

FINDINGS

General Plan/Charter Findings

1. General Plan.

- a. **General Plan Land Use Designation.** The subject property is located within Palms – Mar Vista – Del Rey Community Plan which was updated by the City Council on September 16, 1997.

The Plan Map designates the subject property for Light Manufacturing land uses. The Light Manufacturing land use designation includes the corresponding zones of MR2 and M2. The subject property is currently zoned M2-1. A General Plan Amendment and Zone Change have not been requested by the applicant.

The subject property is located in an Industrial planned area. As described in the General Plan Framework Element, it is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents. As indicated in the *Economic Development* Chapter of the Framework Element, some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. Policies provide for the consideration of a broader array of uses within the industrial zones than has traditionally been acceptable to facilitate the clustering of uses, which may include retail, that support the basic industries or the location of industries in the same area where the waste products of one can be recycled as a resource for another ("industrial ecology") or a campus-like cluster of related uses. The site's land use designation, however, permits the proposed creative office uses without the necessity of any legislative actions, thereby preserving industrial land within the City.

The Zone and Height District pertaining to the site is consistent with the range of zones within the Light Manufacturing use designation.

Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Framework Element and Community Plan.

- b. **Land Use Element.**

The Palms – Mar Vista – Del Rey Community Plan designates the site for Light Manufacturing use. This land use designation permits office and creative office uses, such as the proposed project. As described herein, the project is consistent with the goals and objectives of the Community Plan, inclusive of those which seek to strengthen economic areas with new commercial opportunities, those that seek to enhance aesthetics of commercial areas, and those which seek to ensure enhanced commercial and industrial development that balances the growth of employment opportunities with minimal impacts to neighboring residential uses.

The Community Plan text includes the following relevant land use objectives and policies:

Goal 2: A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial, and cultural character of the community.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

Objective 2-1: To enhance the appearance of commercial districts.

Goal 3: Sufficient land for a variety of industrial uses with maximum employment opportunities which are environmentally sensitive, safe for the work force with minimal adverse impact on adjacent uses.

Objective 3-1: To provide a viable industrial base with job opportunities for residents with minimum environmental and visual impacts to the community.

Policy 3-1.1: Designate and preserve lands for the continuation of existing industry and development of new industrial parks, research and development uses, light manufacturing and similar uses which provide employment opportunities.

Policy 3-1.2: Ensure compatibility between industrial and other adjoining land uses through design treatments, compliance with environmental protection standards and health and safety requirements.

Program: State and County agencies enforce environmental protection standards and health and safety requirements.

Policy 3-1.3: Require that any proposed development be designed with adequate buffering and landscaping and that the proposed use be compatible with adjacent residential development.

Program: Implement design policies and standards for industrial uses.

Program: A decision maker should evaluate the traffic impacts on adjacent residential areas by uses proposed on industrially designated lands.

The project has considered the neighborhood context in the development of its design. The Project steps down in size and scale modulating in height between the two elements, with varying size floor plates accented by outdoor areas and extensive landscaping. In recognition of the nearby single-family neighborhood to the east across Grovesnor Avenue, the Project's tallest elements are oriented away from the residential area and away from the apartment complex to the south across Beatrice Street. The building design includes attractive landscaped terraces to add greenery and minimize visual impacts. Street level landscaping, pedestrian amenities, walkways, and retail uses will be added to activate the area.

The project will remove an outdated industrial building and construct a modernized commercial building that will respond to the evolving needs of a growing creative office commercial sector, while also enhancing the appearance of the area. The creative office campus will involve the new construction of a structure that has been designed to floor plates and ceiling heights varying in size by level, which may be modified to offer flexible combinations of spaces to accommodate different and diverse user

needs. While designated for Light Manufacturing uses, the project is located within a neighborhood of mixed uses, including commercial professional office; industrial warehousing, distribution and storage; light manufacturing; multi-family residential uses. The site's M2-1 Zoning designation currently results in a site that is underutilized and the project will strengthen the viability of the area.

As designed, the project has the potential to provide significant employment opportunities in office, research, and development uses. The existing uses of the area will be complemented by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

- c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site.

The subject property is located in an Industrial planned area. As described in the General Plan Framework Element, it is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents. As indicated in the *Economic Development* Chapter of the Framework Element, some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. Policies provide for the consideration of a broader array of uses within the industrial zones than has traditionally been acceptable to facilitate the clustering of uses, which may include retail, that support the basic industries or the location of industries in the same area where the waste products of one can be recycled as a resource for another ("industrial ecology") or a campus-like cluster of related uses.

The Framework Element identifies the following land use standards and typical development characteristics with regards to the Light Manufacturing Land Use designation.

- Industrial uses with potential for a low level of adverse impacts on surrounding land uses
- Increased range of commercial uses that *support* industrial uses
- Possible consideration for other uses where parcels will not support viable industrial uses

The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request and its location within a Light Manufacturing Land Use Designation:

Industrial Land Uses:

Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Policy 3.14.2: Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).

Policy 3.14.3: Promote the re-use of industrial corridors for small scale incubator industries.

Policy 3.15.4: Limit the introduction of new commercial and other non-industrial uses in existing commercial manufacturing zones to uses which support the primary industrial function of the location in which they are located.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by redeveloping an under-utilized site with an integrated creative office campus that will provide new job opportunities and provide amenities to neighboring uses. Therefore, the proposed project is consistent with the Industrial Land goals, objectives and policies of the General Plan Framework Element.

- d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Both Beatrice Street and Jandy Place, abutting the property to the south and west, are fully improved standard Local Streets, dedicated to widths of 60 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

As described in the Mobility Element, collector local and other streets (such as mountain and airport roads) are depicted in the Mobility Element's circulation system maps for reference only. That being said, the project responds to the following policies within the General Plan's Mobility Element:

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project will provide an off-street loading area that is fully integrated into the project and will service both the proposed and existing buildings on site. The loading space has been designed to be more than 200 feet away from the street frontage, so as to allow for adequate back-up and queuing space, resulting in minimal impacts to the surrounding circulation system.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

The project has been designed with ample vehicular and bicycle parking, with all requirements of the Los Angeles Code being met.

Policy 3.2: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

As previously described, the project has the potential to provide significant employment opportunities to the area. Existing uses of the area will be complemented

by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

Bicycle facilities have been fully incorporated into the project's design and located in secured, pedestrian accessible areas.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of 20% of all new parking spaces will be installed as electronic vehicle-ready. In addition, 5% of the total code required amount of parking will be further provided with EV chargers to immediately accommodate electric vehicles.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project, dated June 6, 2017, and that determined that traffic impacts from trips generated from the project will be less than significant with the incorporation of mitigation that has been conditioned herein by this action.

Therefore, the proposed project involving the approval of a Major Development Project and Site Plan Review is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

Conditional Use Findings

- 1. 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 project will construct a creative office building that will be added to the site of existing office uses, thereby creating an office campus like setting. The project will provide Code required parking and has the potential to provide significant employment opportunities in office, research, and development uses, which will benefit the community, city, and region. The new building has been designed to respond to the flexible needs of the growing creative office commercial sector, while also enhancing the appearance of the immediate area. The floor plats and ceiling heights have been designed to vary in size by level. As a result, floors may be modified to offer flexible combinations of spaces to accommodate a variety of different tenants.

The proposed building incorporates elements that enhance the built environment and integrate the project into the surrounding neighborhood. Significant landscaped terraces break up the massing and add greenery to the new building. An existing parking area located on the east side of the existing building will remain, and it will be improved with new plantings, hardscape, and enhanced lighting. Ground level pedestrian features provide for amenities that may be utilized by employees of the building or surrounding community members. Such features include public seating and gathering space that is enhanced with landscaping and located along Beatrice Street and Jandy Place.

As designed, the project has the potential to provide a service of significant employment opportunities in office, research, and development uses. The existing uses of the area will be complemented by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

- 2. 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 proposed project involves the demolition of an existing 23,072 square-foot office building, construction of a new 199,500 square-foot commercial office building containing accessory restaurant/café uses, retention of an existing building on site, and the addition of landscaping and hardscape improvements to the entire site. The project site is located within a commercial office and industrial low- and medium-rise, mixed-use neighborhood. The project will enhance the surrounding area that is currently developed with a variety of commercial uses in many dated manufacturing buildings. While designated for Light Manufacturing uses, the project is located within a neighborhood of mixed uses, including commercial professional office; industrial warehousing, distribution and storage; light manufacturing; and multi-family residential uses. The site's land use designation permits the proposed creative office uses without the necessity of any legislative actions, thereby preserving the designated land use pattern of the surrounding neighborhood.

As described earlier, the project will redevelop an under-utilized site with an integrated creative office campus that will provide new job opportunities and provide amenities to neighboring uses. Existing uses of the area will be complemented by the addition of a safe, accessible, and modern facility. In addition to the provision of flexible creative office space and ample parking, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

The proposed building employs design elements, including integrated landscaped terraces that break up building massing and add a significant amount of greenery. The new building additionally incorporates ground level setbacks along the Beatrice Street and Jandy Place street frontages as well as within the development. These areas are landscaped and designed to be pedestrian-oriented to include gathering space and seating areas. While the building is taller than most of the existing buildings in the immediate area, other buildings that fit the same context include the five-story residential building abutting the project site to the south with a permitted floor area ratio of 1.97:1, and a six-story commercial building located further south with a permitted floor area ratio of 2.0:1. The project's floor area ratio is proposed at approximately 1.46:1, which is less than the allowable 1.5:1 and compatible with the surrounding M2-1 Zone neighborhood. As conditioned, the height of the new building will vary from 30 feet to approximately 125 feet tall, and has been designed to maintain a human scale at the ground floor.

Driveways on Beatrice Street and Jandy Place will provide access to parking. Truck deliveries would be routed along Jandy Place to the building's northeast corner. In response to concerns from neighboring uses of the immediate area, the project was modified to reduce its height and reconfigure its driveway circulation plan to reduce impacts on surrounding uses. Three existing driveways serving the site of the proposed building along Beatrice Street will be replaced with two driveways serving the parking levels of the new structure. Two additional driveways along Jandy Place will be added to additionally serve

the parking levels of the proposed building. In addition, an existing driveway located at the north end of the Jandy Place cul-de-sac will be modified to allow for access to a new loading and trash collection area that is located on-site and out of the public right-of-way. This driveway additionally serves as a buffer between the northerly adjoining commercial property and the project site. The proposed driveway plan has been designed to ensure that the vehicles are able to easily access on-site parking and to ensure that vehicular traffic does not disproportionately affect one street frontage over the other.

Pedestrian access to the proposed project would be along Beatrice Street, Jandy Place, and from the new courtyard on the eastside of the building which will serve to fully integrate the new building into the existing neighborhood. Significant open space, which includes public seating areas along all street frontages, has been designed for use by potential employees and surrounding building and community residents.

The project components which include its location, size, height, operations and other significant features have been appropriately designed so as to ensure that these elements of the project are compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

3. The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Palms – Mar Vista – Del Rey Community Plan designates the site for Light Manufacturing use. This land use designation permits office and creative office uses, such as the proposed project. As described herein, the project is consistent with the goals and objectives of the Community Plan, inclusive of those which seek to strengthen economic areas with new commercial opportunities, those that seek to enhance aesthetics of commercial areas, and those which seek to ensure enhanced commercial and industrial development that balances the growth of employment opportunities with minimal impacts to neighboring residential uses.

The Community Plan text includes the following relevant land use objectives and policies:

Goal 2: A strong and competitive commercial sector which promotes economic vitality, serves the needs of the community through well designed, safe and accessible areas while preserving the historic, commercial, and cultural character of the community.

Objective 2-1: To conserve and strengthen viable commercial development in the community and to provide additional opportunities for new commercial development and services within existing commercial areas.

Policy 2-1.1: New commercial uses should be located in existing established commercial areas or shopping centers.

Objective 2-1: To enhance the appearance of commercial districts.

Goal 3: Sufficient land for a variety of industrial uses with maximum employment opportunities which are environmentally sensitive, safe for the work force with minimal adverse impact on adjacent uses.

Objective 3-1: To provide a viable industrial base with job opportunities for residents with minimum environmental and visual impacts to the community.

Policy 3-1.1: Designate and preserve lands for the continuation of existing industry and development of new industrial parks, research and development uses, light manufacturing and similar uses which provide employment opportunities.

Policy 3-1.2: Ensure compatibility between industrial and other adjoining land uses through design treatments, compliance with environmental protection standards and health and safety requirements.

Program: State and County agencies enforce environmental protection standards and health and safety requirements.

Policy 3-1.3: Require that any proposed development be designed with adequate buffering and landscaping and that the proposed use be compatible with adjacent residential development.

Program: Implement design policies and standards for industrial uses.

Program: A decision maker should evaluate the traffic impacts on adjacent residential areas by uses proposed on industrially designated lands.

The project will remove an outdated industrial building and construct a modernized commercial building that will respond to the evolving needs of a growing creative office commercial sector, while also enhancing the appearance of the area. The creative office campus has will involve the new construction of a structure that has been designed with floor plates and ceiling heights varying in size by level, which may be modified to offer flexible combinations of spaces to accommodate different and diverse user needs. While designated for Light Manufacturing uses, the project is located within a neighborhood of mixed uses, including commercial professional office; industrial warehousing, distribution and storage; light manufacturing; and multi-family residential uses. The site's M2-1 Zoning designation currently results in a site that is underutilized and the project will strengthen the viability of the area.

As designed, the project has the potential to provide significant employment opportunities in office, research, and development uses. The existing uses of the area will be complemented by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage/retail amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

Ground level setbacks at the street frontages and within the development are landscaped and pedestrian-oriented, which will enhance the appearance of the surrounding area. A seating, gathering area and restrooms are envisioned in a setback area near the cul-de-sac end of Jandy Place. Additional seating areas are located along Beatrice Street, including café seating. Building access, access to bicycle storage, repair, lockers showers and restrooms are also provided. A new pedestrian court is located between 12575 and 12541 Beatrice Street. It contains approximately 13,000 SF of open space with access from Beatrice Street and the covered walkway in 12541 Beatrice Street; and features include seating, planting and hardscape. The existing parking areas on the east side of 12541 Beatrice Street, including the parking area at 5415 Grosvenor Boulevard are re-designed to include new planting, hardscape, pavement markings, and update lighting.

Supplemental Major Development Project Findings

4. **The project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.**

The project site consists of four (4) contiguous lots at 12575 and 12541 Beatrice Street in the Palms – Mar Vista – Del Rey Community Plan area. The proposed project involves the demolition of an existing 23,072 square-foot office building, construction of a new 199,500 square-foot building creative office building, retention of an existing 87,881 square-foot building on site, and the installation of landscaping and hardscape improvements on the entire site.

Adjacent and neighboring properties are fully developed with a mix of commercial, light industrial, and multi-family residential uses. To ensure that the project is compatible with the surrounding neighborhood, the project has been designed with ground level setbacks along the Beatrice Street and Jandy Place street frontages and within the development. These areas are landscaped, pedestrian oriented, and provide passive seating areas for the public. Ground floor café/retail uses will add to available amenities in the surrounding neighborhood. In addition, a partially covered pedestrian paseo was been designed between the proposed and existing buildings, with access provided at the intersection of Beatrice Street and Westlawn Avenue. Building access, access to bike storage, and shower, locker and restrooms are provided along Beatrice Street. Outdoor seating areas for eating and gathering are provided along both Beatrice Street and Jandy Place.

The project concentrates its floor area to a single multi-story building, rather than distributing allowable floor area over the entire development site. In doing so, the project reduces impacts to the predominately residential street face on the south side of Beatrice Street and allows for increased open space and landscaping. The building's mass is varied to enhance its pedestrian scale from the street. Landscaped terraces are open to the adjoining streets and pedestrian court.

Driveways on Beatrice Street and Jandy Place will provide access to parking. Truck deliveries would be routed along Jandy Place to the building's northeast corner. In response to concerns from neighboring uses of the immediate area, the project was modified to reduce its height and reconfigure its driveway circulation plan to reduce impacts on surrounding uses. Three existing driveways serving the site of the proposed building along Beatrice Street will be replaced with two driveways serving the parking levels of the new structure. Two additional driveways along Jandy Place will be added to additionally serve the parking levels of the proposed building. In addition, an existing driveway located at the north end of the Jandy Place cul-de-sac will be modified to allow for access to a new loading and trash collection area that is located on-site and out of the public right-of-way. The proposed driveway plan has been designed to ensure that the vehicles are able to easily access on-site parking and to ensure that vehicular traffic does not disproportionately affect one street frontage over the other.

