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January 31, 2019

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

Attention: PLUM Committee

Dear Honorable Members:

6650-6668 Franklin Avenue / 1855 North Cherokee Avenue / Sustainable Communities Environmental Assessment / Mitigation Monitoring Program; CF 18-0412, Letter to file: Response to comments

A. Project Summary:

A Sustainable Communities Environmental Assessment (SCEA) has been prepared pursuant to Section 21155.2 of the California Public Resources Code. The subject of this Sustainable Communities Environmental Assessment (SCEA) is a proposed senior residential housing development (Montecito II) at 6650 Franklin Avenue¹ in the Hollywood Community Plan Area of the City of Los Angeles.

The Montecito II will involve the construction of a 6-story, 76'-8", 68-unit (67 senior housing units, and one manager's unit) multi-family residential building, in conjunction with the maintenance of the site's existing legal-nonconforming, 10-story, 118-unit, Montecito Apartment Building. As proposed, the Montecito II will be physically connected with the site's existing Montecito Apartment Building. The new building will contain approximately 53,370 square feet (sf) of building area, approximately 7,000 sf of recreation/open space areas, and 57 new parking spaces located in two levels of subterranean parking, totaling 104 on-site parking spaces.

B. Sustainable Communities Environmental Assessment (SCEA):

The State of California adopted Senate Bill (SB) 375, the Sustainable Communities and Climate Protection Act of 2008, to outline growth strategies and better integrate regional land use and transportation planning which will help the State meet its greenhouse gas reduction

¹ Additional addresses affiliated with the Montecito II include: 6668 Franklin Avenue, and 1850 N. Cherokee Avenue.

mandates. SB 375 requires that State's 18 metropolitan planning organizations to incorporate a "sustainable communities strategy" with the regional transportation plans to achieve their respective region's greenhouse gas emission reduction targets set by the California Air Resources Board (CARB). The Southern California Association of Governments (SCAG) is the metropolitan planning organization that has jurisdiction over the Project site. SCAG adopted the 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy (2016 RTP/SCS) on April 7, 2016. For the SCAG region, CARB has set greenhouse gas reduction targets to eight percent below 2005 per capita emissions levels by 2020, and 13 percent below 2005 per capita emissions levels by 2035. The 2016 RTP/SCS outlines strategies to meet or exceed the targets set by ARB.

SB 375 provides CEQA streamlining benefits to transit priority projects (TPPs), such as the ability to utilize a Sustainable Communities Environmental Assessment (SCEA). Projects that qualify for a SCEA are afforded with the following benefits as it relates to CEQA review: 1) They shall not treat as cumulatively considerable cumulative effects adequately addressed and mitigated in prior EIRs; 2) They are not required to reference, describe, discuss growth-inducing impacts or project-specific or cumulative impacts from cars and light-duty truck trips generated by the project on global warming or the regional transportation network; and 3) They shall be reviewed under 'substantial evidence standard.'

The project was found to meet the necessary criteria to qualify for a SCEA. An analysis of the project, including a detailed explanation of this criteria was published within the completed document. The SCEA was released for public comment from April 5, 2018 to May 7, 2018. On May 16, 2018, a joint public hearing for the proposed project, Case No. CPC-2017-1503-DB-CU-SPR and AA-2017-1505-PMLA, was held before the Hearing Officer and Advisory Agency. At the time of the hearing, the case was held under advisement, pending the adoption of the SCEA by the City Council.

C. Project Background:

Subject Property:

The project site fronts approximately 130 feet along the southerly side of Franklin Avenue and 150 feet on the westerly side of Cherokee Avenue, within the Hollywood Community Plan Area. The rectangular-shaped site is comprised of five legal parcels totaling approximately 33,793 square feet (0.78 acres) bounded by Franklin Avenue to the north, North Cherokee Avenue to the east, the Las Palmas Senior Center and Canyon Co-Op School to the west, and a multi-family residential building to the south. Existing development on the project site includes the Montecito Apartments (Building A), a legal non-conforming, 118-unit, 10-story residential apartment building containing affordable senior housing, and an outdoor courtyard. The Montecito Apartments is a registered National and California Historic Resource (1985) and was recently designated as a Historic Cultural Monument in November of 2018. In conjunction with the proposed action, the historic Montecito Apartment building will remain on-site; however the site's outdoor courtyard, which is not an identified historic resource, will be removed.

Project Proposal:

As described, the proposed project involves the construction of a 6-story, 76'-8" high building with 67 affordable units for senior residents and one (1) market-rate unit for an on-site manager (Building B). As a result of the project, the existing Building A (The Montecito) and proposed Building B would be physically connected by a new common lobby providing access to both facilities and the amenities within. One unit would be modified from a one bedroom to a studio to allow for the connection from the common lobby to Building B. The total residential

floor area of Building B, including corridors, lobby, and amenity areas would be 53,370 square feet. With the existing Building A at approximately 71,450 square feet, the total site's Floor Area Ratio (FAR) would be 4.57 to 1.

Vehicle parking for the project, as well as replacement parking for the existing surface spaces displaced by the new Building B will be provided in a subterranean structure on-site. Vehicular access to the project is proposed via the existing driveway on the west side of Cherokee Avenue.

The new Building B would contain 68 new residential units, 32 studio units and 36 one-bedroom units, ranging from approximately 420 to 520 square feet. An open plan concept is employed in the common areas of the units to maximize interior space and flexibility. This unit plan layout would maximize the natural light in all common areas offering a visual connection to the outside from the living, kitchen and dining areas. Most units would feature a minimum 50 square feet of private balcony space off the living room providing private open space for relaxing and living. The kitchens would be furnished with Energy Star rated appliances. All bathroom and plumbing fixtures will be water-conserving fixtures.

