CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
CITY HALL 200 NORTH SPRING STREET LOS ANGELES CA 90012

INITIAL STUDY

1100 E. 5th Street Project

Case Number: ENV-2016-3727-EIR

Project Location: 1100 E. 5th Street, 506-530 S. Seaton Street (southeast corner of E. 5th and Seaton Streets), Los Angeles, California, 90013

Community Plan Area: Central City North

Council District: 14—Huizar

Project Description: The Project proposes the demolition of three vacant warehouse buildings and surface parking, and the construction of an up to 247,000-square-foot mixed-use building containing up to 220 live/work units and approximately 22,725 square feet of open space for residents, up to 44,530 square feet of commercial uses, and associated parking facilities providing approximately 342 parking spaces and approximately 288 bicycle parking spaces at the 54,009-square-foot (1.2-acre) Project site. Eleven percent of the units (approximately 25 live/work units) would be deed-restricted for Very Low Income households. The proposed building would be up to 110 feet (8 levels) tall and would include a three-level subterranean parking structure.

PREPARED FOR:
The City of Los Angeles
Department of City Planning

PREPARED BY:
EcoTierra Consulting, Inc.

APPLICANT:
WW-5th & Seaton, LLC, and XF-5th & Seaton, LLC

February 2018

INITIAL STUDY

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CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY
AND APPENDIX G CHECKLIST

LEAD CITY AGENCY	COUNCIL DISTRICT	DATE
City of Los Angeles Department of City Planning	14 – Huizar	February 23, 2018

RESPONSIBLE AGENCIES
N/A

PROJECT TITLE / CASE NO.	RELATED CASES
1100 E. 5th Street Project / ENV-2016-3727-EIR	CPC-2016-3726-GPA-VZC-HD-MCUP-ZAA-DB-SPR; VTT-74549

PROJECT LOCATION
1100 E. 5th Street, 506-530 S. Seaton Street (southeast corner of E. 5th Street and Seaton Street), Los Angeles, CA 90013

APPLICANT NAME AND ADDRESS	PHONE NUMBER
WW-5th & Seaton, LLC, and XF-5th & Seaton, LLC c/o Mayer Brown 350 S. Grand Avenue, 25th Floor Los Angeles, CA 90071	(213) 229-9548

PROJECT DESCRIPTION:
The Project proposes the demolition of three vacant warehouse buildings and surface parking, and the construction of an up to 247,000-square-foot mixed-use building containing up to 220 live/work units and approximately 22,725 square feet of open space for residents, up to 44,530 square feet of commercial uses, and associated parking facilities providing approximately 342 parking spaces and approximately 288 bicycle parking spaces at the 54,009-square-foot (1.2-acre) Project site. Eleven percent of the units (approximately 25 live/work units) would be deed-restricted for Very Low Income households. The proposed building would be up to 110 feet (8 levels) tall and would include a three-level subterranean parking structure. (For additional detail, see Attachment A).

ENVIRONMENTAL SETTING:
The Project site is currently developed with three vacant single-story industrial warehouses that occupy approximately 35,000 square feet of floor area, and an associated surface parking. Nearly the entire site is paved by concrete and asphalt, except for an approximately 450-square-foot planter consisting of non-protected trees along a portion of the eastern façade of the warehouse fronting E. 5th Street. Warehouses fronting E. 5th Street and Seaton Street are built to the lot line, and vehicular access to the Project site is restricted by security gates at E. 5th Street and Seaton Street. The Project Site is designated for Heavy Industrial and zoned M3-1-RIO.

The Project Site is surrounded by industrial warehousing, a surface parking lot, and Colyton Street to the east; a paved surface parking lot and Palmetto Street to the south; commercial uses and industrial warehousing to the west across Seaton Street; and industrial warehousing that has been converted to commercial, non-industrial uses to the north across E. 5th Street. The land uses within the general vicinity are characterized by a mix of low- to and medium-intensity industrial, commercial, and live/work uses, which vary widely in building style and period of construction. While the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the Adaptive Reuse Ordinance has allowed residential uses within the live/work components, with smaller neighborhood commercial uses to complement the residential population. (For additional detail, see Attachment A).

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Outreach to California Native American tribes traditionally and culturally affiliated with the Project area began on October 16, 2017.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- ☐ Aesthetics
- ☐ Agriculture and Forestry Resources
- ☒ Air Quality
- ☐ Biological Resources
- ☒ Cultural Resources
- ☒ Geology / Soils
- ☒ Greenhouse Gas Emissions
- ☒ Hazards & Hazardous Materials
- ☒ Hydrology / Water Quality
- ☒ Land Use / Planning
- ☐ Mineral Resources
- ☒ Noise
- ☒ Population / Housing
- ☒ Public Services
- ☒ Recreation
- ☒ Transportation / Traffic
- ☒ Tribal Cultural Resources
- ☒ Utilities / Service Systems
- ☒ Mandatory Findings of Significance

DETERMINATION (to be completed by Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

William Lamborn	City Planner
PRINTED NAME	**TITLE**
	(213) 978-1470
SIGNATURE	**TELEPHONE NUMBER**

EVALUATION OF ENVIRONMENTAL IMPACTS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analysis," as described in (5) below, may be cross referenced).

5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

    a) Earlier Analysis Used. Identify and state where they are available for review.

    b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated

7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9) The explanation of each issue should identify:

    a) The significance criteria or threshold, if any, used to evaluate each question; and

    b) The mitigation measure identified, if any, to reduce the impact to less than significance.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
II. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
d. Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
IV. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

V. CULTURAL RESOURCES: Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☒	☐	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☒	☐	☐	☐
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐
d. Disturb any human remains, including those interred outside of dedicated cemeteries?	☒	☐	☐	☐
VI. GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, caused in whole or in part by the project's exacerbation of the existing environmental conditions? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking caused in whole or in part by the project's exacerbation of the existing environmental conditions?	☒	☐	☐	☐
iii. Seismic-related ground failure, including liquefaction, caused in whole or in part by the project's exacerbation of the existing environmental conditions?	☒	☐	☐	☐
iv. Landslides, caused in whole or in part by the project's exacerbation of the existing environmental conditions?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse, caused in whole or in part by the project's exacerbation of the existing environmental conditions?	☒	☐	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property caused in whole or in part by the project's exacerbation of the existing environmental conditions?	☒	☐	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment caused in whole or in part from the project's exacerbation of existing environmental conditions?	☒	☐	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including, where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, caused in whole or in part from the project's exacerbation of existing environmental conditions?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	☒	☐	☐	☐
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☒	☐	☐	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☒	☐	☐	☐
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☒	☐	☐	☐
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☒	☐	☐	☐
f. Otherwise substantially degrade water quality?	☒	☐	☐	☐
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☒	☐	☐	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
X. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	☐	☐	☒	☐
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒	☐
XII. NOISE. Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
XIII. POPULATION AND HOUSING. Would the project:				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☒	☐	☐	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	☒	☐	☐	☐
b. Police protection?	☒	☐	☐	☐
c. Schools?	☒	☐	☐	☐
d. Parks?	☒	☐	☐	☐
e. Other public facilities?	☒	☐	☐	☐
XV. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☒	☐	☐	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☒	☐	☐	☐
XVI. TRANSPORTATION/TRAFFIC. Would the project:				
a. 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?	☒	☐	☐	☐
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☐
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e. Result in inadequate emergency access?	☒	☐	☐	☐
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☒	☐	☐	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☒	☐	☐	☐
XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	☐
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☒	☐	☐	☐
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

INITIAL STUDY

Attachment A – Project Description

A. Project Summary

The Project proposes the demolition of three vacant warehouse buildings and surface parking, and the construction of an up to 247,000-square-foot mixed-use building containing up to 220 live/work units and approximately 22,725 square feet of open space for residents, up to 44,530 square feet of commercial uses, and associated parking facilities providing approximately 342 parking spaces and approximately 288 bicycle parking spaces at the 54,009-square-foot (1.2-acre) Project site. Eleven percent of the units (approximately 25 live/work units) would be deed-restricted for Very Low Income households. The proposed building would be up to 110 feet (8 levels) tall and would include a three-level subterranean parking structure.