The project will provide an off-street loading area that is fully integrated into the project and will service both the proposed and existing buildings on site. The loading space has been designed to be more than 200 feet away from the street frontage, to allow for adequate back-up and queuing space, resulting in minimal impacts to the surrounding circulation system. This driveway additionally serves as a buffer between the northerly adjoining commercial property and the project site.

As such, the project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood

5. The project complies with the height and area regulations of the zone in which it is located.

The M2-1 zoning of the project site permits a by-right floor area ratio of 1.5:1. For a project site totaling 196,447 square feet, this ratio permits a total floor area of 294,671 square feet. The project's proposed floor area totaling 269,277 square feet, (69,777 square feet for the existing building and 199,500 square feet for the proposed new building. The proposed floor area ratio is approximately 1.46:1, which is less than the allowable 1.5:1 ratio permitted by the M2-1 Zone. As conditioned, the height of the proposed new building varies from 30 feet to 125 feet in height, with an additional maximum 20-foot tall rooftop penthouse intended for the housing of mechanical equipment only. While the site's zoning does not limit the height of the proposed project, the site located within an Airport Hazard area, which is an area designated as an airport hazard area whose boundaries impose height limitations on the use of the land. Airport Hazard means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to the landing or taking off of an aircraft. Specifically, the applicable Airport Hazard limits the height of the subject site to 200 feet. The proposed project is consistent with this limitation.

6. The project is consistent with the City Planning Commission's design guidelines for Major Development Projects, if any.

The Los Angeles City Planning Commission has not adopted a specific set of design guidelines for Major Development Projects. The project does, however, meet the intent of Citywide Design Guidelines for commercial and industrial uses, where applicable.

Commercial Citywide Design Guidelines:

Objective 1: Consider neighborhood context and linkages in building and site design.

1. Activate street frontages with a courtyard or "outdoor room" adjacent to the street by incorporating pedestrian amenities such as plazas with seating or water features.
2. Provide direct path of travel for pedestrian destinations within large developments.
3. Incorporate passageways or paseos into mid-block developments that facilitate pedestrian and bicycle access to commercial amenities.
4. Promote pedestrian activity by placing entrances at grade level and unobstructed from view from the public right-of-way. Avoid sunken entryways below street level. Where stairs are located near the main entrance, highly visible and attractive stairs should be placed in a common area such as an atrium or lobby and integrated with the predominant architectural design elements of the main building.
5. Ground floor retail establishments should maintain at least one street-facing entrance with doors unlocked during regular business hours to maintain an active street presence.

The project will upgrade an outdated industrial building with a new modern building, integrated into the site and existing building. The project has considered the neighborhood context in the development of its design. The Project steps down in size and scale modulating in height between the two elements, with varying size floor plates accented by outdoor areas and extensive landscaping. In recognition of the nearby single-family neighborhood to the

east across Grovesnor Avenue, the Project's tallest elements are oriented away from the residential area and away from the apartment complex to the south across Beatrice Street. The building design includes attractive landscaped terraces to add greenery and minimize visual impacts. Street level landscaping, pedestrian amenities, walkways, and retail uses will be added to activate the area.

Objective 2: Employ high quality architecture to define the character of commercial districts.

1. Maintain a human scale rather than a monolithic or monumental scale.
2. Differentiate the ground floor from upper floors. Changes in massing and architectural relief add visual interest and help to diminish the perceived height of buildings.
3. Vary and articulate the building façade to add scale and avoid large monotonous walls.
4. Treat all facades of the building with an equal level of detail, articulation, and architectural rigor.
5. Integrate varied roof lines through the use of sloping roofs, modulated building heights, stepbacks, or innovative architectural solutions.
6. Utilize landscaping to add texture and visual interest at the street level.

The architecture of the building is contemporary and includes a combination of window openings in solid walls and glass curtain walls. Multiple wall planes articulate the building façade. The mass of the building is broken-up by a series of landscaped terraces. The ground floor level is activated by proposed café/retail uses that are accessible from the grade and designed with ample outdoor seating. At the upper portion of the building, the landscaped terraces buffer the rising separate floors.

Objective 4: Minimize the appearance of driveways and parking areas.

1. Wrap parking structures with active uses such as retail spaces or housing units on the ground floor.

Objective 5: Include open space to create opportunities for public gathering.

1. Retain mature and healthy vegetation and trees when developing a site, especially native species.
2. Design landscaping to be architecturally integrated with the building and suitable to the functions of the space.
3. Design open areas to maintain a balance of landscaping and paved area.

The building street frontages are close to the existing sidewalks while providing street level setbacks for landscaping and pedestrian amenities. The site plan for the development ties previously disconnected lots together using landscape and hardscape features that provide a combined total of over 90,000 square feet of space. The project has been conditioned to preserve existing Western Sycamore trees and incorporate them into the proposed pedestrian paseo located near the intersection of Beatrice Street and Westlawn Avenue.

Industrial Citywide Design Guidelines:

Objective 1: Consider neighborhood context and compatible design of uses.

1. Provide direct paths of travel for pedestrian destinations within large developments.

2. Provide bicycle lockers and/or racks near building entrances. Disperse bicycle parking facilities throughout larger sites and locate them in convenient and visible areas in close proximity to primary building entrances.

Maintaining a human scale, providing pedestrian amenities, and utilizing landscaping areas to add visual interest are common design points found in both commercial and industrial guidelines. As described above, the site plan for the development considers the neighborhood context and ties previously disconnected lots together using landscape and hardscape features that create a unified creative office campus. The provision of pedestrian amenities such as seating areas, cafes and a small retail establishment allow for the project to be better integrated with the surrounding area. Such features serve to activate not only the street, but the local vicinity, and has the potential to spark further renovations of the area and create linkages that never otherwise existed.

Site Plan Review Findings

7. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan.**

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. The project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

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Community Plan:

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The project will remove an outdated industrial building and construct a modernized commercial building that will respond to the evolving needs of a growing creative office commercial sector, while also enhancing the appearance of the area. The creative office campus has will involve the new construction of a structure that has been designed to floor plates and ceiling heights varying in size by level, which may be modified to offer flexible combinations of spaces to accommodate different and diverse user needs. While designated

for Light Manufacturing uses, the project is located within a neighborhood of mixed uses, including commercial professional office; industrial warehousing, distribution and storage; light manufacturing; multi-family residential uses. The site's M2-1 Zoning designation currently results in a site that is underutilized and the project will strengthen the viability of the area.

As designed, the project has the potential to provide significant employment opportunities in office, research, and development uses. The existing uses of the area will be complemented by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

Framework Element:

The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site.

The subject property is in an Industrial planned area. As described in the General Plan Framework Element, it is the intent of the General Plan Framework Element to preserve industrial lands for the retention and expansion of existing and attraction of new industrial uses that provide job opportunities for the City's residents. As indicated in the *Economic Development* Chapter of the Framework Element, some existing industrially zoned lands may be inappropriate for new industries and should be converted for other land uses. Where such lands are to be converted, their appropriate use shall be the subject of future planning studies. Policies provide for the consideration of a broader array of uses within the industrial zones than has traditionally been acceptable to facilitate the clustering of uses, which may include retail, that support the basic industries or the location of industries in the same area where the waste products of one can be recycled as a resource for another ("industrial ecology") or a campus-like cluster of related uses.

The Framework Element identifies the following land use standards and typical development characteristics with regards to the Light Manufacturing Land Use designation.

- Industrial uses with potential for a low level of adverse impacts on surrounding land uses
- Increased range of commercial uses that *support* industrial uses
- Possible consideration for other uses where parcels will not support viable industrial uses

The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request and its location within a Light Manufacturing Land Use Designation:

Industrial Land Uses:

Goal 3J: Industrial growth that provides job opportunities for the City's residents and maintains the City's fiscal viability.

Objective 3.14: Provide land and supporting services for the retention of existing and attraction of new industries.

Policy 3.14.2: Provide flexible zoning to facilitate the clustering of industries and supporting uses, thereby establishing viable "themed" sectors (e.g., movie/television/media production, set design, reproductions, etc.).

Policy 3.14.3: Promote the re-use of industrial corridors for small scale incubator industries.

Policy 3.15.4: Limit the introduction of new commercial and other non-industrial uses in existing commercial manufacturing zones to uses which support the primary industrial function of the location in which they are located.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by redeveloping an under-utilized site with an integrated creative office campus that will provide new job opportunities and provide amenities to neighboring uses. Therefore, the proposed project is consistent with the Industrial Land goals, objectives and policies of the General Plan Framework Element.

Mobility Element:

The Mobility Element of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Both Beatrice Street and Jandy Place, abutting the property to the south and west, are fully improved standard Local Streets, dedicated to widths of 60 feet and improved with asphalt roadway and concrete curb, gutter and sidewalk.

As described in the Mobility Element, collector local and other streets (such as mountain and airport roads) are depicted in the Mobility Element's circulation system maps for reference only. That being said, the project responds to the following policies within the General Plan's Mobility Element:

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project will provide an off-street loading area that is fully integrated into the project and will service both the proposed and existing buildings on site. The loading space has been designed to be more than 200 feet away from the street frontage, so as to allow for adequate back-up and queuing space, resulting in minimal impacts to the surrounding circulation system.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

The project has been designed with ample vehicular and bicycle parking, with all requirements of the Los Angeles Code being met.

Policy 3.2: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

As previously described, the project has the potential to provide significant employment opportunities to the area. Existing uses of the area will be complemented

by the addition of the modern facility. In addition to the provision of flexible creative office space, the project has been designed to provide accessory food and beverage amenities intended to serve the needs of potential building inhabitants as well as those existing needs of surrounding business and residential uses.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

Bicycle facilities have been fully incorporated into the project's design and located in secured, pedestrian accessible areas.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of 20% of all new parking spaces will be installed as electronic vehicle-ready. In addition, 5% of the total code required amount of parking will be further provided with EV chargers to immediately accommodate electric vehicles.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project, dated June 6, 2017, and that determined that traffic impacts from trips generated from the project will be less than significant with the incorporation of mitigation that has been conditioned herein by this action.

Therefore, the proposed project involving the approval of a Major Development Project and Site Plan Review is consistent with Mobility Plan 2035 goals, objectives and policies of the General Plan.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan and Community Plan.

8. **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 neighboring properties.**

The arrangement of the proposed development is consistent and compatible with existing and future development in neighboring properties. The subject site is located within the Palms – Mar Vista – Del Rey Community Plan Area, in a neighborhood planned for Light Manufacturing uses, located in an area containing various commercial, light manufacturing, warehouse, and residential uses, and located 800 feet north of Play Vista residential development. The project site is located within a commercial office and industrial low- and medium-rise, mixed-use neighborhood. A five-story apartment building is located on the southwestern side of the project site, across Beatrice Street. Additionally, there are several commercial office and industrial buildings located to the west, north, and southeast of the project site. Adjacent to the eastern side of the project site are two-story (2-story) commercial office/industrial buildings. Further east are single-family homes across Grosvenor Boulevard, filling the area from Hammock Street to Beatrice Street. A five-level parking structure is located adjacent to the project site's northeastern side.

The project concentrates its floor area to a single multi-story building, rather than distributing allowable floor area over the entire development site. In doing so, the project avoids any physical impacts to the predominately residential area on the east side of Grosvenor

Boulevard. The arrangement also allows the existing office building and surface parking areas to remain and allows ample open space and landscape areas to be provided.

Height, Bulk and Setbacks

The M2-1 zoning of the project site permits a by-right floor area ratio of 1.5:1. For a project site totaling 196,447 square feet, this ratio permits a total floor area of 294,671 square feet. The project's proposed floor area totaling 269,277 square feet, (69,777 square feet for the existing building and 199,500 square feet for the proposed new building. The proposed floor area ratio is approximately 1.46:1, which is less than the allowable 1.5:1 ratio permitted by the M2-1 Zone. As conditioned, the height of the proposed new building varies from 30 feet to 125 feet in height, with an additional maximum 20-foot tall rooftop penthouse intended for the housing of mechanical equipment only. While the site's zoning does not limit the height of the proposed project, the site located within an Airport Hazard area, which is an area designated as an airport hazard area whose boundaries impose height limitations on the use of the land. Airport Hazard means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or is otherwise hazardous to the landing or taking off of an aircraft. Specifically, the applicable Airport Hazard limits the height of the subject site to 200 feet. The proposed project is consistent with this limitation. Surrounding properties in the vicinity that are zoned M2-1 have the same development potential of the proposed project and, if sought, would be permitted the construction of building with a floor area ratio of 1.5:1 and a height limitation only required pursuant to the Airport Hazard limits.

With respect to surrounding uses, the project steps down in size and scale, modulating in height between the two elements, with varying size floor plates accented by outdoor areas and extensive landscaping. In recognition of the nearby single-family and multi-family uses, the Project's tallest elements are oriented away from the east and south. As such, the Project's height and scale are in keeping with the neighborhood context, and consistent with the nearby varied creative office, commercial and residential buildings.

In addition, the existing low-scale building located at 12541 Beatrice Street and be incorporated into the project. While the applicant had the ability to redevelop the existing building, the Applicant voluntarily chose to maintain the low scale element on the Property to provide a mix of building scales with a single campus in keeping with the neighboring properties.

The proposed project, located along a corridor designated for Light Manufacturing uses and developed with a combination of light manufacturing, office, and residential uses, will be compatible with existing and future development within the same zone and height district.

The site's zoning does not require the provision of any setbacks, provided that the site is developed with commercial or industrial uses. The project will, however, provide setbacks along Beatrice Street and Jandy Place that range from 0 to 20 feet, to provide for a pedestrian friendly environment, equipped with landscaping and seating areas. As described above, the driveway entrance that is provided for loading and trash collection, simultaneously provides a setback that buffers the proposed building from the northerly adjoining use.

Therefore, the height, bulk and setbacks of the mixed-use building will be compatible with the existing and future developments in the neighborhood.

Off-Street Parking Facilities

The project is required a minimum of 586 automobile parking spaces, but has been designed to provide a total of 845 parking spaces. The project is also required a minimum of 60 bicycle parking spaces, including 40 long-term and 20 short-term spaces. All automobile and long-term bike parking would be located on-site, out of the public right-of-way.

Driveways on Beatrice Street and Jandy Place will provide access to parking. Truck deliveries would be routed along Jandy Place to the building's northeast corner. In response to concerns from neighboring uses of the immediate area, the project was modified to reduce its height and reconfigure its driveway circulation plan to reduce impacts on surrounding uses. Three existing driveways serving the site of the proposed building along Beatrice Street will be replaced with two driveways serving the parking levels of the new structure. Two additional driveways along Jandy Place will be added to additionally serve the parking levels of the proposed building. In addition, an existing driveway located at the north end of the Jandy Place cul-de-sac will be modified to allow for access to a new loading and trash collection area that is located on-site and out of the public right-of-way. The proposed driveway plan has been designed to ensure that the vehicles are able to easily access on-site parking and to ensure that vehicular traffic does not disproportionately affect one street frontage over the other.

With respect to parking, the project has been conditioned to limit the number of parking levels to 2.5, rather than the 3.5 that it proposes. In consideration of comments received during review of the project's design and from business and residential neighbors of the project site, in addition to the City Planning Commission's active policy pertaining to above-grade parking structures, the project has been conditioned to screen parking and provide a green wall. In further response to the project's surplus parking provided in excess of the Los Angeles Municipal Code, staff has recommended that one level of above grade parking be removed from the project. The removal of parking located on level L4 will result in a reduction of 177 parking spaces, resulting in overall parking count of 668 spaces, which is 82 more parking spaces than required by Code. This reduction in parking will service to reduce the size of the project's parking podium, resulting in a further integration of the parking podium into the building. By removing parking located on level L4, there is an opportunity for the remaining 400 square feet of general retail space on this level to be shifted to L3, making the ancillary commercial uses more accessible to the public. As a further result, the removal of one level of parking will reduce the overall size of the project, which has been a consistent request heard from public comments.

Therefore, the off-street parking facilities will be compatible with the existing and future developments in the neighborhood.

