams of DPM per day being emitted.

To calculate the daily emission rate of DPM for each year of construction period, the total mass of DPM emitted was divided by the area of the construction site (approximately 20,558 square meters ( $\text{m}^2$ ) divided by the number of hours of construction expressed as seconds per day (8 hours/day = 28,800 seconds/day).

$$\text{Emission Rate For Model} \left( \frac{\text{grams}}{\text{sec} * \text{m}^2} \right)$$

Limiting the emissions to an 8-hour period during weekdays, the emission rate was calculated to be  $8.66 \times 10^{-7}$  grams per second per square meter.



**Figure 1: Assumed Source Area (Project Site)**

Using AERMOD, the US EPA’s preferred air dispersion model, it is possible to calculate the concentrations of DPM from the construction area at the closest receptors near the construction site. AERMOD is an acronym for the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee’s Dispersion Model. AERMOD contains the necessary algorithms to model air concentrations from a wide range of emission source types, including stack-based point sources, fugitive area sources, and volume sources. The modeling domain with the building around the Project site is indicated in the figure above. The red area is the source area of DPM from construction of the Project.

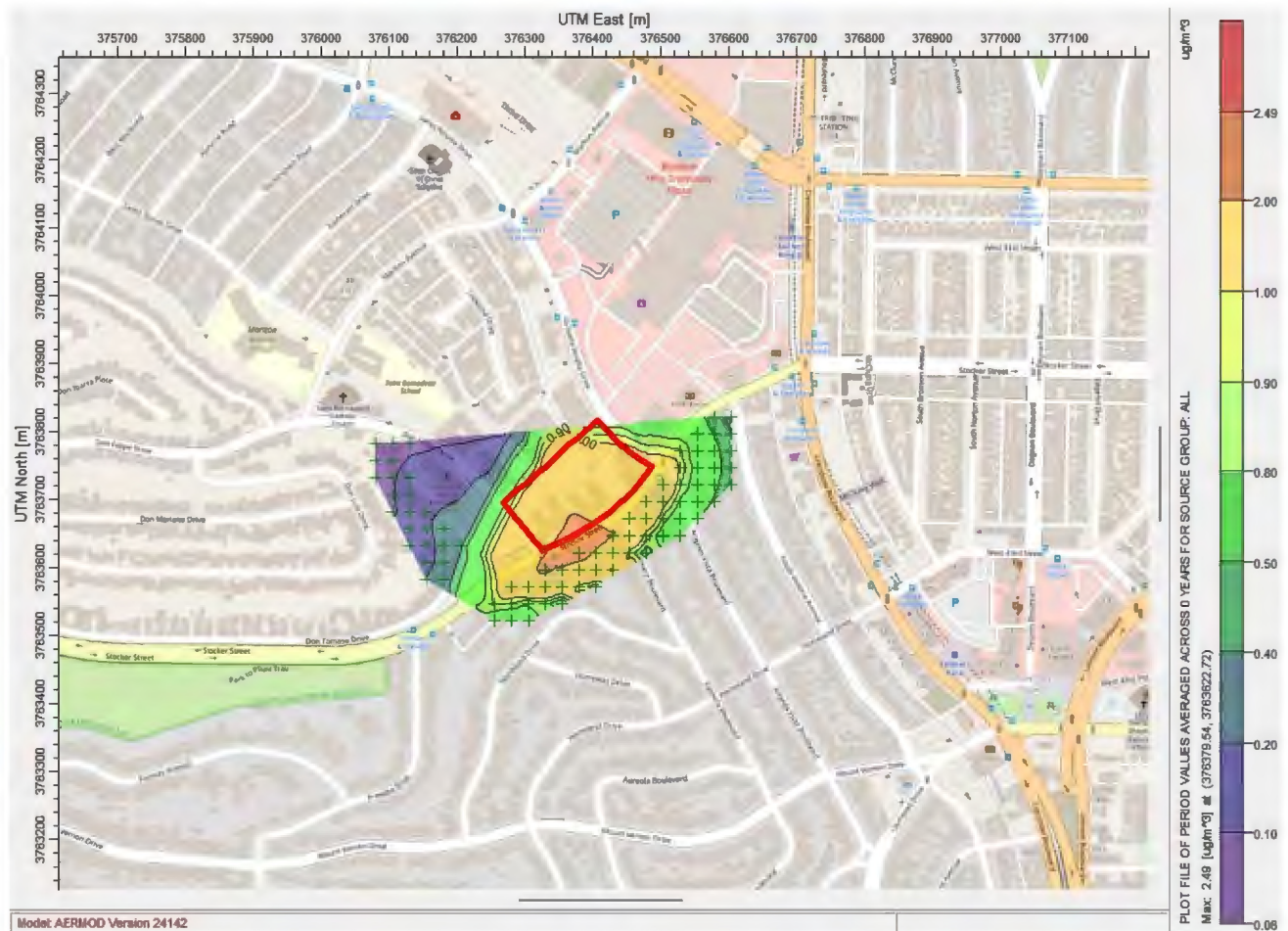
The population of the View Park, Los Angeles area is approximately 3,000 individuals per square kilometer. The model was run using the Urban setting to account for heat island effects with a standard surface roughness of 0.37 meter. Two grids representing residences to the south and west of the Project site were overlaid on the modeling domain.



**Figure 2: Model Receptors And Source Area**

Using the United States Geological Services (USGS) National Elevation Data (NED) GEOTIFF Digital Terrain Files for the Los Angeles region I have input the elevation for Project Site and the receptors nearby.

The AERMOD model was run assuming that emissions occurred only during the weekdays during an 8-hour period. The results of the model are attached as an Exhibit to this letter. The maximum annual DPM concentrations calculated for the period of the construction at the closest receptors (the residences to the west of the Project Site was  $2.49 \mu\text{g}/\text{m}^3$ ).



**Figure 3: Annual Average Model Results (DPM in  $\mu\text{g}/\text{m}^3$ )**

The 1-hour maximum DPM concentration was calculated to be  $16.7 \mu\text{g}/\text{m}^3$ . This value is three times higher than the generally cited chronic reasonable exposure level (REL) of  $5 \mu\text{g}/\text{m}^3$ .



**Figure 4: 1-Hour Maximum Model Results (DPM in ug/m<sup>3</sup>)**

Using the algorithm outlined in OEHHA’s HARP 2 Standalone Risk software, the cancer risk to the most sensitive population, infants less than 3 years old was calculated. To calculate the inhalation cancer risk for any receptor in the modeling domain dose of the chemical in air ( $Dose_{air}$ ) is calculated from the annual concentration of the carcinogen ( $C_{air}$ ). The exposure concentration is then multiplied by the breathing rate per body weight (BR/BW), inhalation absorption factor (A), the exposure frequency (days per 365 days) and a conversion factor of  $10^{-6}$  (micrograms to milligrams, liters to cubic meters). This annual average concentration is multiplied by the cancer slope (CPF) for the chemical along with the appropriate age sensitivity factor (ASF) the exposure duration (ED) and then divided by the averaging time (AT)

$$Dose_{air} = C_{air} * \{BR/BW\} * A * EF * 10^{-6}$$

$$Risk_{inh} = Dose_{air} * CPF * ASF * ED/AT$$

Using the maximum concentration modeled, the cumulative risk for exposure of infants during the 2.25 years (27 months) of construction is 13.4 in 1,000,000, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact. The results of the air model and the health risk analysis are attached as an appendix to this letter. The City must quantify and disclose these significant impacts in an EIR for the Project.

#### **4. The CalEEMod Analysis For The Operational Phase Does Not Include Back-Up Generators Or Fire Pumps.**

The CalEEMOD analysis for the operational phase of the Project fails to include backup generators or fire pumps in the list of stationary sources. Under the California Air Resources Board (CARB) Airborne Toxic Control Measure (ATCM) for Stationary Compression Ignition Engines Guidance, the District may allow a new stationary emergency standby diesel-fueled CI engine (> 50 hp) to operate up to 100 hours per year for maintenance and testing purposes on a site-specific basis, provided the diesel PM emission rate is less than or equal to 0.01 g/bhp-hr. In addition to quantifying the testing emissions, the City's air quality analysis must include the reasonably foreseeable emissions increase in operational emissions from BUGs in the Air Basin due to unscheduled events, including but not limited to Public Safety Power Shutoff (PSPS) events and extreme heat events. The IS's CalEEMOD analysis lacks an analysis of these operational emissions from stationary equipment (i.e., fire pumps and BUGs).

This failure to include the emissions from the fire pumps and BUGS is a significant unaddressed emission source for the Project. The City's operational emissions analysis is therefore incomplete and unsupported. This should be corrected in an EIR for the Project.

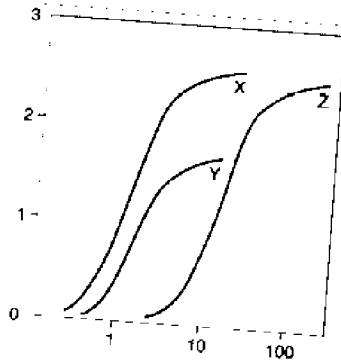
## Conclusion

The facts presented in this comment letter lead me to reasonably conclude that the Project could result in significant impacts. An EIR is necessary to address these substantial concerns fully and transparently.

Sincerely,

A handwritten signature in black ink, appearing to read "J. J. Cook". The signature is written in a cursive style with a horizontal line extending to the left.

**Appendix A:**  
**AERMOD Model Results And HRA**



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***James J. J. Clark, Ph.D.***

***Principal Toxicologist***

**Toxicology/Exposure Assessment Modeling**

**Risk Assessment/Analysis/Dispersion Modeling**

**Education:**

Ph.D., Environmental Health Science, University of California, 1995

M.S., Environmental Health Science, University of California, 1993

B.S., Biophysical and Biochemical Sciences, University of Houston, 1987

**Professional Experience:**

Dr. Clark is a well recognized toxicologist, air modeler, and health scientist. He has 20 years of experience in researching the effects of environmental contaminants on human health including environmental fate and transport modeling (SCREEN3, AEROMOD, ISCST3, Johnson-Ettinger Vapor Intrusion Modeling); exposure assessment modeling (partitioning of contaminants in the environment as well as PBPK modeling); conducting and managing human health risk assessments for regulatory compliance and risk-based clean-up levels; and toxicological and medical literature research.

Significant projects performed by Dr. Clark include the following:

**LITIGATION SUPPORT**

**Case: James Harold Caygle, et al, v. Drummond Company, Inc. Circuit Court for the Tenth Judicial Circuit, Jefferson County, Alabama. Civil Action. CV-2009**

**Client: Environmental Litigation Group, Birmingham, Alabama**

Dr. Clark performed an air quality assessment of emissions from a coke factory located in Tarrant, Alabama. The assessment reviewed include a comprehensive review of air quality standards, measured concentrations of pollutants from factory, an inspection of the facility and detailed assessment of the impacts on the community. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Rose Roper V. Nissan North America, et al. Superior Court of the State Of California for the County Of Los Angeles – Central Civil West. Civil Action. NC041739**

**Client: Rose, Klein, Marias, LLP, Long Beach, California**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to multiple chemicals, including benzene, who later developed a respiratory distress. A review of the individual's medical and occupational history was performed to prepare an exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to respiratory irritants. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: O'Neil V. Sherwin Williams, et al. United States District Court Central District of California**

**Client: Rose, Klein, Marias, LLP, Long Beach, California**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to petroleum distillates who later developed a bladder cancer. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Summary judgment for defendants.**

**Case: Moore V., Shell Oil Company, et al. Superior Court of the State Of California for the County Of Los Angeles**

**Client: Rose, Klein, Marias, LLP, Long Beach, California**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to chemicals while benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Raymond Saltonstall V. Fuller O'Brien, KILZ, and Zinsser, et al. United States District Court Central District of California**

**Client: Rose, Klein, Marias, LLP, Long Beach, California**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to benzene who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a quantitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Richard Boyer and Elizabeth Boyer, husband and wife, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-7G.**

**Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.**

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: JoAnne R. Cook, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-9R**

**Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.**

Dr. Clark performed a toxicological assessment of an individual exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Patrick Allen And Susan Allen, husband and wife, and Andrew Allen, a minor, V. DESCO Corporation, et al. Circuit Court of Brooke County, West Virginia. Civil Action Number 04-C-W**

**Client: Frankovitch, Anetakis, Colantonio & Simon, Morgantown, West Virginia.**

Dr. Clark performed a toxicological assessment of a family exposed to chlorinated solvents released from the defendant's facility into local drinking water supplies. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to chlorinated solvents. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Michael Fahey, Susan Fahey V. Atlantic Richfield Company, et al. United States District Court Central District of California Civil Action Number CV-06 7109 JCL.**

**Client: Rose, Klein, Marias, LLP, Long Beach, California**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Settlement in favor of plaintiff.**

**Case: Constance Acevedo, et al., V. California Spray-Chemical Company, et al., Superior Court of the State Of California, County Of Santa Cruz. Case No. CV 146344**

Dr. Clark performed a comprehensive exposure assessment of community members exposed to toxic metals from a former lead arsenate manufacturing facility. The former manufacturing site had undergone a DTSC mandated removal action/remediation for the presence of the toxic metals at the site. Opinions were presented regarding the elevated levels of arsenic and lead (in attic dust and soils) found throughout the community and the potential for harm to the plaintiffs in question.

**Case Result: Settlement in favor of defendant.**

**Case: Michael Nawrocki V. The Coastal Corporation, Kurk Fuel Company, Pautler Oil Service, State of New York Supreme Court, County of Erie, Index Number I2001-11247**

**Client: Richard G. Berger Attorney At Law, Buffalo, New York**

Dr. Clark performed a toxicological assessment of an individual occupationally exposed to refined petroleum hydrocarbons who later developed a leukogenic disease. A review of the individual's medical and occupational history was performed to prepare a qualitative exposure assessment. The exposure assessment was evaluated against the

known outcomes in published literature to exposure to refined petroleum hydrocarbons. The results of the assessment and literature have been provided in a declaration to the court.

**Case Result: Judgement in favor of defendant.**

## **SELECTED AIR MODELING RESEARCH/PROJECTS**

### **Client – Confidential**

Dr. Clark performed a comprehensive evaluation of criteria pollutants, air toxins, and particulate matter emissions from a carbon black production facility to determine the impacts on the surrounding communities. The results of the dispersion model will be used to estimate acute and chronic exposure concentrations to multiple contaminants and will be incorporated into a comprehensive risk evaluation.

### **Client – Confidential**

Dr. Clark performed a comprehensive evaluation of air toxins and particulate matter emissions from a railroad tie manufacturing facility to determine the impacts on the surrounding communities. The results of the dispersion model have been used to estimate acute and chronic exposure concentrations to multiple contaminants and have been incorporated into a comprehensive risk evaluation.

### **Client – Los Angeles Alliance for a New Economy (LAANE), Los Angeles, California**

Dr. Clark is advising the LAANE on air quality issues related to current flight operations at the Los Angeles International Airport (LAX) operated by the Los Angeles World Airport (LAWA) Authority. He is working with the LAANE and LAX staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

**Client – City of Santa Monica, Santa Monica, California**

Dr. Clark is advising the City of Santa Monica on air quality issues related to current flight operations at the facility. He is working with the City staff to develop a comprehensive strategy for meeting local community concerns over emissions from flight operations and to engage federal agencies on the issue of local impacts of community airports.

**Client: Omnitrans, San Bernardino, California**

Dr. Clark managed a public health survey of three communities near transit fueling facilities in San Bernardino and Montclair California in compliance with California Senate Bill 1927. The survey included an epidemiological survey of the effected communities, emission surveys of local businesses, dispersion modeling to determine potential emission concentrations within the communities, and a comprehensive risk assessment of each community. The results of the study were presented to the Governor as mandated by Senate Bill 1927.

**Client: Confidential, San Francisco, California**

Summarized cancer types associated with exposure to metals and smoking. Researched the specific types of cancers associated with exposure to metals and smoking. Provided causation analysis of the association between cancer types and exposure for use by non-public health professionals.

**Client: Confidential, Minneapolis, Minnesota**

Prepared human health risk assessment of workers exposed to VOCs from neighboring petroleum storage/transport facility. Reviewed the systems in place for distribution of petroleum hydrocarbons to identify chemicals of concern (COCs), prepared comprehensive toxicological summaries of COCs, and quantified potential risks from carcinogens and non-carcinogens to receptors at or adjacent to site. This evaluation was used in the support of litigation.

**Client – United Kingdom Environmental Agency**

Dr. Clark is part of team that performed comprehensive evaluation of soil vapor intrusion of VOCs from former landfill adjacent residences for the United Kingdom's Environment

Agency. The evaluation included collection of liquid and soil vapor samples at site, modeling of vapor migration using the Johnson Ettinger Vapor Intrusion model, and calculation of site-specific health based vapor thresholds for chlorinated solvents, aromatic hydrocarbons, and semi-volatile organic compounds. The evaluation also included a detailed evaluation of the use, chemical characteristics, fate and transport, and toxicology of chemicals of concern (COC). The results of the evaluation have been used as a briefing tool for public health professionals.

## **EMERGING/PERSISTENT CONTAMINANT RESEARCH/PROJECTS**

### **Client: Ameren Services, St. Louis, Missouri**

Managed the preparation of a comprehensive human health risk assessment of workers and residents at or near an NPL site in Missouri. The former operations at the Property included the servicing and repair of electrical transformers, which resulted in soils and groundwater beneath the Property and adjacent land becoming impacted with PCB and chlorinated solvent compounds. The results were submitted to U.S. EPA for evaluation and will be used in the final ROD.

### **Client: City of Santa Clarita, Santa Clarita, California**

Dr. Clark is managing the oversight of the characterization, remediation and development activities of a former 1,000 acre munitions manufacturing facility for the City of Santa Clarita. The site is impacted with a number of contaminants including perchlorate, unexploded ordinance, and volatile organic compounds (VOCs). The site is currently under a number of regulatory consent orders, including an Imminent and Substantial Endangerment Order. Dr. Clark is assisting the impacted municipality with the development of remediation strategies, interaction with the responsible parties and stakeholders, as well as interfacing with the regulatory agency responsible for oversight of the site cleanup.

### **Client: Confidential, Los Angeles, California**

Prepared comprehensive evaluation of perchlorate in environment. Dr. Clark evaluated the production, use, chemical characteristics, fate and transport, toxicology, and remediation of perchlorate. Perchlorates form the basis of solid rocket fuels and have recently been detected in water supplies in the United States. The results of this research

were presented to the USEPA, National GroundWater, and ultimately published in a recent book entitled *Perchlorate in the Environment*.

**Client – Confidential, Los Angeles, California**

Dr. Clark is performing a comprehensive review of the potential for pharmaceuticals and their by-products to impact groundwater and surface water supplies. This evaluation will include a review if available data on the history of pharmaceutical production in the United States; the chemical characteristics of various pharmaceuticals; environmental fate and transport; uptake by xenobiotics; the potential effects of pharmaceuticals on water treatment systems; and the potential threat to public health. The results of the evaluation may be used as a briefing tool for non-public health professionals.

**PUBLIC HEALTH/TOXICOLOGY**

**Client: Brayton Purcell, Novato, California**

Dr. Clark performed a toxicological assessment of residents exposed to methyl-tertiary butyl ether (MTBE) from leaking underground storage tanks (LUSTs) adjacent to the subject property. The symptomology of residents and guests of the subject property were evaluated against the known outcomes in published literature to exposure to MTBE. The study found that residents had been exposed to MTBE in their drinking water; that concentrations of MTBE detected at the site were above regulatory guidelines; and, that the symptoms and outcomes expressed by residents and guests were consistent with symptoms and outcomes documented in published literature.

**Client: Confidential, San Francisco, California**

Identified and analyzed fifty years of epidemiological literature on workplace exposures to heavy metals. This research resulted in a summary of the types of cancer and non-cancer diseases associated with occupational exposure to chromium as well as the mortality and morbidity rates.

**Client: Confidential, San Francisco, California**

Summarized major public health research in United States. Identified major public health research efforts within United States over last twenty years. Results were used as a briefing tool for non-public health professionals.

**Client: Confidential, San Francisco, California**

Quantified the potential multi-pathway dose received by humans from a pesticide applied indoors. Part of team that developed exposure model and evaluated exposure concentrations in a comprehensive report on the plausible range of doses received by a specific person. This evaluation was used in the support of litigation.