B. Environmental Setting

1. Project Location

The Project Site is located at 1100 E. 5th Street and 506-530 S. Seaton Street (southeast corner of E. 5th Street and Seaton Street) in the Central City North community of the City of Los Angeles (the "City"), and consists of seven contiguous lots associated with Assessor Parcel Numbers 5163-024-009 and 5163-024-014 (the "Project Site"). The relatively flat Project Site is approximately 1.2 acres and is bounded by E. 5th Street to the north, Seaton Street to the west, paved surface lot to the south, and one- and four-story warehouse buildings and surface parking lot to the east (see Figure A-1, Vicinity and Regional Map).

Regional access to the area of the Project Site is provided by the Santa Monica Freeway ("I-10") and the Hollywood Freeway ("US-101") via Alameda Street and E. 4th Street, approximately 1.2 miles to the south and approximately 0.9 miles to the east. Local access to the Project Site is provided via E. 5th Street and Seaton Street. The Los Angeles County Metropolitan Transportation Authority ("Metro") and City of Los Angeles Department of Transportation ("LADOT") provide local bus service in the Project Site area. Metro runs multiple bus lines, including local and rapid lines, along E. 6th Street, Central Avenue, and E. 7th Street in the area. LADOT provides a DASH Downtown A line, the nearest stop of which is located at E. 4th Place and Hewitt Street, approximately 1,100 feet to the north of the Project Site. Additionally, the Little Tokyo/Arts District Metro Gold Line Light Rail Station is located approximately 0.6 mile to the north of the Project Site.[1]

2. Existing Conditions

The Project Site is currently developed with three vacant single-story industrial warehouses that occupy approximately 35,000 square feet of floor area, and an associated surface parking lot. Nearly the entire site is paved by concrete and asphalt except for an approximately 450-square-

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[1] *The existing light rail station is currently at-grade located along Alameda Street midblock between Temple Street and E. 1st Street; however, this station will be moved underground and across the street to the southeast corner of E. 1st Street and Central Avenue as part of Metro's under-construction Regional Connector Transit Project. Metro's project is forecasted to be completed in 2021.*

foot planter consisting of four queen palm trees and an avocado tree along a portion of the eastern façade of the warehouse fronting E. 5th Street. Warehouses fronting E. 5th Street and Seaton Street are built to the lot line, and vehicular access to the Project site is restricted by security gates at E. 5th Street and Seaton Street.

The Project Site has a General Plan land use designation of Heavy Industrial under the Central City North Community Plan. The Heavy Manufacturing land use designation permits a wide range of corresponding industrial zones that allow for a variety of industrial, commercial, and adaptive live/work uses and intensities.

The Los Angeles Municipal Code ("LAMC") establishes the zoning for the Project Site as M3-1-RIO (Heavy Industrial Zone – Height District No. 1 – River Improvement Overlay District). The M3 Zone permits a wide range of industrial and manufacturing uses that are in operation in the area. The M3 Zone also permits commercial uses permitted under the C2 Zone, such as restaurants, bars, studios, offices, and adaptive reuse into live/work units, which can all be found within the immediate surrounding area of the Project Site. In regards to the River Improvement Overlay District, significant projects located within this district, such as the Project, require an Administrative Clearance from the Department of City Planning prior to issuance of a building permit.

The Project Site is also within the East Los Angeles State Enterprise Zone, Central Industrial Redevelopment Project area, a Transit Priority Area, and within a Methane Zone.[2] The East Los Angeles State Enterprise Zone permits general commercial uses to provide two parking spaces per 1,000 square feet of gross commercial floor area. The Central Industrial Redevelopment Project area was originally designated by the now-defunct Community Redevelopment Agency, and is currently operated by its successor agency, the CRA/LA, a Designated Local Authority. Projects within the Central Industrial Redevelopment Project area are still required to be in conformance with the CRA/LA's Redevelopment Plan for the Central Industrial Redevelopment Project.

The Project is located within a Transit Priority Area pursuant to Senate Bill 743, due to its proximity to a "major transit stop" as defined in Public Resources Code Section 21064.3. SB 743 defines a TPA as an area within one-half mile of a major transit stop that is existing or planned. A major transit stop is a site containing a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the AM and PM peak commute periods. An infill site refers to a lot located within an urban area that has been previously developed, or a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. As shown on Figure A-2, Project Site and Transit Priority Area, the Project Site is within a TPA.[3]

Furthermore, the Project's location within a designated Methane Zone indicates the potential for methane intrusions emanating from geologic formations and requires compliance with Citywide requirements.

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[2] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, website: http://zimas.lacity.org, accessed: April 19, 2017.*

[3] *Major transit stops identified in the map attached to the City's Zoning Information File ZI No. 2452 within a half mile of the Project Site that qualifies the Project for inclusion within a TPA include, but are not limited to, the intersections of E. 6th Street and Alameda Street and E. 6th Street and Central Avenue.*

3. Surrounding Land Uses

The Project Site is located within the Arts District, on the eastern edge of downtown Los Angeles and in an area that has been developed since the early 1900s. The Arts District is located to the southeast of the Little Tokyo District, east of the Skid Row and Downtown districts, and north of the I-10. The Arts District encompasses an area that has been transitioning from predominantly industrial warehouses to also include creative spaces, live/work units, commercial uses (e.g., retail shops, restaurants, studios), multi-family residential, etc. The Project Site has frontage along E. 5th Street and Seaton Street, which are lined with industrial, commercial, and live/work uses.

The land uses within the general vicinity are characterized by a mix of low- to and medium-intensity industrial, commercial, and live/work uses, which vary widely in building style and period of construction. The surrounding properties include industrial, commercial retail, studio, bar, café, restaurant, low- and mid-rise adaptive reuse buildings with live/work components and surface parking lots. While the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the City's Adaptive Reuse Ordinance has allowed for residential uses within the live/work components, with neighborhood commercial uses to complement the residential population.

The Project Site is bounded by E. 5th Street to the north with a converted industrial building across the E. 5th Street; Seaton Street to the west with a gas station with truck wash and industrial uses across Seaton Street; a paved surface lot to the south; and one- and four-story warehouse buildings and surface parking lot to the east. Additionally, the Arts District Park and a 5-story multi-family residential use are located approximately 365 and 590 feet to the east, respectively, at the corner of E. 5th Street and S. Hewitt Street.

In the area of the Project Site, E. 5th Street and Seaton Street are classified as Collectors in the City's Mobility Plan 2035.