Loading Areas

The project will provide an off-street loading area that is fully integrated into the project and will service both the proposed and existing buildings on site. The loading space has been designed to be more than 200 feet away from the street frontage, to allow for adequate back-up and queuing space, resulting in minimal impacts to the surrounding circulation system. This driveway additionally serves as a buffer between the northerly adjoining commercial property and the project site. Therefore, the loading area will be compatible with the existing and future developments in the neighborhood.

Lighting

Outdoor lighting for the proposed project has been conditioned to be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. Therefore, the lighting will be compatible with the existing and future developments in the neighborhood.

On-Site Landscaping

The proposed project will provide ample on-site landscaping that create a project that is compatible and complementary to existing surrounding uses. A total of approximately 48,584 square feet of landscaping and 47,198 square feet of hardscape is proposed with the project. Landscaping would be provided throughout the site, within the terraced levels of three (3) through eight (8), and additional landscaping provided on the roof. In addition to the landscaping that will be provided in conjunction with the new creative office building, the project will install two (2) new pedestrian walkways. One walkway will be located between the new and existing building, with pedestrian access provided at the intersection of Beatrice Street and Westlawn Avenue. A second walkway will be located on the east end of the project site, fronting on Beatrice Street. In order to ensure that the maximum number of trees is maintained on-site, the project has been conditioned to require the preserve two existing Sycamore trees located within the subject site, facing Beatrice Street. Furthermore, the project has been conditioned to require the replacement of any existing significant, non-protected trees on-site. Where new trees are proposed, the project has been conditioned to require that all planters containing trees to have a minimum depth of 48 inches to ensure adequate room for root growth and healthy trees. Finally, the project will provide street trees as required by the Urban Forestry Division, Board of Public Works.

Therefore, the on-site landscaping will be compatible with the existing and future developments in the neighborhood.

Trash Collection

The project will include on-site trash collection for both refuse and recyclable materials, in conformance with the L.A.M.C. The trash collection and pick-up will be located at the ground parking level, adjacent to the proposed loading area. The centralized trash location has been designed more than 200 feet away from the street frontage, so as to allow for adequate back-up and queuing space, resulting in minimal impacts to the surrounding circulation system.

The project has been conditioned to ensure that trash and recycling facilities will not visible from the public right-of-way. Compliance with this condition will result in a project that is compatible with existing and future development.

The Project design incorporates two creative office elements built over a fully screened and landscaped parking garage. The Project steps down in size and scale modulating in height between the two elements, with varying size floor plates accented by outdoor areas and extensive landscaping. In recognition of the nearby single-family neighborhood to the east across Grovesnor Avenue and the recently constructed multi-family structure located south of Beatrice Street, the Project's tallest elements are oriented away from these areas. As such, the Project's height and scale are in keeping with the neighborhood context, and consistent with the varied creative office, commercial and residential buildings in the area. Therefore, the 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 will be compatible with existing and future development on neighboring properties.

9. **That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.**

The proposed project is an entirely commercial use. The project is not a residential project and will not create a demand for recreation and service amenities on neighboring properties.

Additional Mandatory Findings

1. **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 outside of an identified Flood Zone.
2. **Environmental Findings.** On April 27, 2017, a Mitigated Negative Declaration (ENV-2016-1209-MND) was prepared for the proposed project.

On April 18, 2017, a letter was received from the Gabrieleno Band of Mission Indians – Kizh Nation, which stated and provided documentation to support that the project site is located within their ancestral tribal territory and within a known highly sacred area of Sa'angna. The letter requested that a certified Native American monitor be present on-site during all ground disturbances and mitigation measures were provided. Pursuant to Section 15073.5 of the Guidelines for California Environmental Quality Act, these mitigation measures have been conditioned and recirculation of the Mitigated Negative Declaration is not required. The revised mitigation measures provide more clarity and specifications on tribal monitoring, which will result in a more effective mitigation of impacts.

During the comment period, one letter was received from the offices of Luna & Glushon, on behalf of Karney Management Company, the owners and operators of the parcels located immediately to the west and south of the project site. The submitted letter addresses the traffic/transportation, aesthetics, and land use and planning sections of the completed Mitigated Negative Declaration and concludes that an Environmental Impact Report should be prepared for the project. The following includes a summary of the submitted letter and a response:

Comment 1-1:

The MND fails to integrate its analysis with all of the planning and environmental review procedures required under the Los Angeles Municipal Code. It provides that the certain aspects of the Project, including a haul route, off-site improvements in the adjacent rights-of-way, and "additional actions as may be determined necessary" will be evaluated at a later date.

Response:

The IS/MND's project description appropriately lists out the entitlement approvals that the project will require in order to move forward with securing building permits for demolition and construction. Contrary to the comment, the IS/MND does discuss the anticipated haul route in multiple locations throughout the IS/MND. The report additionally includes a detailed construction traffic analysis and concludes that the construction traffic associated with the proposed Project would not result in any significant traffic impacts at the study intersections.

Comment 1-2:

The MND fails to provide an environmental setting discussion. An accurate description of the physical environmental conditions in the vicinity of the project is critical for a proper evaluation of the potential environmental effects of a proposed activity.

Response:

Contrary to the comment, the IS/MND includes a detailed description of the Project Site in Section 2.0 Project Description of the IS/MND. For instance, the Project Description states the Project Site is located within the Palms—Mar Vista—Del Rey CPA of the City of Los Angeles. It includes a figure depicting that the Project Site is roughly bound by the State Route 90 (SR 90), Marina Freeway, to the north (approximately 600 feet from the Project Site) and Jefferson Boulevard to the south. It further states the Project Site is within the Del Rey neighborhood and is currently comprised of five (5) contiguous lots located at 12575 Beatrice Street and 12541 Beatrice Street. It continues that following a lot line adjustment, the Project Site will be comprised of four (4) contiguous lots totaling approximately 196,447 square feet (SF). The Project Description further states the Project Site is currently developed with a 23,072-square-foot office building and two accessory buildings of 5,044 and 2,144 SF at 12575 Beatrice Street, and an 87,881-square-foot office building at 12541 Beatrice Street.

The IS/MND includes a detailed description of the Project Site in Section 2.0 Project Description of the IS/MND. For instance, the Project Description states the Project Site is located within the Palms—Mar Vista—Del Rey CPA of the City of Los Angeles. It includes a figure (Figure 2-1) depicting that the Project Site is roughly bound by the State Route 90 (SR 90), Marina Freeway, to the north (approximately 600 feet from the Project Site) and Jefferson Boulevard to the south. It further states the Project Site is within the Del Rey neighborhood and is currently comprised of five (5) contiguous lots located at 12575 Beatrice Street and 12541 Beatrice Street. It continues that following a lot line adjustment, the Project Site will be comprised of four (4) contiguous lots totaling approximately 196,447 square feet (SF). The Project Description further states the Project Site is currently developed with a 23,072-square-foot office building and two accessory buildings of 5,044 and 2,144 SF at 12575 Beatrice Street, and an 87,881-square-foot office building at 12541 Beatrice Street.

In addition, each of the CEQA Environmental Checklist topics addressed in the IS/MND includes a discussion of the environmental setting as it pertains to that particular issue area.

Comment 1-3:

The proposed Project will degrade the existing visual character or quality of the Project site and its surroundings. It will introduce a height otherwise unknown in this area, overshadowing adjacent uses. Even worse, the MND attempts to mask the full height of the Project by claiming the Project maximum height is 135 feet, when there is actually a 20 foot high and large mechanical room on top of the 135 foot structure - that room equivalent to two additional stories.

Response:

The height of the building is noted as 155 feet in the IS/MND, of which 20 feet may include mechanical penthouse equipment. The IS/MND correctly identifies the height of the proposed building would be 135 feet to the top of the roof or parapet. The IS/MND also correctly notes that a mechanical penthouse component could extend up to 20 feet above the building height.

In addition, the IS/MND provides a detailed discussion of the building's height and an analysis of the proposed Project's impact on the visual character or quality of the surrounding area. Elevation drawings, shade and shadows diagrams, and architectural renderings of the proposed Project are included in the IS/MND. The comment letter mischaracterizes the surrounding area by stating that all of the adjacent buildings are two to three stories in height.

While it is correct that many of the buildings in the surrounding area are two to three stories tall, there is five-story apartment building located on the southwestern side of the Project Site across Beatrice Street (5535 South Westlawn Avenue), and there is a five-level parking structure located adjacent to the Project Site's northeastern side (5401 South Grosvenor Boulevard).

The IS/MND determined that impacts related to visual character and quality would be less than significant, because the design of the proposed building would enhance the visual quality and pedestrian experience of the surrounding area and streetscape by adding an architectural building with fully screened parking, ample setbacks, and enhanced landscaping throughout. Specifically, the proposed Project would provide approximately 48,584 square feet of landscape (e.g., trees, green space, etc.) and 47,198 SF of hardscape (e.g., courtyards, pathways, etc.) throughout the Project Site and on the new building's terraces on the upper levels. In addition, potential light and glare impacts would be mitigated through Mitigation Measures I-120 and I-130, and the parking garage would be screened and in compliance with Mitigation Measure I-200. Lastly, to provide the most conservative analysis for calculating potential shade screening impacts, the up to 20-foot potential mechanical penthouse was factored in to the analysis.

Comment 1-4:

The Air Quality analysis is based upon an old, 2012 Air Quality Management Plan (AQMP). This AQMP has been superseded by a 2016 version. The whole of the Air Quality analysis needs to be re-reviewed and analyzed under the relevant, 2016 AQMP. Similarly, the MND fails to provide for the impacts on air quality caused by the Project being in a Methane Hazard Zone and provides inconsistent information about the anticipated motor vehicle emissions which will result (the MND provides that the average daily weekday traffic associated with the proposed Project is estimated to be 2,200 vehicle trips; the CalEEMod analysis identifies 2,758 daily vehicle trips; while the LL&G traffic study identifies 1,946 daily trips).

Response:

While the air quality analysis refers to the 2012 Air Quality Management Plan (AQMP), the Final 2016 AQMP was published by the South Coast Air Quality Management District (SCAQMD) in March 2017, and at the time of preparation of the environmental document, the Final 2016 AQMP had not been released. The Final 2016 AQMP utilized the 2012 emissions inventory prepared for the 2012 AQMP as the basis for its emissions forecasting. Therefore, the Final 2016 AQMP represents a refinement and advancement of the analyses described in the 2012 AQMP, that were updated to reflect recent drought conditions and new emissions reductions strategies.

The AQMP analysis is focused on a comparison of the proposed Project to regional growth projections and emissions established in each AQMP. However, examining the proposed Project in the context of the Final 2016 AQMP would not change any impact determinations, since implementation of the proposed Project would introduce an incrementally small amount of population, housing, and employment growth into the region relative to Basin-wide emissions inventory. Furthermore, the emissions modeling was rerun upon the release of CalEEMod Version 2016.3.1 to ensure emissions associated with the proposed Project were as accurate as possible. Therefore, no additional quantitative analysis is necessary.

As described in the air quality impacts assessment, implementation of the proposed Project would not cause an air quality violation and would not disproportionately contribute to growth and exceed assumptions incorporated into the 2012 AQMP or the Final 2016 AQMP. Therefore, implementation of the proposed Project would not obstruct emissions reduction strategies outlined in the Final 2016 AQMP and would not delay the demonstrated attainment

date of the 2012 24-hour PM_{2.5} National Ambient Air Quality Standards presented in the Final 2016 AQMP.

The Traffic Impact Study estimates that 2,200 daily trips would result from project implementation. The Traffic Impact Study estimates that existing uses on the site generate 254 daily trips, and that the net daily trip generation would be 1,946 daily trips. The CalEEMod analysis relies upon 2,200 daily trips since it quantifies total project emissions without netting out existing uses. It is unclear where the comment letter obtained the 2,758 daily trips.

Comment 1-5:

The MND admits that the Project would expose people and structures to seismic-related ground failure, including liquefaction, and that the Project site is located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and has potential to result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. In response, it finds that the implementation of Mitigation Measure GEO-1 would reduce impacts to a less than significant level. But Mitigation Measure GEO-1 is nothing more than structural recommendation. A "recommendation" is not a "mitigation measure." CEQA requires that mitigation measures be both feasible and "fully enforceable."

Response:

Building in California is strictly regulated by the California Building Code (CBC) to reduce risks from seismic events and geologic hazards to the maximum extent possible. The currently accepted design standards for seismically induced ground shaking-resistant construction are addressed in the CBC and in the City's Building and Grading Codes. These guidelines are considered minimum standards for the design and construction of buildings and must be incorporated into any final project designs. The City's plan check and permitting process would ensure that the proposed Project adheres to City Building and Grading Code requirements and incorporates structural features and construction methods that meet seismic and geologic safety standards. In regard to the Mitigation Measure GEO-1, the content of this mitigation measure was recommended in the preliminary geotechnical engineering investigation and as such is included as a mandatory mitigation measure.

Adherence to the Regulatory Compliance Measures and Mitigation Measure included in the IS/MND, which are repeated below, would ensure impacts related to geology and soils would be less than significant.

Regulatory Compliance Measures:

- RC-GEO-1 The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety and all other applicable codes and standards.
- RC-GEO-2 Construction activities would be performed in accordance with the requirements of the Los Angeles Building Code and the Los Angeles Regional Water Quality Control Board through the City's Stormwater Management Division.
- RC-GEO-3 The proposed Project shall comply with all applicable standards of South Coast Air Quality Management District Rule 403, the requirements of a Stormwater Pollution Prevention Plan, in accordance with the National Pollutant Discharge Elimination System, and the City's grading permit regulations, which require the implementation of grading and dust control measures.

Mitigation Measures:

GEO 1 The proposed Project shall follow the recommended measures outlined in the preliminary geotechnical engineering investigation to ensure proper structural support in potentially liquefiable soil. These measures may include, but are not limited to:

- The use of Auger Cast Displacement Piles (ACDP).
- Performance of an indicator test pile program prior to installation of production piles.
- Equipping buried utilities and drain lines with flexible or swing joints.

Comment 1-6:

In evaluating the impacts of the Project with regard to hazards and hazardous materials, the MND completely fails to identify, analyze or evaluate the fact that the Project is located in both a Methane Hazard Zone and an Airport Hazard Zone. Relying narrowly on the thresholds, the MND finds that there are no impacts at all with respect to airport or methane related impacts. However, whether or not a particular environmental effect meets a particular threshold cannot be used as an automatic determinant that the effect is or is not significant, and the use of the Guidelines' thresholds does not necessarily equate to compliance with CEQA.

Response:

Although the proposed Project is located in a Methane Hazard Zone, many heavily developed parts of the City are located in Methane Hazard Zones or Methane Buffer Zones. As such, the City has enacted Ordinance No. 175790 and Ordinance No. 180619, which are designed to provide standard measures to control a common hazard in the City. Measures include site testing, detection systems, and venting, which are required as part of the Los Angeles Municipal Code (LAMC). Site testing standards for methane are set as part of the Los Angeles Building Code (LABC). The proposed Project would comply with the LAMC and LABC, and impact determinations regarding hazards would not change.

Regarding the Airport Hazard Zone, the City has established special land use regulations for properties that are located within the approach zone of Los Angeles International Airport (LAX) in order to prevent the creation or establishment of airport hazards. These zoning regulations are primarily directed towards height limits but also address light emissions to avoid potential hazards to aircraft resulting from illuminated signs and structures within Airport Hazard Zones. (LAMC Section 12.50.) The proposed Project is 135 feet in height; inclusion of a 20-foot tall mechanical penthouse brings the maximum height to 155 feet. The Federal Aviation Administration (FAA) height limit for the Project Site is 200 feet above ground level. (Code of Federal Regulations, Part 77.) The proposed Project is less than 200 feet tall, and would not emit light to a degree that would result in a hazard to approaching aircraft. Therefore, the proposed Project be in compliance with City and FAA restrictions and would not pose an airport hazard.

Comment 1-7:

The MND's land use and planning section is deficient. It only evaluates the Project's consistency with the Palms - Mar Vista Del Rey Community Plan. But that is not all that CEQA requires. CEQA requires an analysis of whether the Project conflicts with *any* applicable land use plan, policy or regulation. This includes the applicable Do Real Planning Guidelines, Citywide Design Guidelines, the Southern California Association of Governments ("SCAG") Regional Plan (including SCAG's Regional Transportation Plan and Compass Growth Visioning effort), the South Coast Air Quality Management District Air Quality Management Plan, the Los Angeles County Metropolitan Transportation Authority Congestion Management Program ("CMP"), and the Los Angeles Municipal Code. Consistently with all of these land

use plans must be adequately reviewed and evaluated in order to comply with CEQA. Furthermore, the Project is inconsistent with several Palms - Mar Vista Del Rey Community Plan sections.