**Client: Covanta Energy, Westwood, California**

Evaluated health risk from metals in biosolids applied as soil amendment on agricultural lands. The biosolids were created at a forest waste cogeneration facility using 96% whole tree wood chips and 4 percent green waste. Mass loading calculations were used to estimate Cr(VI) concentrations in agricultural soils based on a maximum loading rate of 40 tons of biomass per acre of agricultural soil. The results of the study were used by the Regulatory agency to determine that the application of biosolids did not constitute a health risk to workers applying the biosolids or to residences near the agricultural lands.

**Client – United Kingdom Environmental Agency**

Oversaw a comprehensive toxicological evaluation of methyl-*tertiary* butyl ether (MtBE) for the United Kingdom's Environment Agency. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MtBE. The results of the evaluation have been used as a briefing tool for public health professionals.

**Client – Confidential, Los Angeles, California**

Prepared comprehensive evaluation of *tertiary* butyl alcohol (TBA) in municipal drinking water system. TBA is the primary breakdown product of MtBE, and is suspected to be the primary cause of MtBE toxicity. This evaluation will include available information on the production, use, chemical characteristics, fate and transport in the environment, absorption, distribution, routes of detoxification, metabolites, carcinogenic potential, and remediation of TBA. The results of the evaluation were used as a briefing tool for non-public health professionals.

**Client – Confidential, Los Angeles, California**

Prepared comprehensive evaluation of methyl *tertiary* butyl ether (MTBE) in municipal drinking water system. MTBE is a chemical added to gasoline to increase the octane

rating and to meet Federally mandated emission criteria. The evaluation included available data on the production, use, chemical characteristics, fate and transport, toxicology, and remediation of MTBE. The results of the evaluation have been used as a briefing tool for non-public health professionals.

**Client – Ministry of Environment, Lands & Parks, British Columbia**

Dr. Clark assisted in the development of water quality guidelines for methyl tertiary-butyl ether (MTBE) to protect water uses in British Columbia (BC). The water uses to be considered includes freshwater and marine life, wildlife, industrial, and agricultural (e.g., irrigation and livestock watering) water uses. Guidelines from other jurisdictions for the protection of drinking water, recreation and aesthetics were to be identified.

**Client: Confidential, Los Angeles, California**

Prepared physiologically based pharmacokinetic (PBPK) assessment of lead risk of receptors at middle school built over former industrial facility. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

**Client: Kaiser Venture Incorporated, Fontana, California**

Prepared PBPK assessment of lead risk of receptors at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

**RISK ASSESSMENTS/REMEDIAL INVESTIGATIONS**

**Client: Confidential, Atlanta, Georgia**

Researched potential exposure and health risks to community members potentially exposed to creosote, polycyclic aromatic hydrocarbons, pentachlorophenol, and dioxin compounds used at a former wood treatment facility. Prepared a comprehensive toxicological summary of the chemicals of concern, including the chemical characteristics, absorption, distribution, and carcinogenic potential. Prepared risk characterization of the carcinogenic and non-carcinogenic chemicals based on the exposure assessment to quantify the potential risk to members of the surrounding community. This evaluation was used to help settle class-action tort.

**Client: Confidential, Escondido, California**

Prepared comprehensive Preliminary Endangerment Assessment (PEA) of dense non-aqueous liquid phase hydrocarbon (chlorinated solvents) contamination at a former printed circuit board manufacturing facility. This evaluation was used for litigation support and may be used as the basis for reaching closure of the site with the lead regulatory agency.

**Client: Confidential, San Francisco, California**

Summarized epidemiological evidence for connective tissue and autoimmune diseases for product liability litigation. Identified epidemiological research efforts on the health effects of medical prostheses. This research was used in a meta-analysis of the health effects and as a briefing tool for non-public health professionals.

**Client: Confidential, Bogotá, Columbia**

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of a 13.7 hectares plastic manufacturing facility in Bogotá, Colombia. The risk assessment was used as the basis for the remedial goals and closure of the site.

**Client: Confidential, Los Angeles, California**

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally cadmium) and VOCs from soil and soil vapor at 12-acre former crude oilfield and municipal landfill. The site is currently used as a middle school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and was used as the basis for regulatory closure of site.

**Client: Confidential, Los Angeles, California**

Managed remedial investigation (RI) of heavy metals and volatile organic chemicals (VOCs) for a 15-acre former manufacturing facility. The RI investigation of the site included over 800 different sampling locations and the collection of soil, soil gas, and groundwater samples. The site is currently used as a year round school housing approximately 3,000 children. The Remedial Investigation was performed in a manner

that did not interrupt school activities and met the time restrictions placed on the project by the overseeing regulatory agency. The RI Report identified the off-site source of metals that impacted groundwater beneath the site and the sources of VOCs in soil gas and groundwater. The RI included a numerical model of vapor intrusion into the buildings at the site from the vadose zone to determine exposure concentrations and an air dispersion model of VOCs from the proposed soil vapor treatment system. The Feasibility Study for the Site is currently being drafted and may be used as the basis for granting closure of the site by DTSC.

**Client: Confidential, Los Angeles, California**

Prepared comprehensive human health risk assessment of students, staff, and residents potentially exposed to heavy metals (principally lead), VOCs, SVOCs, and PCBs from soil, soil vapor, and groundwater at 15-acre former manufacturing facility. The site is currently used as a year round school housing approximately 3,000 children. The evaluation determined that the site was safe for the current and future uses and will be basis for regulatory closure of site.

**Client: Confidential, Los Angeles, California**

Prepared comprehensive evaluation of VOC vapor intrusion into classrooms of middle school that was former 15-acre industrial facility. Using the Johnson-Ettinger Vapor Intrusion model, the evaluation determined acceptable soil gas concentrations at the site that did not pose health threat to students, staff, and residents. This evaluation is being used to determine cleanup goals and will be basis for regulatory closure of site.

**Client –Dominguez Energy, Carson, California**

Prepared comprehensive evaluation of the potential health risks associated with the redevelopment of 6-acre portion of a 500-acre oil and natural gas production facility in Carson, California. The risk assessment was used as the basis for closure of the site.

**Kaiser Ventures Incorporated, Fontana, California**

Prepared health risk assessment of semi-volatile organic chemicals and metals for a fifty-year old wastewater treatment facility used at a 1,100-acre former steel mill. This evaluation was used as the basis for granting closure of the site by lead regulatory agency.

**ANR Freight - Los Angeles, California**

Prepared a comprehensive Preliminary Endangerment Assessment (PEA) of petroleum hydrocarbon and metal contamination of a former freight depot. This evaluation was as the basis for reaching closure of the site with lead regulatory agency.

**Kaiser Ventures Incorporated, Fontana, California**

Prepared comprehensive health risk assessment of semi-volatile organic chemicals and metals for 23-acre parcel of a 1,100-acre former steel mill. The health risk assessment was used to determine clean up goals and as the basis for granting closure of the site by lead regulatory agency. Air dispersion modeling using ISCST3 was performed to determine downwind exposure point concentrations at sensitive receptors within a 1 kilometer radius of the site. The results of the health risk assessment were presented at a public meeting sponsored by the Department of Toxic Substances Control (DTSC) in the community potentially affected by the site.

**Unocal Corporation - Los Angeles, California**

Prepared comprehensive assessment of petroleum hydrocarbons and metals for a former petroleum service station located next to sensitive population center (elementary school). The assessment used a probabilistic approach to estimate risks to the community and was used as the basis for granting closure of the site by lead regulatory agency.

**Client: Confidential, Los Angeles, California**

Managed oversight of remedial investigation most contaminated heavy metal site in California. Lead concentrations in soil excess of 68,000,000 parts per billion (ppb) have been measured at the site. This State Superfund Site was a former hard chrome plating operation that operated for approximately 40-years.

**Client: Confidential, San Francisco, California**

Coordinator of regional monitoring program to determine background concentrations of metals in air. Acted as liaison with SCAQMD and CARB to perform co-location sampling and comparison of accepted regulatory method with ASTM methodology.

**Client: Confidential, San Francisco, California**

Analyzed historical air monitoring data for South Coast Air Basin in Southern California and potential health risks related to ambient concentrations of carcinogenic metals and volatile organic compounds. Identified and reviewed the available literature and calculated risks from toxins in South Coast Air Basin.

**IT Corporation, North Carolina**

Prepared comprehensive evaluation of potential exposure of workers to air-borne VOCs at hazardous waste storage facility under SUPERFUND cleanup decree. Assessment used in developing health based clean-up levels.

**Professional Associations**

American Public Health Association (APHA)

Association for Environmental Health and Sciences (AEHS)

American Chemical Society (ACS)

California Redevelopment Association (CRA)

International Society of Environmental Forensics (ISEF)

Society of Environmental Toxicology and Chemistry (SETAC)

**Publications and Presentations:**

**Books and Book Chapters**

Sullivan, P., J.J. J. Clark, F.J. Agardy, and P.E. Rosenfeld. (2007). *Synthetic Toxins In The Food, Water and Air of American Cities*. Elsevier, Inc. Burlington, MA.

Sullivan, P. and J.J. J. Clark. 2006. *Choosing Safer Foods, A Guide To Minimizing Synthetic Chemicals In Your Diet*. Elsevier, Inc. Burlington, MA.

Sullivan, P., Agardy, F.J., and J.J.J. Clark. 2005. *The Environmental Science of Drinking Water*. Elsevier, Inc. Burlington, MA.

Sullivan, P.J., Agardy, F.J., Clark, J.J.J. 2002. *America's Threatened Drinking Water: Hazards and Solutions*. Trafford Publishing, Victoria B.C.

Clark, J.J.J. 2001. "TBA: Chemical Properties, Production & Use, Fate and Transport, Toxicology, Detection in Groundwater, and Regulatory Standards" in *Oxygenates in the Environment*. Art Diaz, Ed.. Oxford University Press: New York.

Clark, J.J.J. 2000. "Toxicology of Perchlorate" in *Perchlorate in the Environment*. Edward Urbansky, Ed. Kluwer/Plenum: New York.

Clark, J.J.J. 1995. Probabilistic Forecasting of Volatile Organic Compound Concentrations At The Soil Surface From Contaminated Groundwater. UMI.

Baker, J.; **Clark, J.J.J.**; Stanford, J.T. 1994. Ex Situ Remediation of Diesel Contaminated Railroad Sand by Soil Washing. Principles and Practices for Diesel Contaminated Soils, Volume III. P.T. Kostecki, E.J. Calabrese, and C.P.L. Barkan, eds. Amherst Scientific Publishers, Amherst, MA. pp 89-96.

#### **Journal and Proceeding Articles**

- Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, Volume 70 (2008) page 002254.
- Tam L. K., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008) Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, Volume 70 (2008) page 000527
- Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** (2007). "Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." *Environmental Research*. 105:194-199.
- Rosenfeld, P.E., **Clark, J. J.**, Hensley, A.R., and Suffet, I.H. 2007. "The Use Of An Odor Wheel Classification For The Evaluation of Human Health Risk Criteria For Compost Facilities" *Water Science & Technology*. 55(5): 345-357.
- Hensley A.R., Scott, A., Rosenfeld P.E., **Clark, J.J.J.** 2006. "Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility." The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006, August 21 – 25, 2006. Radisson SAS Scandinavia Hotel in Oslo Norway.
- Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2005. "The Value Of An Odor Quality Classification Scheme For Compost Facility Evaluations" The U.S. Composting Council's 13<sup>th</sup> Annual Conference January 23 - 26, 2005, Crowne Plaza Riverwalk, San Antonio, TX.
- Rosenfeld, P.E., **Clark, J. J.** and Suffet, I.H. 2004. "The Value Of An Odor Quality Classification Scheme For Urban Odor" WEFTEC 2004. 77th Annual Technical Exhibition & Conference October 2 - 6, 2004, Ernest N. Morial Convention Center, New Orleans, Louisiana.
- Clark, J.J.J.** 2003. "Manufacturing, Use, Regulation, and Occurrence of a Known Endocrine Disrupting Chemical (EDC), 2,4-Dichlorophenoxyacetic Acid (2,4-D) in California Drinking Water Supplies." National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Minneapolis, MN. March 20, 2003.

- Rosenfeld, P. and **J.J.J. Clark**. 2003. "Understanding Historical Use, Chemical Properties, Toxicity, and Regulatory Guidance" National Groundwater Association Southwest Focus Conference: Water Supply and Emerging Contaminants. Phoenix, AZ. February 21, 2003.
- Clark, J.J.J.**, Brown A. 1999. Perchlorate Contamination: Fate in the Environment and Treatment Options. In Situ and On-Site Bioremediation, Fifth International Symposium. San Diego, CA, April, 1999.
- Clark, J.J.J.** 1998. Health Effects of Perchlorate and the New Reference Dose (RfD). Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.
- Browne, T., **Clark, J.J.J.** 1998. Treatment Options For Perchlorate In Drinking Water. Proceedings From the Groundwater Resource Association Seventh Annual Meeting, Walnut Creek, CA, October 23, 1998.
- Clark, J.J.J.**, Brown, A., Rodriguez, R. 1998. The Public Health Implications of MtBE and Perchlorate in Water: Risk Management Decisions for Water Purveyors. Proceedings of the National Ground Water Association, Anaheim, CA, June 3-4, 1998.
- Clark J.J.J.**, Brown, A., Ulrey, A. 1997. Impacts of Perchlorate On Drinking Water In The Western United States. U.S. EPA Symposium on Biological and Chemical Reduction of Chlorate and Perchlorate, Cincinnati, OH, December 5, 1997.
- Clark, J.J.J.**; Corbett, G.E.; Kerger, B.D.; Finley, B.L.; Paustenbach, D.J. 1996. Dermal Uptake of Hexavalent Chromium In Human Volunteers: Measures of Systemic Uptake From Immersion in Water At 22 PPM. *Toxicologist*. 30(1):14.
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- McManus, M.S.; Gong, H., Jr.; Clements, P.; **Clark, J.J.J.** (1991). Respiratory Response of Patients With Interstitial Lung Disease To Inhaled Ozone. *American Review of Respiratory Disease*. 143(4):A91.
- Gong, H., Jr.; Simmons, M.S.; McManus, M.S.; Tashkin, D.P.; Clark, V.A.; Detels, R.; **Clark, J.J.** (1990). Relationship Between Responses to Chronic Oxidant and Acute

Ozone Exposures in Residents of Los Angeles County. *American Review of Respiratory Disease*. 141(4):A70.

Tierney, D.F. and **J.J.J. Clark**. (1990). Lung Polyamine Content Can Be Increased By Spermidine Infusions Into Hyperoxic Rats. *American Review of Respiratory Disease*. 139(4):A41.

# Control Pathway

AERMOD

## Dispersion Options

<b>Titles</b> C:\Lakes\AERMOD View\15805 HRA Con\Stocker Street Creative Campus\S	
<b>Dispersion Options</b> <input checked="" type="checkbox"/> Regulatory Default <input type="checkbox"/> Non-Default Options	<b>Dispersion Coefficient</b> Urban      Population: Name (Optional): Roughness Length:
	<b>Output Type</b> <input checked="" type="checkbox"/> Concentration <input type="checkbox"/> Total Deposition (Dry & Wet) <input type="checkbox"/> Dry Deposition <input type="checkbox"/> Wet Deposition
	<b>Plume Depletion</b> <input type="checkbox"/> Dry Removal <input type="checkbox"/> Wet Removal
	<b>Output Warnings</b> <input type="checkbox"/> No Output Warnings <input type="checkbox"/> Non-fatal Warnings for Non-sequential Met Data

## Pollutant / Averaging Time / Terrain Options

<b>Pollutant Type</b> OTHER - DPM  <b>Averaging Time Options</b> Hours <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 6 <input type="checkbox"/> 8 <input type="checkbox"/> 12 <input type="checkbox"/> 24 <input type="checkbox"/> Month <input type="checkbox"/> Period <input type="checkbox"/> Annual	<b>Exponential Decay</b> Half-life of A is used
<b>Flagpole Receptors</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Default Height = 0.00 m	<b>Terrain Height Options</b> <input type="checkbox"/> Flat <input checked="" type="checkbox"/> Elevated      SO: Meters RE: Meters TG: Meters

# Control Pathway

AERMOD

## Optional Files



Re-Start File



Init File



Multi-Year Analyses



Event Input File



Error Listing File

## Detailed Error Listing File

Filename: Stocker Street Creative Camplus.err

# Source Pathway - Source Inputs

AERMOD

## Polygon Area Sources

Source Type: AREA POLY

Source: PAREA1 (Project Construction Area)

Base Elevation (Optional)	Release Height [m]	Emission Rate [g/ (s-m^2)]	Initial Vertical Dim. [m]	Number of Vertices (or sides)	X Coordinate for Vertices [m]	Y Coordinate for Vertices [m]
55.23	4.30	8.66E-7		22	376327.00	3763627.46
		8.66E-7			376366.84	3763643.05
		8.66E-7			376401.06	3763662.97
		8.66E-7			376427.47	3763682.46
		8.66E-7			376460.39	3763714.08
		8.66E-7			376484.21	3763743.09
		8.66E-7			376487.67	3763749.16
		8.66E-7			376460.39	3763765.18
		8.66E-7			376439.60	3763781.64
		8.66E-7			376415.78	3763808.92
		8.66E-7			376406.69	3763817.58
		8.66E-7			376378.10	3763790.73
		8.66E-7			376363.81	3763780.34
		8.66E-7			376350.39	3763767.78
		8.66E-7			376331.33	3763749.59
		8.66E-7			376320.07	3763740.49
		8.66E-7			376307.94	3763728.80
		8.66E-7			376284.13	3763709.75
		8.66E-7			376268.97	3763695.02
		8.66E-7			376281.09	3763680.30
		8.66E-7			376298.42	3763659.08
		8.66E-7			376314.87	3763639.59

# Meteorology Pathway

AERMOD

## Met Input Data

### Surface Met Data

Filename: C:\Users\jclar\OneDrive\Clark and Associates\Project 343 - ABJC - Stoker Street Creative Campus ISMND\ce  
 Format Type: Default AERMET format

### Profile Met Data

Filename: C:\Users\jclar\OneDrive\Clark and Associates\Project 343 - ABJC - Stoker Street Creative Campus ISMND\ce  
 Format Type: Default AERMET format

### Wind Speed

Wind Speeds are Vector Mean (Not Scalar Means)

### Wind Direction

Rotation Adjustment [deg]:

### Potential Temperature Profile

Base Elevation above MSL (for Primary Met Tower): 89.00 [m]

### Meteorological Station Data

Stations	Station No.	Year	X Coordinate [m]	Y Coordinate [m]	Station Name
Surface		2018			
Upper Air		2018			
On-Site		2018			

## Data Period

### Data Period to Process

Start Date: 1/1/2018 Start Hour: 1 End Date: 12/31/2023 End Hour: 24

## Wind Speed Categories

Stability Category	Wind Speed [m/s]	Stability Category	Wind Speed [m/s]
A	1.54	D	8.23
B	3.09	E	10.8
C	5.14	F	No Upper Bound

# Output Pathway

AERMOD

## Tabular Printed Outputs

Short Term Averaging Period	RECTABLE Highest Values Table										MAXTABLE Maximum Values Table	DAYTABLE Daily Values Table
	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th		
1												No

## Contour Plot Files (PLOTFILE)

Path for PLOTFILES: Stocker Street Creative Campus.AD

Averaging Period	Source Group ID	High Value	File Name
1	ALL	1st	01H1GALL.PLT
Period	ALL	N/A	PE00GALL.PLT