City approvals required to develop the proposed project include:

1. A Density Bonus (DB) pursuant to CA Government Code Section 65915(f)(3) and LAMC Section 12.22.A.25 to permit a Senior Residential Housing Development Project with 118 existing non-conforming units and 68 new units, dedicating 99% of proposed units restricted to Low and Very Low Income Households in exchange for the following incentives:
 - An On-Menu Incentive for an increase in height to permit a new building with 76-foot, 8-inches in height in lieu of the otherwise permitted 72-foot height limit pursuant to Ordinance 165,656 and LAMC 12.21.1 B.2 for a site with more than 20 feet of grade change;
 - An Off-Menu Incentive for a decrease in yards to permit a 4-foot, 6-inch northerly side yard fronting Franklin Boulevard in lieu of the otherwise required 9-foot front yard for a 6-story building pursuant to LAMC 12.11 C.2;
 - An Off-Menu Incentive for a decrease in yards to permit a 10-foot rear yard in lieu of the otherwise required 18-foot rear yard for a 6-story building pursuant to LAMC 12.11 C.3;
2. A Conditional Use Permit (CUP) to permit pursuant to 12.24 U.26, to permit a housing development project with a density increase greater than the maximum permitted in LAMC 12.22 A.25, for a total of 186 units;
3. A Site Plan Review (SPR) pursuant to LAMC 16.05 C, to permit the construction, use, and maintenance of more than 50 new residential units;
4. A Preliminary Parcel Map (PMLA) pursuant to LAMC 17.50, a to permit the merger and re-subdivision of five (5) ground lots into one (1) ground lot and two (2) air space lots;
5. Adoption of the Sustainable Communities Environmental Assessment (SCEA); and

6. Approval of other permits, ministerial or discretionary, may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, storm water discharge permits, grading permits, haul route permits, and installation and hookup approvals for public utilities and related permits.

D. Public Comment Received:

Attachment A to this document provides the City's responses to the written public comments received during the SCEA's comment period. Copies of the written comments in their entirety can be found in the administrative record of Case No. ENV-2018-1504-SCEA and are additionally included in the Council File 18-0412, identified as "Attachment to Communication dated 05/29/2018 – Public Comment."

E. Conclusion:

Staff recommends that, upon review of the entire administrative record, the PLUM Committee finds that the Proposed Project complies with the requirements of CEQA for use of a SCEA as authorized pursuant to Public Resources Code Section 21155.2(b), and further recommends for Council Action to adopt the project's Sustainable Communities Environmental Assessment (SCEA) (ENV-2017-1504-SCEA) and adopt the following findings:

1. The Proposed Project qualifies as a transit priority project pursuant to Public Resources Code Section 21155;
2. The Proposed Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Regional Transportation Plan/Sustainable Communities Strategy (*RTP/SCS*) prepared by the Southern California Association of Governments (SCAG);
3. The Proposed Project contains more than 50% residential; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan;
4. The Proposed Project is a residential or mixed-use project as defined by Public Resources Code Section 21159.28(d);
5. The Proposed Project incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior environmental reports, including the *RTP/SCS* Program Environmental Impact Report;
6. All potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) in an initial study have been identified and analyzed in an initial study; and
7. With respect to each significant effect on the environment required to be identified in the initial study, changes or alterations have been required in or incorporated into the project that avoids or mitigates the significant effects to a level of insignificance.

Sincerely,

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to read "Nicholas Hendricks". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nicholas Hendricks
Senior City Planner

VPB:NH:JM

c: Craig Bullock, Planning Director, Council District No. 13

I. INTRODUCTION

Pursuant to § 21155.2 of the Public Resources Code, a Sustainable Communities Environmental Assessment (SCEA) was prepared for the *Montecito II Senior Housing Project* located at 6650 Franklin Avenue¹ in the Hollywood Community Plan Area of the City of Los Angeles. In accordance with CEQA, a 30-day public review and comment period commenced on April 5, 2018 and ended May 7, 2018. Forty-five public comments were received during the comment period. The public comments are included as part of this document. No new significant environmental issues or impacts, beyond those already covered in the SCEA, were raised during the comment period. While no provisions of CEQA require a response to the comments received on the SECA, master responses to the several common topic areas raised have been provided. The comments received and the corresponding master responses do not alter the analysis or conclusions of the SCEA and do not involve any new significant impacts or add "significant new information" that would require recirculation of the SCEA pursuant to CEQA Guidelines § 15073.5.

Project Summary

The subject of the SCEA is a proposed senior residential housing development at 6650 Franklin Avenue² in the Hollywood Community Plan Area of the City of Los Angeles. The 33,750 square-foot corner site (0.77 acres) is bounded by Franklin Avenue to the north, North Cherokee Avenue to the east, the Las Palmas Senior Center and Canyon Co-Op School to the west, and a multi-family residential building to the south. Existing development on the project site includes the Montecito Apartments, a 118-unit, 10-story residential apartment building containing affordable senior housing, and an outdoor courtyard.

The Proposed Project would construct a 6-story, 68 unit (67 senior housing units, and one manager's unit) multi-family residential building with approximately 53,370 square feet (sf) of building area, and approximately 7,000 sf of recreation/open space areas, with 57 new parking spaces in two levels of subterranean parking for a total of 104 on-site parking spaces. The Proposed Project would be six stories tall, up to a maximum of 76'-8" feet in height.