Policy 3-1.2 - Ensure *compatibility* between industrial and other adjoining land uses through design treatments, compliance with environmental protection standards and health and safety requirements.

Policy 3-1.3 - Require that any proposed development be designed with adequate buffering and landscaping and that the proposed use be compatible with adjacent residential development.

Objective 13-1 - Provide parking in *appropriate* locations in accordance with Citywide standards and community needs.

Objective 16-2 - Ensure that the location, intensity and timing of development is consistent with the provision of adequate transportation infrastructure.

In order to be legally adequate, an MND cannot selectively pick and choose policies with which it deems a project to be consistent. In order to be legally adequate under CEQA, and MND must identify and discuss these inconsistencies.

Response:

The SCAQMD AQMP is related to air quality and is addressed in the Air Quality section of the IS/MND. After stating the AQMP is designed to meet applicable federal and State requirements, including attainment of ambient air quality standards, the IS/MND evaluates the proposed Project's compliance with the AQMP. The IS/MND states the proposed Project does not include a housing element and would not contribute to population growth. The proposed Project would result in the creation of approximately 641 new jobs (1 employee per 311 SF). Job creation from the proposed Project would represent 0.005 percent of the 108,600 jobs projected by the 2012-2035 RTP/SCS for the City from 2008 to 2020. Project-related population, housing, and job growth would be consistent with population forecasts for the subregion as adopted by SCAG. Therefore, the proposed Project would not conflict with or obstruct implementation of the AQMP, and impacts related to the applicable air quality plan would be less than significant.

The Los Angeles County Metropolitan Transportation Authority Congestion Management Plan (CMP) is addressed in the Transportation and Traffic section of the document, and in the LLG Construction Traffic Analysis. (Initial Study Checklist & Evaluation, Page 3-56; Appendix H, Pages 64-66.) After stating the CMP is a State-mandated program designed to address the impact urban congestion has on local communities and the region as a whole, the IS/MND analyzes why a CMP intersection traffic impact analysis is not required, and impacts would be less than significant. The IS/MND also states no significant impact to any CMP freeway monitoring location would occur, and no detailed CMP freeway mainline analysis is warranted.

As stated in the comment, development of the proposed Project is subject to the LAMC, wherein the Project Site is zoned as M2-1 (Light Manufacturing). The proposed Project has not requested a zone change and will remain zoned as M2-1. Therefore, it is consistent with the LAMC.

Regarding the Citywide Design Guidelines, the proposed Project application submitted to the City included the Citywide Design Guideline Checklist as applied to the proposed Project. City staff reviewed and determined the proposed Project is consistent with the Citywide Design Guidelines checklist.

Regarding SCAG planning documents, the Do Real Planning Guidelines, and Citywide Design Guidelines, the policies, objectives, and goals within the City of Los Angeles General Plan and Community Plans are built upon the regional and City planning initiatives found within the aforementioned documents. As such, by being consistent with the General Plan and the Palms – Mar Vista – Del Rey Community Plan, the proposed Project would be inherently consistent with the wider reaching planning documents. The comment also states that the proposed Project is inconsistent with several Palms – Mar Vista – Del Rey Community Plan policies and objectives, which are addressed below.

Policy 3-1.2: Ensure compatibility between industrial and other adjoining land uses through design treatments, compliance with environmental protection standards and health and safety requirements.

As stated in the IS/MND, the Project Site's land use and zoning designations are consistent with many of the land uses in the Del Rey neighborhood as it contains much of the community plan area's manufacturing and industrial uses. More specifically, the Project Site is located within an area characterized by a mix of light industrial uses, engineering research and development uses, and supporting office uses, all of which exist compatibly. The proposed Project would also comply with all mandatory environmental protection standards and health and safety requirements. Therefore, the proposed Project would be consistent with the aforementioned policy.

Policy 3-1.3: Require that any proposed development be designed with adequate buffering and landscaping and that the proposed use be compatible with adjacent residential development.

As stated in the IS/MND, the proposed Project would provide approximately 48,584 SF of landscaped area (e.g., trees, green space, etc.) and 47,198 SF of hardscape area (e.g., courtyards, pathways, etc.) throughout the Project Site. The proposed Project's design intends to enhance the visual quality and pedestrian experience of the surrounding area and streetscape by adding an architectural building with fully screened parking, ample setbacks, and enhanced landscaping throughout. Therefore, the proposed Project would be consistent with the aforementioned policy.

Objective 13-1: Provide parking in appropriate locations in accordance with Citywide standards and community needs.

As stated in the IS/MND, the proposed Project would provide two levels of subterranean parking and three above ground parking levels with a total of 845 parking spaces. The proposed 845 provided parking spaces would exceed the number of parking spaces required by the LAMC by 269 spaces. Per comments received on the public hearing for the proposed Project on June 6, 2017, square footages of the proposed Project was revised and parking requirements per LAMC were recalculated. As such, the proposed Project would now exceed the parking spaces required by the LAMC by 259 spaces. Nonetheless, the proposed Project would be consistent with the aforementioned objective.

Objective 16-2: Ensure that the location, intensity and timing of development is consistent with the provision of adequate transportation infrastructure.

As discussed in the IS/MND, Los Angeles Department of Transportation (LADOT) has reviewed and approved the Traffic Impact Study conducted for the proposed Project. With the implementation of the mitigation measures identified in the IS/MND, LADOT determined the transportation infrastructure is adequate. Therefore, the proposed Project would be consistent with the aforementioned objective.

Comment 1-8:

The MND fails to address the fact that there are sensitive receptors that will be significantly impacted from construction noise including the underestimated volume of excavation and the operation of a large parking facility, the loading area and mobile noise from all of the likely vehicles that will have to turn around at the end of the cul-de-sac. The MND proposes deficient mitigation.

Response:

The IS/MND identifies the following sensitive receptors within the vicinity of the Project Site:

- Multi-family residences located 50 feet to the south across Beatrice Street;
- Single-family residences located approximately 300 feet to the east of the Project Site but approximately 600 feet east of the construction zone;
- 740 Sound Design located adjacent to the Project Site but 350 feet east of the construction zone; and
- Digital Domain located approximately 300 feet west to the west. (Initial Study Checklist & Evaluation, Page 3-40.)

The IS/MND notes that additional sensitive receptors are located within 500 feet of the Project Site; however, these receptors were determined to be somewhat shielded from construction activity by the buildings immediately surrounding the Project Site and that the sensitive receptors identified above represent the nearest sensitive with the potential to be impacted by the proposed Project. The noise analysis included a detailed discussion of construction noise levels that would occur at these sensitive receptors.

The parking facility noise and its potential to increase ambient noise levels is assessed at sensitive receptors in the IS/MND. The subterranean level parking would be partially enclosed, and vehicle noise generated within the structure would not be audible beyond the property line. In addition, parking would be fully screened which would further reduce noise levels. The loading area is located in the proposed Project's northeast corner next to commercial and industrial land uses. These types of land uses are not considered sensitive to noise and the design of the proposed Project took careful consideration to locate noise generating aspects away from sensitive receptors. Residences, schools, hospitals, guest lodging, libraries, and some passive recreation areas are considered sensitive receptors. Regarding mobile noise along the cul-de-sac, the nearest sensitive receptor is located approximately 400 feet to the south and the uses immediately surrounding it are commercial and industrial uses. Much of mobile noise is generated by vehicles pushing air out of the way as they pass at high speeds. Vehicles travelling along Jandy Place would be at low speeds entering and exiting driveways and would generate minimal noise levels. Furthermore the uses adjacent to the cul-de-sac are located approximately 220 feet south of State Route 90, with vehicles travelling at speeds in excess of 65 miles per hour. Mobile noise generated by the highway would overshadow mobile noise generated by vehicles travelling along Jandy Place. Furthermore, the roadways analyzed in the mobile noise analysis were those identified by the Traffic Impact Study to have the potential to have impacts in the AM or PM peak hour. Jandy Place was not identified as an impacted roadway and would operate at a good level of service under Future Cumulative with Project Conditions.

In addition, the IS/MND described and analyzed the estimated volume of export required for implementation of the proposed Project. In particular, the IS/MND states the proposed Project would include two subterranean level of parking, which would require excavation to a maximum depth of 20 feet (including excavation for project footings and foundations). The excavation depth of 20 feet refers to the extent of sub-grade disturbance, scraping and re-compaction as required below the column footings, and not all excavated material would be exported off-site. Approximately 6,662 tons of demolition debris and 42,000 cubic yards of

excavated materials would be exported from the site. The estimated volume of export is reasonably derived from estimates based on proposed Project plan sets. The export volume was factored into the noise analysis set forth in the IS/MND and it was assumed export activities would happen at the worst traffic hour. In particular, noise levels for the excavation phase assumed 19 haul trucks per hour, and accounted for construction worker trips and delivery truck trips occurring at the same time. This analysis reflects the most conservative, worst case scenario.

Pursuant to LAMC Section 112.05, construction noise levels are exempt from the 75 dBA noise threshold if all technically feasible noise attenuation measures are implemented. The Project Applicant would be required to comply with the City's standard requirements for construction, which include feasible measures to control noise levels, including installation of engine mufflers, noise blanket barriers, and use of quieter electric equipment. Mitigation Measures XII-27 is intended as a good will measure to inform residents and tenants of construction and to provide an avenue to address public complaints. Mitigation Measures XII-20 through XII-26 would provide a quantitative reduction in noise levels and are more than adequate to minimize impacts on the surrounding sensitive receptors. Therefore, the IS/MND concludes that noise impacts would be less than significant with implementation of mitigation measures.

Comment 1-9:

The MND finds that there is less than significant impact based on possible conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. This conclusion is devoid of supporting substantial evidence. Indeed, the MND fails, at all, to review and analyze consistency with all applicable traffic/transportation plans, including SCAG's Regional Transportation Plan. Accordingly, it is in error.

Furthermore, the MND finds that the Project does not substantially increase hazards due to a design feature or incompatible uses. Although it has numerous options along Beatrice Street and Grovesner Boulevard, the Project is designed to provide *75 percent of its traffic on Jandy Place, an approximately 400-foot in length cul-de-sac street*, which already provides ingress/egress to the many properties owned by Karney Management Company. When considered in connection with the cumulative of effects of all such other traffic along Jandy, it is clear that such Project feature substantially increases hazards thereon. The MND completely ignores this condition.

Finally, the MND fails to analyze construction traffic impacts as well as parking impacts. It is incomprehensible that an adequate transportation/ traffic analysis can be deemed "adequate" without a review of construction traffic and parking. Where an agency fails to abide the informational requirements of CEQA by omitting material necessary to informed decisionmaking and informed public participation, as it has here, harmless error analysis is inapplicable and the agency is deemed to have erred and abused its discretion.

Response:

The Traffic Impact Study conducted for the proposed Project evaluates potential project-related impacts at 26 key intersections in the vicinity of the Project Site. The study intersections were determined in consultation with LADOT staff. The analysis also takes into account the Coastal Transportation Corridor Specific Plan, and impacts were assessed using the impact criteria set forth in LADOT's Traffic Study Policies and Procedures, as well as in coordination with the City of Culver City's Planning Division. LADOT reviewed and approved

the Traffic Impact Study and issued the LADOT TIA Letter concurring with the Traffic Impact Study analysis and conclusions.

Regarding 75 percent of traffic being located along Jandy Place, the proposed Project incorporates four driveways to access on-site parking, two on Jandy Place and two on Beatrice Street. The split between traffic would be 50/50 between Jandy Place and Beatrice Street (25 percent of traffic going through each driveway). The driveway traffic was further analyzed by LLG in the Project Driveway Traffic Analysis Addendum, dated December 14, 2016. The Traffic Addendum concluded that no additional operational analysis of proposed Project driveways is required or recommended.

A detailed construction traffic analysis was conducted for the proposed Project. Construction traffic is also analyzed with respect to Air Quality and Noise and Vibration impacts. The analysis concludes that the construction traffic associated with the proposed Project would not result in any significant traffic impacts at the study intersections. LADOT's TIA Letter confirmed the analysis.

Parking impacts would be less than significant as the proposed Project would provide two levels of subterranean parking, and three above ground parking levels with 845 parking spaces. Per comments received on the public hearing for the proposed Project on June 6, 2017, square footages of the proposed Project was revised and parking requirements per LAMC were recalculated. As such, the proposed Project would now exceed the parking spaces required by the LAMC by 259 spaces. Parking for construction workers would be provided on-site and/or in a nearby lot rented by the Project Applicant. Street parking by construction workers would not be permitted. In addition, the construction of the proposed Project would not require the closure of any vehicle travel lanes.

Comment 1-10:

The MND's "analysis" of cumulative impacts is indefensible. Simply put, the MND admits that significant impacts may occur if the proposed Project, in conjunction with the related projects, would result in impacts that are less than significant when viewed separately but significant when viewed together, but concludes that it does not need to do any analysis of such impacts because each additional project will be evaluated and mitigated on a case by case basis (i.e. *separately* without regard for cumulative impacts); therefore, the cumulative impacts to which the proposed Project would contribute would be less than significant.

Such "analysis" misses the whole point of the cumulative impact analysis required under CEQA. One of the basic and vital informational functions required by CEQA is a thorough analysis of whether the impacts of the Project, in connection with other related projects, are cumulatively considerable. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Proper cumulative impact analysis is vital under CEQA because the full environmental impact of a proposed Project cannot be gauged in a vacuum. Indeed, one of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact. Therefore, cumulative effects analysis requires consideration of "reasonably foreseeable probable future projects, if any."

In fact, the CEQA Guidelines mandate the preparation of an EIR where cumulative impacts are cumulatively considerable: "An EIR *must* be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual

project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

Here, there is no evidence, much less substantial evidence, to support the conclusion that the "cumulative impact" of the Project will not result in any potentially significant impacts. There are no other "reasonably foreseeable probably future projects" listed and none analyzed. Indeed, there is not even evidence that the MND *considered* whether there are cumulative impacts, since all it summarily states is that it did not need to do any such analysis because any additional project will be evaluated and mitigated, separately on a case by case basis.

Ironically, the Project's traffic analysis actually identifies 29 *other* projects in the vicinity of the within Project, and evaluates the cumulative traffic impacts of those projects. The MND cannot ignore that existence of these identified other projects, which their traffic expert apparently had no problem finding or analyzing. It must evaluate the cumulative impacts of all of these projects with regard to all of the protected categories environmental impacts under CEQA.

Finally, the MND conclusively states that cumulative impacts of the Project will not result in any potentially significant impacts because any cumulative impacts (which, again, the MND fails to identify) will be mitigated to a less than significant level through compliance with the mitigation measures provided in the "previous sections" of the MND. But there is no evidence whatsoever that the cumulative impacts of the other reasonably foreseeable probable future projects, if any, were considered in formulating the mitigation measures of the MND and none of them refer, at all, to the other reasonably foreseeable probable future projects, if any. The lack of evidence in the record to support a conclusion that the Project would have *no* cumulative impacts thus tends to support a fair argument that the Project *will* have such impacts. The failure of this MND to provide for a cumulative impact analysis as required under CEQA is fatal.

Response:

“Cumulatively considerable’ means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” (§15064(i)(1)) Mitigation may render a project’s contribution less than considerable, as set forth in an MND. An MND may determine a contribution is less than considerable, if project complies with a previously approved plan or mitigation program that includes specific requirement to resolve the cumulative problem.

The IS/MND includes an evaluation of the proposed Project’s cumulative impacts with regard to 29 related projects identified in the Traffic Impact Study. The 29 related projects were quantitatively evaluated in all Traffic analyses, all Air Quality analyses, and all Noise analyses.

The list of 29 related projects was based on information on file at LADOT, Department of City Planning, County of Los Angeles Department of Regional Planning, and Culver City Planning Division. In addition, to provide a conservative, worst case, estimate of future traffic in the Project study area, a new 250,000 square foot office building was assumed on a property located near the Project Site at 5405 Jandy Place, even though there is no formal development application made to the City.