# Results Summary

C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Camplus\S

## DPM - Concentration - Source Group: ALL

Averaging Period	Rank	Peak	Units	X (m)	Y (m)	ZELEV (m)	ZFLAG (m)	ZHILL (m)	Peak Date, Start Hour
1-HR	1ST	16.66410	ug/m^3	376429.54	3763647.72	52.56	0.00	94.99	5/31/2020, 6
PERIOD		2.49113	ug/m^3	376379.54	3763622.72	53.94	0.00	105.99	

```

**
*****
**
** AERMOD Input Produced by:
** AERMOD View Ver. 13.0.0
** Lakes Environmental Software Inc.
** Date: 12/4/2025
** File: C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Camplus\Stocker Street Creative Camplus.ADI
**
*****
**
**
*****
** AERMOD Control Pathway
*****
**
**
CO STARTING
TITLEONE C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Camplus\S
MODELOPT DFAULT CONC
AVERTIME 1 PERIOD
URBANOPT 3000 View_Park
POLLUTID DPM
RUNORNOT RUN
ERRORFIL "Stocker Street Creative Camplus.err"
CO FINISHED
**
*****
** AERMOD Source Pathway
*****
**
**
SO STARTING
** Source Location **
** Source ID - Type - X Coord. - Y Coord. **
LOCATION PAREA1 AREAPOLY 376327.000 3763627.462 55.230
** DESCRSRC Project Construction Area
** Source Parameters **
SRCPARAM PAREA1 8.66E-07 4.300 22
AREAVERT PAREA1 376327.000 3763627.462 376366.843 3763643.053
AREAVERT PAREA1 376401.055 3763662.975 376427.473 3763682.463
AREAVERT PAREA1 376460.387 3763714.077 376484.206 3763743.093
AREAVERT PAREA1 376487.670 3763749.156 376460.387 3763765.180
AREAVERT PAREA1 376439.599 3763781.637 376415.780 3763808.921
AREAVERT PAREA1 376406.685 3763817.582 376378.102 3763790.732
AREAVERT PAREA1 376363.811 3763780.338 376350.386 3763767.779
AREAVERT PAREA1 376331.330 3763749.590 376320.070 3763740.495
AREAVERT PAREA1 376307.944 3763728.802 376284.125 3763709.747
AREAVERT PAREA1 376268.968 3763695.022 376281.094 3763680.298
AREAVERT PAREA1 376298.417 3763659.077 376314.874 3763639.589
URBANSRC ALL
HOURREMIS "STOCKER STREET CREATIVE CAMPLUS.EMI" PAREA1
SRCGROUP ALL
SO FINISHED
**
*****
** AERMOD Receptor Pathway
*****
**
**
RE STARTING
** DESCRREC "" ""
DISCCART 376254.54 3763522.72 71.55 94.99
DISCCART 376254.54 3763547.72 63.14 110.63
DISCCART 376279.54 3763522.72 79.73 94.81
DISCCART 376279.54 3763547.72 70.45 94.99
DISCCART 376279.54 3763572.72 59.31 111.59
DISCCART 376304.54 3763522.72 81.97 94.13
DISCCART 376304.54 3763547.72 75.02 94.88

```

DISCCART	376304.54	3763572.72	64.67	94.99
DISCCART	376329.54	3763547.72	72.50	94.98
DISCCART	376329.54	3763572.72	63.97	94.99
DISCCART	376329.54	3763597.72	56.98	106.83
DISCCART	376354.54	3763547.72	74.85	94.66
DISCCART	376354.54	3763572.72	64.91	94.99
DISCCART	376354.54	3763597.72	61.03	94.99
DISCCART	376379.54	3763572.72	65.74	94.99
DISCCART	376379.54	3763597.72	60.10	94.99
DISCCART	376379.54	3763622.72	53.94	105.99
DISCCART	376404.54	3763572.72	61.46	94.99
DISCCART	376404.54	3763597.72	57.19	94.99
DISCCART	376404.54	3763622.72	54.97	94.99
DISCCART	376429.54	3763597.72	54.49	94.99
DISCCART	376429.54	3763622.72	53.45	94.99
DISCCART	376429.54	3763647.72	52.56	94.99
DISCCART	376454.54	3763622.72	51.88	94.99
DISCCART	376454.54	3763647.72	51.32	94.99
DISCCART	376454.54	3763672.72	50.94	94.99
DISCCART	376479.54	3763622.72	51.61	94.99
DISCCART	376479.54	3763647.72	51.37	94.99
DISCCART	376479.54	3763672.72	50.84	94.99
DISCCART	376479.54	3763697.72	49.76	94.99
DISCCART	376504.54	3763647.72	50.01	94.99
DISCCART	376504.54	3763672.72	49.44	94.99
DISCCART	376504.54	3763697.72	49.28	94.99
DISCCART	376504.54	3763722.72	48.75	94.93
DISCCART	376529.54	3763647.72	48.50	94.99
DISCCART	376529.54	3763672.72	47.92	94.99
DISCCART	376529.54	3763697.72	47.79	94.99
DISCCART	376529.54	3763722.72	47.87	94.88
DISCCART	376529.54	3763747.72	47.55	94.81
DISCCART	376529.54	3763772.72	46.72	94.55
DISCCART	376554.54	3763672.72	47.54	94.99
DISCCART	376554.54	3763697.72	47.36	94.93
DISCCART	376554.54	3763722.72	46.60	94.88
DISCCART	376554.54	3763747.72	46.30	94.66
DISCCART	376554.54	3763772.72	45.84	94.55
DISCCART	376554.54	3763797.72	45.50	94.55
DISCCART	376579.54	3763697.72	45.68	94.93
DISCCART	376579.54	3763722.72	45.02	94.85
DISCCART	376579.54	3763747.72	45.07	94.55
DISCCART	376579.54	3763772.72	45.16	94.46
DISCCART	376579.54	3763797.72	45.10	92.92
DISCCART	376579.54	3763822.72	44.35	87.64
DISCCART	376604.54	3763722.72	44.18	94.81
DISCCART	376604.54	3763747.72	44.33	94.45
DISCCART	376604.54	3763772.72	44.11	94.13
DISCCART	376604.54	3763797.72	43.89	88.81
DISCCART	376604.54	3763822.72	43.62	87.64
DISCCART	376080.00	3763731.65	77.41	111.59
DISCCART	376080.00	3763756.65	71.11	114.69
DISCCART	376080.00	3763781.65	67.18	114.69
DISCCART	376105.00	3763681.65	82.56	102.69
DISCCART	376105.00	3763706.65	73.25	113.28
DISCCART	376105.00	3763731.65	67.79	114.69
DISCCART	376105.00	3763756.65	67.22	114.69
DISCCART	376105.00	3763781.65	65.14	114.69
DISCCART	376130.00	3763631.65	91.16	94.39
DISCCART	376130.00	3763656.65	83.35	94.55
DISCCART	376130.00	3763681.65	72.64	111.82
DISCCART	376130.00	3763706.65	66.84	114.69
DISCCART	376130.00	3763731.65	62.92	114.69
DISCCART	376130.00	3763781.65	60.73	114.69
DISCCART	376155.00	3763581.65	77.05	102.88
DISCCART	376155.00	3763606.65	85.39	94.55
DISCCART	376155.00	3763631.65	82.84	94.55
DISCCART	376155.00	3763656.65	73.47	107.45
DISCCART	376155.00	3763681.65	68.44	113.28

DISCCART 376180.00 3763581.65 71.37 106.83  
DISCCART 376180.00 3763606.65 75.46 101.70  
DISCCART 376180.00 3763631.65 74.70 105.21  
DISCCART 376180.00 3763656.65 70.35 107.59  
DISCCART 376205.00 3763631.65 69.67 106.83

RE FINISHED

\*\*

\*\*\*\*\*

\*\* AERMOD Meteorology Pathway

\*\*\*\*\*

\*\*

\*\*

ME STARTING

SURFFILE "C:\Users\jclar\OneDrive\Clark and Associates\Project 343 - ABJC - Stoker Street Creative Campus  
ISMND\cela\_sfc\_pfl\CELA\_V11\_trimmed.sfc"

PROFFILE "C:\Users\jclar\OneDrive\Clark and Associates\Project 343 - ABJC - Stoker Street Creative Campus  
ISMND\cela\_sfc\_pfl\CELA\_V11\_trimmed.PFL"

SURFDATA 3166 2018

UAIRDATA 3190 2018

SITEDATA 60371103 2018

PROFBASE 89.0 METERS

ME FINISHED

\*\*

\*\*\*\*\*

\*\* AERMOD Output Pathway

\*\*\*\*\*

\*\*

\*\*

OU STARTING

RECTABLE ALLAVE 1ST

RECTABLE 1 1ST

\*\* 1-Hour Binary POSTFILE(s) for the Plume Animation

POSTFILE 1 ALL UNIFORM "Stocker Street Creative Camplus.AD\1HGALLUN\_PA.POS" 31

\*\* Auto-Generated Plotfiles

PLOTFILE 1 ALL 1ST "Stocker Street Creative Camplus.AD\01H1GALL.PLT" 32

PLOTFILE PERIOD ALL "Stocker Street Creative Camplus.AD\PE00GALL.PLT" 33

SUMMFILE "Stocker Street Creative Camplus.sum"

OU FINISHED

\*\*\* Message Summary For AERMOD Model Setup \*\*\*

----- Summary of Total Messages -----

A Total of 0 Fatal Error Message(s)  
A Total of 3 Warning Message(s)  
A Total of 0 Informational Message(s)

\*\*\*\*\* FATAL ERROR MESSAGES \*\*\*\*\*  
\*\*\* NONE \*\*\*

\*\*\*\*\* WARNING MESSAGES \*\*\*\*\*

CO W320 22 URBOP: Input Parameter May Be Out-of-Range for Parameter URB-POP  
ME W186 158 MEOPEN: THRESH\_1MIN 1-min ASOS wind speed threshold used 0.50  
ME W187 158 MEOPEN: ADJ\_U\* Option for Stable Low Winds used in AERMET

\*\*\*\*\*  
\*\*\* SETUP Finishes Successfully \*\*\*  
\*\*\*\*\*

▲ \*\*\* AERMOD - VERSION 24142 \*\*\* \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Camplus\S \*\*\*  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* \*\*\*

\*\*\*

23:33:18  
PAGE 1

\*\*\* MODELOPTS: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* MODEL SETUP OPTIONS SUMMARY \*\*\*

-----  
\*\* Model Options Selected:

- \* Model Uses Regulatory DEFAULT Options
  - \* Model Is Setup For Calculation of Average CONCentration Values.
  - \* NO GAS DEPOSITION Data Provided.
  - \* NO PARTICLE DEPOSITION Data Provided.
  - \* Model Uses NO DRY DEPLETION. DDPLETE = F
  - \* Model Uses NO WET DEPLETION. WETDPLT = F
  - \* Stack-tip Downwash.
  - \* Model Accounts for ELEVated Terrain Effects.
  - \* Use Calms Processing Routine.
  - \* Use Missing Data Processing Routine.
  - \* No Exponential Decay.
  - \* Model Uses URBAN Dispersion Algorithm for the SBL for 1 Source(s),  
for Total of 1 Urban Area(s):
- Urban Population = 3000.0 ; Urban Roughness Length = 1.000 m
- \* Urban Roughness Length of 1.0 Meter Used.
  - \* ADJ\_U\* - Use ADJ\_U\* option for SBL in AERMET
  - \* CCVR\_Sub - Meteorological data includes CCVR substitutions
  - \* TEMP\_Sub - Meteorological data includes TEMP substitutions
  - \* Model Assumes No FLAGPOLE Receptor Heights.
  - \* The User Specified a Pollutant Type of: DPM

\*\*Model Calculates 1 Short Term Average(s) of: 1-HR  
and Calculates PERIOD Averages

\*\*This Run Includes: 1 Source(s); 1 Source Group(s); and 81 Receptor(s)

with: 0 POINT(s), including  
0 POINTCAP(s) and 0 POINTHOR(s)  
and: 0 VOLUME source(s)  
and: 1 AREA type source(s)  
and: 0 LINE source(s)  
and: 0 RLINE/RLINEXT source(s)  
and: 0 OPENPIT source(s)  
and: 0 BUOYANT LINE source(s) with a total of 0 line(s)  
and: 0 SWPOINT source(s)

\*\*Model Set To Continue RUNning After the Setup Testing.

\*\*The AERMET Input Meteorological Data Version Date: 22112

\*\*Output Options Selected:

- Model Outputs Tables of PERIOD Averages by Receptor
- Model Outputs Tables of Highest Short Term Values by Receptor (RECTABLE Keyword)
- Model Outputs External File(s) of Concurrent Values for Postprocessing (POSTFILE Keyword)
- Model Outputs External File(s) of High Values for Plotting (PLOTFILE Keyword)
- Model Outputs Separate Summary File of High Ranked Values (SUMMFILE Keyword)

\*\*NOTE: The Following Flags May Appear Following CONC Values: c for Calm Hours  
m for Missing Hours  
b for Both Calm and Missing Hours

\*\*Misc. Inputs: Base Elev. for Pot. Temp. Profile (m MSL) = 89.00 ; Decay Coef. = 0.000 ; Rot. Angle = 0.0  
Emission Units = GRAMS/SEC ; Emission Rate Unit Factor = 0.10000E+07  
Output Units = MICROGRAMS/M\*\*3

\*\*Approximate Storage Requirements of Model = 3.5 MB of RAM.

\*\*Input Runstream File: aermod.inp

\*\*Output Print File: aermod.out

\*\*Detailed Error/Message File: Stocker Street Creative Camplus.err

\*\*File for Summary of Results: Stocker Street Creative Camplus.sum

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 2

\*\*\* MODELOPTS: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* AREAPOLY SOURCE DATA \*\*\*

SOURCE ID	NUMBER PART. CATS.	EMISSION RATE (GRAMS/SEC /METER**2)	LOCATION OF AREA X (METERS)	Y (METERS)	BASE ELEV. (METERS)	RELEASE HEIGHT OF VERTS. (METERS)	NUMBER OF VERTS.	INIT. SZ (METERS)	URBAN SOURCE	EMISSION RATE SCALAR VARY BY	AIRCRAFT
PAREA1	0	0.86600E-06	376327.0	3763627.5	55.2	4.30	22	0.00	YES	HOURLY	NO

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 3

\*\*\* MODELOPTS: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* SOURCE IDs DEFINING SOURCE GROUPS \*\*\*

SRCGROUP ID	SOURCE IDs
-------------	------------

ALL PAREA1 ,  
\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 4

\*\*\* MODELOPTS: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* SOURCE IDs DEFINED AS URBAN SOURCES \*\*\*

URBAN ID	URBAN POP	SOURCE IDs
----------	-----------	------------

3000. PAREA1 ,  
\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 5

\*\*\* MODELOPTS: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* DISCRETE CARTESIAN RECEPTORS \*\*\*  
(X-COORD, Y-COORD, ZELEV, ZHILL, ZFLAG)  
(METERS)

( 376254.5, 3763522.7, 71.5, 95.0, 0.0);	( 376254.5, 3763547.7, 63.1, 110.6, 0.0);
( 376279.5, 3763522.7, 79.7, 94.8, 0.0);	( 376279.5, 3763547.7, 70.5, 95.0, 0.0);
( 376279.5, 3763572.7, 59.3, 111.6, 0.0);	( 376304.5, 3763522.7, 82.0, 94.1, 0.0);
( 376304.5, 3763547.7, 75.0, 94.9, 0.0);	( 376304.5, 3763572.7, 64.7, 95.0, 0.0);
( 376329.5, 3763547.7, 72.5, 95.0, 0.0);	( 376329.5, 3763572.7, 64.0, 95.0, 0.0);
( 376329.5, 3763597.7, 57.0, 106.8, 0.0);	( 376354.5, 3763547.7, 74.8, 94.7, 0.0);
( 376354.5, 3763572.7, 64.9, 95.0, 0.0);	( 376354.5, 3763597.7, 61.0, 95.0, 0.0);
( 376379.5, 3763572.7, 65.7, 95.0, 0.0);	( 376379.5, 3763597.7, 60.1, 95.0, 0.0);

( 376379.5, 3763622.7, 53.9, 106.0, 0.0);	( 376404.5, 3763572.7, 61.5, 95.0, 0.0);
( 376404.5, 3763597.7, 57.2, 95.0, 0.0);	( 376404.5, 3763622.7, 55.0, 95.0, 0.0);
( 376429.5, 3763597.7, 54.5, 95.0, 0.0);	( 376429.5, 3763622.7, 53.4, 95.0, 0.0);
( 376429.5, 3763647.7, 52.6, 95.0, 0.0);	( 376454.5, 3763622.7, 51.9, 95.0, 0.0);
( 376454.5, 3763647.7, 51.3, 95.0, 0.0);	( 376454.5, 3763672.7, 50.9, 95.0, 0.0);
( 376479.5, 3763622.7, 51.6, 95.0, 0.0);	( 376479.5, 3763647.7, 51.4, 95.0, 0.0);
( 376479.5, 3763672.7, 50.8, 95.0, 0.0);	( 376479.5, 3763697.7, 49.8, 95.0, 0.0);
( 376504.5, 3763647.7, 50.0, 95.0, 0.0);	( 376504.5, 3763672.7, 49.4, 95.0, 0.0);
( 376504.5, 3763697.7, 49.3, 95.0, 0.0);	( 376504.5, 3763722.7, 48.8, 94.9, 0.0);
( 376529.5, 3763647.7, 48.5, 95.0, 0.0);	( 376529.5, 3763672.7, 47.9, 95.0, 0.0);
( 376529.5, 3763697.7, 47.8, 95.0, 0.0);	( 376529.5, 3763722.7, 47.9, 94.9, 0.0);
( 376529.5, 3763747.7, 47.5, 94.8, 0.0);	( 376529.5, 3763772.7, 46.7, 94.5, 0.0);
( 376554.5, 3763672.7, 47.5, 95.0, 0.0);	( 376554.5, 3763697.7, 47.4, 94.9, 0.0);
( 376554.5, 3763722.7, 46.6, 94.9, 0.0);	( 376554.5, 3763747.7, 46.3, 94.7, 0.0);
( 376554.5, 3763772.7, 45.8, 94.5, 0.0);	( 376554.5, 3763797.7, 45.5, 94.5, 0.0);
( 376579.5, 3763697.7, 45.7, 94.9, 0.0);	( 376579.5, 3763722.7, 45.0, 94.8, 0.0);
( 376579.5, 3763747.7, 45.1, 94.5, 0.0);	( 376579.5, 3763772.7, 45.2, 94.5, 0.0);
( 376579.5, 3763797.7, 45.1, 92.9, 0.0);	( 376579.5, 3763822.7, 44.3, 87.6, 0.0);
( 376604.5, 3763722.7, 44.2, 94.8, 0.0);	( 376604.5, 3763747.7, 44.3, 94.5, 0.0);
( 376604.5, 3763772.7, 44.1, 94.1, 0.0);	( 376604.5, 3763797.7, 43.9, 88.8, 0.0);
( 376604.5, 3763822.7, 43.6, 87.6, 0.0);	( 376080.0, 3763731.6, 77.4, 111.6, 0.0);
( 376080.0, 3763756.6, 71.1, 114.7, 0.0);	( 376080.0, 3763781.6, 67.2, 114.7, 0.0);
( 376105.0, 3763681.6, 82.6, 102.7, 0.0);	( 376105.0, 3763706.6, 73.2, 113.3, 0.0);
( 376105.0, 3763731.6, 67.8, 114.7, 0.0);	( 376105.0, 3763756.6, 67.2, 114.7, 0.0);
( 376105.0, 3763781.6, 65.1, 114.7, 0.0);	( 376130.0, 3763631.6, 91.2, 94.4, 0.0);
( 376130.0, 3763656.6, 83.3, 94.5, 0.0);	( 376130.0, 3763681.6, 72.6, 111.8, 0.0);
( 376130.0, 3763706.6, 66.8, 114.7, 0.0);	( 376130.0, 3763731.6, 62.9, 114.7, 0.0);
( 376130.0, 3763781.6, 60.7, 114.7, 0.0);	( 376155.0, 3763581.6, 77.0, 102.9, 0.0);
( 376155.0, 3763606.6, 85.4, 94.5, 0.0);	( 376155.0, 3763631.6, 82.8, 94.5, 0.0);
( 376155.0, 3763656.6, 73.5, 107.5, 0.0);	( 376155.0, 3763681.6, 68.4, 113.3, 0.0);
( 376180.0, 3763581.6, 71.4, 106.8, 0.0);	( 376180.0, 3763606.6, 75.5, 101.7, 0.0);
( 376180.0, 3763631.6, 74.7, 105.2, 0.0);	( 376180.0, 3763656.6, 70.3, 107.6, 0.0);
( 376205.0, 3763631.6, 69.7, 106.8, 0.0);	



First hour of profile data  
 YR MO DY HR HEIGHT F WDIR WSPD AMB\_TMP sigmaA sigmaW sigmaV  
 18 01 01 01 13.1 0 -999. -99.00 284.1 99.0 -99.00 -99.00  
 18 01 01 01 18.0 1 48. 1.71 -999.0 99.0 -99.00 -99.00

F indicates top of profile (=1) or below (=0)

▲ \*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S \*\*\*  
 12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\*

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23:33:18

PAGE 8

\*\*\* MODELOPTs: RegDFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE PERIOD ( 43824 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL  
 INCLUDING SOURCE(S): PAREA1 , \*\*\*