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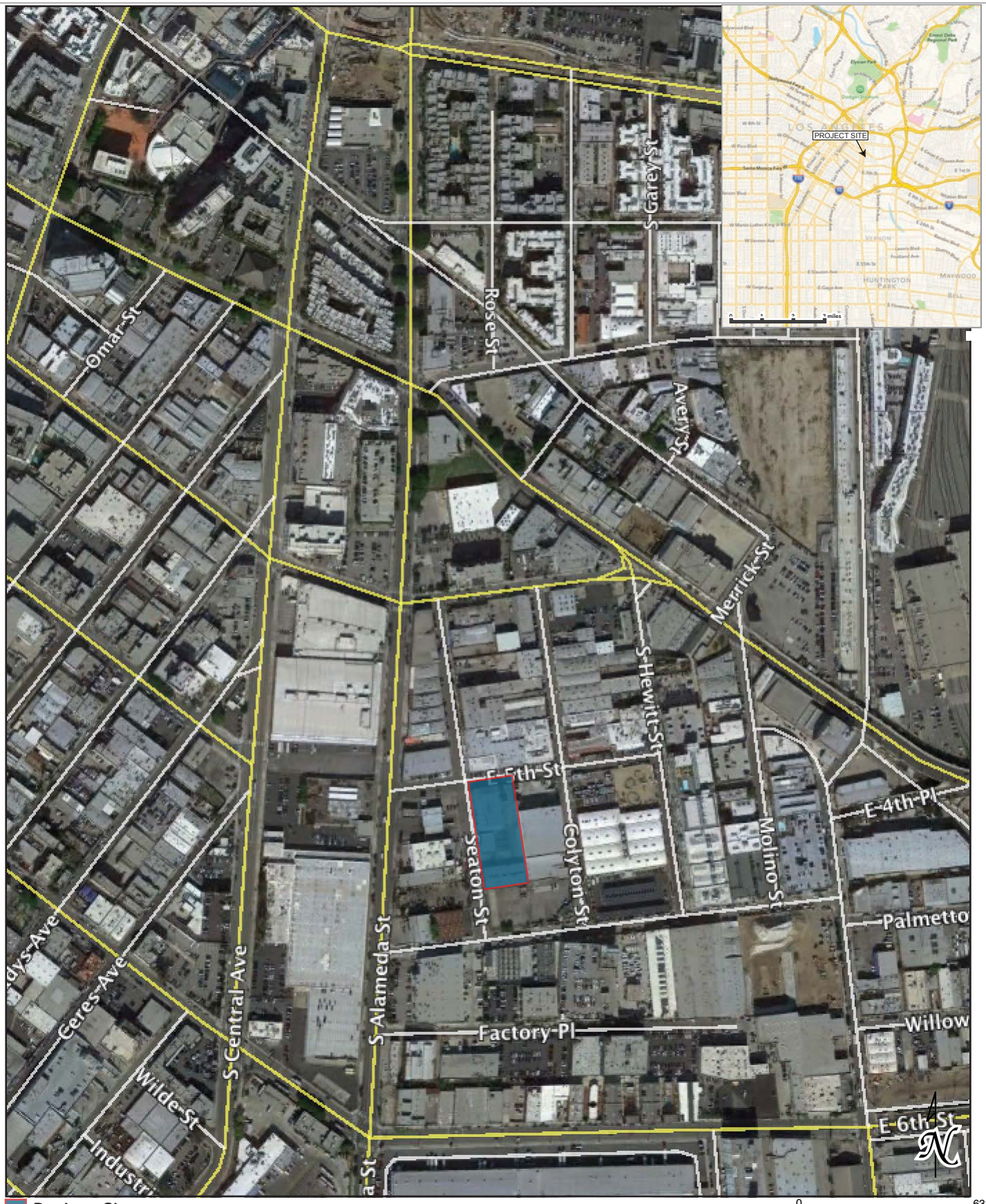
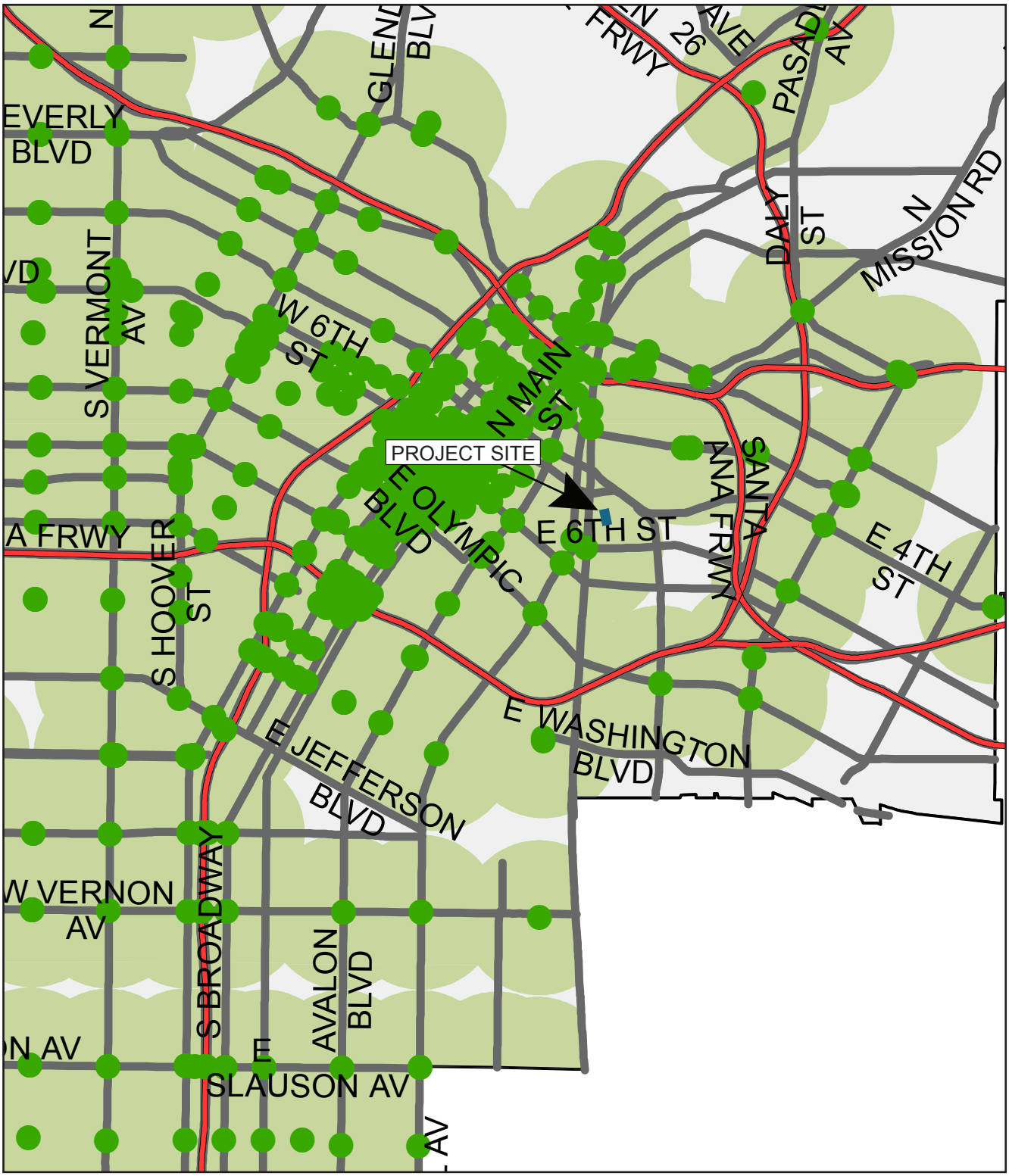


Source: GoogleEarth, April 2017.

EcoTierra consulting

Figure A-1
Vicinity and Regional Map



Project Site

Major Stop

Freeway

Transit Priority Area

City Limits

Source: City of Los Angeles, March 2016.