As for the other CEQA Environmental Checklist topics, the cumulative impacts to which the proposed Project would contribute would be less than significant as all potential impacts of the proposed Project were determined to be reduced to less than significant levels with the implementation of regulatory compliance measures or mitigation measures. In addition, none of the related project impacts are close enough to the Project site to have cumulative impacts

in areas such as Aesthetics, Light and Glare, and Public Services. None of the potential impacts are considered cumulatively considerable, as the proposed Project's incremental contribution to cumulative impacts related to Aesthetics, Agriculture/Forestry Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources and Utilities were determined to be less than significant.

Additional Comments:

Outside of the comment period, the offices of Luna & Glushon submitted a second letter that included comments on the project's proposed Mitigated Negative Declaration. The comment letters reiterated many of the same comments previously submitted. In addition, the letter submitted comments from CAJA Environmental Services, LLC. Comments not previously discussed follow below:

Comment 2-1:

Utilities (Energy): The MND scoped out this issue area without sufficient analysis that the Project would have no impacts with respect to utilities and service systems. Additionally, the MND did not take into consideration the recent Porter Ranch gas leak, which has the potential to cost the Southern California Gas Company billions of dollars and may require the curtailment of gas supply to electric generators. The California Public Utilities Commission already has ordered a reduction in the volume of available gas for certain gas storage facilities in the region, which may impact the available supply of natural gas for the Project. This issue was improperly left out of the MND and requires analysis, as well as a full discussion of electricity supply and demand, as required by Appendix F, of the State CEQA Guidelines.

Response:

Per Appendix F of the 2017 CEQA Statutes and Guidelines, EIRs are required to include a discussion of the potential energy impacts of proposed Projects to ensure that energy implications are considered in project decisions. However, the discussions noted above regarding natural gas and electricity supply and demand are only required for EIRs and not IS/MNDs.

Nevertheless, the Utilities and Service Systems analysis was conducted in accordance with the current CEQA Statutes and Guidelines and is sufficient. As stated in the IS/MND, approximately one percent of the proposed Project's energy will be obtained from solar panels installed on-site, per compliance with Section A5.211 of the Guide to the 2016 California Green Building Standards Code – Non-residential. This would be accomplished by 3,330 square feet of rooftop solar panels generating approximately 58 amps at 480V, which equals over 1 percent of the building's electrical service assuming a 5000A 277/480V service requirement. The proposed Project would also incorporate passive environmental lighting, and energy-efficient lighting would be incorporated into the Project's design. Overall the proposed Project would incorporate many features that would reduce its overall electricity consumption.

In addition while of regional concern, the Porter Gas leak is far removed and has no relation to the Project. The Project does not involve a large gas infrastructure project and there is no evidence to suggest that there is an association between the Project and a gas leak approximately 30 miles away from the Project Site. There is no evidence that natural gas supplies available for the Project will be impacted.

In sum, the proposed Project would not result in the inefficient, wasteful and unnecessary consumption of energy. The proposed Project would only result in an incremental increase in

the use of electricity in respect to the overall system and would incorporate green building standards that would reduce energy consumption.

Comment 2-2:

The Project Description (Section 2) Is Inadequate & Does Not Meet CEQA's Requirements. The Project Description is confusing and does not provide an accurate and stable definition of the proposed Project that is easily understood by the public or decision makers. These clarifications are necessary in order for the general public and decision makers to adequately review the MND. It is very unclear at times what the Applicant is proposing. Our findings are below.

- The description of the surrounding uses is inadequate. The MND makes no mention of the existing schools situated to the north and east of the Project Site.

Response:

The IS/MND includes a detailed description of the Project Site in Section 2.0 Project Description of the IS/MND. The Project Description states the Project Site is located within the Palms—Mar Vista—Del Rey Community Plan Area of the City. It includes a figure (Figure 2-1) depicting that the Project Site is roughly bound by the State Route 90 (SR 90), Marina Freeway, to the north (approximately 600 feet from the Project Site) and Jefferson Boulevard to the south. It further states the Project Site is within the Del Rey neighborhood and is currently comprised of five (5) contiguous lots located at 12575 Beatrice Street and 12541 Beatrice Street. It continues that following a lot line adjustment, the Project Site will be comprised of four (4) contiguous lots totaling approximately 196,447 SF. The Project Description further states the Project Site is currently developed with a 23,072-square-foot office building and two accessory buildings of 5,044 and 2,144 square feet at 12575 Beatrice Street, and an 87,881-square-foot office building at 12541 Beatrice Street. (Project Description, Page 2-1.)

The IS/MND includes a detailed description of the surrounding uses. In particular, it notes the Project Site is located within a commercial office and industrial low- and medium-rise, mixed-use neighborhood. A five-story apartment building is located on the southwestern side of the Project Site, across Beatrice Street. Additionally, there are several commercial office and industrial buildings located to the west, north, and southeast of the Project Site. Adjacent to the eastern side of the Project Site are two (2) two-story commercial office/industrial buildings. Further east are single-family homes across Grosvenor Boulevard, filling the area from Hammock Street to Beatrice Street. A five-level parking structure is located adjacent to the Project Site's northeastern side. The Project Description includes a figure (Figure 2-2) depicting the Project Site and the surrounding area (Project Description, Page 2-1.)

In addition, each of the CEQA Environmental Checklist topics addressed in the IS/MND includes a discussion of the environmental setting as it pertains to that particular issue area. In regards to schools, the IS/MND discloses that there are several schools located in the project area, and specifically identifies the Playa del Rey Elementary School located at 12221 Juniette Street in Culver City (Initial Study Checklist & Evaluation, Page 3-30). This is the closest school to the Project Site and the only school within 0.25 mile of the Project Site. As discussed in the IS/MND, the proposed Project would result in no impacts to this school or to other schools in the Project area.

Comment 2-3:

The Project Description states that roughly 3,400 square-feet of the Project would be dedicated (we think) to solely retail and restaurant uses. However, the Traffic Impact Study does not include any retail and restaurant square footages in its trip generation estimates. How much floor area will actually be dedicated to restaurant and dining space for the Project?

These glaring inconsistencies illustrate that the Project Description shifts throughout the MND and makes it impossible to properly assess the significance of Project impacts. Please explain the reasons for the differences in floor area dedicated to restaurant and dining uses under the MND when compared to the Traffic Impact Study.

Response:

As proposed, the Project includes approximately 2,500 SF of café/restaurant use and smaller retail spaces located on the ground floor; and 900 SF of retail space located on the second and third floors. 500 SF of the retail space would be located on the second floor and 400 SF of retail space would be located on the third floor. However, dependent on tenant requirements these spaces may be divided as necessary. In regards to consistency with the traffic study, it is common for office buildings (particularly larger office buildings) to provide tenant services (retail and food-serving uses). These tenant services would generate few, if any, external trips because most patrons will likely be tenants from within the Project, or walk-ins from nearby offices or apartments. Any such external trips are already accounted for in the office vehicle trip generation rates, which are derived based on driveway traffic counts conducted at existing office buildings. This is verified in the description of the office land use provided in the *Trip Generation* manual published by the Institute of Transportation Engineers. For the office land use, it states within the *Trip Generation* manual: "An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers and tenant services, such as a bank or savings and loan institution, a restaurant or cafeteria and service retail facilities." (ITE, *Trip Generation Manual*, 9th Edition, 2012). Accordingly, there is no need to revise the trip generation forecast for the Project based on the provision for 3,400 SF of retail/café uses on-site as any external vehicle trips that may be generated by this area are already factored into the ITE office trip generation rates.

The project has been conditioned to only permit those accessory commercial uses identified to have a trip generation factor equivalent to a restaurant or cafeteria and service retail facilities or below (as referenced in the ITE *Trip Generation Manual*). The applicant will be required to submit final plans to LADOT to determine if the project conforms to LADOT Case No. CTC15-103799, or if additional review and analysis is required.

Comment 2-4:

Regarding construction, Section 2.3 of the MND states that Project construction "would occur over approximately 22 months." This 22-month figure is used throughout the document, but it understates the actual construction time period required for the Project. The MND goes on to state that several months of infrastructure work would also be required, but since it "would precede" the 22-month construction period, it is not included as part of the overall construction time period. The "infrastructure work" should be properly considered part of the construction work required for the Project and the MND's description of the Project's construction duration makes the length of construction time required appear shorter than is actually proposed for the Project.

Response.

The IS/MND states that the proposed Project would connect to existing utility infrastructure (e.g., water mains, sewer lines, and storm drain inlets), which could require off-site improvements in the adjacent rights-of-way. The Project Description does not describe any construction activities on the Project Site that would precede commencement of the 22-month construction period. It is unclear where the comment originates as the phrases referred to are not included in the Project Description, description of construction activities, or anywhere else in the IS/MND document.

Comment 2-5:

Aesthetics. The Aesthetics Section contains numerous errors, inconsistencies, omissions, and incorrect assumptions and conclusions. They are summarized here.

- The aesthetics impacts of the Project were improperly analyzed. The section does not delve into overall design and compatibility of the building with existing structures and uses in the surrounding area. For example, what are some facade improvements and colors that would complement the area? The overall height of the structure, listed at 135-feet, seems misleading, as the number does not consider the proposed Penthouse on the roof of the proposed structure. Proposed landscaping should also be discussed and show its compatibility with the neighborhood. With this, what is the actual character of the building and would the structure be compatible with the surrounding character, which is not fully disclosed in the MND. This needs to be expanded.

Response.

The IS/MND provides a detailed discussion of the building's height and an analysis of the proposed Project's impact on the visual character or quality of the surrounding area. (Initial Study Checklist & Evaluation, Page 3-2–3-8.) Elevation drawings, shade and shadows diagrams, and architectural renderings of the proposed Project are included in the IS/MND. (Project Description, Pages 2-2–2-7; Initial Study Checklist & Evaluation, Page 3-5–3-7; Appendix A-Additional Architecture Drawings.)

The IS/MND determined that impacts related to visual character and quality would be less than significant, because the design of the proposed building would enhance the visual quality and pedestrian experience of the surrounding area and streetscape by adding an architectural building with fully screened parking, ample setbacks, and enhanced landscaping throughout. Specifically, the proposed Project would provide approximately 48,584 square feet of landscaping (e.g., trees, green space, etc.) and 47,198 square feet of hardscape (e.g., courtyards, pathways, etc.) throughout the Project Site and on the new building's terraces on the upper levels. In addition, potential light and glare impacts would be mitigated through Mitigation Measures I-120 and I-130, and the parking garage would be screened and in compliance with Mitigation Measure I-200.

Lastly, to provide the most conservative analysis for calculating potential shade screening impacts, the up to 20-foot potential mechanical penthouse was factored in to the analysis and the shade screening calculation was 450 feet (derived from 3 x 135 feet for the main structure plus 20 feet for mechanical penthouse).

Comment 2-6:

Regarding shade and shadow sensitive receptors, the MND fails to mention that there exists an outdoor gathering space directly north of the Project Site. According to the *L.A. CEQA Thresholds Guide*, shadow sensitive uses are "facilities and operations sensitive to the effects of shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors." These land uses are termed "shadow-sensitive" because sunlight is important to function, physical comfort or commerce. The *L.A. CEQA Thresholds Guide* calls for a determination of whether there are any shadow-sensitive uses to the north, northwest, or northeast of a project, as that is generally the path shadows will be projected. As such, the MND falls inadequate in this analysis. As mentioned, directly north of the Project Site exists an outdoor gathering/seating/eating location for adjacent office building works. The MND fails to identify this particular area as shadow sensitive use, which it is. This needs to be discussed and disclosed in the MND.

Response:

The MND correctly identifies the only shadow-sensitive uses in the immediate vicinity of the Project as the residential apartments on the south side of Beatrice Street. Contrary to the comment, the “outdoor gathering/seating/eating location” associated with the adjacent office use is not considered a shadow sensitive use. According to the *L.A CEQA Thresholds Guide*, shadow sensitive uses are “facilities and operations sensitive to the effects of shading include: routinely useable outdoor spaces associated with residential, recreational, or institutional (e.g., schools, convalescent homes) land uses; commercial uses such as pedestrian oriented outdoor spaces or restaurants with outdoor eating areas; nurseries; and existing solar collectors.” (*L.A CEQA Thresholds Guide*, 2006, Page A.3-1) Outdoor gathering/seating/eating locations associated with office uses are not considered shadow sensitive uses according to the *L.A. CEQA Thresholds Guide*.

Comment 2-7:

Construction Air Quality Impacts. Regarding construction impacts, numerous errors were made with respect to the CalEEMod analysis. These errors resulted in construction air quality impacts being understated. The CalEEMod analysis should be redone using assumptions more consistent with industry standards. Errors and improper assumptions include the following.

- The construction phasing in the CalEEMod analysis conflicts with the Project Description. As identified in the MND, early infrastructure work (e.g., storm drain line, retaining wall, shoring) would precede a 22-month construction period. The CalEEMod analysis uses a 22-month process after the initial infrastructure shoring period. Why is that? What effect does this have on the modeled emissions? Are they lower or higher? This must be explained.
- The CalEEMod air quality analysis assumes a very low level of equipment associated with the construction phases.

Response:

To address the first element of the comment, the entirety of the MND was reviewed and a text search was performed to identify instances of the use of “storm drain,” “retaining wall,” and “shoring.” The phrase “storm drain” does not appear in the Project Description, and is only used in the Hydrology and Water Quality topical discussion (Initial Study Checklist & Evaluation, Page 3-33—3-34) and the Utilities and Service Systems topical discussion (Initial Study Checklist & Evaluation, Page 3-61) of the MND. There is no mention of any storm drain installation that would occur prior to the commencement of demolition activities on the Project Site. This comment is not corroborated by the contents of the MND, as it refers to elements of the project description that do not exist.

The phrases “retaining wall” and “shoring” do not appear at all in the entire document. The Project Description does not describe any construction activities on the Project Site prior to demolition of existing structures. It is unclear where the comment originates as the phrases referred to are not included in the Project Description, description of construction activities, or anywhere else in the IS/MND document. This comment is unsubstantiated and inaccurate.

The latter portion of this comment asserts that the construction equipment inventory utilized in the CalEEMod emissions modeling was too minimal. Minor adjustments were made to the equipment inventory based on Project-specific information describing the types of activities that would occur on the Project Site. However, in reviewing the CalEEMod files, it was determined that the Project equipment inventory was adjusted in the following ways:

| Phase | Default Inventory (Number of Equipment) | Project Inventory (Number of Equipment) | Net Change (Number of Equipment) |
|--------------------------|---|--|--|
| Demolition | 5 | 9 | +4 |
| Site Prep/Clearing | 3 | 3 | 0 |
| Excavation/Grading | 4 | 7 | +3 |
| Building Construction | 8 | 15 | +7 |
| Architectural Coating | 1 | 1 | 0 |

Review of the CalEEMod files revealed that the Project inventory actually included 17 additional pieces of equipment relative to the default inventory for a Project Site between two and three acres in size. If anything, the analysis represents a conservative estimate of the maximum daily equipment activity during construction of the proposed Project. The comment is unsubstantiated and inaccurate, and reflects a misinterpretation of the emissions modeling for the proposed Project.

Comment 2-8:

Haul trucks are proposed to stage at Jefferson Boulevard south of the Project Site. A CO hot-spot analysis should have been conducted for this staging location, which is adjacent to heavily congested intersections along Jefferson Boulevard.

Response:

This comment suggests that a carbon monoxide (CO) hot-spot analysis should have been conducted for the staging area along Jefferson Boulevard south of the Project Site. Typically, CO hot-spot analyses are no longer required by the SCAQMD and other Lead Agencies due to improvements in vehicle exhaust emissions resulting from programs established by the California Air Resources Board (CARB) to reduce mobile source emissions of criteria pollutants.

In 2003, as part of formulation of the 2003 AQMP, the SCAQMD conducted research on CO concentrations at the most congested intersections within the City of Los Angeles. The SCAQMD determined that the intersection of Wilshire Boulevard and Veteran Avenue in Westwood was the most heavily trafficked at 100,000 daily vehicles, and generated a maximum 1-hour CO concentration of 4.6 ppm. The applicable 1-hour ambient air quality standard (AAQS) for 1-hour CO concentrations is 20 ppm. Therefore, by extrapolation, over 400,000 daily vehicles would need to pass through an intersection in order to exceed the 1-hour CO AAQS. It should be noted that since 2003, vehicle engine emissions have been reduced substantially as a result of CARB program implementation.

