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Dear Honorable City Council Planning and Land Use Management Committee members,

Planning staff is submitting the following underlined text to add to the casefile for the CEQA Findings for CPC-2015-2714-VZC-SP-DRB-SPP and ENV-2015-2715-MND:

CEQA MND Addendum Findings

On April 28, 2016, the City of Los Angeles City Planning Commission adopted a Mitigated Negative Declaration [ENV-2015-2715-MND] (“Adopted MND”) for the Palisades Village project (“Proposed Project”) which includes 3.11 acres of land in the Commercial Village Area of the Pacific Palisades Commercial Village and Neighborhoods Specific Plan in the Brentwood – Pacific Palisades Community Plan area. The Proposed Project is generally bounded by Sunset Boulevard to the southwest, Monument Street to the east, and Albright Street to the north. The Adopted MND analyzed the demolition of six existing buildings and surface parking lots and construction of a mixed-use project comprised of eight new buildings with a total floor area of 116,215 square feet for a 0.9 floor area ratio. The Proposed Project proposes one- and two-story buildings with a maximum building height of 34 feet, including architectural roof features. The Proposed Project proposes a mix of uses that total approximately including retail, restaurants, offices, eight residential units, a specialty grocery store, walk-in bank, a movie theater, and a community room. The Proposed Project proposes open space that totals approximately 18,000 square feet (0.39 acres) and 470 off-street vehicle parking spaces in two levels of subterranean parking.

An Addendum to the Adopted MND has been prepared to analyze minor changes to the Proposed Project that include: (1) the addition of one more level of underground parking, which would result in a total of three underground parking levels for a total of 560 spaces as opposed to two levels of underground parking; (2) increase in the overall residential square footage from 10,000 square feet to 17,500 square feet, while maintaining eight residential units in Building H, (3) and the addition of a 1,250 square foot community room on the second level of Building F (“Modified Project”).

The Addendum to the Adopted MND addresses the proposed minor changes to the Proposed Project set forth in the Adopted MND. The Adopted MND included all statutory sections required by CEQA and supporting technical appendices. CEQA establishes the type of environmental documentation required when changes to a project occur after an MND is adopted. Specifically, Section 15164(a) of the CEQA Guidelines states that:

“The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Section 15162 of the CEQA Guidelines requires a Subsequent MND when an MND has already been adopted and one or more of the following circumstances exist:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental MND shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated in the Addendum to the Adopted MND, the Modified Project would not result in any additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the Adopted MND and do not constitute a new or substantially increased significant impact. The Addendum included an adequate explanation of the decision not to prepare a Subsequent MND pursuant to Section 15162 and is supported by substantial evidence.

None of the public comments to the Addendum or elsewhere in the administrative record constitute substantial evidence that would require preparation of a Subsequent MND or that would require substantial revision of the previously Adopted MND.

Based on this determination, the Modified Project does not meet the requirements for preparation of a Subsequent MND pursuant to Section 15162 of the CEQA Guidelines.