EcoTierra consulting

Figure A-2
Project Site and Transit Priority Area

C. Project Characteristics

1. Project Overview

The Project would involve the demolition of the existing warehouses and surface parking lot, and the construction of an up to 247,000-square-foot mixed-use building including up to 220 live/work units, approximately 22,725 square feet of open space for residents, up to 44,530 square feet of commercial uses, and associated parking facilities. Eleven percent of the units (approximately 25 live/work units) would be deed-restricted for Very Low Income households. The proposed building would be up to 110 feet (8 above-ground levels) tall plus three levels of subterranean parking. The Project has been designed to incorporate specific design standards the City has developed to address the Arts District's unique urban form and architectural characteristics.[4] A conceptual site plan is shown on Figure A-3, Conceptual Site Plan, and floor plans for the ground floor and top floor with rooftop amenities are shown on Figures A-4, Level 1 Plan, and A-5, Level 8 Plan and Rooftop Amenities. Table A-1, Project Demolition Summary, summarizes the land uses that would be demolished by the Project, and Table A-2, Project Development Summary, summarizes the proposed land uses.

Table A-1
Project Demolition Summary

Land Use	Amount
3 Warehouses	35,000 sf
Paved Parking and Concrete Surface	23,000 sf

sf = square feet
Source: EcoTierra Consulting, September 2017.

Table A-2
Project Development Summary

Land Use	Amount
Live/Work Units	
Studios – 1 bedrooms (Units < 1,000 sf)	166 du
Studios – 1 bedrooms (Units 1,000 sf)[a]	25 du
2 bedrooms – 3 bedrooms (Units > 1,000 sf)	29 du
Total Live/Work Units	**220 du**
Open Space	
Private Open Space	900 sf
Outdoor Communal Space	18,719 sf
Indoor Communal Space	3,106 sf
Total Open Space	**22,725 sf**
Commercial Uses	
Commercial and Art Production Space	**44,530 sf**

du = dwelling units; sf = square feet
[a] *Affordable housing units.*
Source: HansonLA Architecture, February 2018.

[4] *The specific design standards were included in Ordinance No. 184099, which created the Hybrid Industrial "HI" Live/Work zoning classification. A recent Los Angeles Superior Court decision (Yuval Bar-Zemer et al v City of Los Angeles) determined the environmental clearance for this Ordinance failed to comply with CEQA and has ordered the City to set aside its approval of the Ordinance. The Project has nevertheless been required to incorporate the design standards set forth in the Hybrid Industrial Ordinance in order for the design of the Project to appropriately address the context of the Arts District's neighborhood form and character.*

The Project's commercial uses would be located on the ground and second levels, fronting E. 5th Street and Seaton Street. The commercial uses would include general commercial, restaurant, retail, office, and art production-related uses. The commercial spaces on the second level would be accessible from the internal courtyard via elevators and stairs. The live/work component would be located above the commercial uses on the second through eighth levels. The Project proposes a floor-to-area ratio ("FAR") of 4.7:1.

The Project Applicant is requesting a General Plan Amendment, Vesting Zone Change, and Height District Change to construct and operate the Project. The General Plan Amendment would change the current land use designation from Heavy Industrial to Regional Center Commercial, which would permit the proposed mix of commercial and live/work uses. The Vesting Zone Change would change the current zone from M3 to C2, which would allow for the proposed range of commercial, art production-related, and live/work uses. The Height District Change from Height District No. 1 to Height District No. 2 would permit an increased FAR, from 1.5:1 to 6:1 (the Project building would result in a 4.7:1 FAR). See the Requested Permits and Approvals discussion below for more information regarding the discretionary requests that are part of the Project.

2. Design and Architecture

The buildings in the area of the Project Site vary in age and architectural style. The Project's design is a contemporary architectural style. As the Project is located within the Arts District community of downtown Los Angeles, the proposed building has been designed to blend within the distinct urban fabric of the community, which includes industrial, arts production, residential, and general commercial uses. A conceptual rendering of the Project can be seen on Figure A-6, Conceptual Project Renderings, which includes conceptual views from two vantage points.

The articulation of each of the Project's street facades would incorporate a combination of shaped windows and solid walls to create a patterned facade that resembles a flower oriented toward E. 5th Street at the northeastern corner of the Project Site. There would be additional opportunities for wall art on the east and south walls. The north- and west-facing street facades would incorporate scaled windows and partially enclosed balconies at select locations. The design of the balconies would provide a texture to the facade. The Project would utilize metal and plaster materials. The design alternates different textures, colors, materials, and distinctive architectural treatments.

3. Open Space and Landscaping

The Project's required amount of open space was calculated pursuant to LAMC Section 12.21-G,2, based on the total number of units. However, as set forth in LAMC Section 12.22-A,25, because the Project is setting aside approximately 11 percent of its proposed units for Very Low Income households, the Project qualifies for "on-menu" incentives/concessions.[5] Specifically, the Project requests to utilize an on-menu incentive for up to a 20 percent reduction in the amount of required open space.

The Project's approximately 22,725 square feet of open space and live/work amenities would be located in several distinct areas, generally located on the ground, second, and eighth level. The Project's various amenities would include a swimming pool and deck, outdoor areas for lounging, indoor amenities, such as fitness and recreational rooms, a resident art gallery, and plaza and pedestrian paseo areas. In addition, many units would include private balconies.

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[5] *"On-menu" incentives refers to those incentives that are specifically enumerated in the City's Density Bonus Ordinance program.*

The Project would provide two landscaped pedestrian paseos. The paseo from Seaton Street would be located mid-Project and provide a 30-foot by 30-foot pedestrian entry into the internal courtyard. The paseo from E. 5th Street would provide a 22-foot wide breezeway for approximately 100 feet that also meets at the internal courtyard. In general, the paseos would provide breaks in the facade and would provide access to ground floor plaza and commercial uses.

4. Access, Circulation, and Parking

Pedestrian access to the Project's various components would be provided directly from E. 5th Street and Seaton Street and via the paseos within the Project. Pedestrian access to the commercial spaces on the second level would be accessible from the internal courtyard via elevators and stairs. Moreover, pedestrian access to the live/work component would be accessible from E. 5th Street and Seaton Street as well, with E. 5th Street providing the primary access to the live/work lobby.

Vehicle access into the shared parking garage for the commercial and live/work uses would be available from Seaton Street to the three subterranean levels of the parking garage, which would maintain the E. 5th Street frontage as the main pedestrian entrance with additional pedestrian access from Seaton Street. The Project would provide approximately 342 parking spaces, including 90 parking spaces for the commercial uses, 249 parking spaces for the live/work uses, and 3 additional parking spaces that could be used by the Project's patrons, guests, or employees. In addition, the Project would provide 20 percent of its parking spaces with chargers for electric vehicles within the parking structure. Table A-3, Vehicle Parking, provides the parking calculations for the Project.