\*\*\* DISCRETE CARTESIAN RECEPTOR POINTS \*\*\*

** CONC OF DPM			IN MICROGRAMS/M**3		
X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
376254.54	3763522.72	0.68394	376254.54	3763547.72	0.91464
376279.54	3763522.72	0.59570	376279.54	3763547.72	0.89695
376279.54	3763572.72	1.27010	376304.54	3763522.72	0.57393
376304.54	3763547.72	0.81558	376304.54	3763572.72	1.38974
376329.54	3763547.72	0.84364	376329.54	3763572.72	1.40074
376329.54	3763597.72	2.16722	376354.54	3763547.72	0.67781
376354.54	3763572.72	1.20300	376354.54	3763597.72	1.82615
376379.54	3763572.72	0.95959	376379.54	3763597.72	1.58421
376379.54	3763622.72	2.49113	376404.54	3763572.72	0.83474
376404.54	3763597.72	1.27170	376404.54	3763622.72	1.90288
376429.54	3763597.72	0.97096	376429.54	3763622.72	1.35621
376429.54	3763647.72	2.02120	376454.54	3763622.72	0.95878
376454.54	3763647.72	1.33257	376454.54	3763672.72	1.94071
376479.54	3763622.72	0.70305	376479.54	3763647.72	0.92857
376479.54	3763672.72	1.24265	376479.54	3763697.72	1.66335
376504.54	3763647.72	0.67272	376504.54	3763672.72	0.85078
376504.54	3763697.72	1.07455	376504.54	3763722.72	1.32204
376529.54	3763647.72	0.52010	376529.54	3763672.72	0.63717
376529.54	3763697.72	0.77391	376529.54	3763722.72	0.90942
376529.54	3763747.72	0.97239	376529.54	3763772.72	0.90749
376554.54	3763672.72	0.51108	376554.54	3763697.72	0.60195
376554.54	3763722.72	0.67364	376554.54	3763747.72	0.70463
376554.54	3763772.72	0.67465	376554.54	3763797.72	0.60313
376579.54	3763697.72	0.47824	376579.54	3763722.72	0.52330

376579.54	3763747.72	0.54395	376579.54	3763772.72	0.52999
376579.54	3763797.72	0.48711	376579.54	3763822.72	0.42707
376604.54	3763722.72	0.42452	376604.54	3763747.72	0.43903
376604.54	3763772.72	0.42953	376604.54	3763797.72	0.40107
376604.54	3763822.72	0.36101	376080.00	3763731.65	0.06451
376080.00	3763756.65	0.06482	376080.00	3763781.65	0.06066
376105.00	3763681.65	0.08671	376105.00	3763706.65	0.09525
376105.00	3763731.65	0.09359	376105.00	3763756.65	0.08043
376105.00	3763781.65	0.07123	376130.00	3763631.65	0.10778
376130.00	3763656.65	0.11217	376130.00	3763681.65	0.13125
376130.00	3763706.65	0.13250	376130.00	3763731.65	0.12173
376130.00	3763781.65	0.08858	376155.00	3763581.65	0.20002
376155.00	3763606.65	0.15053	376155.00	3763631.65	0.14839
376155.00	3763656.65	0.17468	376155.00	3763681.65	0.17983
376180.00	3763581.65	0.31688	376180.00	3763606.65	0.25146
376180.00	3763631.65	0.23418	376180.00	3763656.65	0.24355

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12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\*

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23:33:18

PAGE 9

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE PERIOD ( 43824 HRS) AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL  
INCLUDING SOURCE(S): PAREA1 ,

\*\*\*

\*\*\* DISCRETE CARTESIAN RECEPTOR POINTS \*\*\*

\*\* CONC OF DPM IN MICROGRAMS/M\*\*3 \*\*

X-COORD (M)	Y-COORD (M)	CONC	X-COORD (M)	Y-COORD (M)	CONC
376205.00	3763631.65	0.38178			

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\*

\*\*\*

23:33:18

PAGE 10

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL  
INCLUDING SOURCE(S): PAREA1 ,

\*\*\*

\*\*\* DISCRETE CARTESIAN RECEPTOR POINTS \*\*\*

\*\* CONC OF DPM IN MICROGRAMS/M\*\*3 \*\*

X-COORD (M)	Y-COORD (M)	CONC (YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC (YYMMDDHH)
376254.54	3763522.72	7.82409 (19063006)	376254.54	3763547.72	9.80381 (22010322)

376279.54	3763522.72	7.55469	(19063006)	376279.54	3763547.72	9.52536	(19063006)
376279.54	3763572.72	12.82193	(22010322)	376304.54	3763522.72	6.39000	(19063006)
376304.54	3763547.72	8.75893	(19063006)	376304.54	3763572.72	11.74313	(19063006)
376329.54	3763547.72	8.55342	(22062806)	376329.54	3763572.72	11.62413	(22062806)
376329.54	3763597.72	15.43991	(22032205)	376354.54	3763547.72	7.92145	(20070406)
376354.54	3763572.72	10.93492	(22100307)	376354.54	3763597.72	13.82317	(22100307)
376379.54	3763572.72	9.97662	(19072206)	376379.54	3763597.72	12.42559	(23071306)
376379.54	3763622.72	16.35990	(20053106)	376404.54	3763572.72	9.49219	(22061006)
376404.54	3763597.72	11.88954	(20053106)	376404.54	3763622.72	15.48319	(20053106)
376429.54	3763597.72	11.68367	(20053106)	376429.54	3763622.72	13.95916	(20053106)
376429.54	3763647.72	16.66410	(20053106)	376454.54	3763622.72	12.57819	(20053106)
376454.54	3763647.72	14.38221	(20053106)	376454.54	3763672.72	16.55981	(20053106)
376479.54	3763622.72	11.42208	(20053106)	376479.54	3763647.72	12.59525	(20053106)
376479.54	3763672.72	13.74241	(20053106)	376479.54	3763697.72	15.05730	(19061206)
376504.54	3763647.72	10.32284	(20053106)	376504.54	3763672.72	11.09522	(19061206)
376504.54	3763697.72	12.53974	(19061206)	376504.54	3763722.72	13.78884	(23061606)
376529.54	3763647.72	8.58758	(19061206)	376529.54	3763672.72	9.69088	(19061206)
376529.54	3763697.72	10.29802	(19040307)	376529.54	3763722.72	10.83136	(23053106)
376529.54	3763747.72	11.30157	(23053106)	376529.54	3763772.72	11.17132	(22010606)
376554.54	3763672.72	8.47711	(19061206)	376554.54	3763697.72	8.75342	(22011420)
376554.54	3763722.72	8.88047	(23053106)	376554.54	3763747.72	9.07658	(23053106)
376554.54	3763772.72	9.62272	(22010606)	376554.54	3763797.72	9.00446	(23071206)
376579.54	3763697.72	7.41677	(22011420)	376579.54	3763722.72	7.45815	(23053106)
376579.54	3763747.72	7.58627	(23053106)	376579.54	3763772.72	8.13778	(22010606)
376579.54	3763797.72	8.07120	(22010606)	376579.54	3763822.72	7.90630	(22010207)
376604.54	3763722.72	6.76975	(22011607)	376604.54	3763747.72	6.52396	(23053106)
376604.54	3763772.72	6.78400	(22010606)	376604.54	3763797.72	7.29558	(22010606)
376604.54	3763822.72	6.77334	(22022607)	376080.00	3763731.65	5.21230	(19072604)
376080.00	3763756.65	6.21406	(20112221)	376080.00	3763781.65	5.99838	(20112221)
376105.00	3763681.65	6.01041	(22010806)	376105.00	3763706.65	6.78075	(22031723)
376105.00	3763731.65	7.22485	(19072604)	376105.00	3763756.65	7.02422	(20112221)
376105.00	3763781.65	6.36333	(20112221)	376130.00	3763631.65	5.05984	(22020122)
376130.00	3763656.65	5.97670	(22010519)	376130.00	3763681.65	8.12006	(22010806)
376130.00	3763706.65	8.22165	(22031723)	376130.00	3763731.65	8.37797	(19072604)
376130.00	3763781.65	7.22601	(22021108)	376155.00	3763581.65	7.59777	(22010821)

376155.00	3763606.65	6.37630	(19120808)	376155.00	3763631.65	6.30481	(22010805)
376155.00	3763656.65	8.08316	(22010519)	376155.00	3763681.65	9.58538	(22010806)
376180.00	3763581.65	8.55451	(22010821)	376180.00	3763606.65	8.78760	(22010821)
376180.00	3763631.65	8.70247	(22010805)	376180.00	3763656.65	9.41653	(22010519)

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 11

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE 1ST HIGHEST 1-HR AVERAGE CONCENTRATION VALUES FOR SOURCE GROUP: ALL  
INCLUDING SOURCE(S): PAREA1 ,

\*\*\* DISCRETE CARTESIAN RECEPTOR POINTS \*\*\*

\*\* CONC OF DPM IN MICROGRAMS/M\*\*3 \*\*

X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)	X-COORD (M)	Y-COORD (M)	CONC	(YYMMDDHH)
376205.00	3763631.65	11.05240	(22010821)				

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S  
12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 12

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE SUMMARY OF MAXIMUM PERIOD ( 43824 HRS) RESULTS \*\*\*

\*\* CONC OF DPM IN MICROGRAMS/M\*\*3 \*\*

GROUP ID	AVERAGE CONC	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE	NETWORK GRID-ID
ALL	1ST HIGHEST VALUE IS	2.49113 AT ( 376379.54, 3763622.72,	53.94, 105.99, 0.00)	DC
	2ND HIGHEST VALUE IS	2.16722 AT ( 376329.54, 3763597.72,	56.98, 106.83, 0.00)	DC
	3RD HIGHEST VALUE IS	2.02120 AT ( 376429.54, 3763647.72,	52.56, 94.99, 0.00)	DC
	4TH HIGHEST VALUE IS	1.94071 AT ( 376454.54, 3763672.72,	50.94, 94.99, 0.00)	DC
	5TH HIGHEST VALUE IS	1.90288 AT ( 376404.54, 3763622.72,	54.97, 94.99, 0.00)	DC
	6TH HIGHEST VALUE IS	1.82615 AT ( 376354.54, 3763597.72,	61.03, 94.99, 0.00)	DC
	7TH HIGHEST VALUE IS	1.66335 AT ( 376479.54, 3763697.72,	49.76, 94.99, 0.00)	DC
	8TH HIGHEST VALUE IS	1.58421 AT ( 376379.54, 3763597.72,	60.10, 94.99, 0.00)	DC
	9TH HIGHEST VALUE IS	1.40074 AT ( 376329.54, 3763572.72,	63.97, 94.99, 0.00)	DC
	10TH HIGHEST VALUE IS	1.38974 AT ( 376304.54, 3763572.72,	64.67, 94.99, 0.00)	DC

\*\*\* RECEPTOR TYPES: GC = GRIDCART  
GP = GRIDPOLR  
DC = DISCCART  
DP = DISCPOLR

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12/04/25

\*\*\* AERMET - VERSION 22112 \*\*\* 23:33:18  
PAGE 13

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* THE SUMMARY OF HIGHEST 1-HR RESULTS \*\*\*

\*\* CONC OF DPM IN MICROGRAMS/M\*\*3 \*\*

NETWORK GROUP ID GRID-ID	AVERAGE CONC	DATE (YYMMDDHH)	RECEPTOR (XR, YR, ZELEV, ZHILL, ZFLAG)	OF TYPE
ALL	HIGH 1ST HIGH VALUE IS	16.66410 ON 20053106: AT (	376429.54, 3763647.72, 52.56, 94.99,	0.00) DC

\*\*\* RECEPTOR TYPES: GC = GRIDCART  
 GP = GRIDPOLR  
 DC = DISCCART  
 DP = DISCPOLR

\*\*\* AERMOD - VERSION 24142 \*\*\* C:\Lakes\AERMOD View\15605 HRA Con\Stocker Street Creative Campus\S \*\*\*  
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\*\*\* AERMET - VERSION 22112 \*\*\* \*\*\* 23:33:18  
 PAGE 14

\*\*\* MODELOPTs: RegDEFAULT CONC ELEV URBAN ADJ\_U\*

\*\*\* Message Summary : AERMOD Model Execution \*\*\*

----- Summary of Total Messages -----

A Total of 0 Fatal Error Message(s)  
 A Total of 5 Warning Message(s)  
 A Total of 577 Informational Message(s)  
 A Total of 43824 Hours Were Processed  
 A Total of 42 Calm Hours Identified  
 A Total of 535 Missing Hours Identified ( 1.22 Percent)

\*\*\*\*\* FATAL ERROR MESSAGES \*\*\*\*\*  
 \*\*\* NONE \*\*\*

\*\*\*\*\* WARNING MESSAGES \*\*\*\*\*

CO W320	22	URBOPT: Input Parameter May Be Out-of-Range for Parameter	URB-POP
ME W186	158	MEOpen: THRESH_1MIN 1-min ASOS wind speed threshold used	0.50
ME W187	158	MEOpen: ADJ_U* Option for Stable Low Winds used in AERMET	
MX W450	26305	CHKDAT: Record Out of Sequence in Meteorological File at:	22010101
MX W450	26305	CHKDAT: Record Out of Sequence in Meteorological File at:	1 year gap

\*\*\*\*\*  
 \*\*\* AERMOD Finishes Successfully \*\*\*  
 \*\*\*\*\*



# **ATTACHMENT B**

# ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

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ALaura R. McGUIRE  
ISABEL TAHIR

*Of Counsel*

DANIEL L. CARDOZO  
MARC D. JOSEPH

February 23, 2026

### **Via Email**

Los Angeles City Planning Commission

Email: [cpc@lacity.org](mailto:cpc@lacity.org)

### **Re: Agenda Item 7 – Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI)**

Dear President Lawshe, Honorable Commissioners:

We are writing on behalf of Coalition for Responsible Equitable Economic Development Los Angeles (“CREED LA”) regarding the Stocker Street Creative Project (SCH No. 2025110100; Case Nos. ENV-2024-326-MND and CPC-2024-325-CU-MCUP-CUX-SPE-SPP-DRB-SPR-WDI) (“Project”) and proposed adoption of the Project’s Mitigated Negative Declaration (“MND”). The Project will be considered as Agenda Item 7 at the February 26, 2026, City Planning Commission hearing.

CREED LA respectfully requests that the Commission continue this hearing and remand the Project to staff to prepare an environmental impact report (“EIR”) to address the Project’s significant, unmitigated air quality, public health, energy, noise, and public utilities impacts. CREED LA’s review of the staff report demonstrates that the City has not yet complied with the California Environmental Quality Act (“CEQA”) or applicable land use laws. The Commission may not consider approving the Project until the City has fully complied with applicable law.

CEQA requires an EIR, rather than an MND, be prepared when there is substantial evidence supporting a fair argument that the Project would result in significant impacts. CEQA provides: “[i]f there is disagreement among expert opinion supported by facts .... the Lead Agency shall treat the effect as significant and shall prepare an EIR.”<sup>1</sup> CREED LA’s comments on the Project’s MND presented substantial evidence supporting a fair argument that the Project would result in significant and unmitigated air quality, public health, energy, noise, and public utilities impacts. The City is required to prepare an EIR for the Project.

The Commission Staff Report includes responses to CREED LA’s comments, but the responses fail to resolve the issues raised in the comments. For example, the MND lacked a

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<sup>1</sup> 14 Cal. Code Regs., § 15064(b), (g); see *Keep Our Mountains Quiet v. County of Santa Clara* (6th Dist. 2015) 236 Cal.App.4th 714.  
8099-006apm

February 23, 2026

Page 2

quantitative health risk analysis of impacts from exposure to the Project's construction emissions. CREED LA's air quality and public health consultant, Dr. Clark, prepared a health risk analysis which found that exposure to the Project's construction emissions would result in an incremental cancer risk of 13.4 in one million, in excess of the South Coast Air Quality Management District's ("SCAQMD") cancer risk threshold of 10 in one million. This is a significant impact which the MND failed to disclose. The Staff Report includes a new health risk analysis by the City which asserts that health risk is not significant. But Dr. Clark demonstrates that the City's analysis remains inaccurate and finds that, even under the City's calculations, the Project results in a significant health risk of 11.2 in one million.<sup>2</sup> This is precisely the type of dispute between experts which requires an EIR under the fair argument standard.<sup>3</sup>

Further, the MND's conclusion that the Project's hazardous materials impacts would be less than significant remains unsupported. CREED LA previously commented that the MND violated CEQA by failing to analyze the site for soil contamination (either in a Phase I or II environmental site assessment ("ESA")). The Staff Report responds that "a Phase I Environmental Site Assessment for the project site was prepared on January 5, 2021. The Phase I ESA was not included in the IS/MND, although it was and is available for review in the City files."<sup>5</sup> The Staff Report then asserts that "[t]he detailed Phase I ESA does not identify significant hazardous conditions.... The less-than-significant conclusion within the Hazard and Hazardous Materials section of the IS/MND remains accurate."<sup>6</sup> However, the Staff Report fails to attach the Phase I report and the City has not provided it in response to CREED LA's requests. This reliance on a hidden study violates both CEQA and the Public Records Act.<sup>7</sup>

The courts are clear that a CEQA document may not rely on hidden studies or documents that are not provided to the public.<sup>8</sup> The failure to provide even a few pages of a CEQA documents for a portion of the CEQA review period invalidates the entire CEQA process, and such a failure must be remedied by permitting additional public comment.<sup>9</sup> Thus, if the City intends to rely on a Phase I ESA to support a no-impact conclusion, the ESA must be attached to a Draft EIR and circulated for public comment with the environmental document. The City failed to do that here. Moreover, the City failed to provide access to the Phase I ESA in response to

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<sup>2</sup> Clark Comments, p. 2.

<sup>3</sup> 14 Cal. Code Regs. § 15064(f)(1); *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 934-935, 938 ('opposing views are substantial evidence going the other way, which is insufficient to refute the claim of a fair argument').

<sup>5</sup> Staff Report, PDF pg. 1995.

<sup>6</sup> *Id.*

<sup>7</sup> *Santiago County Water District v. County of Orange* (1981) 118 Cal.App.3rd 818, 831 ("Whatever is required to be considered in a [CEQA document] must be in that formal report; what any official might have known from other writings or oral presentations cannot supply what is lacking in the report."); Government Code §§ 7920.000.

<sup>8</sup> *Id.*

<sup>9</sup> *Ultramar v. South Coast Air Quality Man. Dist.* (1993) 17 Cal.App.4th 689, 699.  
8099-006apm

CREED LA's record requests of November 24, 2025, and January 30, 2026. The City's failure to make the record available violates the Public Records Act.<sup>10</sup>

CREED LA respectfully requests that the Commission continue this hearing and remand the Project back to staff so that an EIR can be prepared in compliance with CEQA.

#### **A. Health Risk Impacts Remain Significant and Unmitigated**

Dr. Clark's initial health risk analysis demonstrates that the Project's construction would result in a significant health risk impact (incremental cancer risk of 13.4 in one million) on residences located next to the Project site. In response, the City prepared its own analysis finding a cancer risk of 9.6 in one million.<sup>11</sup> Dr. Clark reviewed the City's analysis and identified flaws. Dr. Clark then recalculated health risk using the same emissions data used by the City and found that, even under the City's framework, the Project still results in a cancer risk of 11.2 in a million.<sup>12</sup> This exceeds the SCAQMD health risk threshold of 10/million, resulting in a significant impact that the City failed to disclose. This disagreement between experts requires preparation of an EIR under the fair argument standard.<sup>13</sup>

Dr. Clark further explains that the City's HRA is unsupported because it assumes the use of Tier 4 construction equipment. Tier 4 is the most stringent emissions control level for off-road sector construction engines.<sup>14</sup> Its use is being phased in by CARB regulations, but is not yet required for all construction.<sup>15</sup> The MND lacks any binding condition requiring Tier 4 construction equipment for the Project. The Staff Report states that the Applicant's commitment to meet LEED Gold standards would require use of Tier 4 construction equipment.<sup>16</sup> However, this is incorrect because LEED Gold does not require use of Tier 4 construction equipment. A Project meets LEED Gold standards by implementing features, each associated with a certain amount of points, that add up to 60-79 points. Use of Tier 4 equipment is not a prerequisite on the LEED v4 and v5 checklists to achieve LEED Gold certification.<sup>17</sup>

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<sup>10</sup> Government Code §§ 7922.000, 7922.525, 7922.530; *see Sukumar v. City of San Diego* (4<sup>th</sup> Dist. 2017), 14 Cal.App.5th 451 (an agency's "inability or unwillingness to locate and produce" requested records "is tantamount to withholding requested information" under the Act).

<sup>11</sup> CEQA Guidelines § 15126.4(a)(2).