The industry standard for traffic impact assessment assumes that approximately 8 to 12 percent of daily vehicle volumes occur during a peak hour, in either the AM or the PM. Based on review of the Traffic Impact Study for the proposed Project, the Existing Traffic Volumes for the study area yielded a maximum AM peak hour vehicle volume of 4,670 and a maximum PM peak hour vehicle volume of 5,101 along Jefferson Boulevard at the intersection of Centinela. Conservatively assuming that the PM peak hour volume only represents approximately 5 percent of daily volumes, the maximum daily traffic at the intersection of Jefferson Boulevard and Centinela Avenue would extrapolate to 102,020 daily vehicles. This volume is within 2 percent of the maximum daily volume at the Wilshire Boulevard and Veteran Avenue intersection from the SCAQMD 2003 AQMP. Therefore, it is unlikely that maximum

1-hour CO concentrations at any intersection within the Project area exceed 5 ppm, which is only 25 percent of the 1-hour CO AAQS.

Construction of the proposed Project would require a maximum of 75 haul trucks per day during excavation and grading activities. (Initial Study Checklist & Evaluation, Page 2-13.) It is unlikely that maximum hourly truck volumes would exceed 10 trucks per hour. The addition of 10 heavy duty trucks to an intersection that experiences a maximum peak hour volume of 5,101 vehicles is not capable of quadrupling CO emissions at the intersection. The comment reflects a lack of understanding regarding current air quality assessment procedures, as the CO hot-spot analysis has become obsolete in recent years due to improvements in engine and fuel technologies and attainment of the AAQS. A CO hot-spot analysis was not and is not warranted for the proposed Project.

Comment 2-8:

A health risk assessment should have been conducted to assess potential impacts to neighboring schools. Although the elementary school is greater than 100-feet from the Project Site, construction is anticipated to last 22 months, though could be longer. Given the high level of diesel emissions and the close proximity of an existing elementary school, a health risk assessment should have been completed. What was the reason for not completing one as part of the MND? Health risks to elementary school kids must be addressed.

Response:

This comment suggests that a health risk assessment should have been conducted to assess potential air quality impacts to neighboring schools surrounding the Project Site. The IS/MND discloses that there are several schools located in the project area, and specifically identifies the Playa del Rey Elementary School being the closest, located approximately 0.25 miles east of the Project Site (Initial Study Checklist & Evaluation, Page 3-30). The other schools near the Project Site are Playa Del Rey Elementary located approximately 0.25 miles east of the Project Site, Marina del Rey Middle School located approximately 0.3 miles north of the Project Site, and the Westside Neighborhood School located approximately 0.41 miles west of the Project Site.

The SCAQMD has prepared a list of land uses that constitute substantial sources of TAC emissions. The list includes: high-traffic freeways and roads, distribution centers, rail yards, ports, refineries, chrome plating facilities, perchloroethylene dry cleaners, and large gasoline dispensing facilities. These uses have been identified to generate TAC emissions that may cause air quality concerns for nearby sensitive land uses. Office and restaurant uses are not included in the list, as operation of these land uses does not generate substantial TAC emissions. Emissions of air pollutants disperse upon being released into the atmosphere, and SCAQMD research has shown that concentrations of diesel particulate matter (DPM) decrease by over 80 percent between a downwind distance of 20 meters (65 feet, 0.01 miles) and a downwind distance of 500 meters (0.31 miles) from the source of emissions.

The air quality impact assessment in the IS/MND demonstrated that maximum daily emissions of PM₁₀ from on-site sources (construction equipment) would not exceed the SCAQMD localized significance threshold (LST) values. (Initial Study Checklist & Evaluation, Table 3-1.) Furthermore, concentrations of diesel PM₁₀ would decrease by over 80 percent by the time emissions from construction activities reached the nearest school property. (Initial Study Checklist & Evaluation, Page 3-14.) Additionally, the California Air Pollution Control Officers' Association (CAPCOA) recommends a screening distance of 1,000 feet for school siting near substantial sources of air pollution such as distribution centers and rail yards. The schools nearest to the Project Site are located over 1,400 feet away from the Project Site. Therefore, a health risk assessment examining potential exposures of school children to toxic air contaminant emissions generated during construction activities is not warranted. The

comment reflects a poor understanding of current air quality assessment guidance and recommendations regarding health risk assessments.

Comment 2-9:

Operational Air Impacts. Operational air impacts are largely the result of off-site mobile sources. The MND states that "[t]he estimate of total daily trips associated with the proposed Project was based on the Traffic Impact Analysis prepared ..." As discussed below, the Traffic Impact Study substantially understates the number of daily trips, since it uses solely an office use generation for its trips, when clearly there are restaurant and retail uses proposed. As a result, the emission volumes are also understated. Mobile emissions must be recalculated using the correct number of daily trips.

Response:

It is common for office buildings (particularly larger office buildings) to provide tenant services (retail and food-serving uses). These tenant services would generate few, if any external trips because most patrons will likely be tenants from within the project, or walk-ins from nearby offices. Any such external trips are already accounted for in the office vehicle trip generation rates, which are derived based on driveway traffic counts conducted at existing office buildings. This is verified in the description of the office land use provided in the *Trip Generation* manual published by the Institute of Transportation Engineers.

For the office land use, it states within the *Trip Generation* manual: "An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers and tenant services, such as a bank or savings and loan institution, a restaurant or cafeteria and service retail facilities." (ITE, *Trip Generation Manual*, 9th Edition, 2012) .Accordingly, there is no need to revise the trip generation forecast for the Project based on the provision for 3,400 s.f. of retail/café uses on-site as any external vehicle trips that may be generated by this area are already factored into the ITE office trip generation rates. Therefore, there is no need to revise operational mobile source emissions modeling and operational air quality impacts have not been understated.

Comment 2-10:

Air Quality. The MND states that the proposed Project would not be a source of toxic air contaminants. This ignores the fact that there will be a substantial increase in truck deliveries to the Project Site as a result of the commercial uses that will now need to be serviced. Exposure to TACs is exacerbated by the Project sites location immediately Playa Vista and north of Jefferson Boulevard. The proposed Project contains office uses and restaurant uses, both sensitive land uses. Accordingly, a mobile health risk assessment should have been conducted for the Project's users to ensure that the proposed "Project is not exposing sensitive receptors to substantial concentrations of DPM." (Id.) Please include such an assessment in the MND or explain why it is not included.

Response:

The comment suggests that the proposed Project would be a substantial source of toxic air contaminant (TAC) emissions. The SCAQMD has prepared a list of land uses that constitute substantial sources of TAC emissions. The list includes: high-traffic freeways and roads, distribution centers, rail yards, ports, refineries, chrome plating facilities, perchloroethylene dry cleaners, and large gasoline dispensing facilities. These uses have been identified to generate TAC emissions that may cause air quality concerns for nearby sensitive land uses. Office and restaurant uses are not included in the list, as operation of these land uses does not generate substantial TAC emissions. This comment reflects a misunderstanding of land uses that generate substantial TAC emissions and is not accurate.

The comment also suggests that office uses and restaurant uses are considered sensitive land uses. The SCAQMD has prepared a list of land uses that constitute sensitive receptors, which includes: schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, hospitals, retirement homes, residences. Offices and restaurants are not on this list, and are not considered sensitive land uses. The comment is inaccurate in its assertion that offices and restaurants are sensitive land uses, reflecting a misunderstanding of SCAQMD guidance on sensitive receptors. This comment is unfounded and invalid.

Comment 2-11:

Air Quality. The Project could also result in a cumulative air quality impact, which was not disclosed for some reason. The proposed growth in population from the Project could exceed the 2020 projections for the City in the adopted 2012 AQMP. As such, the Project would conflict and obstruct implementation of the applicable, federally-approved air quality attainment plan for the region. This potential impact is not recognized. It should have been.

Response:

Population growth only results from introduction of new residential land uses to a region, which subsequently increases the number of people living in that region. The proposed Project would increase employment, but would not directly increase population. (Initial Study Checklist & Evaluation, Page 3-48.) There is no evidence to substantiate the assertion that implementation of the proposed Project would cause population growth and there is no element of the proposed Project that involves residential development. Therefore, it is not possible that implementation of the proposed Project would induce population growth capable of exceeding projections in the 2012 AQMP or the 2016 AQMP, and there is no potential for a cumulative air quality impact. This comment fails to provide any evidence that the Project development would directly contribute to population growth.

Comment 2-12:

Cultural Resources. The Cultural Resources Section does not provide adequate mitigation to reduce a potential impact to a less than significant level - ultimately failing as an informational document.

The proposed MND mitigation mentions that if cultural resources (including archaeological and paleontological resources) are found on-site during grading and excavation, then a qualified archaeologist/paleontologist will evaluate the find. Given the cultural resources environment near the Playa Vista development south of the Project Site (and surrounding area), this mitigation measure is insufficient to mitigate impacts to a less than significant impact. As found in the Village at Playa Vista Final RS-EIR (August 2009), the longer-term placement of buildings in the area would limit future access to the soils underling the Playa Vista Site that have been rated as having archaeologically and paleontologically high impact significance. With this, mitigation measures were required regarding the location of any potential resources to be included in and archived as pan of the treatment plan prior to earthwork being performed. Effective mitigation measures should include an on-site monitor during all building and excavation activities. Similarly, a qualified Archaeologist and Paleontologist should be retained to develop and implement a monitoring program for construction activities that could possibly encounter older sedimentary deposits and/or human remains. The qualified Archaeologist and Paleontologist should also attend a pre-grading/excavation meeting to discuss a monitoring program prior to any earthwork being performed. If cultural resources are found, a qualified Archaeologist and Paleontologist must be required to prepare a report regarding the find and its treatment effort to be submitted to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies. This report must include a description of resources

unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register.

Response:

Contrary to the comment, the IS/MND adequately addressed Cultural Resources. In addition, the IS/MND included regulatory compliance and mitigation measures sufficient to reduce impacts related to archaeological and paleontological resources to less-than-significant levels. These included Regulatory Compliance Measures RC-CR-1 through RC-CR-3, which stated how potential archaeological, paleontological, and human remain resources that may be discovered during excavation will be dealt with in accordance with federal, State and local guidelines. In addition, Mitigation Measure CR-1 also requires an approved Native American monitor will be present during ground disturbing proceedings to further protect and identify archaeological resources. These Regulatory Compliance Measures and Mitigation Measures will mitigate any potential cultural resources impacts to less than significant levels.

Comment 2-13:

Geology and Soils. Per the MND, it is unclear if the proposed grading (and subsequent disturbances to existing soil) are fully detailed and explained in the analysis. As proposed, the Project would excavate soil up to 20-feet in depth. This seems unrealistic for a development that is proposing two-levels of underground parking. Each level would typically be roughly 10-feet in depth. This 20-foot depth number seems to not take into account footings and related structural items needed to support a building of the size proposed. What's more, the Geology section states that groundwater may be encountered less than 30-feet in depth, but provides no mitigation in case groundwater is encountered. This seems confusing and misleading. Also, with these inconsistencies, how are we supposed to know if loss of topsoil and ground surface disturbances are accurately disclosed and presented in the MND? This needs to be discussed in more detail in the MND.

Response:

The IS/MND described and analyzed the estimated volume of export required for implementation of the proposed Project. In particular, the IS/MND states the proposed Project would include two subterranean level of parking, which would require excavation to a maximum depth of 20 feet (including excavation for project footings and foundations). (Initial Study Checklist & Evaluation, Page 2-13.) The excavation depth of 20 feet refers to the extent of sub-grade disturbance, scraping and re-compaction as required below the column footings, and not all excavated material would be exported off-site. As shown in Figures 2-5 to 2-7 of the IS/MND, both parking levels would be approximately 10 feet in depth. However, parking level 0 would be 5 feet above grade and 5 feet below grade, while parking level 00 would be 10 feet below grade, amounting to 15 feet in total below grade for parking. The extra 5 feet in excavation from 15 feet takes into account excavation for Project footings and foundations.

As stated in the IS/MND, during construction, excavation to accommodate subterranean levels may result in penetration of the existing water table and require dewatering. (Initial Study Checklist & Evaluation, Page 3-33.) Any temporary or permanent dewatering program would need to comply with all applicable City and State regulations, in addition to Regulatory Compliance Measures RC-HWQ-1, RC-HWQ-2, and RC-HWQ-3. Therefore, impacts related to groundwater would be reduced to less than significant.

RC-HWQ-1 Prior to issuance of a grading permit, the applicant shall obtain coverage under the State Water Resources Control Board National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). The applicant shall provide the Waste

Discharge Identification Number to the City of Los Angeles to demonstrate proof of coverage under the Construction General Permit. A Storm Water Pollution Prevention Plan shall be prepared and implemented in compliance with the requirements of the Construction General Permit. The Storm Water Pollution Prevention Plan shall identify construction Best Management Practices to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants to stormwater runoff as a result of construction activities.

RC-HWQ-2 Prior to issuance of grading permits, the Applicant shall submit a Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan to the City of Los Angeles Bureau of Sanitation Watershed Protection Division for review and approval. The Low Impact Development Plan and/or Standard Urban Stormwater Mitigation Plan shall be prepared consistent with the requirements of the Development Best Management Practices Handbook.

RC-HWQ-3 The applicant shall comply with all mandatory storm water permit requirements (including, but not limited to National Pollutant Discharge Elimination System, Storm Water Pollution Prevention Plan and Standard Urban Stormwater Mitigation Plan, and Low Impact Development requirements) at the federal, State and local level.

Comment 2-14:

Greenhouse Gas Emissions. The Greenhouse Gas Emissions Section contains numerous errors, inconsistencies, omissions, incorrect assumptions, and incorrect conclusions - ultimately failing as an informational document. The MND fails to compare the Project's impacts against all applicable climate action plans and policies. When the MND compares the Project's greenhouse gas (GHG) emissions against a draft 2010 threshold of significance raised by SCAQMD Staff during a working group process, it fails to properly conclude that the Project would exceed that draft threshold. The input assumptions used in the CalEEMod analysis also understate potential construction impacts and require updated modeling to properly disclose construction-related impacts. Specific comments are as follows.

- The Regulatory Setting Section of the MND is cursory, outdated, and inaccurate. Some examples are provided below:
- The MND fails as an informational document because it does not analyze the Project's consistency with Executive Orders S-03-05 and B-30-15. These Executive Orders establish mid-term (2030) and long-term (2050) emission reduction targets for the State. The failure to consider the Project's consistency with the State's climate policy of ongoing emissions reductions reflected in the Executive Orders, which importantly are tied to the atmospheric concentrations of GHGs necessary to stabilize the climate, frustrates the State's climate policy and renders the MND legally deficient and inadequate as an informational document. This analysis must be completed.
- The analysis fails to describe whether the Project incorporates sustainability design features in accordance with regulatory compliance measures to reduce vehicle miles traveled and the Project's potential impact.
- Methane (CH₄) is generally emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in solid waste landfills, raising livestock, natural gas and petroleum systems, stationary and mobile combustion and wastewater treatment. Mobile sources represent 0.5 percent of overall methane emissions. With this, for most nonindustrial development projects, motor vehicles make up the bulk of GHG emissions, particularly carbon dioxide, methane, nitrous

oxide, and HFCs.: Since the Project is in a Methane Zone per ZIMAS, the Greenhouse Gas Emissions section should look closer at this issue and provide additional analysis.

- Similar to the Air Quality section of the MND, the CalEEMod estimates are based on inconsistent activity data for mobile sources that should be resolved. These items include:
 - As noted above, the construction phasing in the CalEEMod analysis conflicts with information in the Project Description under the MND.
 - As noted previously, the CalEEMod GHG analysis assumes a very low level of equipment associated with the construction phases.
 - Several consistency statements mention that the Project is providing many retail and commercial uses, all of which would contribute to the policies of encouraging the creation of jobs. Similar to other comments that have been presented, the MND conveniently picks and chooses when to mention that they are proposing commercial uses, when in fact, the Project Description illustrates very little retail.

Response:

This comment suggests that the GHG emissions assessment contained numerous methodological errors, which can be addressed topically as follows:

- The MND fails to compare the Project's impacts against all applicable climate action plans and policies.