Table A-3
Vehicle Parking

Use Type	Amount	Parking Ratio[a]	Number of Spaces
Live/Work			
Studio and 1-Bedroom Units	191 du	1 space/du	191
2 bedrooms – 3 bedrooms	29 du	2 spaces/du	58
		Subtotal of Required Parking	**249**
		Project Provided	**249**
Commercial			
Commercial/Art Production	44,530 sf	2 spaces/1,000 sf	90
		Subtotal of Required Parking	**90**
		Project Provided	**90**
		Total Required Parking	**339**
		Additional Project Guest Parking for Live/Work and Commercial Uses	**3**
		Total Project Provided	**342**

du = dwelling units; sf = square feet
[a] *Live/Work parking ratio per Density Bonus Parking Option 1; commercial parking ratio per East Los Angeles State Enterprise Zone.*

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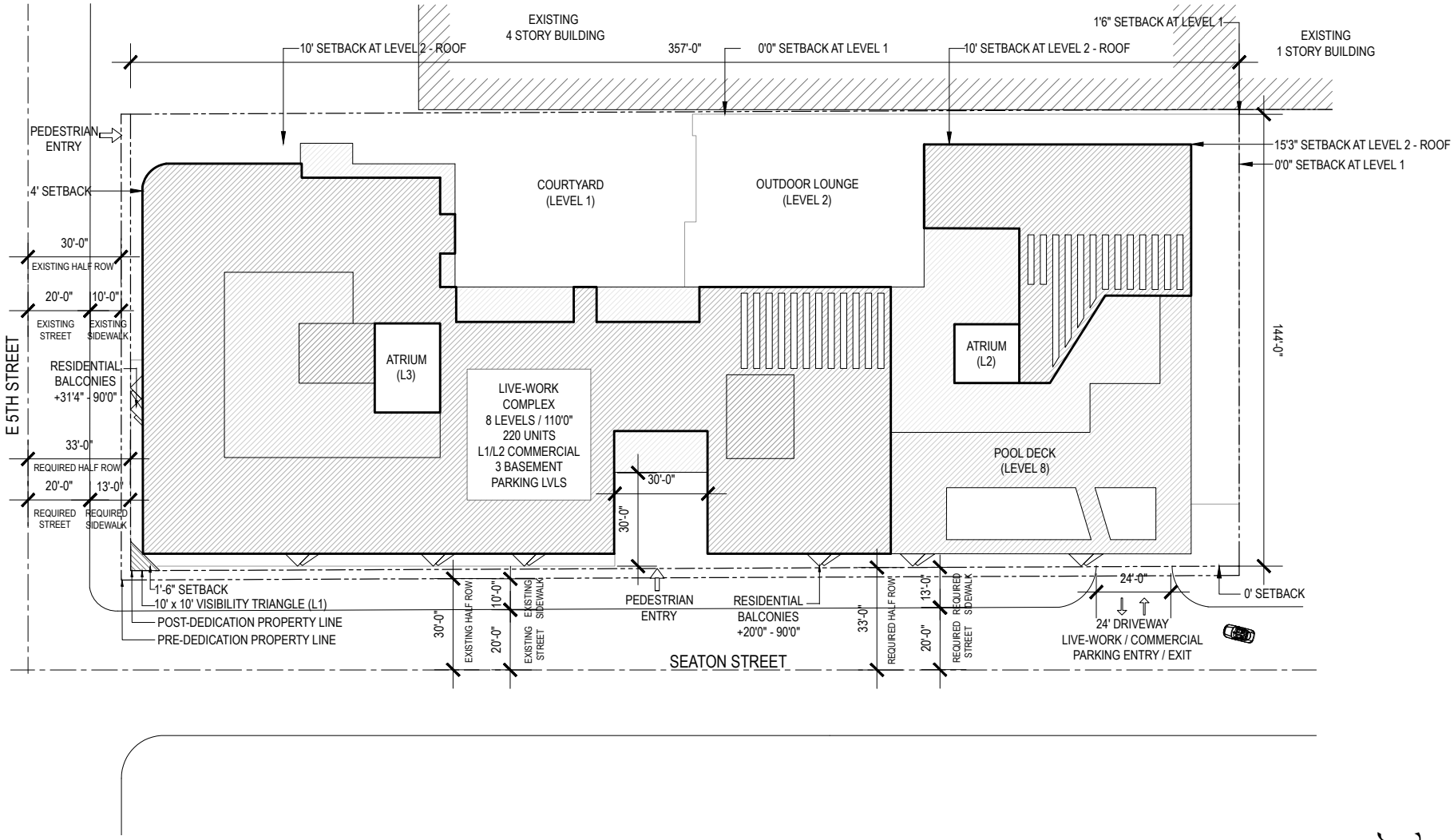
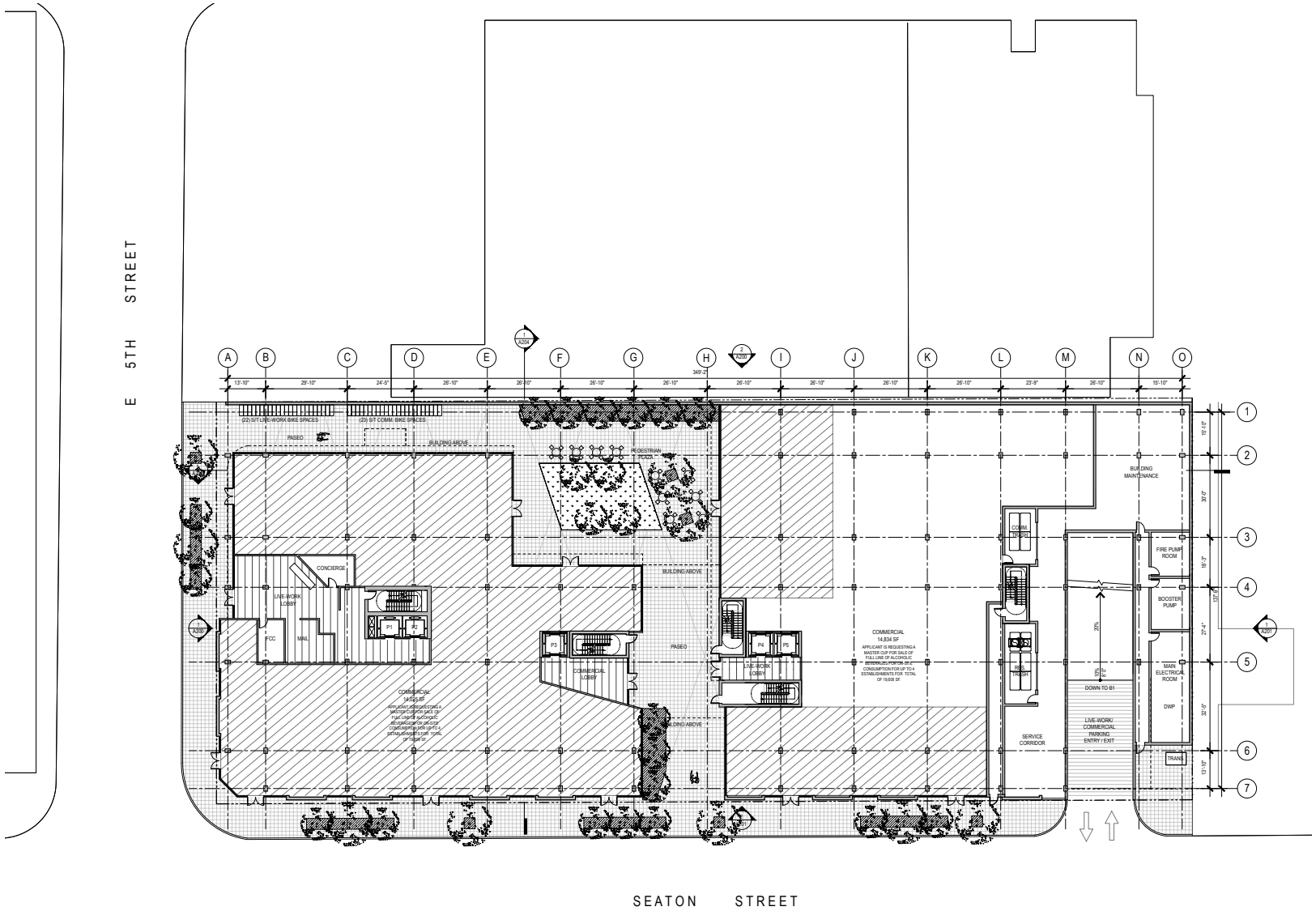


Source: Hansonla Architecture, February 2018.