¹ *Additional addresses affiliated with the Proposed Project include: 6668 Franklin Avenue, and 1855 N. Cherokee Avenue.*

² *Ibid.*

The applicant is requesting:

- A **Density Bonus** (DB) pursuant to CA Government Code § 65915(f)(3) and LAMC § 12.22.A.25 to permit a Senior Residential Housing Development Project with 118 existing non-conforming units and 68 new units, dedicating 99% of proposed units restricted to Low and Very Low Income Households in exchange for the following incentives:
 - An **On-Menu Incentive** for an increase in height to permit a new building with 76-feet, 8-inches in height in lieu of the otherwise permitted 72-foot height limit pursuant to Ordinance 165,656 and LAMC § 12.21.1 B.2 for a site with more than 20 feet of grade change;
 - An **Off-Menu Incentive** for a decrease in yards to permit a 4-foot, 6-inch northerly side yard fronting Franklin Boulevard in lieu of the otherwise required 9-foot front yard for a 6-story building pursuant to LAMC § 12.11 C.2;
 - An **Off-Menu Incentive** for a decrease in yards to permit a 10-foot rear yard in lieu of the otherwise required 18-foot rear yard for a 6-story building pursuant to LAMC § 12.11 C.3;
- A **Conditional Use Permit** (CUP) to permit pursuant to § 12.24 U.26, to permit a housing development project with a density increase greater than the maximum permitted in LAMC § 12.22 A.25, for a total of 186 units;
- A **Site Plan Review** (SPR) pursuant to LAMC § 16.05 C, to permit the construction, use, and maintenance of 50 or more new residential units;
- A **Preliminary Parcel Map** (PMLA) pursuant to LAMC § 17.50, a to permit the merger and re-subdivision of five (5) ground lots into one (1) ground lot and two (2) air space lots;
- Approval of other permits, ministerial or discretionary, may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, storm water discharge permits, grading permits, haul route permits, and installation and hookup approvals for public utilities and related permits, and
- Adoption of the Sustainable Communities Environmental Assessment (SCEA).

Required Findings

The City of Los Angeles finds, upon a review of the entire administrative record, that:

- The Proposed Project qualifies as a transit priority project pursuant to Public Resources Code § 21155;
- The Proposed Project is consistent with the general use designations, density, building intensity, and applicable policies specified for the project area in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by the Southern California Association of Governments (SCAG);
- The Proposed Project contains more than 50% residential; provides a minimum net density greater than 20 units an acre; and is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan;
- The Proposed Project is a residential or mixed-use project as defined by Public Resources Code § 21159.28(d);
- The Proposed Project incorporates all feasible mitigation measures, performance standards, or criteria set forth in the prior environmental reports, including the RTP/SCS Program Environmental Impact Report;
- All potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) in an initial study have been identified and analyzed in an initial study; and
- With respect to each significant effect on the environment required to be identified in the initial study, changes or alterations have been required in or incorporated into the project that avoids or mitigates the significant effects to a level of insignificance.

Therefore, the City of Los Angeles finds that the Proposed Project complies with the requirements of CEQA for using a SCEA as authorized pursuant to Public Resources Code § 21155.2(b).

The attached Section II, Responses to Comments on the Sustainable Communities Environmental Analysis, has been prepared in support of this SCEA.

Organization of the Final SCEA

This Final SCEA is organized into two sections as follows:

I. Introduction: This section provides introductory information such as the Project title, the Project Applicant, and the lead agency for the Proposed Project.

II. Responses to Comments: This section presents all comments received by the City during the 30-day public review period for the SCEA (March 1, 2018 through April 2, 2018) as well as topical responses to those comments. Letters received during the public comment period are included in Appendix A, Original Comment Letters, of this Final SCEA.

Appendices: Includes various documents, technical reports, and information used in the SCEA and these Responses to Comments and can be found in the case file for ENV-2017-1504-SCEA.

II. RESPONSES TO COMMENTS

This section provides a list of commenters, along with master responses to the several common topic issues raised. None of the comments offers any new evidence or any evidence that any fact, analysis, or determination in the Draft SCEA is incorrect or not supported with substantial evidence.

The Commenter Matrix numbers and identifies the commenter. The Commenter Matrix also notes the general topic area covered by each comment letter.

Comment No.	Comment Date	Commenter	Aesthetics	Open Space	Historic Resources	Traffic	Parking	Geotechnical	Construction
01	04/02/2018	Adkins, Richard (Hollywood Heritage)	X		X				X
02	04/02/2018	Farquhar, D. Stewart	X	X	X	X	X		X
03	05/14/2018	Farquhar, D. Stewart		X	X			X	
04	05/04/2018	Galaudet, Amy			X				
05	05/07/2018	Geoghan, Jim & Ann	X	X	X	X	X	X	X
06	04/01/2018	Jonz, Normajean			X			X	X
07	03/29/2018	Kearse, David	X			X			
08	04/30/2018	Kearse, David				X			
09	05/04/2018	Larsen, Kathleen		X	X		X	X	X
10	05/25/2018	Larsen, Kathleen	X	X				X	X
11	05/04/2018	Maddren, Casey		X	X			X	
12	05/07/2018	Miller, William A.		X	X	X		X	X
13	05/01/2018	Newkirk, Dee Ann		X	X				
14	05/04/2018	O'Brien, Christine Mills	X	X			X		
15	04/01/2018	Stepusin, Terrence		X					X
16	05/08/2018	Weisberg, Gudielia	X			X			X
17	03/04/2018	Williams, Tyler	X	X		X			X
18	03/25/2018	Form Letter- Aguirre, Ramiro					X		X
19	No date	Form Letter- Bishop, Vanessa							X
20	05/02/2018	Form Letter- Coviello, Gail					X		X
21	No date	Form Letter- Duncan, Charles						X	X
22	No date	Form Letter- Dunn, Marlene						X	X
23	03/25/2018	Form Letter- Fernandez, Jose Luis					X		X