There is no prescriptive guidance stating that an individual project's GHG emissions must be assessed in the context of all relevant climate action plans and policies. The effects of GHG emissions on climate change are regionally cumulative in nature and an individual project's incremental influence on regional GHG emissions and climate change cannot be effectively measured. Climate action plans are written to guide regional efforts in reducing GHG emissions and improving sustainability through goals, objectives, and strategies that are implemented regionally. The State of California and the City of Los Angeles have adopted policies aimed at reducing GHG emissions and improving energy efficiency in commercial buildings. The MND includes a discussion of building design standards to which the proposed Project will adhere, as well as additional features that will be incorporated to enhance the proposed Project with regards to energy efficiency (Initial Study Checklist & Evaluation, Page 3-27). The discussion and analysis contained in the MND is sufficient.

- The MND compares project emissions to the SCAQMD draft 2010 threshold of significance but does not conclude that the project would exceed the threshold.

This comment is inaccurate in that the GHG emissions analysis in the MND does not compare the GHG emissions generated by the proposed Project to the draft 2010 SCAQMD staff threshold of significance. (Initial Study Checklist & Evaluation, Table 3.7, Page 3-25.) The draft 2010 SCAQMD staff recommendation is discussed to demonstrate that the SCAQMD has not officially promulgated a quantitative GHG emissions threshold for non-industrial projects. The City has also not adopted a quantitative threshold for GHG emissions. Therefore, there is no applicable quantitative threshold for comparison from a regulatory perspective. This comment is inaccurate in suggesting that a comparison was made to the 2010 draft SCAQMD threshold.

- The input assumptions in CalEEMod understate potential construction impacts.

This comment asserts that assumptions in the CalEEMod analysis resulted in construction GHG emissions being understated. Minor adjustments were made to the equipment inventory based on Project-specific information describing the types of activities that would occur on the Project Site. However, in reviewing the CalEEMod files, it was determined that the Project equipment inventory was adjusted in the following ways:

| Phase | Default Inventory (Number of Equipment) | Project Inventory (Number of Equipment) | Net Change (Number of Equipment) |
|--------------------------|---|---|--|
| Demolition | 5 | 9 | +4 |
| Site Prep/Clearing | 3 | 3 | 0 |
| Excavation/Grading | 4 | 7 | +3 |
| Building Construction | 8 | 15 | +7 |
| Architectural Coating | 1 | 1 | 0 |

Review of the CalEEMod files revealed that the Project inventory actually included 17 additional pieces of equipment relative to the default inventory for a Project Site between two and three acres in size. If anything, the analysis represents a conservative estimate of the maximum daily equipment activity during construction of the proposed Project. The comment is unsubstantiated and inaccurate and reflects a misinterpretation of the emissions modeling for the proposed Project.

- The Regulatory Setting section of the MND is cursory, outdated, and inaccurate.

This comment reflects a misunderstanding of the scope of MND requirements pertaining to regulatory settings discussion. It is not customary to include an extensive discussion of the regulatory setting under each impact assessment topic at the MND level. The regulations included in the assessment of GHG emissions were provided to give context as to why and how GHG emissions are of environmental concern. AB 32 is the foundation upon which GHG emissions assessment within California was developed. State and City policies such as the Title 24 energy efficiency standards and the LA Green Building Code have evolved from the objective of reducing GHG emissions. The consideration of applicable regulations and policies in the MND is adequate and satisfies all requirements for context under CEQA.

- The MND does not analyze the project's consistency with EO S-03-05 and B-30-15.

Executive Orders S-03-05 (2005) and B-30-15 (2015) contain mandates committing the State of California to reduce its statewide GHG emissions inventory to 1990 levels by 2020 and to 40 percent below 1990 levels by 2030, respectively. GHG emissions are cumulative in nature, and emissions reductions are achieved through large-scale enforcement of policies and initiatives to improve sustainability and energy efficiency. To support the requirements of S-03-05 and B-30-15, California continues to improve its statewide CALGreen Code and Title 24 standards for energy efficiency in buildings. Additionally, the City of Los Angeles has promulgated its own LA Green Building Code that is even more aggressive in enhancing sustainability than the statewide programs.

As stated in the MND, the proposed Project will adhere to the requirements of the CALGreen Code and the LA Green Building Code, and will provide electric vehicle (EV) charging stations, energy efficient lighting and plumbing fixtures, and a 20 percent reduction in potable water use. (Initial Study Checklist & Evaluation, Page 3-26.) All of these design features are consistent with statewide and regional programs to reduce GHG emissions, including Executive Orders S-03-05 and B-30-15. Collectively, individual projects embracing these GHG emissions reductions strategies, in combination with City and public transit programs to improve sustainability, will achieve the GHG emissions reductions set forth at the statewide level. It is not appropriate to evaluate an individual

project in the context of these Executive Orders, and therefore the comment is not relevant.

- The MND fails to describe whether the project incorporates sustainability design features in accordance with regulatory compliance measures to reduce VMT and the potential impact.

There is no prescriptive guidance requiring that assessment of GHG emissions from individual projects demonstrate a reduction in VMT. There is also no standard regulatory compliance measure requiring that an individual project reduce VMT. The discussion of GHG emissions assessment acknowledges that the proposed Project will be located in close proximity to numerous public transit opportunities. (3.0 Initial Study & Checklist, Page 3-29.) The potential reduction in VMT due to transit accessibility was not included in the scope of the Traffic Study for the proposed Project. Consequently, the VMT associated with the proposed Project represents a conservative estimate as it does not factor in the number of future employees that may opt to use public transit as a means of commuting. The comment is baseless in that no regulatory compliance measures require demonstrated reductions in VMT regardless of land use type.

- The project is in a Methane Zone according to ZIMAS and therefore the GHG emissions section should be expanded to address naturally occurring methane.

Mobile source GHG emissions associated with the proposed Project were estimated using CalEEMod. The location of the Project Site in a Methane Zone does not have any effect on the quantification of GHG emissions that would be generated by construction activities or future operation of the proposed Project. There is no connection between potential methane hazards in the subsurface and mobile source GHG emissions that would be generated by the proposed Project, which the comment identifies as the primary sources of operational emissions. This comment attempts to draw a connection between two unrelated topics. The comment regarding the Methane Zone discussion should alternatively be directed towards Hazards and Hazardous Materials. Please see Response 3-2 for a discussion of the Methane Zone analysis.

- The construction phasing in the CalEEMod analysis conflicts with the Project Description.

To address this comment, the entirety of the MND was reviewed and a text search was performed to identify instances of the use of “storm drain,” “retaining wall,” and “shoring.” The phrase “storm drain” does not appear in the Project Description, and is only used in the Hydrology and Water Quality topical discussion (3.0 Initial Study Checklist & Evaluation, Page 3-33, 3-34) and the Utilities and Service Systems topical discussion (3.0 Initial Study Checklist & Evaluation, page 3-61) of the MND. There is no mention of any storm drain installation that would occur prior to the commencement of demolition activities on the Project Site. This comment is not corroborated by the contents of the MND, as it refers to elements of the project description that do not exist.

The phrases “retaining wall” and “shoring” do not appear at all in the entire document. The Project Description does not describe any construction activities on the Project Site prior to demolition of existing structures. It is unclear where the comment originates as the phrases referred to are not included in the Project Description, description of construction activities, or anywhere else in the MND document. The phases outlined in the CalEEMod analysis are consistent with the Project Description. This comment is unsubstantiated and inaccurate.

- The GHG emissions analysis assumes a very low level of equipment associated with the construction phases.

This comment asserts that the construction equipment inventory utilized in the CalEEMod emissions modeling was too minimal. Minor adjustments were made to the equipment inventory based on Project-specific information describing the types of activities that would occur on the Project Site. However, in reviewing the CalEEMod files, it was determined that the Project equipment inventory was adjusted in the following ways:

| Phase | Default Inventory (Number of Equipment) | Project Inventory (Number of Equipment) | Net Change (Number of Equipment) |
|-----------------------|---|---|--|
| Demolition | 5 | 9 | +4 |
| Site Prep/Clearing | 3 | 3 | 0 |
| Excavation/Grading | 4 | 7 | +3 |
| Building Construction | 8 | 15 | +7 |
| Architectural Coating | 1 | 1 | 0 |

Review of the CalEEMod files revealed that the Project inventory actually included 17 additional pieces of equipment relative to the default inventory for a Project Site between two and three acres in size. If anything, the analysis represents a conservative estimate of the maximum daily equipment activity during construction of the proposed Project. The comment is unsubstantiated and inaccurate and reflects a misinterpretation of the emissions modeling for the proposed Project.

- The MND states that the project is providing many retail and commercial uses, but the Project Description illustrates very little retail.

The number and size of the retail and commercial uses is not pertinent to the quantification of GHG emissions or the assessment of those emissions in a regulatory context. The Project Description provides an accurate overview of the types of uses that comprise the proposed Project. Additionally, the non-commercial uses will be used predominantly by the employees of the office building component of the project. There is not an inconsistency between the MND and the Project Description and this comment is not relevant to the assessment of GHG emissions associated with the proposed Project.

Comment 2-15:

Hazards and Hazardous Materials. As mentioned earlier, the MND does not address methane zone impacts. The Project Site is located within the City of Los Angeles Methane Zone based on the City of Los Angeles Department of City Planning, Zone Information and Map Access System. These areas have a risk of methane intrusion emanating from geologic formations. The areas have developmental regulations that are required by the City of Los Angeles pertaining to ventilation and methane gas detection systems depending on designation category. A Methane Gas Investigation Report should be conducted.

The investigation should evaluate existing methane conditions. According to the LADBS, methane mitigation is required for all sites located in a Methane Zone or a Methane Buffer Zone, regardless of results obtained in a methane investigation. The Site is located in a Methane Zone, as discussed above, and appropriate mitigation should be listed to reduce potential impacts. By failing to include this CEQA category from the MND's analysis, the public and decisionmakers are prevented from imposing potentially valuable mitigation measures to reduce the scope of such methane impacts.

Response:

Please see Response 3-2. Although the proposed Project is located in a Methane Hazard Zone, many heavily developed parts of the City are located in Methane Hazard Zones or Methane Buffer Zones. As such, the City has enacted Ordinance No. 175790 and Ordinance No. 180619, which are designed to provide standard measures to control a common hazard in the City. Measures include site testing, detection systems, and venting, which are required as part of the LAMC. Site testing standards for methane are set as part of the LABC. The proposed Project would comply with the LAMC and LABC, and impact determinations regarding hazards would not change.

Comment 2-16:

Land Use and Planning. In general, the MND fails to provide a sufficient level of detail or explanation in order to adequately inform the public and decisionmakers of the Project's consistency with the Land Use Policies and Goals. Most of the consistency findings are limited to a few sentences total. A deeper level of consistency should have been developed and thoroughly explored within the MND, especially for a development of this size and scope.

For example, the MND concludes that the Project is consistent with respect to the Land Use and Conservation Elements based primarily on the conclusion that it would not increase impacts as to these Elements over and above those resulting from the existing uses at the Project Site, or based on the fact that the Project is similar to existing uses. What's more, Objective 2-1.1 is listed as a consistent approach to commercial development; however, the proposed Project is mostly Office related uses and does not provide new services to the existing community.

More glaring, it seems that many land use plans and policy documents were left out of the analysis. The table provided in the MND mentions strictly those goals and objectives of the related Community Plan for the area. No mention of the City's Land Use Element, Open Space Element, Safety Element, Public Services Element, and Do Real Planning Guidelines were listed and disclosed. This is a huge oversight. Where is the consistency analysis with the Regional Comprehensive Plan, South Coast Air Quality Management Plan, and others? Also, there is no mention of consistency with the City's LAMC regarding Floor Area Ratio. Open Space, density, parking, and etc.

These are the types of issues that appear to be missing from and improperly addressed under the analysis in the MND that should be disclosed and considered as part of the land use impact analysis.

Response:

The policies, objectives, and goals within the City of Los Angeles General Plan Land Use Element sets forth long-range guidance for future development of the City, and the Community Plans guide the physical development by establishing land use goals and policies at the neighborhood level. (Initial Study Checklist & Evaluation, Page 3-36.)

The Project is located within the Palms-Mar Vista-Del Rey Community Plan (Community Plan). The MND provides a detailed analysis of the Project's consistency with Community Plan policies. (Initial Study Checklist & Evaluation, Table 3-4.) The comment implies that the Project is inconsistent with Community Plan policies and objectives but does not provide specific examples. With respect to Objective 2-1.1, the comment incorrectly states that the objective requires that the Project "provide new services to the existing community." In fact, Objective 2-1.1 seeks only to "provide additional opportunities for new commercial development and services within existing commercial areas," which describes the Project exactly as it brings additional office development (commercial) as well as ground floor retail and café uses (services) to an existing commercial area. The comment incorrectly implies that the Objective seeks "community-serving services" which it does not.

The Project is also consistent with applicable LAMC provisions. The Floor Area Ratio (FAR) is approximately 1:46:1, while the maximum floor area based on the zoning for the Project Site is 1.5:1, as shown in the City of Los Angeles Cover Page for the proposed Project. As stated in the IS/MND, the proposed Project would provide two levels of subterranean parking and three above ground parking levels with a total of 845 parking spaces. The 845 provided parking spaces would exceed the number of parking spaces required by the LAMC by 269 spaces. Per comments received on the public hearing for the proposed Project on June 6, 2017, square footages of the proposed Project was revised and parking requirements per LAMC were recalculated. As such, the proposed Project would now exceed the parking spaces required by the LAMC by 259 spaces. Nonetheless, the proposed Project would be consistent with the LAMC.

Pursuant to the LAMC, Open Space is required for projects with 6 or more residential units in accordance with Section 12.21 G of the Zoning Code. As the proposed Project is a commercial office space, there is no open space requirement. In addition, the SCAQMD AQMP is related to air quality and is addressed in the Air Quality section of the IS/MND. (Initial Study Checklist & Evaluation, Page 3-10.) After stating the AQMP is designed to meet applicable federal and State requirements, including attainment of ambient air quality standards, the IS/MND evaluates the proposed Project's compliance with the AQMP. In particular, the IS/MND states the proposed Project does not include a housing element and would not contribute to population growth.

In sum, the IS/MND adequately addresses applicable land use plans and therefore impacts will be less than significant.

Comment 2-17:

Noise and Vibration. The MND utterly fails to address the fact that there are sensitive receptors that will be significantly impacted from construction noise including the underestimated volume of excavation and the operation of a large parking facility, the loading area and mobile noise from all of the likely vehicles that will have to turn around at the end of the cul-de-sac. To make matters worse, the MND proposes an utterly deficient mitigation measure to address construction noise - Noise XII-27; as complaint line mitigates nothing.

Response:

Contrary to the comment, the IS/MND identifies the following sensitive receptors within the vicinity of the Project Site:

- Multi-family residences located 50 feet to the south across Beatrice Street;
- Single-family residences located approximately 300 feet to the east of the Project Site but approximately 600 feet east of the construction zone;
- 740 Sound Design located adjacent to the Project Site but 350 feet east of the construction zone; and
- Digital Domain located approximately 300 feet west to the west. (Initial Study Checklist & Evaluation, Page 3-40.)

The IS/MND notes that additional sensitive receptors are located within 500 feet of the Project Site; however, these receptors were determined to be somewhat shielded from construction activity by the buildings immediately surrounding the Project Site and that the sensitive receptors identified above represent the nearest sensitive with the potential to be impacted by the proposed Project. (Initial Study Checklist & Evaluation, Pages 3-40—3-41.) The noise analysis included a detailed discussion of construction noise levels that would occur at these sensitive receptors. (Initial Study Checklist & Evaluation, Pages 3-39—3-48.)

The Project's parking noise and its potential to increase ambient noise levels is assessed at sensitive receptors in the IS/MND. (Initial Study Checklist & Evaluation, Page 3-44, Table 3-11.) The subterranean level parking would be partially enclosed, and vehicle noise generated within the structure would not be audible beyond the property line. In addition, parking would be fully screened which would further reduce noise levels. The loading area is located in the proposed Project's northeast corner next to commercial and industrial land uses. These types of land uses are not considered sensitive to noise and the design of the proposed Project took careful consideration to locate noise generating aspects away from sensitive receptors. Residences, schools, hospitals, guest lodging, libraries, and some passive recreation areas are considered sensitive receptors.