EcoTierra consulting

Figure A-3
Conceptual Site Plan

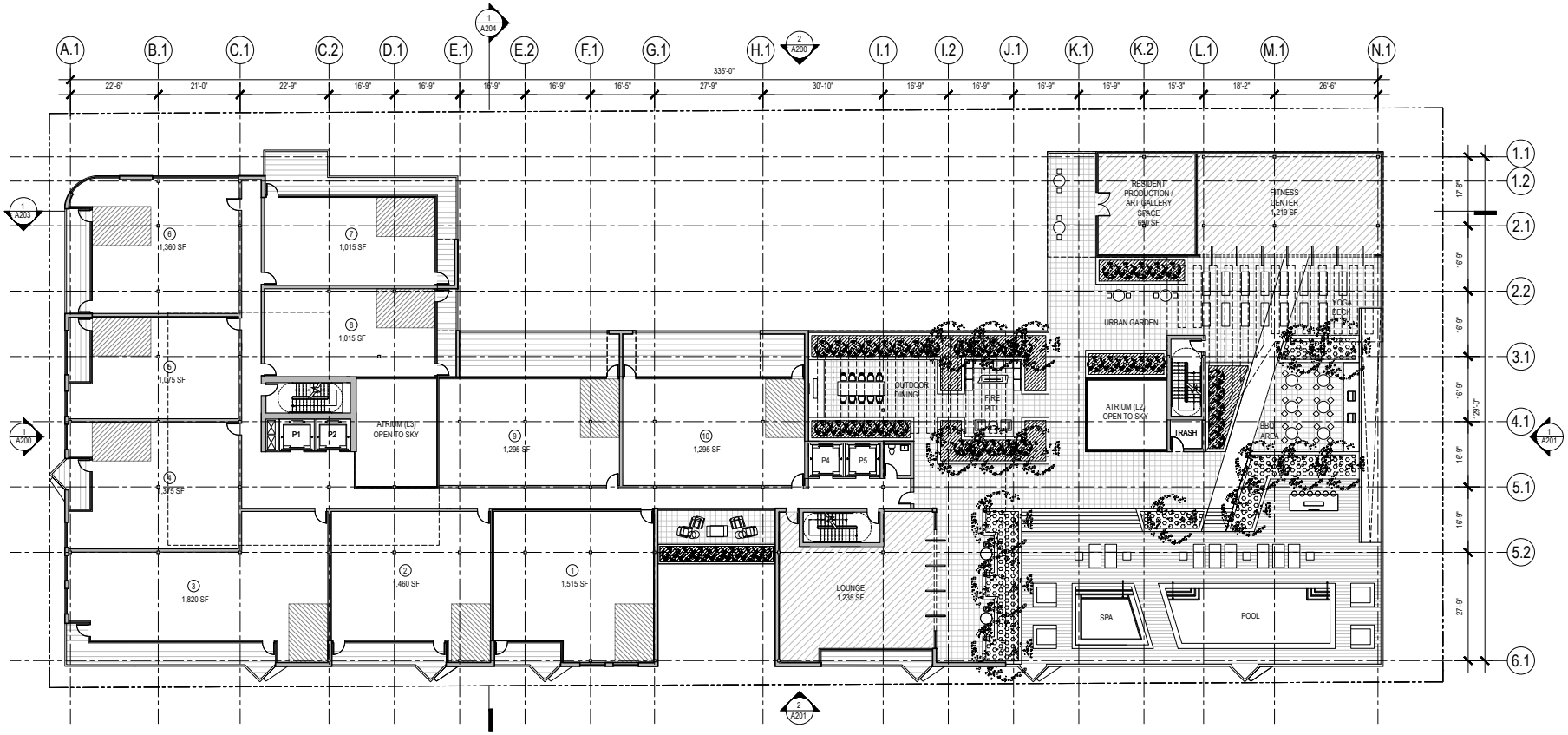


= Commercial space requesting approval to permit the sale of alcohol.

Source: Hansonla Architecture, February 2018.

EcoTierra consulting

Figure A-4
Level 1 Plan



Source: Hansonla Architecture, February 2018.

EcoTierra consulting

Figure A-5
Level 8 Plan and Rooftop Amenities

View looking southeast across the intersection of E. 5th Street and Seaton Street toward the northwest corner of the Project building.

View looking north from within the Project Site toward the Project's proposed interior courtyard on level 1 from the proposed outdoor lounge on level 2.

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure A-6
Conceptual Project Renderings

In addition, the Project would also provide 288 bicycle parking spaces, comprised of 46 bicycle spaces for commercial uses and 242 for the live/work uses, to meet LAMC requirements. The 23 short-term bicycle parking spaces for the commercial uses and the 22 short-term spaces for the live/work uses would be located in several locations near the ground floor commercial uses and live/work entrances. The 23 long-term bicycle parking spaces for the commercial uses and the 220 long-term bicycle parking spaces for live/work uses would be located on the first subterranean level of the parking garage. Table A-4, Bicycle Parking, provides the calculations for the Project.

Table A-4
Bicycle Parking

Use Type	Parking Ratio[a]		Required	Project Provided		
	Short-term	Long-term		Short-term	Long-term	Provided
Live/Work	1 space/10 du	1 space/du	242	22	220	**242**
Commercial	1 space/2,000 sf	1 space/2,000 sf	46	23	23	**46**
Total Project Bicycle Parking				**45**	**243**	**288**

du = dwelling units; sf = square feet
[a] *Per LAMC Section 12.21.A.16.*

The Project has been designed to be pedestrian-oriented with ground floor commercial uses fronting all street frontages. The commercial uses would consist of several establishments, each with its own entrance directly from the street, pedestrian plaza, or paseo. According to the City's 2010 Bicycle Master Plan, Mateo Street and Santa Fe Avenue are classified as Bicycle Friendly Streets that provide north-south corridors through the Arts District.

5. Lighting and Signage

New Project signage would be used for building identification, wayfinding, and security markings. Exterior lights would be wall- or ground-mounted and shielded away from adjacent land uses. Building security lighting would be used at all entry/exits and would remain on from dusk to dawn, but would be designed to prevent light trespass onto adjacent properties. Signage for the commercial uses would be in conformance with the LAMC.

6. Site Operation and Security

Given the live/work uses on the Project Site, the Project would operate 24 hours per day. Business hours for commercial operations would likely be within the range of 6:00 AM to 2:00 AM, depending on the requirements of the individual commercial use. The Project would provide security features including, but not limited to, controlled access to live/work areas, and video surveillance.

7. Affordable Housing and Density Bonus

The Project would include 11 percent of the live/work units (approximately 25 live/work units) reserved for Very Low Income households, and therefore, the Project qualifies for a 35 percent density bonus and 2 on-menu incentives/concessions as set forth in the State Density Bonus law (California Government Code Section 65915) and the City's density bonus ordinance (LAMC Section 12.22-A,25). The Project, however, does not seek a density beyond the 220 units that would be permitted at the Project Site with the requested General Plan Amendment and Vesting Zone Change. Of the two on-menu incentives/concessions available, the Project is requesting to utilize one in order to reduce the open space requirement by up to 20 percent.

Consistent with the City's density bonus ordinance, the Project is entitled to a density bonus parking incentive (Parking Option 1), which requires one on-site parking stalls for each

proposed studio and 1-bedroom unit and two on-site parking stalls for each proposed 2- and 3-bedroom units. As shown above on Table A-3, the Project would meet these parking option requirements.

8. Sustainability Features

The Project would be compliant with the Los Angeles Green Building code and California Energy/Title 24 requirements, and would include, but not be limited to, the following features:

- Energy efficient elevator;
- Low-flow faucets, shower heads, and toilets;
- Energy efficient mechanical systems;
- Energy efficient glazing and window frames; and
- Energy efficient lighting.