II. Responses to Comments

Comment No.	Comment Date	Commenter	Aesthetics	Open Space	Historic Resources	Traffic	Parking	Geotechnical	Construction
24	03/25/2018	Form Letter- Gonzalez, Angel	X			X			X
25	03/25/2018	Form Letter- Gonzalez, Jose Luis							X
26	No date	Form Letter- Gustin, Rob					X		X
27	03/25/2018	Form Letter- Gutierrez, Orlando					X		X
28	03/25/2018	Form Letter- Honnold, Susan					X		X
29	No date	Form Letter- Janati, Mali				X			X
30	03/25/2018	Form Letter- Jansen, Deborah					X		X
31	No date	Form Letter- Kelly, Kevin							X
32	No date	Form Letter- Law, Kathleen M.						X	X
33	03/25/2018	Form Letter- Lopez, Juan							X
34	05/13/2018	Form Letter- Luna, Dennis A.				X			X
35	03/25/2018	Form Letter- Miller, David					X		X
36	No date	Form Letter- Nouri, Pavuin				X			X
37	No date	Form Letter- Reichel, Sabine						X	X
38	03/25/2018	Form Letter- Romero, Jose							X
39	03/25/2018	Form Letter- Vasques, Tony							X
40	No date	Form Letter- Weisberg, Gudiela				X			X
41	No date	Form Letter- Yamaji, Lois H.						X	X
42	No date	Form Letter- Michael	X	X		X			X
43	No date	Form Letter- Steven				X			X
44	03/25/2018	Form Letter- [Illegible]							X
45	03/27/2018	Form Letter- [Illegible]	X			X			X

MASTER RESPONSES TO COMMENTS

This section includes Master Responses on the several topic areas of common concern raised in the comments received. The Master Responses address the following topics:

Master Response 1: CEQA Process

Master Response 2: Aesthetics

Master Response 3: Open Space

Master Response 4: Cultural (Historical) Resources

Master Response 5: Traffic and Parking

Master Response 6: Geotechnical

Master Response 7: Construction Impacts

These Master Responses do not alter the analysis or conclusions of the SCEA and do not involve any new significant impacts or add "significant new information" that would require recirculation of the SCEA pursuant to CEQA Guidelines § 15073.5. The Master Responses are intended to provide the decisionmakers with clarifications regarding the issues raised by the commenters.

MASTER RESPONSES

Master Response 1 – CEQA Process

Numerous commenters expressed concerns related to the CEQA process questioning the use of the Sustainable Communities Environmental Assessment (SCEA) and stating that an Environmental Impact Report (EIR) should have been prepared.

As provided in **Section III. Transit Priority Projects Consistency Analysis** of the SCEA, the Proposed Project is a transit priority project that clearly meets the intent of both SB 375 and SCAG’s 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The purpose of the CEQA provisions of SB 375 are to revise CEQA to encourage projects “that will help the state achieve its climate goals under AB 32, assist in the achievement of state and federal air quality standards, and increase petroleum conservation.” (See SB 375, Section 1(f).) To meet the state’s AB 32 climate goals, SB 375 requires all metropolitan transportation organizations, including SCAG, to prepare a Sustainable Communities Strategy (SCS) that integrates transportation and land use planning in a manner that results in reduced vehicle miles traveled and, as a result, reduced GHG emissions. The proposed project would fulfill this principal intent by developing 68 multi-family, age restricted residential units within less than one-half mile from the Hollywood/Highland Station of the Metro Red Line. The site is also served by existing bus routes operated by the Los Angeles County Metropolitan Transportation Authority (i.e., Routes 237 and 656 on Highland Avenue, 212, 217, 222, and 312 on Hollywood Boulevard) and LADOT DASH Hollywood, all adjacent or within 0.25 miles of the Project site.

Due to the transit facilities in the vicinity, the Project area qualifies as a “High Quality Transit Area” (HQTA). A continually reoccurring theme in the RTP/SCS is to focus new growth around transit, particularly HQTAs. The 2016-2040 RTP/SCS further demonstrates that HQTAs may include high-density development, support pedestrian and bike infrastructure, reduce parking requirements, and retain affordable housing near transit. The Proposed Project is an affordable senior housing project, which includes 68 units. The Proposed Project promotes pedestrian activity and bicycling activity by providing landscaping along the public right-of-way, outdoor courtyard area, and outdoor green space and walking paths.

In addition to the Project’s overall consistency with the RTP/SCS and its fulfillment of the overarching goals of integrating land use and transportation, **Section III. Transit Priority Projects Consistency Analysis** provides a detailed analysis of the Project’s consistency with the

RTP/SCS, including consistency with land use designation, density, building intensity and applicable policies, as required by SB 375.

Several commenters noted that CEQA requires analysis for the potential of a project to have substantial adverse impacts and, if impacts are identified, requires preparation of an EIR. Public Resources Code § 21155.2(b) states that a transit priority project that has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the prior applicable environmental impact reports and adopted in findings made pursuant to Public Resources Code § 21081 may be reviewed through a Sustainable Communities Environmental Assessment (SCEA). In preparing the SCEA, cumulative effects that have been addressed and mitigated in a prior environmental document need not be treated as cumulatively considerable, and growth-inducing impacts need not be addressed. Also, project-specific or cumulative impacts from car and light-duty truck trips need not be addressed.

The statute specifically states that a lead agency's decision to review and approve a transit priority project with a SCEA is reviewed under the substantial evidence standard.³ "Substantial evidence" means "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. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record before the lead agency."⁴

A recent Sacramento County Superior Court ruling confirmed the appropriate standard of review for SCEAs prepared under § 21155.2 stating:

Under Public Resources Code § 21155.2, the City's decision to approve the Project using a SCEA is subject to review under the "substantial evidence standard." (Cal. Pub. Res. Code § 21155.2(b)(7); see also AR 1158.) This standard of review is more deferential than the "fair argument" standard that applies to tiering under Public Resources Code § 21094. (Sierra Club v. County of Sonoma (1992) 6 Cal.App.4th 1307, 1320-1321.) Substantial evidence has been defined as "relevant evidence that a reasonable mind might accept as adequate to support a conclusion." (Moss v. County of Humboldt (2008)

³ Public Resources Code § 21155.2(b)(7).

⁴ State CEQA Guidelines, § 15384.

162 Cal.App.4th 1041, 1058.) Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. Substantial evidence does not include argument, speculation, or unsubstantiated opinion. (See 14 C.C.R. § 15384.)