<sup>12</sup> Clark Comments, p. 2.

<sup>13</sup> 14 Cal. Code Regs., § 15064(b), (g); *see Keep Our Mountains Quiet v. County of Santa Clara* (6<sup>th</sup> Dist. 2015) 236 Cal.App.4th 714.

<sup>14</sup> See <https://ww2.arb.ca.gov/resources/fact-sheets/fact-sheet-added-vehicle-restrictions-and-tier-phase-out-requirements>.

<sup>15</sup> *Id.*

<sup>16</sup> Staff Report, PDF pg. 1987.

<sup>17</sup> LEED v5 checklist available at <https://build.usgbc.org/leed-v5-scorecard-bdc-nc>; v4 checklist available at [https://build.usgbc.org/l/413862/2019-01-16/ndzk5h/413862/152746/LEED\\_v4\\_for\\_Building\\_Design\\_and\\_Construction\\_1\\_PAGE.xlsx](https://build.usgbc.org/l/413862/2019-01-16/ndzk5h/413862/152746/LEED_v4_for_Building_Design_and_Construction_1_PAGE.xlsx). 8099-006apm

The City's argument is also legally unsupported because CEQA requires mitigation measures to be fully enforceable through permit conditions, agreements or other legally binding instruments.<sup>18</sup> A statement in the staff report that use of Tier 4 equipment is encompassed in LEED Gold certification does not meet these standards. Because cancer risk estimated in the City's HRA is just below the 10 in one million threshold even with Tier 4 equipment, cancer risks would certainly exceed 10 in one million without a binding requirement to use Tier 4 equipment. The Project's significant health risk impacts must be mitigated in an EIR.

### **B. The MND's Energy Analysis Still Fails to Analyze Sound Stage Production Uses**

The MND concluded that energy impacts would be less than significant, despite failing to quantify the Project's energy consumption, discuss energy-intensive uses of the proposed Project, or consider measures to reduce energy consumption. CREED LA's comments on the MND demonstrate that the Project's energy impacts would be potentially significant due to specialized lighting, specialized A/V equipment, cooling for heat-generating gear, and significant transportation/fuel use typical of sound stage production projects. CREED LA further commented that the generic CalEEMod land use categories relied upon in the MND's air study underestimated the project's expected energy consumption, criteria air pollutant emissions, and GHG emissions.

In Response 4e, the Staff Report responds that the generic land uses reasonably estimated the Project's effects. This response is conclusory, as the Staff Report fails to actually demonstrate how the selected land uses reflect the impacts of sound stage production. In Response 4h, the City states that LEED Gold certification alone ensures that energy impacts would be less than significant. This response is unsupported because the Staff Report fails to discuss energy consumption of sound stage production and demonstrate that LEED measures would meaningfully reduce energy consumption of those uses. Response 4h further states that "as more details of project design became available, project specific energy calculations were undertaken," shown in Table B of the Staff Report.<sup>19</sup> However, these new details are not disclosed, and the modeling files apparently rely on the generic CalEEMod "Office Park" land use.<sup>20</sup> There is no evidence in the record demonstrating that sound stage-specific energy consumption is reflected in this estimate. Thus, the energy analysis remains inadequate.

### **C. Impacts from Disturbance of Hazardous Materials Remain Potentially Significant**

The City cannot rely on a Phase I ESA that has not been disclosed to the public to support the MND's conclusion that hazardous materials impacts are less than significant. The ESA was not referenced in the MND, and has not been made available in response to record requests.<sup>21</sup> As

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<sup>18</sup> CEQA Guidelines § 15126.4(a)(2).

<sup>19</sup> Staff Report, PDF pg. 1993, 1994.

<sup>20</sup> PDF pg. 1957.

<sup>21</sup> Staff Report, PDF pg. 1995.

explained in CREED LA's prior comments, the MND only included a review of the EnviroStor database and Geotracker database. These databases indicate if a site was previously subject to regulatory cleanup for contamination, but do not demonstrate that a site is free of soil contamination or other hazardous materials that may cause significant impacts if disturbed.

There is also no evidence that the Phase I ESA was provided to the Commission, or that the Commission has reviewed the ESA. Thus, the Commission cannot find that the MND's conclusion is supported by substantial evidence.

#### **D. Public Utilities Impacts Remain Unanalyzed and Potentially Significant**

CREED LA previously commented that the MND lacked analysis of necessary public utilities improvements. CREED LA explained that the MND failed to analyze whether any new wastewater infrastructure would be required for the Project. The MND also failed to disclose the fire flow requirements for the Project, failed to analyze whether that fire flow would be met by existing infrastructure, and failed to disclose environmental impacts resulting from construction of any necessary improvements. Quantitative analysis of whether water mains would need to be upsized is contained in an Information of Fire Flow Availability Request ("IFFAR").

The Staff Report responds, without support, that no off-site utility improvements would be required besides installation of underground electrical service. Unsupported conclusions are not substantial evidence. The City must prepare an IFFAR to analyze fire flow and meaningfully address whether additional wastewater infrastructure is required for the Project.

#### **E. Conclusion**

CREED LA respectfully urges the CPC to continue the public hearing and direct Staff to prepare an EIR that fully discloses, analyzes, and mitigates the Project's significant impacts, as required by CEQA.

Sincerely,



Aidan P. Marshall

APM:

**Clark and Associates  
Environmental Consulting, Inc.**

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**PHONE**  
310-907-6165

**EMAIL**  
jclark.assoc@gmail.com

**Attn: Mr. Aidan Marshall**

**Subject: Comments On Los Angeles Department of City Planning Recommendation Report For  
Stocker Street Creative Initial Study, Case Number: ENV-2024-326-MND**

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At the request of Adams Broadwell Joseph & Cardozo (ABJC), Clark and Associates (Clark) has reviewed the materials related to the City of Los Angeles' (the City) Department of City Planning, Recommendation Report (Staff Report) for the above-referenced project. Clark's review does not constitute validation or endorsement of the conclusions or content presented in the IS/MND. Any lack of comment on specific items should not be interpreted as acceptance or approval of those items. The facts presented in this comment letter lead me to reasonably conclude that the Project continues to result in significant, unmitigated impacts if allowed to proceed as envisioned in the IS/MND and Staff Report. An environmental impact report (EIR) is necessary to address these substantial concerns fully and transparently.

**1. The MND's Revised Energy Analysis Still Does Not Evaluate Sound Stage Production Uses**

In Response 4e, the City states that the Project's energy consumption was correctly analyzed using CalEEMod land uses such as manufacturing, arena, general office building, office park, high-turnover sit-down restaurant, strip mall, unenclosed parking with elevator, and other non-asphalt surfaces. The Staff Report further claims that "the Applicant prepared energy consumption modeling for the specific uses proposed on the site (i.e., studio and mill shop)." These claims are unsupported.

Specifically, Table 3B of the Staff Report's CalEEMod analysis estimates the Project's operational energy demands. (PDF pg. 1993). A review of the modeling files shows that these estimates rely on the CalEEMod "Office Park" land use. (PDF pg. 1957). There is no evidence in the record demonstrating that the energy demands of sound stage production uses, which require intensive lighting, specialized A/V equipment, and cooling for heat-generating gear, are reflected in this estimate. The energy demands of these uses are discussed in greater detail in CREED LA's prior comments. The Staff Report's statement that "the Applicant prepared energy consumption modeling for the specific uses proposed on the site (i.e., studio and mill shop)" remains unsupported, as there is no evidence that these are reflected in the CalEEMod "Office Park" land use. Thus, the Office Park land use code would underestimate the potential energy use of the Project. The City must prepare an EIR to accurately assess the energy use of the Project.

**2. Our Initial Health Risk Assessment Showing Significant Impacts Still Accurately Describes the Project If The Mitigation Measures For Reducing DPM Are Not Imposed**

My previous comments on the IS/MND included a health risk assessment (HRA) demonstrating that the Project construction phase would result in an incremental cancer risk of 13.4 in one million to the most sensitive receptors near the Project site over a 27.5-month period of construction activities.

**Clark and Associates  
Environmental Consulting, Inc.**

This model was based on the City's air quality analysis that showed a total of 678 pounds of DPM being emitted over 600 days or a daily emission rate of 512.56 grams of DPM per day.

The Staff Report now states that Project construction is anticipated to begin in the second or third quarter of 2026 and last for approximately 35 months, and that Tier 4 construction equipment would be used. The air quality modeling from the City calculated that the total emissions of DPM during the duration of the construction would now be approximately 0.17 pounds per day over a 760-day period or a total of 128.456 lbs of DPM (pg 1689 of Staff Report). As I show below, this amount still results in a risk to the residents that is greater than 10 in 1,000,000 when the appropriate exposure factors are utilized. The City must revise its HRA and present the results in an EIR for the Project.

**3. Comment On Response 4b: the City's New Health Risk Assessment Underestimates Potentially Significant Impacts**

In Response 4b the City states that "a new health risk assessment (HRA) was prepared to address detailed project-specific construction information and updated schedule." The assumptions included in the HRA include the use of Tier 4 rated offroad construction equipment to reduce diesel particulate (DPM) emissions. The footnote to the response states that the Air Quality and Energy Calculations were provided as an attachment to the document. The analysis in question starts on page 1687 of the pdf.

The maximum modeled annual diesel PM concentration was 0.03115 micrograms per cubic meter ( $\mu\text{g}/\text{m}^3$ ) at the multifamily complex adjacent to the northern site boundary.<sup>1</sup> The construction HRA was prepared using the 0.03115  $\mu\text{g}/\text{m}^3$  concentration, assumed an exposure duration of 35 months, and calculated the cancer risk for infants, children, and adults. The City calculated a risk of 9.6 in one million, just below the SCAQMD significance threshold.

To achieve that cancer risk the City chose exposure frequency parameters that limited the residents exposures to diesel particulate matter (DPM). They limited the exposure of the receptors to 85 percent of the time (frequency at home or FAH set to 0.85 for infants and 0.72 for children). This means that their analysis assumed that no resident could stay at their residence 100 percent of the time. In effect their analysis requires that residents leave their homes during the construction phase of the Project. This would mean that residents would have to leave their residences from 3.6 to 6.72 hours per day during the period of the construction activities.

OEHHA recommends the following FAH values: from the third trimester to age <2 years, 85 percent of time is spent at home; from age 2 through <16 years, 72 percent of time is spent at home; from age 16 years and greater, 73 percent of time is spent at home.<sup>2</sup> The City's analysis fails to consider the note on page 8-5 of the Toxic Hot Spots manual, in which OEHHA states that Facilities with any school within the  $1 \times 10^{-6}$  (or greater) isopleth should use FAH = 1 for the child age groups (3rd Trimester, 0<2 years, and 2<16 years). This is due to the fact that young child may live and go to school in areas that are very close to each other. The nearest sensitive receptors to the Project Site include residences across Stocker Avenue, approximately 100 feet (30 meters) from the Project Site

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<sup>1</sup> Staff Report page 1689 of pdf.

<sup>2</sup> Ibid. pg 40

**Clark and Associates  
Environmental Consulting, Inc.**

as well as residents in the apartment building on the northern edge of the Project Site. Additionally, Stella Elementary Charter Academy and Escuela Plus Elementary School are located approximately 920 feet northwest, and Brea Sports Park are located approximately 875 feet (267 meters) north for the Project Site.

According to the dispersion modeling performed by the City the airborne concentration of DPM from the Project's construction hitting the schools would be approximately 0.003 ug/m<sup>3</sup>, which would cause a 1 in 1,000,000 risk for residents at that location. Given the proximity of both sites which contain sensitive receptors it is clear the appropriate FAH for infants and children is 1, not the values chosen by the City.

Using the City's own air quality analysis I have recalculated the cancer risk to the MEIR, assuming that residents could be present during all of the construction activities (the most conservative approach and found that the cancer risk to the most sensitive population, infants and children, is 11.2 in one million, much greater than the 10 in 1,000,000 significance threshold outlined by SCAQMD, resulting in a significant impact—even with the use of Tier 4 off-road construction equipment. The results of the health risk analysis are attached as an appendix to this letter. The City must disclose these significant impacts in an EIR for the Project

**4. Comment On Response 4d. The CalEEMod Now Includes Two Back-Up Generators But Still Underestimates Emissions from Stationary Equipment.**

The City has redone the CalEEMOD analysis for the operational phase of the Project and included two 405 horsepower backup generators assumed to be operated (tested) bimonthly for a total of 24 hours each of operation per year. The Staff Report states that these assumptions reflect bimonthly testing of the generators.

Stocker Street Creative Campus Detailed Report, 1/28/2026

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor
Emergency Generator	Diesel	2.00000	4.00000	24.0000	405.000	0.73000

5.16.2. Process Boilers

But the City's assumptions regarding the number of generators required and the amount of time they would be used do not appear to be supported. The MND anticipates that Project operations would include regular use of studio trailers.<sup>3</sup> Studio trailers and other "basecamp" operations often use diesel generators.<sup>4</sup> This use is not reflected in the Staff Report's analysis. Additionally, the analysis does not include the necessary fire pumps that will be required to ensure adequate protection of the building. The City's analysis is therefore incomplete and must be corrected in an EIR for the Project.

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<sup>3</sup> MND, pg. 21 ("Parking for studio trailers or "star wagons" that would function as dressing rooms or "green rooms" would be located adjacent to the northeast corner of Building D").

<sup>4</sup> [https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App\\_D.pdf](https://planning.lacity.gov/eir/Radford%20Studio%20Center/deir/files/App_D.pdf), pg. 10;

**Clark and Associates  
Environmental Consulting, Inc.**

**Conclusion**

The facts presented in this comment letter lead me to reasonably conclude that the Project could result in significant impacts. An EIR is necessary to address these substantial concerns fully and transparently.

Sincerely,

A handwritten signature in black ink, appearing to read "J. J. Clark". The signature is written in a cursive style with a horizontal line extending to the left.



**Applicant Copy**  
 Office: Van Nuys  
 Application Invoice No: 108245

City of Los Angeles  
 Department of City Planning



\*68001108245\*



### City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please the assigned planner, please visit <https://planning.lacity.gov/pdiscaseinfo/> and enter the Case Number.

**Payment Info: \$281.67 was paid on 04/08/2026 with receipt number 200554644491**

Applicant: Aidan Marshall c/o Adams Broadwell Joseph & Cardozo (CREED LA)
Representative: Aidan Marshall (Adams, Broadwell, Joseph & Cardozo)
Project Address: 3701 W STOCKER ST, 90008

NOTES: Appeal of the entire Determination by an aggrieved party

CPC-2024-325-CU-MCUP-CUX-SPP-DRB-SPR-WDI-1A			
Item	Fee	%	Charged Fee
Appeal by Person Other Than The Applicant	\$229.00	100 %	\$229.00
<b>Case Total</b>			<b>\$229.00</b>
* Fees Subject to Surcharges			\$229.00
Fees Not Subject to Surcharges			\$0.00
Plan & Land Use Fees Total			\$0.00
Expediting Fee			\$0.00
Development Services Center Surcharge (3%)			\$6.87
City Planning Systems Development Surcharge (6%)			\$13.74
Operating Surcharge (7%)			\$16.03
General Plan Maintenance Surcharge (7%)			\$16.03

* Fees Subject to Surcharges	\$229.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$0.00
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Development Services Center Surcharge (3%)	\$6.87
City Planning Systems Dev. Surcharge (6%)	\$13.74
Operating Surcharge (7%)	\$16.03
General Plan Maintenance Surcharge (7%)	\$16.03
<b>Grand Total</b>	<b>\$281.67</b>
Total Overpayment Amount	\$0.00
<b>Total Paid (amount must equal sum of all checks)</b>	<b>\$281.67</b>

Council District:  
 Plan Area:  
 Processed by STEVEN WECHSLER on 4/7/2026

Signature: \_\_\_\_\_



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE: MARCH 24, 2026**

**Case No.: CPC-2024-325-CU-MCUP-CUX-SPP-DRB-SPR-WDI**

**CEQA: ENV-2024-326-MND**

**Council District: 8 – Harris-Dawson**

**Plan Area: West Adams – Baldwin Hills – Leimert**

**Project Site:** 3701 – 3761 West Stocker Street

**Applicant:** 3731-41 Stocker Opportunity, LLC

Representative: Nichole Smith, Horizon Development + Entitlements

At its meeting **February 26, 2026**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

Construction of a campus for studio and sound stage production totaling approximately 256,758 square feet with a 1.15:1 Floor Area Ratio (FAR) within six new buildings ranging in height from one story (14 feet height) up to a height of seven stories (110 feet high). The Project includes approximately 111,814 square feet of studio production and associated ancillary facilities; approximately 18,033 square feet of restaurant/ retail space; 126,911 square feet of office spaces and a parking garage with 344 parking stalls, and a 2,684 square foot community room. The Project also includes the removal of 29 non-protected on-site trees, no trees within the public right-of-way are proposed to be removed. A Haul Route is proposed for the export of approximately 21,800 cubic yards of soil.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2024-326-MND (“Mitigated Negative Declaration”) SCH No. 2025110100, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; **Found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found** the mitigation measures have been made enforceable conditions on the Project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved**, pursuant to Section 12.24 U.15 of the Los Angeles Municipal Code (LAMC), a Conditional Use to allow a motion picture studio with incidental uses, including outdoor sets in the C2 Zone;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Main Conditional Use Permit to allow the sale and dispensing of a full line of alcohol for on-site consumption for up to four establishments including two restaurants, an outdoor plaza and campus events from 7:00 a.m. to 2:00 a.m. daily;
4. **Approved**, pursuant to LAMC Section 12.24 W.18, a Main Conditional Use Permit to allow dancing and live entertainment at four on-site locations including two restaurants, an outdoor plaza and campus events;
5. **Approved**, pursuant to LAMC Section 11.5.7, a Project Permit Compliance Review and Design Review for a project within the boundaries of the Crenshaw Corridor Specific Plan;

6. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project in excess of 50,000 square feet in net new non-residential or non-warehouse use in the C2-Zone;
7. **Approved**, pursuant to LAMC Section 12.27, a Waiver of Dedication and Improvements to waive the three-foot dedication requirement along Don Felipe Drive and 15-foot dedication requirement along Stocker Street, and to provide a 3-foot sidewalk widening along Don Felipe and a three-foot sidewalk widening along Stocker in lieu of the 12-foot along Stocker Street as otherwise required;
8. **Adopted** the attached Conditions of Approval; and
9. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Zamora

Second: Lawshe

Ayes: Chavez, Choe, Diaz, Johnson, Klein, Rosenstein, Saitman

Vote: 9 – 0



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

### **APPEAL PERIOD - EFFECTIVE DATE**

The decision of the Los Angeles City Planning Commission is appealable to City Council within **15 days** after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the Council.

**FINAL APPEAL DATE: APRIL 8, 2026**

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

### **HOW TO FILE AN APPEAL**

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed **early** to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below:

Forms are available online at <http://planning.lacity.gov/development-services/forms>.

### **ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)**



QR Code to  
Online Appeal Filing

**Online Application System (OAS):** The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely online. Appeal fees may be paid for by credit card or e-check.

## IN PERSON APPEAL FILINGS



QR Code to Forms  
for In-Person Appeal  
Filing

**Drop off at DSC.** Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays only, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications;
- b. Alternatively, appeal applications can be filed with staff at DSC public counters.

## CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa St 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Blvd Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Ave, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

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

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

## DETERMINATION EFFECTIVE DATE

This determination will become effective after the end of the appeal period date on the first page of this document unless an appeal is filed with the Department of City Planning.

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

## SCHEDULING CASE CONDITION CLEARANCE AND BUILDING PERMIT SIGN-OFFS



QR Code to BuildLA  
Appointment Portal for  
Condition Clearance

In order to clear conditions and/or obtain building permit sign-offs, you must make an [appointment](#) with the Department of City Planning's Development Services Center (DSC). You may schedule a Case Condition Clearance Appointment with the DSC at [appointments.lacity.org](https://appointments.lacity.org) after the effective date of the determination..