Moreover, in accordance with CEQA Guidelines Appendix F, the Project's Environmental Impact Report will provide further information as to energy conservation, energy implications, and the energy-consuming equipment and processes that would be used during Project construction and operation. Design features of the Project, energy supplies that would serve the Project, and total estimated daily vehicle trips that would be generated by the Project will also be analyzed. An analysis of the Project's consistency with Appendix F will be provided in the EIR.

9. Anticipated Construction Schedule

The Project would be constructed over approximately 24 months. Construction activities would include the demolition of the existing warehouses and surface parking lot and grading, excavation, and building construction. Demolition activities are anticipated to start in 2019, and construction completion and occupancy is anticipated in 2021.

The Project is estimated to require a net export of approximately 81,000 cubic yards of soil. Depending on the location of the disposal site, the likely outbound haul route for the Project would be heading west on E. 5th Street and north on Alameda Street to US-101 northbound on-ramp for northbound hauling, or west on E. 5th Street, north on Alameda Street, east on E. 4th Street, and south on Pecan Street to US-101 southbound on-ramp for south- or eastbound hauling. Exported materials would likely be disposed at Bradley Landfill and Recycling Center in Sun Valley and/or the Atkinson Brickyard site in the City of Compton. The Project's haul route would be considered by the City as part of its review of the Project's entitlement requests.

D. Requested Permits and Approvals

The list below includes the anticipated requests for approval of the Project. The Environmental Impact Report will analyze impacts associated with the Project and will provide environmental review sufficient for all necessary entitlements and public agency actions associated with the Project. The discretionary entitlements, reviews, permits, and approvals required to implement the Project include, but are not necessarily limited to, the following:

(1) Pursuant to Section 555 of the City Charter and LAMC Section 11.5.6, a General Plan Amendment to amend the adopted Central City North Community Plan's land use designation from the current "Heavy Industrial" land use designation to "Regional Center Commercial" land use designation;

(2) Pursuant to LAMC Section 12.32-Q, a Vesting Zone Change from M3 Zone to C2 Zone;

(3) Pursuant to LAMC Section 12.32-F, a Height District Change from Height District No. 1 to Height District No. 2;

(4) Pursuant to LAMC Section 12.24-W,1, Master Conditional Use approval to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption for up to 4 establishments, for a total of up to 19,609 square feet of floor area;

(5) Pursuant to LAMC Section 16.05, Site Plan Review approval for a development that creates an increase of 50 or more dwelling units;

(6) Pursuant to LAMC Section 12.22-A,25, a Density Bonus to set aside 11 percent as Very Low Income units and utilize an on-menu incentive to reduce the open space requirement by up to 20 percent;

(7) Pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map No. 74549 to merge the existing lots and subdivide for commercial and live/work condominium purposes;

(8) Pursuant to LAMC Section 17.03, a Zoning Administrator Adjustment for reduced side and rear yard setback areas;

(9) Deviation from Advisory Agency Policy No. 2000-1 to permit 249 parking spaces for the 220 live/work units at a ratio of 1.13 parking spaces per unit;

(10) Certification of the Environmental Impact Report;

(11) Haul route approval (if required); and

(12) Other discretionary and ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary street closure permits, grading permits, excavation permits, foundation permits, building permits, and sign permits in order to execute and implement the Project.

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INITIAL STUDY

Attachment B – Explanation of Checklist Determinations

I. Aesthetics

Senate Bill (SB) 743 [Public Resources Code ("PRC") §21099(d)] sets forth new guidelines for evaluating project transportation impacts under CEQA, as follows: "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area ("TPA") shall not be considered significant impacts on the environment." PRC Section 21099 defines a "transit priority area" as an area within 0.5 mile of a major transit stop that is "existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." PRC Section 21064.3 defines "major transit stop" as "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." PRC Section 21099 defines an "employment center project" as "a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area. PRC Section 21099 defines an "infill site" as a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. This State law supersedes the aesthetic impact thresholds in the 2006 *L.A. CEQA Thresholds Guide*, including those established for aesthetics, obstruction of views, shading, and nighttime illumination.

The related City of Los Angeles Department of City Planning Zoning Information (ZI) File ZI No. 2452 provides further instruction concerning the definition of transit priority projects and that "visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impact as defined in the City's CEQA Threshold Guide shall not be considered an impact for infill projects within TPAs pursuant to CEQA."

PRC Section 21099 applies to the Project. Therefore, the Project is exempt from aesthetic impacts. The analysis in this initial study (or in the EIR, if any aesthetic impact discussion is included), is for informational purposes only and not for determining whether the Project will result in significant impacts to the environment. Any aesthetic impact analysis in this initial study (or the EIR) is included to discuss what aesthetic impacts would occur from the Project if PRC Section 21099(d) was not in effect. As such, nothing in the aesthetic impact discussion in this initial study (or the EIR) shall trigger the need for any CEQA findings, CEQA analysis, or CEQA mitigation measures.

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. For projects where State CEQA Statute Section 21099 does not apply, a significant impact may occur if a project would have a substantial adverse effect on a scenic vista. Scenic vistas are generally described in two ways: panoramic views (visual access to a large geographic area, for which the field of view can be wide and extend into the distance) and focal views (visual access to a particular object, scene, or feature of interest). Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on a scenic vista is made considering the following factors:

- The nature and quality of recognized or valued views (such as natural topography, settings, man-made or natural features of visual interest, and resources such as mountains or ocean);
- Whether a project affects views from a designated scenic highway, corridor, or parkway;
- The extent of obstruction (e.g., total blockage, partial interruption, or minor diminishment); and
- The extent to which a project affects recognized views available from a length of a public roadway, bike path, or trail, as opposed to a single, fixed vantage point.

The approximately 1.2-acre Project Site is relatively flat and currently developed with three vacant warehouses that occupy approximately 35,000 square feet of floor area, and associated surface parking. The existing buildings are built out to the lot line at the street frontages and vehicle access from E. 5th Street and Seaton Street is restricted by a security gate. Nearly the entire site is paved except for an approximately 450 square foot planter along the eastern façade of the warehouse fronting E. 5th Street. There are no prominent topographical features on the Project Site from which scenic vistas could be viewed, nor does the Project Site contain a scenic vista. The existing viewshed at the Project Site is defined by existing urban development with industrial structures. Moreover, while the Project Site is located within the Los Angeles River Improvement Overlay District, views of the Los Angeles River are not available from the Project Site due to the intervening built environment of varying building heights and the distance of the river (0.4 mile to the east).

The Project would construct an 8-level, approximately 110-foot-tall mixed-use building over three levels of subterranean parking. The Project would extend beyond the height of the existing one-story warehouses. Even so, the Project would not directly obstruct an existing public view of a scenic vista as views of a scenic vista are not readily available from that location. Any existing, albeit limited, views to distant scenic vistas would be from private view points in the surrounding land uses. A significant impact occurs only when a proposed project adversely affects the public view of a scenic vista and, therefore, impacts to private views are not considered to be significant. Therefore, further analysis of this issue is not required. Pursuant to CEQA Section 21099(d) and ZI 2452, the Project would result in no impact on aesthetics.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact. For projects where State CEQA Statute Section 21099 does not apply, a significant impact would occur if scenic resources would be damaged and/or removed by development of a project. There are no State-designated scenic highways or highways eligible for scenic designation in the Project Site vicinity.[1] There are also no City-designated scenic highways in the Project Site vicinity.[2] As such, the Project would have no potential to damage scenic resources within the corridor of a scenic highway. Therefore, no impact would occur and further

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[1] *California Department of Transportation, California Scenic Highway Mapping System, Los Angeles County, website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/langeles.htm, accessed: April 19, 2017.*

[2] *City of Los Angeles Department of City Planning, Mobility Plan 2035, Citywide General Plan Circulation System, Map A6 – Central, East Subarea.*

analysis of this issue is not required. Pursuant to CEQA Section 21099(d) and ZI 2452, the Project would result in no impact on aesthetics.