In applying the substantial evidence test, a court may not weigh the evidence; rather, the court simply must determine whether the record contains substantial evidence to support the agency's decision. (Moss, supra, 162 Cal.App.4th at p.1058.) The party challenging the environmental review has the burden of showing it is inadequate. (Santa Clarita Organization for Planning the Environment v. County of Los Angeles (2007) 157 Cal.App.4th 149, 157-58.)⁵

In addition, many of the comments are based upon inaccurate information or unsubstantiated claims about the Proposed Project, its operating characteristics, location and the precise geography/geology of the area. This lack of factual accuracy undermines the ultimate conclusions asserted by the commenters and therefore, the City, as lead agency, may disregard their comments and conclude that they are not “expert opinion based on fact”, that the commenters are insufficiently qualified to render such expert opinions, and consequently, the City may conclude that their opinions should not be credited as “substantial evidence” under CEQA.⁶

As such, a SCEA provides for appropriate and adequate level of environmental review under CEQA.

⁵ *Sacramentans for Fair Planning v. City of Sacramento, Sacramento County Superior Court Case Number 34-2016-80002396 - Ruling on Submitted Matter - October 17, 2017*

⁶ *See CEQA Guidelines § 15384.*

Master Response 2 – Aesthetics

As discussed in **Section V.1., Aesthetics** of the SCEA, the Proposed Project is a qualifying project within a Transit Priority Area (TPA); as established in State Senate Bill (SB) 743 the Project is exempt from the CEQA requirement to analyze potential impacts to Aesthetics and Parking. Notwithstanding the preceding, the SCEA provided discussions regarding potential of the Proposed Project to: have a substantial adverse effect on a scenic vista; damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Information provided in the SCEA discussion found that the Proposed Project would not block or otherwise impede existing expansive views of a highly valued landscape for the benefit of the general public and would, therefore, not have an adverse impact on a scenic vista.

The Project Site is not located along or near a state scenic highway; would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

The SCEA discussion acknowledges that the Proposed Project would alter the existing visual character of the site, but as an infill development it would be consistent with the general urban character of the surrounding area and the existing uses in the immediate vicinity of the Proposed Project site; as such, the Proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.

The SCEA discussion acknowledges that the Proposed Project would alter the existing conditions on the project site, and would increase the nighttime illumination on the project site from current levels. However, the project will be required to incorporate lighting design specifications to meet City standards as outlined in the § 93.0117 of the LAMC, as well as undergo review by the Department of Building and Safety to ensure that highly reflective materials are not utilized, to ensure that the project will have a less than significant impact on light and glare.

The issue of whether or not the Project is “appropriate” for the area, or whether or not the project is “well designed” are questions for the Planning Commission and the City Council to consider during their review of the Proposed Project entitlements. However, as described

II. Responses to Comments

above, issues related to setting and visual character are not significant impacts under CEQA, and no changes to the analysis and conclusions contained in the SCEA are warranted.

Master Response 3 – Open Space

Commenters raised the issue of a loss of ‘open space’ due to the construction of the Proposed Project.

The current zoning for the Proposed Project site is [Q]R4-2 (Multiple Residential - Multiple Dwelling), which permits the development of multi-family residential building with a maximum Floor Area Ratio of 6:1; pursuant to the Q condition, the density is restricted to 1 unit per 600 square feet of lot area. The Proposed Project is in compliance with these restrictions. No part of the Proposed Project site is zoned OS (Open Space), i.e., sites zoned for parks and recreation facilities, nature reserves, or water conservation areas.

The Los Angeles Municipal Code (LAMC) requires the Proposed Project to provide 6,800 square feet of open space. The Proposed Project would provide approximately 7,000 square feet of total open space and amenities on-site available to serve project residents and their guests. The Proposed Project would include a variety of on-site amenities including, but not limited to: courtyards, gardens, and landscaping containing drought tolerant plants, outdoor seating and relaxing areas, and viewing decks. Therefore, the Proposed Project would achieve the required square feet of open space required by the LAMC.

In addition to the on-site open space provided within the Proposed Project, the Proposed Project is subject to a tax of \$200 per dwelling unit pursuant to LAMC § 21.10.3(a)(1) (Dwelling Unit Construction Tax). This tax, payable to the Department of Building and Safety, shall be deposited into a “Park and Recreational Sites and Facilities Fund” to be used exclusively for the acquisition and development of park and recreational sites. In accordance with LAMC § 21.10.3(a)(1), this tax may be offset or reduced based on the amount of on-site open space and recreational amenities provided on-site.

The Proposed Project is consistent with the City of Los Angeles “Sustainable City pLAN” (pLAN). The pLAN is a comprehensive and actionable policy roadmap that prepares the City for an environmentally healthy, economically prosperous, and equitable future for all. The Project is consistent with the pLAN’s land use policies that promote high density near transportation, transit-oriented development, and making underutilized land available for housing development, especially when near transit. Further, with regard to open space and greening, the Proposed Project would not interfere with the pLAN and its focus on ensuring proportion of Angelenos living within 0.5 mile of a park or open space is at least 65 percent by 2025;

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revitalizing the Los Angeles River to create open space opportunities; and identifying promising locations for stormwater infiltration to recharge groundwater aquifers.

Master Response 4 – Cultural (Historical) Resources

Commenters expressed concerns about impacts to the existing historical resource, the Montecito Apartment Building. The Montecito Apartments was listed in the National Register of Historic Places in 1985, and rehabilitated as affordable senior housing that same year. A parking lot to the immediate west of the building was converted to the currently existing garden space during, or soon after, the 1985 conversion.