See instructions on how to prepare for your appointment at [planning.lacity.gov/project-review/case-filings](https://planning.lacity.gov/project-review/case-filings)

**Attachments:** Conditions of Approval, Findings

cc: Theodore L. Irving, Principal City Planner  
Connie Chauv, Senior City Planner  
Kyle Winston, City Planner

## CONDITIONS OF APPROVAL

1. **Site Development.** The project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, West/South/Coastal Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with provisions of the Municipal Code or project conditions.
2. **Automobile Parking.** Pursuant to California Government Code Section 65585 and Assembly Bill 2097 (2021), the project shall be allowed to provide a minimum of zero parking spaces. The project is voluntarily providing 344 parking spaces, as shown in Exhibit "A".
3. **Floor Area Ratio (FAR).** The project total Floor Area shall be limited to a maximum of 1.5:1 per Section 9A of the Crenshaw Corridor Specific Plan (CCSP).
4. **Use.** The project shall not include any use prohibited by Section 6A of the Crenshaw Corridor Specific Plan (CCSP). Uses limited by the Specific Plan shall be in conformance with Section 6B of the CCSP and must be reviewed by the Department of City Planning, West/South/Coastal Project Planning Division, and obtain written approval by the Director of Planning.
5. **Studio Land Use.** The uses permitted within the boundaries of the subject property shall be consistent with the following Studio Land Uses: Sound Stage, Production Support, Production Office, Set Production, General Office, and Restaurant/Retail, including ancillary uses pursuant to Los Angeles Municipal Code (LAMC) Section 12.24.U.15.
6. **Bicycle Parking.** Bicycle parking shall be provided consistent with LAMC Section 12.21 A.16.
7. **Electric Vehicle Parking.** All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the LAMC.
8. **Parking Structure Design.** Parking structures or that portion of a building or structure that is used for parking at grade or above grade shall be designed to minimize vehicle headlight and parking structure interior lighting impacts ("spillover") on adjacent streets and properties.
9. **Landscape Plan.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The landscape plan shall indicate landscape points for the project equivalent to 10% more than otherwise required by LAMC 12.40 and Landscape Ordinance Guidelines "O".
10. **Soil Depths.** Shrubs, perennials, and groundcover shall require a minimum soil depth as follows:
  - a. A minimum depth with a height ranging from 15 to 40 feet shall be 42 inches.
  - b. A minimum depth with a height ranging from 1 to 15 feet shall be 24 to 36 inches.
  - c. A minimum depth with a height of less than 1 foot shall be 18 inches.
  - d. A minimum depth of an extensive green roof shall be 3 inches.

Trees shall require a 42-inch minimum soil depth. Further, the minimum amount of soil volume for tree wells on the rooftop or any above grade open spaces shall be based on the size of the tree at maturity:

- e. 220 cubic feet for trees with a canopy diameter ranging from 15 to 19 feet.
- f. 400 cubic feet for trees with a canopy diameter ranging from 20 to 24 feet.
- g. 620 cubic feet for trees with a canopy diameter ranging from 25 to 29 feet.
- h. 900 cubic feet for trees with a canopy diameter ranging from 30 to 34 feet.

#### **11. Street Trees.**

- a. New street trees shall be planted within the public right-of-way, where feasible, at a ratio of at least one (1) tree for every 25 feet of lot length, to the satisfaction of the Bureau of Street Services, Urban Forestry Division, Department of Public Works.
- b. The project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
- c. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The subdivider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

**12. Stormwater/Irrigation.** The project shall implement on-site stormwater infiltration as feasible based on the site soils conditions, the geotechnical recommendations, and the City of Los Angeles Department of Building and Safety Guidelines for Storm Water Infiltration. If on-site infiltration is deemed infeasible, the project shall analyze the potential for stormwater capture and reuse for irrigation purposes based on the City Low Impact Development (LID) Guidelines.

**13. Lighting.** All pedestrian walkways and vehicle access points will be well-lit. All outdoor lighting will be shielded to prevent excessive illumination and mitigate light impacts on adjacent residential properties and the public right-of-way. Utilize adequate, uniform, and glare-free lighting, such as dark-sky compliant fixtures, to avoid uneven light distribution, harsh shadows, and light spillage.

**14. Lighting Design.** Areas where nighttime uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel. All pedestrian walkways, storefront entrances, and vehicular access ways shall be illuminated with lighting fixtures. Lighting fixtures shall be harmonious with the building design. Wall mounted lighting fixtures to accent and complement architectural details at night shall be installed on the building to provide illumination to pedestrians and motorists.

**15. Heat Island Effect.** To reduce the heat island effect, a minimum of 50% of the area of pathways, patios, driveways or other paved areas shall use materials with a minimum initial Solar Reflectance value of 0.35 in accordance with ASTM (American Society of Testing Materials) standards.

16. **Solar and Electric Generator.** Generators used during the construction process shall be electric or solar powered. Solar generator and electric generator equipment shall be located as far away from sensitive uses as feasible.

Or: Where power poles are available, electricity from power poles and/or solar-powered generators rather than temporary diesel or gasoline generators shall be used during construction.

17. **Solar-ready Buildings.** The Project shall comply with the Los Angeles Municipal Green Building Code, Section 99.05.211, to the satisfaction of the Department of Building and Safety.

18. **Rooftop Equipment.** All rooftop equipment shall be screened to the top of the equipment. The mechanical systems shall be located at a minimum of 10 feet from the property line, ensuring it is not visible from adjacent properties.

19. **Underground Utilities.** To the extent physically feasible, all new utility lines that directly service a Project shall be installed underground. If underground service is not currently available, then provisions shall be made for future underground service, as determined appropriate by the Department of Water and Power per Section 13 of the Crenshaw Corridor Specific Plan (CCSP).

20. **Streetscape Requirements.** When right-of-way improvements are required of any Project I the Specific Plan area, pursuant to LAMC Section 12.37, LAMC Chapter 1, Articles 2 or 7, or other City ordinance, for a right-of-way with a streetscape plan, the improvements shall be consistent with the streetscape plan unless the LADOT General Manger or the City Engineer finds either of the following:

- a. Consistency with the streetscape plan is not feasible or practical;
- b. The cost of making the improvement consistent with the streetscape plan is generally in excess of the cost to other property owners who are required to make improvements consistent with the streetscape plan in the streetscape plan area.

21. **Design Review Board.** The project shall comply with the following conditions of the Crenshaw Corridor Design Review Board.

- i. There shall be no electronic signs on the property, except the proposed electronic signs located on the south façade of Building F, oriented towards the internal plaza.
- ii. All DWP transformers shall be screened.
- iii. The blue columns/bollards along Santa Rosalia Drive and Stocker Street shall be redesigned in a softer shape.
- iv. The pedestrian gate on Santa Rosalia Drive which provides public access on the property shall remain open during business hours.
- v. Make the corner wall condition on Stocker and Don Felipe more cohesive, wrap it, and add a 3D art element.
- vi. The parking sign located on the corner of Santa Rosalia Drive and Stocker shall include less white background space and shall not exceed the height of the railing located behind it

22. **Campus Signage.** Projects with a floor area of 50,000 square feet or more shall comply with LAMC Chapter 1, Article 4.4.

23. **Security Devices.** Exterior roll-down doors shall be no less than 75 percent transparent.

**Conditions for On-Site Alcohol Consumption, Live Entertainment and Dancing**

24. **Authorization.** Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption, live entertainment and public dancing in conjunction with a maximum of four establishments shall be allowed for the sale and service of a full line of alcoholic beverages for onsite consumption, including, but not limited to, restaurant, bar, or other space upon the following:
- a. The number of seats shall not exceed the maximum allowable occupant load as determined by the Department of Building and Safety.
  - b. The hours of operation are limited to 7 a.m. to 2 a.m. daily.
25. A maximum of four establishments shall be allowed for the sale and service of a full line of alcoholic beverages for onsite consumption, including, but not limited to, restaurant, bar, or other space.
26. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
27. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of City Planning (City Planning) and the Department of Building and Safety (LADBS) for purposes of having a building permit issued at any time during the term of this grant.
28. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
29. Prior to the effectuation of this grant, a Covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office.
30. The Covenant and Agreement (CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to City Planning for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided for inclusion in the case file.
31. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
32. Electronic age verification device(s) may be used to determine the age of any individual attempting to purchase alcoholic beverages. If utilized, these devices shall be installed or utilized as handheld devices on the premises, maintained in an operational condition, and all establishment employees shall be instructed in their use.
33. Each employee of said establishment/permittee who sells or serves alcoholic beverages shall enroll in, attend and complete a certified, State Department of Alcoholic Beverage Control (ABC)-recognized, training program for the responsible sale and service of alcohol. This training shall be scheduled for new employees within 30 days of the opening of the establishment, or within 30 days after the start of employment, whichever applies. A record of the completion of this training program shall be maintained on the premises and shall be presented upon request of the Director.

34. A copy of these conditions shall be retained on the premises at all times and be immediately produced upon the request of any peace officer, employee of the ABC, the LADBS, or City Planning. The on-site manager and employees shall be knowledgeable of the conditions herein.
35. MVIP – Monitoring Verification and Inspection Program. Prior to the effectuation of this grant, fees required per Section 19.01 E.3 of the Code - Monitoring of Conditional Use Permits, Inspection, and Field Compliance for Review of Operations and Section 19.04 of the Code - Miscellaneous ZA Sign Offs shall be paid to the City.
36. Within 24 months from the beginning of operations or issuance of a Certificate of Occupancy, a City inspector will conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and included in the administrative file.
  - a. The owner and operator shall be notified of any deficiency or violation and required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by LADBS which are not addressed within the time prescribed, may result in additional corrective conditions imposed by the decision-maker.
  - b. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination including the conditions required herewith has been provided to the prospective owner/operator shall be submitted to City Planning in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to City Planning within 30 days of the beginning day of his/her new operation of the establishment along with any proposed modifications to the existing floor plan, seating arrangement or number of seats of the new operation.
37. At any time during the period of validity of this grant, should documented evidence be submitted showing continued violation of any condition of this grant and/or the ABC license of the location, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator (upon his/her initiative, or upon written request by the Los Angeles Police Department [LAPD] or ABC) reserves the right to call for a public hearing requiring the applicant to file for a plan approval application together with associated fees pursuant to Code Section 19.01 E of the Code, the purpose of which will be to review the applicant's compliance with and the effectiveness of these conditions.
38. The applicant shall prepare a radius map and cause notification to be mailed to all owners and occupants of properties within a 300-foot radius of the property, the Council Office and LAPD's corresponding division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review, the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

39. Complaint Log. A telephone number and email address shall be provided for complaints or concerns from the community regarding the operation. The phone number and email address shall be posted at the following locations:
- a. Entry, visible to pedestrians.
  - b. Customer service desk, front desk or near the reception area. Complaints shall be responded to within 24 hours. The applicant shall maintain a log of all calls and emails, detailing: (1) date complaint received; (2) nature of complaint; and (3) the manner in which the complaint was resolved.
40. STAR/LEAD/RBS Training. Within the first six months of operation, all employees involved with the sale of alcohol shall enroll in the Los Angeles Police Department "Standardized Training for Alcohol Retailers" (STAR) or ABC "Licensee Education on Alcohol and Drugs" (LEAD) training program or the Responsible Beverage Service (RBS) Training Program. Upon completion of such training, the applicant shall request LAPD or ABC to issue a letter identifying which employees completed the training. STAR or LEAD or RBS training shall be conducted for all new hires within three months of their employment.
41. At least one on-duty manager with authority over the activities within the facility shall be on the premises during business hours. The on-duty manager's responsibilities shall include the monitoring of the premises to ensure compliance with all applicable State laws, Municipal Code requirements and the conditions imposed by ABC and the conditional use herein. Every effort shall be undertaken in managing the subject premises and the facility to discourage illegal and criminal activities and any exterior area over which the building owner exercises control, in effort to ensure that no activities associated with such problems as narcotics sales, use or possession, gambling, prostitution, loitering, theft, vandalism and truancy occur.
42. The applicant shall be responsible for maintaining the premises over which they have control, including the adjoining sidewalk and any public or temporarily closed alleys abutting the site, free of debris or litter.
43. After hour use shall be prohibited, except routine clean-up. This includes but is not limited to private or promotional events, special events, excluding any activities which are issued film permits by the City.

### **Restaurant Conditions**

44. Restaurants with sales and service of alcohol shall be maintained as a bona fide eating place (restaurant) with an operational kitchen and shall provide a full menu containing an assortment of foods normally offered in such restaurants. The establishment shall provide seating and dispense food and refreshments primarily for consumption on the premises and not solely for the purpose of food takeout or delivery.
45. A restaurant, café, or food hall shall be considered a single permit and shall be permitted to sell a full line of alcoholic beverages from one or more bars, lounges, or restaurants/stalls within a single restaurant, cafe or food hall establishment.
46. Amplified Sound. Outdoor amplified sound shall comply with the City of Los Angeles Noise Ordinance as codified in Chapter XI of the Code.

**Bar/Lounge Conditions**

47. Designated Driver Program. Prior to the utilization of this grant, establishments that do not serve food with alcohol sales shall establish a "Designated Driver Program" which shall include, but not be limited to, signs/cards, notation on websites/social media, notifying patrons of the program. The signs/cards/website/social media shall be visible to the customer and posted or printed in prominent locations or areas. These may include signs/cards on each table, at the entrance, at the host station, in the waiting area, at the bars, or on the bathrooms, or a statement in the menus, a website, or on social media.
48. A camera surveillance system shall be installed and operating at all times to monitor the interior, entrance, exits and exterior areas, in front of and around the premises. Recordings shall be maintained for a minimum period of 30 days and are intended for use by LAPD.
49. Only the front door shall be used for patron access to bar/lounge uses. All other doors shall be equipped on the inside with an automatic locking device and shall be kept closed at all times, other than to permit access for deliveries, trash removal, and emergency access.
50. All exterior portions of the site shall be adequately illuminated in the evening so as to make discernible the faces and clothing of persons utilizing the space. Lighting shall be directed onto the site without being disruptive to persons on adjacent properties.
51. The exterior windows and glass doors of the establishments shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and/or private security.
52. The applicant shall utilize social media, webpages, or other media to provide travel information to the establishment. Such information shall promote the use of alternate travel means to automotive transportation (walk, bike, public transit, rideshare/service, or carpool).

**Environmental Conditions**

53. The proposed project shall comply with the adopted Mitigation Monitoring Program in compliance with Appendix J of the State CEQA Guidelines.
54. GS-1 Qualified Professional Paleontologist. Prior to excavation, the project applicant shall retain a Qualified Professional Paleontologist, as defined by the Society of Vertebrates Paleontology's Standard Practices (SVPS) (2010). The Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources.

Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Qualified Professional Paleontologist or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel to comply with Policy CR9 of the West Adams-Baldwin Hills-Leimert Community Plan Implementation Overlay District.

Paleontological Monitoring. Initial part-time monitoring (i.e., spot-checking) shall be conducted for all ground-disturbing activities that reach 6 feet or more below the surface to check for the presence of geologic units of high sensitivity (i.e., Quaternary older alluvium). If such sediments are observed at depth, then full-time monitoring shall be conducted. Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVPS (2010) for a Paleontological Resources Monitor. The Qualified

Professional Paleontologist may recommend that monitoring be reduced in frequency or ceased entirely based on geologic observations. Such decisions shall be subject to review and approval by the City of Los Angeles. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease, and the Qualified Professional Paleontologist shall evaluate the find. If the fossil(s) is (are) not scientifically significant, then construction activity may resume. If it is determined that the fossil(s) is (are) scientifically significant, the following shall be completed:

**Fossil Salvage.** The paleontological monitor shall salvage (i.e., excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrates from within paleontologically sensitive deposits. After the fossil(s) is (are) salvaged, construction activity may resume.

**Fossil Preparation and Curation.** Fossils shall be identified to the lowest (i.e., most-specific) possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Qualified Professional Paleontologist.

**Final Paleontological Mitigation Report.** Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a final report describing the results of the paleontological monitoring efforts. The report shall include a summary of the field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City of Los Angeles and, if fossil curation occurred, the designated scientific institution.

55. N-1 Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards). All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated.
56. N-2 A temporary construction noise barrier, or equivalent noise reduction strategy, shall be installed on the northern property line that is capable of reducing noise by 10 dBA or greater as needed at affected residences.
57. N-3 Noise and vibration construction activities whose specific location on the Project site may be flexible (e.g., operation of compressors and generators) shall be conducted as far away as possible from the nearest sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses. The construction contractor shall locate construction staging areas away from noise-sensitive uses.
58. N-4 Amplified sound shall not be permitted after 10:00 pm and special events with no amplified sound equipment shall not be permitted after 12:00 am without further study. The applicant shall prepare an acoustical study to predict operational noise levels of outdoor gathering spaces once the acoustical equipment layout and anticipated event hours and occupancy have been identified. The acoustical study shall predict noise levels based on amplified sound equipment locations, equipment maximum noise level, number of pieces of equipment, and occupancy of each of the outdoor gathering spaces. The acoustical study

shall identify any additional mitigation measures to ensure ambient noise levels at sensitive receptors would not result in an incremental increase in community noise equivalent level of 5 dBA or more at surrounding sensitive receptors. Noise reduction methods that may be implemented include, but are not limited to:

- a. Time restrictions on operation of amplified sound and events.
  - b. Design features, such as solid barriers to reduce noise at off-site sensitive receptors.
  - c. Restrictions on decibel levels of amplified sound equipment.
59. N-5 Prior to commencement of construction activity, a qualified structural engineer licensed in California shall survey the existing foundation and other structural aspects of Sanchez Ranch Adobe. The survey shall provide a shoring design to protect the identified land uses from potential damage. The qualified structural engineer shall submit a pre-construction survey letter establishing baseline conditions at the historic buildings. These baseline conditions shall be forwarded to the lead agency and to the mitigation monitor prior to issuance of any foundation only or building permit. At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to the historic buildings. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs to shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.
60. T-1 The Project shall implement the following intersection improvements at Santa Rosalia Drive/Angeles Vista Boulevard and Stocker Street.
- a. Install a protected-only left-turn phase for the northbound Santa Rosalia Drive/Angeles Vista Boulevard at Stocker Street, which includes restriping the approach from a shared left-through and right-turn lane to a dedicated left-turn lane, a through lane, and a right-turn lane. Restriping of the approach may require the removal of existing on-street parking on both sides of the street.
  - b. Implement a protected-permissive left-turn phasing for the eastbound and westbound approaches of Stocker Street.
  - c. Install a dedicated right-turn lane for the southbound approach of Santa Rosalia Drive/Angeles Vista Boulevard.
61. T-2 The Project shall install stop signs or electronic warning devices at site access points; install stop-signs and pavement markings internal to the site; and install devices to augment driver/pedestrian sight lines.
62. T-3 Intersection improvement at Santa Rosalia Drive/ Angeles Vista Boulevard and Stocker Street.
- a. Install a protected-only left-turn phase for the northbound Santa Rosalia Drive/ Angeles Vista Boulevard at Stocker Street, which includes restriping the approach from a shared left-through and right-turn lane to a dedicated left-turn lane, a through lane, and a right-turn lane. Restriping of the approach may require the removal of existing on-street parking on both sides of the street.

- b. Implement a protected-permissive left-turn phasing for the eastbound and westbound approaches of Stocker Street.
  - c. Install a dedicated right-turn lane for the southbound approach of Santa Rosalia Drive/ Angeles Vista Boulevard.
  - d. Installation of stop signs or electronic warning devices at site access points
  - e. Installation of stop signs and pavement markings internal to the site.
  - f. Installation of devices to augment driver/pedestrian sight lines.
63. TCR-1: Prior to commencing any ground disturbance activities at the Project site, the Applicant, or its successor, shall retain qualified tribal monitors/consultants from the Gabrieleno Band of Mission Indians Kizh-Nation and a qualified archaeologist/archaeological monitor. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil, pavement removal, grubbing, tree removals, boring or a similar activity at the project site. Any tribal monitor/consultant shall be approved by the Gabrieleno Band of Mission Indians-Kizh Nation Tribal Government. A qualified archaeologist/archaeological monitor shall be identified as principal personnel who must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in Southern California. The archaeologist shall ensure that all other personnel associated with and hired for the archaeological monitoring are appropriately trained and qualified.
- a. While any ground disturbance activities are taking place, the archaeological and tribal monitors/consultants shall observe all ground disturbance activities on the project site at all times. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archaeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the City has determined that the Project site has a low potential for impacting tribal cultural resources after consultation with the tribal monitor/consultant and archaeologist.
  - b. Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor/consultant, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that includes information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the WEAP training was completed for all members of the construction crew involved in ground disturbance activities.
  - c. In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by the archaeologist, in consultation with the tribal monitor/consultant approved by the Gabrieleno Band of Mission Indians-Kizh

Nation, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- i. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, shall immediately stop all ground disturbance activities in the immediate vicinity of the find until the find can be assessed by the archaeologist and tribal monitor/consultant.
- ii. If the archaeologist and tribal monitor/consultant determine the resources are Native American in origin, the Gabrieleno Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes.
- iii. The Applicant, or its successor, shall implement the tribe's recommendations if the archaeologist, in consultation with the tribal monitor/consultant, reasonably conclude that the tribe's recommendations are reasonable and feasible.
- iv. In addition to any recommendations from the Gabrieleno Band of Mission Indians-Kizh Nation, the archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation. Any discrepancies between the implementation of the recommendations shall be resolved through the City as the Lead Agency, in consultation with the archaeologist and tribal monitor/consultant.
- v. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the archaeologist and tribal monitor/consultant and determined to be reasonable and appropriate.
- vi. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 4 above.
- vii. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
- viii. Notwithstanding paragraph 7 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, Section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

- ix. Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.