In regards to mobile noise along the cul-de-sac, the nearest sensitive receptor is located approximately 400 feet to the south and the uses immediately surrounding it are commercial and industrial uses. The majority of mobile noise is generated by vehicles pushing air out of the way as they pass at high speeds. Vehicles travelling along Jandy Place would be at low speeds entering and exiting driveways and would generate minimal noise levels. Furthermore the uses adjacent to the cul-de-sac are located approximately 220 feet south of State Route 90, with vehicles travelling at speeds in excess of 65 miles per hour. Mobile noise generated by the highway would overshadow mobile noise generated by vehicles travelling along Jandy Place. Furthermore, the roadways analyzed in the mobile noise analysis were those identified by the Traffic Impact Study to have the potential to have impacts in the AM or PM peak hour. (Initial Study Checklist & Evaluation, Table 3-10, Page 3-43.) Jandy Place was not identified as an impacted roadway and would operate at a good level of service under Future Cumulative with Project Conditions. (Appendix H – Traffic Impact Study, Page 59; Appendix H – Driveway Traffic Analysis Addendum, Page 3.)

In addition, the IS/MND described and analyzed the estimated volume of export required for implementation of the proposed Project. In particular, the IS/MND states the proposed Project would include two subterranean levels of parking, which would require excavation to a maximum depth of 20 feet (including excavation for project footings and foundations). The excavation depth of 20 feet refers to the extent of sub-grade disturbance, scraping and re-compaction as required below the column footings, and not all excavated material would be exported off-site. Approximately 6,662 tons of demolition debris and 42,000 cubic yards of excavated materials would be exported from the site. (Project Description, Page 2-13.) The estimated volume of export is reasonably derived from estimates based on Project plan sets. The export volume was factored into the noise analysis set forth in the IS/MND and it was assumed export activities would happen at the worst traffic hour. In particular, noise levels for the excavation phase assumed 19 haul trucks per hour, and accounted for construction worker trips and delivery truck trips occurring at the same time. This analysis reflects the most conservative, worst case scenario. (Initial Study Checklist & Evaluation, Page 3-43.)

Pursuant to LAMC Section 112.05, construction noise levels are exempt from the 75 dBA noise threshold if all technically feasible noise attenuation measures are implemented. The Project Applicant would be required to comply with the City's Standard Conditions of Approval (Regulatory Compliance Measures RC-NO-1 through RC-NO-3) and implement Mitigation Measures XII-20 through XII-27, which are feasible measures to control noise levels, including installation of engine mufflers, noise blanket barriers, and use of quieter electric equipment. Mitigation Measures XII-27 is intended as notification measure to inform residents and tenants of construction and to provide an avenue to address public complaints; as such, the measure can allow affected individuals to reschedule activities or otherwise avoid unexpected noise levels. Mitigation Measures XII-20 through XII-26 would provide a quantitative reduction in noise levels and are more than adequate to minimize impacts on the surrounding sensitive receptors. Therefore, the IS/MND concludes that noise impacts would be less than significant with implementation of mitigation measures.

Comment 2-18:

Public Services. With regard to Fire Protection Services, the MND falls flat and does not disclose true potential impacts. In particular, is the Project considered a high-rise structure per LAMC requirements? This is not discussed nor disclosed. This is important since many fire code requirements need to be implemented into the overall design of the Project building. Is a Heli-Pad needed, since the buildings may be considered a high-rise structure? Also, since the Fire Protection Services sections does not provide sufficient detail on existing equipment mix of existing fire stations, are new ladder trucks needed, and if so, how many would be required? This could be a potentially significant impact prior to mitigation measures being incorporated. This needs to be disclosed. With this, are sprinklers required on each floor of the building, due to the overall height of the building and distance to the nearest fire station? It seems the MND is deficient in this area and needs to be revised accordingly.

Response:

Per LAMC Section 91.8604.6.3, a high-rise building is a building of any type of construction having floors (as measured from the top of the floor surface) that may be used for human occupancy located more than 75 feet above the lowest floor level having building access. As such, the proposed Project would be considered a high-rise building. The helipad requirement was removed from the LAMC and is not required for the proposed Project. The proposed Project would comply with all applicable standards regarding LAFD fire protection services (Regulatory Compliance Measure **RC-PS-1** through **RC-PS-8**). (Initial Study Checklist & Evaluation, Page 3-49). The building would incorporate automatic sprinkler systems on every level per requirements set by LAFD. The Project plans will be subject to all requirements of the Building and Safety plan check process, and all required fire protection measures will be implemented prior to issuance of building permit. Thus, with incorporation of the below Regulatory Compliance Measures the Project would have a less than significant impact related to fire protection services.

- RC-PS-1** The proposed Project shall comply with the 2014 Fire Code and any subsequent codes at the time of building permits, including the requirements for automatic fire sprinkler systems and any other fire protection devices deemed necessary by the Fire Chief (e.g., fire signaling systems, fire extinguishers, smoke removal systems, etc.).
- RC-PS-2** The plot plan shall be submitted to the Los Angeles Fire Department (LAFD) for review and approval, and shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant.
- RC-PS-3** A plot plan shall be submitted to the LAFD for review and approval prior to occupancy of the proposed Project, which shall provide the capacity of the fire mains serving the Project Site. Any required upgrades shall be identified and implemented prior to occupancy of the proposed Project
- RC-PS-4** Prior to occupancy of the proposed Project, an emergency response plan shall be submitted to the LAFD. The emergency response plan would include, but not be limited to, the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire stations. Any required modifications shall be identified and implemented prior to occupancy of the proposed Project.
- RC-PS-5** The construction contractors and work crews shall (1) properly maintain the mechanical equipment according to best practices and the manufacturers' procedures; (2) ensure proper storage of flammable materials; and (3) cleanup of spills of flammable liquid.

- RC-PS-6** If there are partial closures to streets surrounding the Project Site, flagmen shall be used to facilitate the traffic flow until the street closure around the construction is complete.
- RC-PS-7** During demolition and construction, LAFD access from major roadways shall remain clear and unobstructed.
- RC-PS-8** The design of the Project Site shall provide adequate access for LAFD equipment and personnel to the structures.

Comment 2-19:

Utilities and Service Systems. The Utilities and Service Systems Section does not provide adequate information and is ultimately failing as an informational document. Our firm's comments on the MND are listed below:

- Projected water during construction use must be calculated based on total water usage and not average daily consumption, similar to how Air Quality impacts are calculated. Since the time period required for construction has been extended, construction activities associated with construction will require greater water consumption.
- Not only has the duration of construction is confusing, but the extent and intensity of construction is also unclear. There is no analysis regarding the potential for the increased levels of water demand required for the increased amount of excavation required for the Project.
- The forecasted water supplies assume that state mandated conservation requirements will continue to apply throughout the life of the Project. Please provide an analysis of what happens if the current State mandated measures are relaxed or eliminated.

Response:

The duration of construction is 22 months and it has not been extended. (See Response 3-11 and 3-15, above.) The excavation has not increased since the time of completion of the Air Quality analysis. Neither water consumption from daily construction or excavation would increase, as the construction time period has not increased. Water used during the construction would be minimal and would not cause any significant impacts on water supply. No new evidence has been provided to contradict the assumptions in the IS/MND.

The forecasted water supply in the IS/MND is based off of Los Angeles Department of Water and Power's (LADWP) Urban Water Management Plan (UWMP). UWMPs are prepared by California's urban water suppliers to support their long-term resource planning, and ensure adequate water supplies are available to meet existing and future water demands. Planning is done over a 20 year horizon, with new plans being released every five years. As such, the current forecasted water supplies are applicable up to the year 2030. (California Department of Water Resources, Urban Water Management Plans.) Furthermore, these plans account for any foreseeable changes in State mandated measures or legislation that would affect the water supply.

As stated in the IS/MND, LADWP conducts water planning based on a econometric water demand forecasting approach. Water demand is projected by major category (single-family, multi-family, commercial, industrial, and government) as well as weather conditions.¹ From 2015 to 2025 the City's water demand is expected to grow by 60,800 acre-feet, with water supplies matching this number.² Accordingly, the 257,600 gpd increase in water usage

¹LADWP, *2010 Urban Water Management Plan*, 2010.

²One acre-foot is equivalent to 325,851 gallons.

resulting from the proposed Project would not be considered substantial in consideration of anticipated growth. (Initial Study Checklist & Evaluation, Pages 3-60 to 3-61.)

Additional Traffic Comments. Supplemental to the second comment letter submitted by Luna & Glushon, Kimley-Horn reviewed the Traffic Impact Study for 12575 Beatrice Street Office Project (NSB Project) dated July 11, 2016, which was prepared by Linscott, Law & Greenspan, Engineers (LLG). This brief review was completed for Karney Management. The NSB project is expected to generate 1,946 daily trips with 275 AM peak hour trips and 334 PM peak hour trips. Primary access is being proposed on Jandy Place, which is a two-lane local street cul-de-sac with very limited ability to handle high vehicular traffic.

Comment 3-1:

The study indicates that 75 percent of the project traffic will be utilizing Jandy Place. It is also understood that all the project delivery and truck access will be off Jandy Place in addition to the proposed food trucks area. It is anticipated that Jandy Place will experience severe congestion during the AM and PM peak periods, potentially creating a hazardous situation including possibly blocking access to emergency vehicles.

A thorough analysis of this short street segment, as well as Beatrice and Westlawn, should be completed to understand if there are any adverse effects from the proposed Project on traffic, pedestrian, and emergency vehicle access. Below is a summary of the traffic study.

Response:

The comment restates the Project trip generation provided in Table 7-1, Page 31 of the LLG traffic study. The statement in the K-H memo regarding "...75 percent of project traffic will be utilizing Jandy Place..." is not correct. The assignment of project traffic as provided in the LLG traffic study was augmented by the LLG supplemental traffic analysis, which evaluated the currently proposed Project design feature which will provide two driveways on Beatrice Street and two driveways on Jandy Place. It is expected that project traffic will equally utilize the driveways on Beatrice Street and Jandy Place (i.e., a 50/50 split of Project traffic between Beatrice Street and Jandy Place).

The comment accurately states that project delivery and truck access will be off of Jandy Place. This truck access will be through a drive aisle shielded from neighboring uses and provides adequate space for trucks to turn around.

The claim in the comment that Jandy Place "...will experience severe congestion during the AM and PM peak periods, potentially creating a hazardous situation including possibly blocking access to emergency vehicles..." is a mere assertion made without data or analysis to support this assertion. This assertion also does not reflect the thorough analysis provided in the LLG traffic study and LLG supplemental traffic analysis.

Based on traffic count data provided in Appendix C of the LLG traffic study, currently 69 cars (61 northbound, 8 southbound) use Jandy Place in the AM peak hour. Similarly, 83 cars currently use Jandy Place in the PM peak hour (14 northbound, 69 southbound). The Project is forecast to add 138 trips to Jandy Place in the AM peak hour (121 inbound, 17 outbound) and 167 trips in the PM peak hour (28 northbound, 139 southbound).

In total, Jandy Place is forecast to accommodate 207 trips in the AM peak hour and 250 trips in the PM peak hour. This is equivalent to approximately 4 cars per minute using Jandy Place during the peak hours of traffic following construction and occupancy of the Project. The potential use of Jandy Place by one car every approximately 15 seconds does not constitute

a “hazardous situation” or an impediment to emergency vehicle access as asserted in the K-H memo.

Further, Table 1 within the LLG supplemental traffic analysis provides a summary of the Level of Service calculations for the Project’s Jandy Place driveways in the Existing + Project and Future + Project conditions. As shown in Table 1, a driveway balance assuming a 50/50 split of Project traffic to Jandy Place and Beatrice Street would result in LOS A and B conditions at the Jandy Place driveways during the weekday AM and PM peak hours, respectively. The average wait time for a motorist exiting the garage onto Jandy Place would be less than 10 seconds in the AM peak hour and less than 11 seconds during the PM peak hour in the Future + Project condition. This rate of egress does not constitute “severe congestion” as asserted in the K-H memo.

In addition, LADOT has recommended implementation of the Applicant’s proposed voluntary safety measure to close the Jandy Place ingress and egress during peak weekday lunch hours. To enhance pedestrian safety along Jandy Place, the Project’s Jandy Place ingress and egress will be closed weekdays between 12:30 PM and 1:30 PM. Also, in connection with the already-agreed upon future traffic signal warrant analysis, the Applicant has agreed to submit an analysis of Jandy Place driveway operations after one year of Project operation to assess peak hour traffic flows, obtain LADOT review, and adjust driveway operations if warranted.⁵

Comment 3-2:

Study Intersections - The study Included analysis of internal intersections adjacent to the Project Site as well as the following additional intersections.

- Lincoln Boulevard / Marina Pointe Drive - Maxella Avenue
- Lincoln Boulevard / SR-90 Ramps
- Mindanao Way / SR-90 WB Ramps
- Mindanao Way / SR-9D EB Ramps
- Westlawn Avenue / Bluff Creek Drive

Response:

The comment lists five of the study intersections evaluated in the LLG traffic study. In fact, the potential traffic impacts of the Project were evaluated at 26 off-site intersections, plus two additional intersections (Jandy Place/Beatrice Street and Westlawn Avenue/Beatrice Street) for traffic signal warrants. Thus, a total of 28 intersections were comprehensively evaluated within the LLG traffic study. The list of study intersections is provided on Pages 7 and 8 of the LLG traffic study.

Comment 3-3:

NSB site plan shows 3 proposed driveways.

- Per NSB Project Site plan, the driveway along Beatrice Street is approx. 100' due west of Westlawn Avenue. There is no driveway at Beatrice/Westlawn.
- The driveways along Jandy Place seem to be directly opposing the proposed driveway for Jandy project. They do show that these driveways are the primary access driveways (75 percent of their project traffic uses this driveway to enter and exit site)
- There is a service driveway at the end of their site on Jandy within the cul-de-sac area but no additional information such as frequency of service vehicles, size of vehicles, etc has been included.

Response:

The comment provides a discussion of the Project driveways. See Response to Comment 4-1, above, which clarifies that the current Project site plan includes two driveways on Jandy Place and two driveways on Beatrice Street, resulting in a forecast assignment of 50 percent of Project traffic to Beatrice Street. Contrary to the statement in the comment regarding service vehicle access, the LLG traffic study (Page 6) provides a discussion regarding access for service vehicles, including anticipated size and type of vehicles. While the precise number of service vehicles cannot be forecast, it is reasonable to expect that the number of vehicles would be similar to an office building of similar size.

Comment 3-4:

Signal Warrant- NSB traffic study Includes four hour and peak hour warrants. The study indicates the following:

- At Jandy/Beatrice, peak hour warrant is met for Future plus Project conditions
- At Westlawn/Beatrice, four-hour warrant is met for Future plus Project conditions

Response:

The comment correctly summarizes the analysis and findings of the traffic signal warrants analysis provided in the LLG traffic study prepared for the Jandy Place/Beatrice Street and Westlawn Avenue/Beatrice Street intersections (see, for example, Table 13-1 on Page 63 of the LLG traffic study). Further, LADOT recommended on Page 4 of its assessment letter⁶ prepared for the Project that the two intersections should be monitored for a period of three years following 80 percent occupancy of the Project, with a traffic signal installed at one or both locations if determined to be warranted by LADOT.

Comment 3-5:

Impacts - NSB study indicates significant project impacts at 3 study intersections. Proposed mitigation measure includes re-striping and signal timing improvements

- Westlawn/Jefferson
- Grosvenor/Jefferson
- Centinela/Campus Center Dr (Jefferson)

Response:

The comment correctly summarizes the analysis and findings of the off-site traffic impact analysis provided in the LLG traffic study prepared for the 28 study intersections (see, for example, Table 9-1 on Pages 39 and 40 of the LLG traffic study). The LLG traffic study identifies significant traffic impacts due to the Project at the three intersections listed in the comment. Mitigation measures for the three intersections are provided in the LLG traffic study on Page 52 through 56, and incorporated into the Mitigated Negative Declaration prepared for the Project. The mitigation measures are also restated on Page 4 of the LADOT assessment letter. With implementation of the recommended traffic mitigation measures, the traffic impacts of the Project would be reduced to levels of insignificance.

On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment. Mitigated Negative Declaration ENV-2016-1209-MND reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Department of City Planning in Room 750, 200 North Spring Street.