The SCEA contained a detailed analysis on potential impacts to the existing Montecito Apartment Building. This analysis was based on the *Montecito II Historic Resources Technical Report* (Historic Resources Report), prepared by Historic Resources Group, dated July 2017, included as **Appendix C** to the SCEA. The Historic Resources Report was reviewed by the City of Los Angeles Department of City Planning’s Office of Historic Resources and by representatives of Hollywood Heritage, Inc., an all-volunteer group whose mission is ‘to preserve and protect the historic built environment of Hollywood’.

The Historic Resources Report C specifically found that the Project will not demolish any historically significant resource. While the Project will require demolition of the garden space located west of the Montecito Apartments building, this garden was established in or around 1985 and is not considered a historic resource. The Project will also require demolition of the western portion of the surface parking lot located immediately south of the Montecito Apartments building for use as a landscaped patio space.

The Project will construct a new residential building immediately west of the Montecito Apartments building. A one-story hyphen⁷ would connect the proposed new building to the Montecito Apartments building on the first floor. Preservation guidelines state that a successful way to reduce material loss when attaching a new exterior addition “is to link the addition to the historic building by means of a hyphen or connector. A connector provides a physical link while visually separating the old and new, and the connecting passageway penetrates and removes only a small portion of the historic wall.”

The hyphen connection of the proposed new building to the Montecito Apartments would require the removal of a small portion of historic fabric from the west-facing façade of the Montecito Apartments. Removal of historic fabric from its west facing façade would not result

⁷ In this context a ‘hyphen’ is a connecting link between two larger building elements.

in a substantial loss of integrity to the Montecito Apartments because it would alter only a small portion of west-facing façade and the majority of the original fabric and character-defining features of the Montecito Apartments, including all of the existing original fabric and character-defining features of the north, east, and south facades, will remain intact. With mitigation to ensure that the proposed connection is executed with minimal impact to the important character-defining features of the Montecito Apartments building, alteration by the proposed Project would not result in a significant impact to the Montecito Apartments.

New construction that is adjacent to or related to an existing historic resource is addressed in Standards 9 and 10 of the Secretary of the Interior's Standards for Rehabilitation. Standard 9 states in part: "New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment." Standard 10 states that "new additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."

National Park Service "Preservation Brief 14, New Exterior Additions to Historic Buildings: Preservation Concerns," provides additional guidance, stating that "the first place to consider placing a new addition is in a location where the least amount of historic material and character-defining features will be lost. In most cases, this will be on a secondary side or rear elevation." Preservation Brief 14 goes on to state that "a new addition should always be subordinate to the historic building; it should not compete in size, scale or design with the historic building. An addition that bears no relationship to the proportions and massing of the historic building—in other words, one that overpowers the historic form and changes the scale—will usually compromise the historic character as well."

The proposed new building will be located to the west of the Montecito Apartments, partially obscuring the Montecito Apartment's secondary west-facing façade. The parcels immediately west of the Montecito Apartments building were not originally part of the Montecito Apartments property when the building was originally constructed in 1931. As such, the Montecito Apartments building was designed with the understanding that the parcels to the west might be developed with new construction at a later date. The west-facing façade was left largely devoid of the decorative detail present on the other three facades, and was also designed with fewer windows and a larger light well than the east façade in anticipation of potential new

development to the west. Compared to the north-, east- and south-facing facades, the west façade is the least important façade in terms of architectural detail.

The proposed new building will be subordinate to the Montecito Apartments in scale and massing. The new building would be six stories in height, considerably lower than the ten-story Montecito Apartments. It will also be set back over nine feet behind the Montecito Apartment's Franklin Avenue street wall to preserve the dominant profile of the Montecito when viewed from Franklin Avenue.

The design of the new building will also be deferential to that of the Montecito Apartments. The new building will be simple in design, with little of the decorative detail found on the Montecito Apartments. The primary facade will be articulated in a manner that echoes the rhythm of vertical piers and window bays found on the Montecito Apartments with a regular, symmetrical arrangement of windows and balconies.

In accordance with Standard 9, construction of the proposed new residential building would not destroy historic materials or features that characterize the Montecito Apartments property. In accordance with Standard 10, the essential form and integrity of the Montecito Apartments would be unimpaired if the proposed new building were removed in the future. After implementation of the Project, the distinctive form and design of the Montecito Apartments will remain intact and its architectural features will remain viewable and understandable by the public. The proposed new construction also adheres to the important principles identified in Preservation Brief 14, including the preservation of the significant historic materials, features and form of the Montecito Apartments, subordination to the Montecito Apartments and compatibility in design. Construction of the proposed new residential building would not result in a significant impact to the Montecito Apartments.

The SCEA acknowledges and fully discloses that, based on expert review of the Project, implementation would result in a visual change to the Project area. However, as described extensively in Section V of the SCEA, and summarized in **Master Response 1, Aesthetics**, to the extent that there are changes to the visual character of the project vicinity, the City's experts determined that these changes would not result in a significant direct or indirect impact to the adjoining Montecito Apartments building. As such, the SCEA correctly concludes that impacts to historically resources would be less than significant. The issue of whether or not the Project is "appropriate" for the area, or whether or not the project is "well designed" are questions for the Planning Commission and the City Council to consider during their review of the Proposed

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Project entitlements. However, as described above, issues related to setting and visual character are not significant impacts under CEQA, and no changes to the analysis and conclusions contained in the SCEA are warranted.

Master Response 5 – Traffic and Parking

Commenters expressed concerns about impacts to local traffic and parking.

As previously discussed in **Master Response 1**, in preparing the SCEA, project-specific or cumulative impacts from car and light-duty truck trips need not be addressed. However, in the interest of providing the decision makers with a broad range of information about potential Project impacts, a transportation and traffic analysis was prepared, based on the *Technical memorandum – Montecito Senior Housing Project (Traffic Study)* by Linscott Law and Greenspan Engineers (LLG), dated October 20, 2016. The Traffic Study was approved by the Los Angeles Department of Transportation (LADOT) in a memo dated January 26, 2017. Both documents were included in the SCEA as Appendix G.