### **Department of Transportation Conditions**

64. A minimum of 60-foot reservoir space be provided between any security gate(s) and the property line or as shall be determined to the satisfaction of the Department of Transportation.
65. The driveway from Stocker Street will be limited to ingress only or to right-turn restrictions if it is to be used for both ingress and egress or as shall be determined to the satisfaction of the Department of Transportation.
66. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A.
67. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: [ladot.onestop@lacity.org](mailto:ladot.onestop@lacity.org).
68. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

### **Administrative Conditions**

69. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
70. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval, herein attached, as a cover sheet and shall include any modifications or notations required herein.
71. **Approval, Verification, and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.
72. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.

- 73. Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
- 74. Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
- 75. Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.

**76. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## FINDINGS

### CONDITIONAL USE (MOTION PICTURE) FINDINGS

1. **Los Angeles Municipal Code (LAMC) Section 12.24 U.15 states that the Commission may approve Motion picture and television studios and related incidental uses that are located on a motion picture or television studio site, in the A, R, or C Zones, when not permitted by right if the Commission finds that:**

- a. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

The proposed development, Stocker Street Creative, is a motion picture production studio that includes four production sound stages, production support office space, a mill shop for set production, commercial office space, a ground level casual dining restaurant, a landscaped outdoor plaza, a luxury rooftop restaurant, a manned security center, a parking structure with 375 cars, and 4 surface parking spaces.

The project will provide a beneficial function to the community by establishing a production studio that will serve as an economic engine by providing a venue with the full infrastructure to produce film and television programs. The economic impact of a production studio will directly create new jobs and contribute to the overall development and economic growth of South Los Angeles.

The development will create a creative cultural campus that will enhance the built environment by providing a restaurant venue with expansive views of Los Angeles. Ground level casual dining with outdoor patio seating, and a community room will provide local programming and meeting spaces for community groups.

The development utilizes modern architecture that incorporates details that reference the art modern and deco architecture styles prevalent in the community in addition to providing public art to contribute to the beautification efforts of the Destination Crenshaw outdoor museum along the Crenshaw Corridor.

- b. **That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The project is located in the West Adams – Baldwin Hills – Leimert Community Plan area and the Crenshaw Corridor Specific Plan. The property is zoned C2-1SP and C2-1 with a General Plan Land Use Designation of Community Commercial and Neighborhood Commercial with corresponding zones CR, C1, C1.5, C2, C4, R3, R4, RAS3 and RAS4. The property to the South (across Stocker Street) is located outside of the City of Los Angeles jurisdiction. The property to the west (across Don Felipe Drive) is a vacant lot, in the RD2-1 Zone. The property adjacent to the north is developed with two Condominium Buildings and an office building in the [Q]RD1.5-1XL, [Q]C2-1 and C2-1-SP Zones. The property located to the east (across Santa Rosalia Drive) is developed with the Baldwin Hills Crenshaw Plaza, in the [T][Q]C2-2D Zone.

With 257,155 sf of combined floor area, the proposed development is below the 1.5:1 FAR allowed in the Crenshaw Specific Plan, and the 2.0:1 FAR allowed at the remainder

of the site. The site is designed with building massing that allows substantial open space and provides a minimum of 40 ft. between an onsite building and the nearest residential use. This allows light and air to flow throughout the property without overwhelming adjacent uses.

The height of the development is consistent with the height of the 6-story multi-family condominium development north of the site, the 3-story condominium development to the south across Stocker Street, and the proposed multi-story mixed-use redevelopment approved for the Baldwin Hills Crenshaw Mall site. While the site sits on a slope, the project is designed to minimize height impacts on adjacent uses. And while the 5-story parking garage is adjacent to the 6-story condominium building, it is to be separated by a 24 ft. fire lane and side yard easement. Further, the parking garage is designed to be built into the hillside so that only the top 3 stories are above grade with 1.5 levels of rooftop parking. Wall openings in the parking building that are needed for ventilation will have a sufficient height to screen car headlights and will feature planter boxes that will soften the facade of the building.

The campus' studio operational uses on the site are consistent with uses allowed in the commercial zone. The sound stages and the parking building serve as buffers between the new campus and adjacent uses to minimize light and noise impacts. The community space will provide a venue for community gatherings. The restaurant and retail uses will contribute to the variety of restaurants and retail establishments that are anticipated to be developed with the Baldwin Hills Crenshaw redevelopment effort. The security building will ensure that operations are conducted safely.

The development and use of the site will not degrade the adjacent properties but rather create a regional landmark feature that will enhance the surrounding neighborhoods and the South Los Angeles community. The campus studio project has been designed to observe a substantial 40-foot distance from the northerly adjacent residential use, due to the proposed northerly side yard and the existing fire lane, and this 40-foot distance will allow nearby uses to continue to have expansive views and ground areas that will be landscaped, resulting in improvements that will be far superior to the large flat paved parking lot that is being replaced. The 5-story parking structure will be screened with climbing vines and parapet walls at each story. Overhead light fixtures will be shielded so that no direct light will shine on nearby residential uses. Hence, the project will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety

**c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan;**

The project is located in the West Adams – Baldwin Hills – Leimert Community Plan area and the Crenshaw Corridor Specific Plan. The property is zoned C2-1SP and C2-1 with a General Plan Land Use Designation of Community Commercial and Neighborhood Commercial with corresponding zones CR, C1, C1.5, C2, C4, R3, R4, RAS3 and RAS4. The project is consistent with the General Plan, Community Plan, Specific Plan and specifically conforms to the following policies, goals, and objectives:

**Community Plan:**

LU14-3 Architectural Excellence. Promote projects that are developed to achieve excellence in architectural and environmental design, as well as adhere to a high level

of quality in construction and material methods toward reinforcing and enhancing the distinctive character of the established commercial areas.

Existing commercial land uses in the Community Plan Area (CPA) account for approximately 613 acres or 10 percent of the CPA's total acreage. Commercial land uses are predominately dispersed within the Neighborhood and Community Commercial corridors located throughout the Community Plan Area and primarily include a variety of low-rise retail, office, government agency and institutional buildings. Neighborhood Commercial corridors comprise a smaller portion of the commercial land uses and are generally located south of Martin Luther King Jr. Boulevard. The Community Commercial corridors and Neighborhood Commercial corridors are experiencing a transformation as many of the one and two buildings constructed in the 1940s and 1950s are being replaced with multi-story commercial and residential buildings.

Adjacent to the Baldwin Hills Crenshaw Shopping Center, the proposed development will be built to LEED Gold standards and provides architectural excellence through the balance of function, in that four full size production studios, a set mill studio, and associated office space is provided onsite. This balance of function is enhanced with office space available to the public and restaurants for the community, thereby integrating the local community into the new development. The studio function is also balanced with open courtyards and passageways to offer a pleasant pedestrian experience and a campus-like atmosphere that is attractive at a pedestrian scale from the sidewalk. The studio project proposes 375 parking spaces in the parking structure and 4 surface parking stalls, for a total 379 onsite parking spaces. Because the project site is within 1/4-mile radius of the metro station on Crenshaw Boulevard, zero parking spaces are required to be provided. Where form follows function, the project features art deco architecture with references to its classic elegance with clean lines that allow for the excitement found around projects that are in development. Each building has a unique character so that the project looks like a small community instead of multiple identical buildings.

Given the proximity of the proposed project to the existing Baldwin Hills Crenshaw Shopping Center, the former Santa Barbara Plaza along Marlton Avenue, the Crenshaw Boulevard commercial corridor, the historic Leimert Park Village, and given its broader centralization in relation to the Apple and Discovery channel developments to the West, and Playa Vista and Inglewood studios to the south, and USC cinema to the east, the proposed campus studio project aligns with the distinctive commercial character of the community that is in the midst of a transformation.

- d. That the use is conducted so that its products or services are intended to be utilized by the motion picture, television, video or radio industry or other entertainment industries.**

The Stocker Street Creative project is designed to meet the current and anticipate the future needs of the motion picture, television, podcast, gaming, and other entertainment industries. The campus is designed to facilitate synergies within the uses onsite and maximize the use of the site as a single point of service for a full production. From set design and production in the millwork studio, to office space for writers to producers and everyone in between, with hair and makeup areas onsite, and designated areas for talent trailer vehicles, and restaurants that can provide craft services catering. These ancillary uses allow maximum effectiveness of the four (4) sound stages that allow multiple projects to be produced onsite simultaneously.

While parking is not required for the development, due to its proximity to the Metro K line, 379 parking spaces are provided to serve visitors and employees of the site, while recognizing that there are overlap in uses, such as those who use the hair and makeup area will also use the sound stage for filming and those occupancies do not need to be double parked. We anticipate that the parking provided, coupled with the proximity to the Metro, will provide a development that is convenient for access for site personnel and visitors.

Downtown Studios is located in downtown Los Angeles and the University of Southern California School of Cinema; both are located east of the project site. A new Apple campus and Discovery campus are located just west of the project site in Culver City, and a number of independent studios are situated southwest with the Playa Vista community. Legacy studios such as Paramount and 20th Century Fox are located just a few miles north. The City of Inglewood is home to television productions found near and around So-Fi Stadium. So, it can be said that the campus studio products or services are intended to be utilized by the motion picture, television, video or radio industry or other industries.

### **CONDITIONAL USE (MCUB and MCUX) FINDINGS**

Following is a delineation of the findings related to the request a Main Conditional Use Permit (CUB) to allow the sale and dispensing of a full line of alcohol for on-site consumption for up to four (4) establishments; and a Main Conditional Use Permit (CUX) to allow dancing and live entertainment at four on-site locations.

2. **Los Angeles Municipal Code (LAMC) Section 12.24 W.1 states that sale or dispensing for consideration of alcoholic beverages, including beer and wine, shall be permitted for consumption on the premises or off-site of the premises in the CR, C1, C1.5, C2, C4, C5, CM, MR1, MR2, M1, M2 and M3 Zones, or as an incidental business in or accessory to the operation of clubs, lodges, hotels or apartment hotels, or as an incidental business in or accessory to a conditional use approved pursuant to the provisions of this section, provided that:**
  - a. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.**

A Main Conditional Use Permit is requested to allow a full line of alcohol for onsite consumption, live entertainment and dancing at four locations onsite along with instructional tasting. The first location is a rooftop restaurant with indoor and outdoor seating that will provide a full line of alcohol for onsite consumption with a full-service menu. The second will allow a full line of alcohol at campuswide events, such as events associated with The Olympics. The third location is the outdoor plaza that will have refreshments available for the public and will also serve as a space for scheduled special events and filming activities. The fourth location will be the ground level casual dining area and outdoor seating patio on the ground level at the intersection of Stocker St. and Santa Rosalia, across the street from the Baldwin Hills Crenshaw Plaza.

The West Adams – Baldwin Hills – Leimert community plan area is evolving. The sale of alcohol was once considered a nuisance because of the overconcentration of liquor stores within the community. With new infrastructure being added such as the Metro K-Line and the Crenshaw Connected free Wi-Fi program, as well as other new developments including Destination Crenshaw, the proposed redevelopment of the

Baldwin Hills Crenshaw Mall and numerous commercial and mixed-use projects coming online throughout the community; the proposed studio project and its new restaurants are aligned with the transformation reshaping this thriving community.

Alcohol sales will complement the food and beverage offerings at each location and meet the preferences of patrons. Alcohol sales contribute to the profitability of the restaurant and will help each venue to thrive. Restaurants with alcohol sales provide a beneficial function by enhancing dining options in the area.

Live entertainment and dancing will allow the site to serve the community as a vibrant destination. Private dining rooms will be provided to accommodate reserved small private events, such as birthday dinners.

- b. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.**

The Stocker Street Creative production studio has been designed to be compatible with adjacent properties, the surrounding neighborhood, and public health, welfare, and safety. The operation of the restaurants will enhance the adjacent properties, the surrounding neighborhood, and public welfare with the introduction of a community center with the production studio and new dining options within proximity to the Crenshaw mall, and Kaiser campus. The restaurants will serve the local community and be available to patrons and employees of local businesses. The restaurants will be designed to be inviting with a selection of food styles and atmospheres that reflect the diversity of Los Angeles. There are few sit down restaurants in the area, and the addition of four restaurants will serve the community by providing quality culinary options. Dancing and live entertainment will allow private events to have the flexibility to serve the needs of each event. At the rooftop restaurant, live entertainment and dancing will enhance the ambiance of the restaurant.

Onsite security, requiring best practices for enforcing age restrictions, and operating hours that end at midnight will provide responsible establishments that will not adversely affect the nearby or surrounding communities. Mitigation measures for the operation will further safeguard public health, welfare, and safety.

- c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.**

The project substantially conforms with the purpose, intent, and provisions of the General Plan, the West Adams Leimert Community Plan, and the Crenshaw Corridor Specific plan by providing a variety of restaurants within a 5-acre campus zoned for commercial use.

The West Adams Baldwin Hill Community Plan specifically encourages restaurants as follows:

Goal LU18: A community where a diversity of uses which contribute to safe, pedestrian – friendly commercial environments are encouraged, and which enhance the health and welfare of the community by limiting certain uses and expanding opportunities for others.”

Goal LU18-2 Attract Quality Sit-down Restaurants, Hotels and Entertainment Venues. Encourage the attraction of sit-down restaurants, high “star” rated lodging and legitimate and responsible entertainment venues. The proposed restaurants are consistent with this Goal.

Goal LU18-4 Fast -Food Restaurant Limitations. Strive to limit further proliferation of new fast-food restaurants and in particular free-standing restaurants, within commercial areas. Free standing fast-food restaurants are not proposed

#### ADDITIONAL MANDATORY FINDINGS

- d. That the proposed use will not adversely affect the welfare of the pertinent community.**

Granting the proposed master conditional use permit for alcohol sales will not adversely affect the welfare of the pertinent community because alcohol will be served for on-site consumption at a full restaurant and will be incidental to food sales. On-site security will limit the interaction between the on-site residents and the pertinent community. Beverages will not be allowed beyond the property, unless they are sealed and part of a take-out order. Further, alcohol sales will end prior to the time that the restaurants close. Finally, the master conditional use permit will require that each operator within the approved space be screened to determine the actual mode and character of the operation to assure compatibility with the neighborhood. As such, the proposed studio will contribute to the transformation of the Baldwin Hills-Crenshaw community.

- e. That the granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control’s guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

The granting of the request for alcohol sales for on-site consumption will not result in an undue concentration of premises in the City of Los Angeles. The site is in census tract 2361.02. Per the Alcohol Beverage Control Department, this census tract is recommended to have 3 on-site sale locations and 1 off-site sale locations. While there are currently 3 on-site licenses, 2 are set to expire on January 31,2024 and the third is for a restaurant that is no longer in operation and will expire on 4/30/2024. The concentration recommendations do not consider the proposed production studio and how it will expand the commercial entertainment footprint of the area. The proposed 4 on-site alcohol permit locations will enable the restaurant on the ground level to serve alcohol, allow alcohol sales at the outdoor patio, allow alcohol at campus-wide events, and allow alcohol sales at the rooftop restaurant. Alcohol sales onsite will help each restaurant thrive as a full service restaurant.

Over a 4 week period that included the busy shopping weekend after Thanksgiving, only 10 crimes were committed in a 1,500 ft. radius of the site. Of these crimes, none included public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct. The proposed security on site will reduce

the likelihood of alcohol use, public drunkenness, or disorderly conduct related to operation on-site.

- f. That the proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The proposed use will not detrimentally affect nearby residentially zoned communities within the City of Los Angeles. Residentially zoned land adjacent to the north is used as a private club for real estate agents. Residentially zoned land in the city to the west is separated from the site by Don Felipe Dr. and is located uphill from the site, making it an inconvenient direction for would-be loiterers. Property to the south is not in the City of Los Angeles and is located across Stocker St., an 80 ft. wide street.

The nearest church is 75 ft away and sits uphill from the site where it is nestled into a residential community. The proposed restaurants within the site will be over 350 ft. away. An existing convalescent hospital on Don Felipe is over 250 ft away from the site and over 500 ft away from the location of the restaurants onsite. Schools and public playgrounds are over 1,000 ft. away. The existing sensitive uses are located within the residential community and uphill from the site. Entrances to the site are located on Santa Rosalia, the street furthest away from Don Felipe. As alcohol will only be sold for on-site consumption the operation of the restaurants will not detrimentally affect residentially zoned land or sensitive uses.

### **PROJECT PERMIT COMPLIANCE FINDINGS**

- 3. That the project substantially complies with the applicable regulations, findings, standards and provisions of the specific plan.**

The Stocker Street Creative project substantially conforms to the Crenshaw Corridor Specific Plan in regards to use, height, setbacks, building facade articulation, and other regulations of the Plan. The project has specifically incorporated design elements to comply with the following guidelines of the Specific Plan:

- a. **Section 6: Land Uses.** The Crenshaw Corridor Specific Plan Map No. 3 designates the subject property as located in Subarea C. The Crenshaw Corridor Specific Plan provides for area-specific development standards along Crenshaw Boulevard and adjacent properties and provides design guidelines and design review for certain areas within the Specific Plan.
  - i. **Prohibited Uses.** Section 6.A. 1 of the Crenshaw Corridor Specific Plan prohibits the following uses in the Specific Plan Area: (a) gun and/or pawn shops; (b) swap meets; (c) public self-storage; (d) motels; (e) bars not attached to dining, dancing and/or entertainment related uses; (f) recycling collection or buyback centers and mobile recycling centers, except as permitted by State Law. The proposed project is a production studio campus with 4 restaurants which will not contain any of the aforementioned prohibited uses. Therefore, the project is in compliance with the land use section of the Specific Plan.
  - ii. **Limited Uses.** Section 6.8 of the Crenshaw Corridor Specific Plan limits the following uses in all areas of the Specific Plan Area: (a) Off-Site Alcohol

Sales; (b) Automobile-Related Use; (c) Free-Standing Fast-Food Establishments. The proposed project is a production studio campus with four restaurants which will not contain any of the limited uses. Therefore, the project is in compliance with the limited uses section of the Specific Plan.

- b. Section 9: Floor Area Ratios and Height. The Crenshaw Corridor Specific Plan allows a maximum FAR of 1.5:1. The proposed FAR of the project is 1.15:1 and does not exceed the maximum allowed by the Specific Plan. The Crenshaw Corridor Specific Plan Map No. 7 designates the eastern portion of the subject property with a 45-foot height limit. The remainder of the C2-1 Zoned property has an unlimited height allowance. The proposed project includes two buildings, Buildings A and F, zoned C2-1-SP within the boundaries of the Crenshaw Corridor Specific. Both will be built to a maximum height of 45 feet with Architectural Features up to 54 feet as allowed by Section 9.F of the Crenshaw Corridor Specific Plan. The proposed project qualifies for a Transit Oriented Community (TOC) incentive for an additional height of up to 33 additional feet, allowing the project a maximum height of 93 feet. Building B, located on the C2-1 zoned portion of the site will build to a maximum height of 110-feet and is the tallest proposed building on the campus.
- c. Section 11: Signs. Campus Signage. Projects with a floor area of 50,000 square feet or more shall comply with LAMC Chapter 1, Article 4.4 and all of the following:
  1. A sign program fully delineating the size, number, location, color, material finish for all exterior signage (including identity, retail, parking, etc.) shall be submitted and reviewed by the Design Review Board to make a recommendation prior to the Director of Planning issuing an approval. A signage plan in conformance with Section 11.J. of the Crenshaw Corridor Specific Plan has been submitted and is included as part of Exhibit A of this report.

*GUIDELINE 1. Projects should be designed with articulation, which provides variation and visual interest. New developments should enhance the street frontage by providing continuity while providing views into businesses located along the pedestrian and arterial streets. The mass, portion, and scale of all new buildings and remodels should be at a pedestrian scale.*

The project has been designed to highlight the corner facade at the intersection of Stocker and Santa Rosalia. The building features a casual dining restaurant with outdoor patio seating that feature glass facades arranged to acknowledge the art deco designs that are prominent in the community. Articulation spans the facade of the building while highlighting the ground level pedestrian uses.