Traffic volumes expected to be generated by the Proposed Project during the weekday AM and PM peak hours, as well as on a daily basis, were estimated using trip rates published in the ITE *Trip Generation* manual. Trip generation rates for the Senior Adult Housing-Attached land use (ITE Land Use Code 252) were used to forecast the traffic volumes expected to be generated by the Project. The ITE Senior Adult Housing-Attached trip rates are based on the number of dwelling units proposed by the Project. As shown in **Table V-27** of the SCEA, the Project on a typical weekday is forecast to generate 234 net new daily trips (e.g., 117 inbound trips, 117 outbound trips), 14 net new AM peak hour trips (5 inbound trips and 9 outbound trips) and 17 net new PM peak hour trips (9 inbound trips and 8 outbound trips).

In summary, the Traffic Study found that Project-related traffic impacts at the study intersections in the Existing with Project and Future with Project conditions during the weekday AM and PM peak hours are calculated to be less than significant based on the City's thresholds of significance. Therefore, no traffic mitigation measures are required or recommended for the Project.

The SCEA acknowledges and discloses that construction of the Proposed Project may require temporary lane or sidewalk closures. However, this impact will be reduced to a less than significant level by implementing Mitigation Measure **TRA-MM-1**.

In addition, a construction Worksite Traffic Control Plan (WTCP) must be submitted to DOT for review and approval prior to the start of any construction. Further, per DOT recommendations, the WTCP would restrict all construction related traffic to off-peak hours. Construction workers would generally be on-site before 7:00 AM and the vast majority would leave the project site

around 3:00 PM and would therefore travel before the morning and evening peak commute hours. Up to potentially 10% of workers could leave after 3pm. Onsite construction worker parking will be limited to key management personnel only. Parking for tradesmen will not be provided onsite. Therefore, construction workers will utilize parking in public pay lots in the surrounding areas and get shuttled in.

As discussed in **Section V.1., Aesthetics** of the SCEA, the Proposed Project is a qualifying project within a Transit Priority Area (TPA); as established in State Senate Bill (SB) 743 the Project is exempt from the CEQA requirement to analyze potential impacts to Aesthetics and Parking.

Notwithstanding, the following information is provided for the decision makers. The Proposed Project would provide a total of 104 parking spaces, per LAMC. The existing driveway along Cherokee Avenue would remain for the resident and visitor access to the parking garage; the design of the Proposed Project would not cause any alteration to the local vehicular circulations routes and patterns, or impede public access or travel on any public rights-of-way. The Applicant will submit a parking and driveway plan for review by the Los Angeles Fire Department (LAFD), the Bureau of Engineering (BOE) and the Los Angeles Department of Transportation (LADOT) to ensure compliance with all applicable code-required site access and circulation requirements, as well as code-required emergency access, for both during construction and operations for the Proposed Project.

Master Response 6 – Geotechnical

In 2015, the California Supreme Court in California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD) ruled that CEQA generally does not require a lead agency to consider the impacts of the environment on the future residents or users of the project. Specifically, the decision held that an impact of the existing environment on the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. Thus, in accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD ruling, the project would have a significant impact related to exposure of project residents and structures to hazards related to geology and soils only if the project would exacerbate existing conditions.

Nevertheless, the SCEA included an analysis of potential impacts as result of underlying geotechnical conditions. The following reports and documentation supported the analysis provided in **Section V.6. Geology and Soils**, of the SCEA:

- *Evaluation of Potential Faulting, New Development at Southwest Corner of Cherokee and Franklin, Montecito Apartments 6650 and 6668 Franklin Avenue and 1850 Cherokee Court, Hollywood, CA 90028*, conducted by Feffer Geological Consulting, dated March 23, 2016;
- *Response to City of LA Correction Letter, Correction Letter Dated May 4, 2016 Log #92628*, conducted by Feffer Geological Consulting, dated September 8, 2016; and
- *Geology Report Approval Letter*, City of Los Angeles Department of Building and Safety, dated October 3, 2016.

These documents were included as **Appendix D** to the SCEA.

The SCEA acknowledges and discloses that the Project site is located within an Official Alquist-Priolo Earthquake Fault Zone that was established (November 6, 2014) by the California Geological Survey (CGS) for the Hollywood fault.

The fault investigation by Feffer Geological Consulting (Geology Report) included four test pits (TP-1 to TP-4), eight bucket auger borings (B-1, B-2, BA-1 through BA-6), two continuous core borings (BI and B2), four cone penetration tests (C1 to C4) and three trenches (ST-I , ST-2 and ST-3). The exploration identified artificial fill and several alluvial and colluvial units of various age on the site. Bedrock was identified at the northerly part of the site. Feffer Geological

Consulting identified two faults crossing the subject site, which they interpret as inactive; meaning there is unbroken soil overlying inactive faults which is older than 11,000 years.

The City of Los Angeles Department of Building and Safety (LADBS) has determined that the referenced reports prepared by Feffer Geological Consulting are acceptable, and that the risk of loss, injury, or death involving the rupture of a known earthquake fault would be less than significant, provided the required **Regulatory Compliance Measures** are complied with during site development. In addition, impacts related to strong seismic ground shaking will be reduced to a less than significant level by following all relevant California Building Code (CBC) and the City of Los Angeles Uniform Building Code (UBC) seismic standards; as well as the recommendations of the Geology Report, and the conditions contained in the Geology Report Approval Letter, dated October 3, 2016, LOG #92628-01, as required by the City of Los Angeles Department of Building and Safety (LADBS).

The SCEA acknowledges and discloses that the Project site is located in a designated liquefaction hazard zone as shown on the "Seismic Hazard Zones" map issued by the CGS; however, the potential liquefaction hazard would be addressed during the final construction development phase and design of the building foundations by the structural engineer in concert with the geotechnical engineer. Further, compliance with all relevant CBC and the City of Los Angeles UBC seismic standards, as well as the recommendations of the Geology Report, and the conditions contained in the Geology Report Approval Letter, dated October 3, 2016, LOG #92628-01, as required by the LADBS would ensure that potential impacts would be reduced to less than significant levels.

Master Response 7 – Construction Impacts

Numerous commenters expressed concerns about impacts during the construction phase of the Proposed Project.

The SCEA acknowledges and discloses that construction of the Proposed Project may result in fugitive dust emissions, including particulate matter 2.5 microns or less in diameter (PM_{2.5}), particulate matter ten microns or less in diameter (PM₁₀). The SCEA assumed enforcement of **Regulatory Compliance Measure AQ-RCM-1**, which addresses fugitive dust emissions of PM₁₀ and PM_{2.5} that would be regulated by SCAQMD Rule 403. This rule calls for Best Available Control Measures (BACM) that include watering portions of the site that are disturbed during grading activities and minimizing tracking of dirt onto local streets. As a result, construction impacts on localized air quality are considered less than significant.

However, the close proximity of the Canyon Co-Op School and Las Palmas Senior Citizen Center at 1820 North Las Palmas Avenue 20 feet west of the Project Site could result in nuisance complaints during the construction process. As such, **Project Design Features (PDFs) AQ-PDF-1** through **AQ-PDF-4** (listed below) will be implemented as part of the Project Construction Management Plan (CMP) which will be employed voluntarily to pre-empt any sensitivities to construction emissions.

Pursuant to § 91.106.4.8 of the LAMC, the project will comply with the Good Neighbor Construction Practices. These Practices would include but not be limited to:

- Maintain access for land uses near the Project site during construction.
- Schedule construction material deliveries to off-peak periods to the extent possible.
- Limit obstruction of traffic lanes to the extent feasible on Franklin or Cherokee adjacent to the Project site.
- Organize site deliveries and the staging of all equipment and materials in the most efficient manner possible, and on-site where possible, to avoid an impact to the surrounding roadways.
- Coordinate truck activity and deliveries to ensure trucks do not wait to unload or load at the site and impact roadway traffic. If needed, utilize an organized off-site staging area.

- Control truck and vehicle access to the Project site with flagmen.
- Limit sidewalk and lane closures to the maximum extent possible, and avoid peak hours to the extent possible. Where such closures are necessary, a Worksite Traffic Control Plan (WTCP) will be prepared for approval by the City, to facilitate traffic and pedestrian movement, to minimize any potential impacts.
- A Construction Traffic Management Plan (CTMP) will be prepared for approval by the City prior to the issuance of any construction permits, to incorporate the measures identified above, as well as a WTCP specifying the details of any sidewalk or lane closures. The WTCP will be developed by the Applicant, and will identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity. The WTCP would minimize the potential conflicts between construction activities, street traffic, bicyclists, and pedestrians. The plan will be reviewed and approved by LADOT prior to commencement of construction.

The SCEA acknowledges and discloses that construction of the Proposed Project may result in construction-related noise increases in excess of 5 dBA. However, these noise increases could be reduced to below 5 dBA by the use of temporary noise barriers and other methods. Additionally, construction equipment source noise levels for excavators and front-end loaders would exceed LAMC § 112.05's 75 dBA limit for powered construction equipment operating within 500 feet of residential zones. This impact could also be reduced by the use of temporary noise barriers and other methods. As a result, the Project's construction noise impact would be considered significant but mitigable. Mitigation Measures **NOI-MM-1** through **NOI-MM-3** are recommended to reduce the Project's contribution to off-site increases in noise levels and limit construction source noise levels to below 75 dBA.

Project Design Features

AQ-PDF-1 The Project Applicant shall ensure that construction vehicles avoid, to the extent feasible, travel on Las Palmas Avenue adjacent to the Canyon Co-Op School and Las Palmas Senior Citizen Center.

AQ-PDF-2 The Project Applicant shall provide advance notification to the Canyon Co-Op School and Las Palmas Senior Citizen Center of the Project's anticipated general

construction schedule and a specific schedule for site grading and preparation activities. Any earth moving activities shall be scheduled to avoid or minimize overlap with school activities, particularly outdoor play periods.

AQ-PDF-3 The Project Applicant shall coordinate with administrative staff at Canyon Co-Op School and Las Palmas Senior Citizen Center to seal any building leaks adjacent to the construction site.

AQ-PDF-4 The Project Applicant shall provide dense windscreens on chain link fences and gates at Canyon Co-Op School and Las Palmas Senior Citizen Center facing the Project Site to reduce dispersion of any dust plumes from earth moving activities.

Regulatory Compliance Measures

AQ-RCM-1 Construction activities shall comply with SCAQMD Rule 403, including the following measures:

- Apply water to disturbed areas of the site three times a day
- Require the use of a gravel apron or other equivalent methods to reduce mud and dirt trackout onto truck exit routes
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM generation.
- Limit soil disturbance to the amounts analyzed in this air quality analysis.
- All materials transported off-site shall be securely covered. [SEP]
- Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).
- Traffic speeds on all unpaved roads to be reduced to 15 mph or less. [SEP]

AQ-RCM-2 Architectural coatings and solvents applied during construction activities shall comply with SCAQMD Rule 1113, which governs the VOC content of architectural coatings.

Mitigation Measures

- NOI-MM-1** All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA.
- NOI-MM-2** Temporary sound barriers capable of achieving a sound attenuation of at least 10 dBA shall be erected along the Project's northern and western boundaries to obstruct line of sight noise travel from the Project site to Canyon Co-Op School, Las Palmas Senior Citizen Center, and Franklin Avenue Residences.
- NOI-MM-3** At the Project's eastern and southern boundaries, temporary sound barriers capable of achieving a sound attenuation of at least 15 dBA shall be erected to obstruct line of sight noise travel between the Project site and Cherokee Avenue Residences.