The parking building along Santa Rosalia has been enhanced with a community room along the street frontage that features a glass facade to allow a view into the interior design of the reception area. This is intended to allow the site to remain a vibrant addition to the community over time and accommodate various types of community activities. Articulation is provided on the ground level. At the second level and extending upward, a large expanse will be used for movie and TV program signage that will provide visual breaks, visual interest, and commercial art that will vary as new projects are released.

*GUIDELINE 3. Promote a feeling of safety while encouraging and enhancing pedestrian orientation.*

The project intentionally minimizes the use of perimeter fencing, choosing instead to utilize building walls as the perimeter boundaries, so that the production studio is as safe for high profile celebrity occupants as it is inviting and welcoming to the community. At the casual

dining on the ground level, natural grade level changes allow outdoor dining that is adjacent to the sidewalk and slightly elevated so that there is limited unintended interaction between patrons and pedestrians. At the corner of Stocker and Santa Rosalia, there is direct access to the restaurants to encourage pedestrians to enter and enjoy the public onsite amenities.

*GUIDELINE 4 Incorporate architectural, ancillary, and open space features into the overall design of the project.*

An approximately 31,000 sf open courtyard has been incorporated into the site that will serve as passive open space with landscaping and outdoor furniture. This space will double as an assembly space for scheduled events, such as movie and TV premieres and events associated with the annual film festival in Leimert Park. The courtyard will be open to the public during designated hours and closed intermittently for filming and scheduled events. The plaza provides a break in the massing of buildings and allows natural light to filter through the site while air circulates.

*GUIDELINE 7. Minimize glare upon adjacent properties.*

All lighting shall be shielded from adjacent residential uses. At the parking garage, a parapet wall at each level shall serve to shield car headlights. Planter boxes at each level shall also serve to block light from the parking structure. Light fixtures within the parking structure shall be shielded from residential uses.

4. **That the project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

The project as designed and conditioned by this determination incorporates measures to mitigate the impact of the project. The project is proposed to be certified as Leadership in Energy and Environmental Design (LEED) Gold with environmental enhancements designed into the development. Enhancements include security night lighting, use of glass facades in the office building to promote passive surveillance of the facility, use of security cameras and guards to maintain safety onsite. Landscaping from all pedestrian street frontages to beautify the development and contribute to beautification efforts along Stocker, Santa Rosalia, and Don Felipe. The project will not displace existing residential uses and will create new jobs in an underserved portion of the City of Los Angeles.

5. **That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any application specific plan.**

The Stocker Street Creative motion picture studio development is in substantial conformance with the purpose, intent, and provisions of the Specific Plan, especially the following elements of the General Plan:

*General Plan Chapter7 Economic Development:*

The Framework Element's fundamental economic development goals are twofold: to provide the physical locations and competitive financial environment necessary to attract various types of economic development to Los Angeles, and to encourage the geographic distribution of job growth in a manner supportive of the City's overall planning objectives.... the City needs to offer meaningful development incentives. This is particularly true in those areas that have historically received a less than proportional share of Citywide employment and development opportunities.

The project proposes an economic development opportunity with the creation of a variety of high income producing jobs in a historically underserved and economically divested community. The development is privately funded and offers a tremendous opportunity to leverage development incentives. The developer anticipates that this project will generate 2,100 construction jobs and 1,600 operational jobs for a total 3,700 jobs.

*Policy 7.2.2: Concentrate commercial development entitlements in areas best able to support them, including community and regional centers, transit stations, and mixed-use corridors. This concentration prevents commercial development from encroaching on existing residential neighborhoods.*

The project site is zoned C2-1-SP and C2-1 with a Land Use designation of Community Commercial and Neighborhood Commercial which both allow for commercial use. The proposed development does not displace any existing or former dwelling units. The site is also within close proximity to the transit station at the intersection of Dr. Martin Luther King Jr. Boulevard and Crenshaw Boulevard and is adjacent to the Metro 10 Bus Line at the corner of Stocker Street and Don Felipe Drive.

*Policy 7.2.3: Encourage new commercial development in proximity to rail and bus transit corridors and stations.*

The site is within one half mile of the K. Line Metro station at Crenshaw Boulevard and Dr. Martin Luther King Jr. Boulevard.

*Policy 7.8.1: Place the highest priority on attracting new development projects to Los Angeles which have the potential to generate a net fiscal surplus for the City.*

This development contributes to generating a net financial surplus through the creation of high wage jobs that generate tax revenue and by generating property taxes for a development that provides movie studios and a net increase of over 100,000 square feet of office space.

*Objective 7.10: Program resources in a manner that encourages appropriate development, housing opportunities, transit service and employment generation in all areas of the City, with particular emphasis on those portions of the City which historically have not received a proportional share of such opportunities, consistent with the City's overall economic policies.*

The proposed development will provide new jobs and investment in an area that historically has not received a proportional share of such resources. The location of the project, directly across the street from the Baldwin Hills Crenshaw Plaza and within walking distance of the Kaiser Permanente Hospital, provides an influx of jobs and contributes to a balanced community where nearby residents can work close to home.

#### *West Adams-Baldwin Hills-Leimert Community Plan*

*LU14-2 Activate First Floor Frontages. Encourage the first-floor street frontage of buildings, including parking structures, to incorporate commercial or other active public uses.*

The first floor of the 5-story parking structure features 3,183 sf of community space that faces Santa Rosalia and is located across from the Baldwin Hills Crenshaw Plaza. To maintain an active community feature to the greatest extent possible, the community room will serve as a screening room and will be available at designated times for public access and use.

*LU14-3 Architectural Excellence. Promote projects that are developed to achieve excellence in architectural and environmental design, as well as adhere to a high level of quality in construction and material methods toward reinforcing and enhancing the distinctive character of the established commercial areas.*

The project will be developed to LEED Gold standards and utilize a variety of building styles and building massing to create a production studio campus with visual interest. A highlight of the project are the blade and frame elements on Building B that will provide a distinct architectural identity for the campus. This feature is at the Stocker entrance where it will have high visibility.

*LU16-1 Protect Commercial Land. Protect commercially planned and zoned land from excessive encroachment by low intensity residential only development.*

Residential use is not proposed. The 5-acre commercially zoned project site provides an increase of over 100,000 sf of non-residential floor area. The project will be in close proximity to the Metro K Line that runs along Crenshaw Boulevard and connects to the LAX airport.

*LU17-1 Contextual New Development. Promote commercial infill projects that achieve harmony with the best of existing pedestrian oriented environments by enhancing desirable neighborhood character and supporting established connectivity.*

The project is located directly across the street from the Baldwin Hills Crenshaw Plaza supports connectivity between the sites and is located within one half mile of the Metro K line on Crenshaw Boulevard. The proposed restaurants at the corner of Stocker and Santa Rosalia and community center along Santa Rosalia are designed to be pedestrian friendly and enhance the neighborhood character.

*LU18-2 Attract Quality Sit-down Restaurants, Hotels and Entertainment Venues. Encourage the attraction of sit-down restaurants, high "star" rated lodging and legitimate and responsible entertainment venues. (P217)*

The rooftop restaurant is a highlight of this development as it reflects the character of the neighborhood while inviting the neighborhood residents to enjoy the amenities of the facility. The developer is working with a restaurant developer to create a generously appointed high star sit-down restaurant with rooftop landscaping and expansive rooftop views that extend to Downtown Los Angeles and the Santa Monica Mountains.

*LU19-1 Graffiti Abatement. Pursue urban design strategies that effectively address graffiti abatement. (P26, P144)*

The project includes graffiti resistant paint at the lower 15 ft. of building facades. Where graffiti cannot be simply washed away, the exterior will be painted to match the color of the subject wall.

*LU23a-1 Match Jobs to Resident Skills. Promote efforts to prioritize commercial/economic development strategies that match jobs to existing and desired resident skills. (P4, P97)*

Media content creators do not have workspaces in the community. The site will provide pathways to careers in the film and entertainment industries and will serve as a single location with all of the pre- and post- production support for TV and film makers. Jobs from maintenance and reception through executive producers will be provided with this development.

*LU28-2 Jobs/Housing Balance. Balance commercial and residential development (jobs and housing) within community commercial nodes, centers and transit-oriented development areas to reduce the number of people who must commute long distances to work. (P50)*

The proximity of the site to transit, coupled with the added leasable commercial office space will allow entrepreneurs in the entertainment industry who live in the community to potentially relocate their businesses closer to home. New, high income jobs will be created as a result of the development for people of color and will provide families with the financial resources to enter the affluent housing market in the area.

*LU29-1 Green building incentives. In addition to fulfilling the mandatory requirements of the City's Green Building Program and State CalGreen Code, encourage developers to seek the voluntary Standard of Sustainable Excellence and take advantage of the procedural incentives afforded at the LEED Silver, or higher, USGBC certification rating. (P168)*

*LU29-2 Green Roofs. Encourage all new building construction to incorporate green roofs and encourage conversions of existing roof space to green roofs in order to maximize opportunities for gardening and reduce heat gain. (P36)*

The project will be built to LEED Gold standards and includes a Green Roof for Building B and landscaping along the sides and roof of the Building F parking building.

*Crenshaw Corridor Specific Plan:*

The Stocker Street Creative project substantially conforms to the Crenshaw Corridor Specific Plan in regards to use, height, setbacks, building facade articulation, and other regulations of the Plan. The project has specifically incorporated design elements to comply with the following guidelines of the Specific Plan:

- a. **Section 6: Land Uses.** The Crenshaw Corridor Specific Plan Map No. 3 designates the subject property as located in Subarea C. The Crenshaw Corridor Specific Plan provides for area-specific development standards along Crenshaw Boulevard and adjacent properties and provides design guidelines and design review for certain areas within the Specific Plan.
  - i. **Prohibited Uses.** Section 6.A. 1 of the Crenshaw Corridor Specific Plan prohibits the following uses in the Specific Plan Area: (a) gun and/or pawn shops; (b) swap meets; (c) public self-storage; (d) motels; (e) bars not attached to dining, dancing and/or entertainment related uses; (f) recycling collection or buyback centers and mobile recycling centers, except as permitted by State Law. The proposed project is a production studio campus with 4 restaurants which will not contain any of the aforementioned prohibited uses. Therefore, the project is in compliance with the land use section of the Specific Plan.
  - ii. **Limited Uses.** Section 6.8 of the Crenshaw Corridor Specific Plan limits the following uses in all areas of the Specific Plan Area: (a) Off-Site Alcohol Sales; (b) Automobile-Related Use; (c) Free-Standing Fast-Food Establishments. The proposed project is a production studio campus with four restaurants which will not contain any of the limited uses. Therefore, the project is in compliance with the limited uses section of the Specific Plan.
- b. **Section 9: Floor Area Ratios and Height.** The Crenshaw Corridor Specific Plan allows a maximum FAR of 1.5:1. The proposed FAR of the project is 1.15:1 and does not exceed the maximum allowed by the Specific Plan. The Crenshaw

Corridor Specific Plan Map No. 7 designates the eastern portion of the subject property with a 45-foot height limit. The remainder of the C2-1 Zoned property has an unlimited height allowance. The proposed project includes two buildings, Buildings A and F, zoned C2-1-SP within the boundaries of the Crenshaw Corridor Specific. Both will be built to a maximum height of 45 feet with Architectural Features up to 54 feet as allowed by Section 9.F of the Crenshaw Corridor Specific Plan. The proposed project qualifies for a Transit Oriented Community (TOC) incentive for an additional height of up to 33 additional feet, allowing the project a maximum height of 93 feet. Building B, located on the C2-1 zoned portion of the site will build to a maximum height of 110-feet and is the tallest proposed building on the campus.

- c. Section 11: Signs. Campus Signage. Projects with a floor area of 50,000 square feet or more shall comply with LAMC Chapter 1, Article 4.4 and all of the following:
  1. A sign program fully delineating the size, number, location, color, material finish for all exterior signage (including identity, retail, parking, etc.) shall be submitted and reviewed by the Design Review Board to make a recommendation prior to the Director of Planning issuing an approval. A signage plan in conformance with Section 11.J. of the Crenshaw Corridor Specific Plan has been submitted and is included as part of Exhibit A of this report.

*GUIDELINE 1. Projects should be designed with articulation, which provides variation and visual interest. New developments should enhance the street frontage by providing continuity while providing views into businesses located along the pedestrian and arterial streets. The mass, portion, and scale of all new buildings and remodels should be at a pedestrian scale.*

The project has been designed to highlight the corner facade at the intersection of Stocker and Santa Rosalia. The building features a casual dining restaurant with outdoor patio seating that feature glass facades arranged to acknowledge the art deco designs that are prominent in the community. Articulation spans the facade of the building while highlighting the ground level pedestrian uses.

The parking building along Santa Rosalia has been enhanced with a community room along the street frontage that features a glass facade to allow a view into the interior design of the reception area. This is intended to allow the site to remain a vibrant addition to the community over time and accommodate various types of community activities. Articulation is provided on the ground level. At the second level and extending upward, a large expanse will be used for movie and TV program signage that will provide visual breaks, visual interest, and commercial art that will vary as new projects are released.

*GUIDELINE 3. Promote a feeling of safety while encouraging and enhancing pedestrian orientation.*

The project intentionally minimizes the use of perimeter fencing, choosing instead to utilize building walls as the perimeter boundaries, so that the production studio is as safe for high profile celebrity occupants as it is inviting and welcoming to the community. At the casual dining on the ground level, natural grade level changes allow outdoor dining that is adjacent to the sidewalk and slightly elevated so that there is limited unintended interaction between patrons and pedestrians. At the corner of Stocker and Santa Rosalia, there is direct access to the restaurants to encourage pedestrians to enter and enjoy the public onsite amenities.

*GUIDELINE 4 Incorporate architectural, ancillary, and open space features into the overall design of the project.*

An approximately 31,000 sf open courtyard has been incorporated into the site that will serve as passive open space with landscaping and outdoor furniture. This space will double as an assembly space for scheduled events, such as movie and TV premieres and events associated with the annual film festival in Leimert Park. The courtyard will be open to the public during designated hours and closed intermittently for filming and scheduled events. The plaza provides a break in the massing of buildings and allows natural light to filter through the site while air circulates.

*GUIDELINE 7. Minimize glare upon adjacent properties.*

All lighting shall be shielded from adjacent residential uses. At the parking garage, a parapet wall at each level shall serve to shield car headlights. Planter boxes at each level shall also serve to block light from the parking structure. Light fixtures within the parking structure shall be shielded from residential uses.

6. **That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The project is located in the West Adams – Baldwin Hills – Leimert Community Plan area and the Crenshaw Corridor Specific Plan. The property is zoned C2-1SP and C2-1 with a General Plan Land Use Designation of Community Commercial and Neighborhood Commercial with corresponding zones CR, C1, C1.5, C2, C4, R3, R4, RAS3 and RAS4. The property to the South (across Stocker Street) is located outside of the City of Los Angeles jurisdiction. The property to the west (across Don Felipe Drive) is a vacant lot, in the RD2-1 Zone. The property adjacent to the north is developed with two Condominium Buildings and an office building in the [Q]RD1.5-1XL, [Q]C2-1 and C2-1-SP Zones. The property located to the east (across Santa Rosalia Drive) is developed with the Baldwin Hills Crenshaw Plaza, in the [T][Q]C2-2D Zone.

With 257,155 sf of combined floor area, the proposed development is below the 1.5:1 FAR allowed in the Crenshaw Specific Plan, and the 2.0:1 FAR allowed at the remainder of the site. The site is designed with building massing that allows substantial open space and provides a minimum of 40 ft. between an onsite building and the nearest residential use. This allows light and air to flow throughout the property without overwhelming adjacent uses.

The height of the development is consistent with the height of the 6-story multi-family condominium development north of the site, the 3-story condominium development to the south across stocker, and the proposed multi-story mixed-use redevelopment approved for the Baldwin Hills Crenshaw Mall site. The site sits on a slope and is designed to minimize height impacts on adjacent uses. While the 5-story parking garage is adjacent to the 6-story condominium building, it is separated by a 24 ft. fire lane and side yard easement. Further, it is built into the hillside so that only the top 3 stories are above grade with 1.5 levels of rooftop parking. Wall openings in the parking building that are needed for ventilation will be sufficient height to screen car headlights and will feature maintained planter boxes that will soften the facade of the building.

The operations of the site are consistent with uses allowed in the commercial zone. The sound stages and the parking building serve as buffers between the new campus and adjacent uses to minimize light and noise impacts. The beautiful space for dining and celebrating life's

special moments. The community space will provide a venue for community gatherings. The security building will ensure that operations are conducted safely.

The development and use of the site will not degrade the adjacent properties because it will create a desirable landmark that many will want to have associated with their community. The project has been designed with substantial 40 ft. setback from the adjacent residential use, due to the side yard and fire lane, and this space will allow nearby uses to continue to have expansive views that will be landscaped and will be superior to the large flat paved parking lot that the project is replacing. The parking structure will be screened with climbing vines and parapet walls at each story. Overhead light fixtures will be shielded so that no direct light will shine on nearby residential uses

**7. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The proposed development is for the construction use and maintenance of a Construction of a campus for studio and sound stage production totaling approximately 256,758 square feet with a 1.15:1 FAR within 6 new buildings ranging in height from one story (14 feet height) up to a height of seven stories (110 feet high). The project includes approximately 111,814 square feet of studio production and associated ancillary facilities; approximately 18,033 square feet of restaurant/ retail space; 126,911 square feet of office spaces and a parking garage with 344 parking stalls, and a 2,684 square foot community room. The project also includes the removal of 29 non-protected on-site trees; no trees within the public right-of-way are proposed to be removed. A Haul Route is proposed for the export of approximately 21,800 cubic yards of soil.

**WAIVER OF DEDICATION AND IMPROVEMENT FINDINGS**

In order to approve an application, the decision maker must decide if the facts presented in the record are such to establish the following findings (i.e. criteria for approval). On a separate page copy one (1) of the findings below and follow it with a detailed justification/explanation of how the proposed project complies with the required finding. The Director of Planning may waive, reduce or modify the required dedication or improvement as appropriate after making any of the following findings below, set forth in Section 12.37.I.2(b), in writing:

- i. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.
- ii. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on guidelines the Streets Standards Committee has established.
- iii. The dedication or improvement requirement is physically impractical.

**8. The dedication or improvement requirement does not bear a reasonable relationship to any project impact.**

The proposed development of a production studio with restaurants, outdoor open space, office space, and a parking structure has been carefully designed to mitigate environmental impacts, including impacts of traffic and pedestrian access. A CEQA Initial Study for a Mitigated Negative Declaration has been prepared and the measures identified to mitigate potential project impacts do not include a recommendation for street or sidewalk widening. A waiver of

street widening improvements allows the existing street trees on Stocker, Santa Rosalia, and Don Felipe to remain. Maintaining the existing trees minimizes the impact of the development on the mature trees that currently enhance the street facade.

The traffic study proposes mitigation measures that do not require street or sidewalk widening. The proposed improvements do not increase the size of the sidewalk for pedestrians; it only relocates the sidewalk. Similarly, the site has been designed to direct vehicular traffic to Santa Rosalia, where a long entry driveway allows space for cars to queue as they enter the parking structure. Only delivery trucks will access the site using Stocker St. A mitigated negative declaration and traffic study show that the project will not have a significant impact on traffic or Vehicle Miles Traveled (VMT). The dedication and improvement requirements do not bear a reasonable relationship to any project impact because all the project's environmental impacts are being mitigated through design and other methods. The Stocker Street Creative project is being designed to LEED Gold standards with certification.

Upon consultation with the Bureau of Engineering and The Planning Department, the project proposes to widen the existing sidewalks along Stocker St. and Don Felipe by 3 ft, for the length of the sidewalk that abuts the property. Street widening is not proposed in order to maintain the existing street trees along Stocker Street, Don Felipe, and Santa Rosalia.

### **CEQA FINDINGS**

9. **Mitigated Negative Declaration.** A Mitigated Negative Declaration (ENV-2024-326-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, that there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. Pursuant to Assembly Bill 52, the City completed the tribal consultation process in compliance with the California Environmental Quality Act. The records upon which this decision is based are with the Project Planning Division of the Planning Department in Room 721, 200 North Spring Street.
  
10. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone X, areas of 500-year flood.