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

No Impact. For projects where State CEQA Statute Section 21099 does not apply, a significant impact may occur if the project would substantially degrade the existing visual character or quality of the site and its surroundings.

Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project that is located outside of a TPA will result in a significant aesthetic impact is made considering the following factors:

- The amount or relative proportion of existing features or elements that substantially contribute to the valued visual character or image of a neighborhood, community, or localized area, which would be removed, altered or demolished;
- The amount of natural open space to be graded or developed;
- The degree to which proposed structures in natural open space areas would be effectively integrated into the aesthetics of the site, through appropriate design, etc.;
- The degree of contrast between proposed features and existing features that represent the area's valued aesthetic image;
- The degree to which the project would contribute to the area's aesthetic value; and
- Applicable guidelines and regulations.

The Project Site is located in the urbanized area of downtown Los Angeles' Arts District. The land uses within the general vicinity are characterized by a mix of low- and medium-intensity industrial, commercial, and live/work uses, which vary widely in building style and period of construction. The surrounding properties include industrial, commercial retail, studio, bar, café, restaurant, low- and mid-rise adaptive reuse buildings with live/work components and surface parking lots. While the majority of properties in the surrounding area are designated and zoned heavy industrial and manufacturing, the implementation of the Adaptive Reuse Ordinance has allowed residential uses within the live/work components, with neighborhood commercial uses to complement the residential population.

The Project Site is bounded by E. 5th Street to the north with a converted industrial building across the E. 5th Street, Seaton Street to the west with a gas station with truck wash and industrial uses across Seaton Street, paved surface lot to the south, and one- and four-story warehouse buildings and surface parking lot to the east. Additionally, the Arts District Park and a 5-story multi-family residential use are located approximately 365 and 590 feet to the east, respectively, at the corner of E. 5th Street and S. Hewitt Street.

The Project would construct an 8-level, approximately 110-foot-tall mixed-use building over three levels of subterranean parking. The Project would extend beyond the height of the existing one-story warehouse structures on site. Thus, the Project would result in a change in the visual character of the Project Site and surrounding area. Visual simulations of the Project as viewed from various vantage points in the area around the Project Site can be seen in Figures B-1 through B-5, which include both the conceptual before and after Project implementation views. The following discussion addresses the extent of the change to the visual character resulting from Project implementation.

Source: Hanson LA, Architecture, August 2017.

EcoTierra consulting

Figure B-1-1
Visual Simulation (Before)
View from Seaton Street, North of 5th Street Looking Southeast Towards the Project

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-1-2
Visual Simulation (After)
View from Seaton Street, North of 5th Street Looking Southeast Towards the Project

Source: Hanson LA, Architecture, August 2017.

EcoTierra consulting

Figure B-2-1
Visual Simulation (Before)
View from Alameda Street at the Intersection of 5th Street Looking East Towards the Project

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-2-2
Visual Simulation (After)
View from Alameda Street at the Intersection of 5th Street Looking East Towards the Project

Source: Hanson LA, Architecture, August 2017.

EcoTierra consulting

Figure B-3-1
Visual Simulation (Before)
View from Palmetto Street at the Intersection of Seaton Street Looking North Towards the Project

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-3-2
Visual Simulation (After)
View from Palmetto Street at the Intersection of Seaton Street Looking North Towards the Project

Source: Hanson LA, Architecture, August 2017.

EcoTierra consulting

Figure B-4-1
Visual Simulation (Before)
View from Palmetto Street at the Intersection of Colyton Street Looking Northwest Towards the Project

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-4-2
Visual Simulation (After)
View from Palmetto Street at the Intersection of Colyton Street Looking Northwest Towards the Project

Source: Hanson LA, Architecture, August 2017.

EcoTierra consulting

Figure B-5-1
Visual Simulation (Before)
View from Hewitt Street at the Intersection of 5th Street Looking West Towards the Project

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-5-2
Visual Simulation (After)
View from Hewitt Street at the Intersection of 5th Street Looking West Towards the Project

Height

The Project's proposed building height would be up to 110 feet (eight above-ground levels). The Project has been designed to be consistent with the intent of the Hybrid Industrial ("HI") Ordinance by incorporating the design standards set forth in the HI Ordinance, including provisions relative to building height and massing (Section 12.04.06), in order for the design of the Project to appropriately address the context of the Arts District's neighborhood form and character.

Existing buildings in the area of the Project Site range from one to six stories in height. Neither the existing M3-1 zoning nor the proposed zone change to C2-2 zoning at the Project Site limit building height. The Project would introduce a taller building than what exists in the surrounding uses, however, the Project would be generally consistent with the urban viewshed of the surrounding area even as the Project would be notably taller than existing buildings. Mid-rise buildings in the vicinity of the Project Site include the 6-story Beacon Lofts at 825 E. 4th Street, located approximately 730 feet to the north of the Project Site, and the approximately 5-story Barker Block Lofts located at 530 S. Hewitt Street, located approximately 565 feet to the east of the Project Site. The Project building would also be taller than the one- and three-story buildings that generally surround the Project Site. The building would provide a texture to the façade that would complement neighboring buildings, and would adapt the classic metal and plaster materials typical of buildings within the Arts District in addition to traditional elements. In should also be noted that projects of generally similar height are being proposed or have been entitled in the general vicinity, such as the 1525 Industrial Street project, a 7-story building to be located approximately a third of a mile south of the Project Site. Thus, based on the above, and as the Project's height has been designed to be consistent with the intent of the HI Ordinance and thereby relates to the context of Arts District's neighborhood form and character, the proposed height would not detract from the visual character or quality of the site and its surroundings. Moreover, pursuant to State CEQA Statute Section 21099(d), the Project would result in no impact on aesthetics, and further analysis of this issue is not required.

Massing

As noted above, the Project has been designed to be consistent with the intent of the Hybrid Industrial (HI) Ordinance by incorporating the design standards set forth in the HI Ordinance, including provisions relative to building height and massing (Section 12.04.06), in order for the design of the Project to appropriately address the context of the Arts District's neighborhood form and character. In addition to the increased height, the Project's proposed building would increase the building mass on the Project Site. The resulting building would be larger than the immediately surrounding structures and compared to the existing uses at the Project Site. This increased visibility would occur on nearby roadways and adjoining sidewalks bordering the site, and the greater height and mass would increase the visibility of the Project Site from nearby properties. Even with increased size, however, the Project would be generally consistent with the urban viewshed of the surrounding area even as the Project would be taller than existing buildings.

The Project would be generally built to its adjacent right-of-way lot lines. To reduce the massing of the Project, the Project would be articulated with a variety of breaks along its frontage along E. 5th Street and Seaton Street, which would also provide visual interest (see Figures B-1-2, B-2-2. The middle portion of the east-facing façade would be setback from the property line where a proposed outdoor lounge would be located (see Figures B-4-2, B-5-2, and A-6), which would also reduce the sense of mass. Although E. 5th Street would provide primary access, Seaton Street would also provide pedestrian access and vehicular access to its subterranean parking garage. The street frontage along E. 5th Street and Seaton Streets are approximately 147 feet and 357 feet in length, respectively. There would be two landscaped pedestrian paseos at the northeast and west edges of the Project that would provide breaks along the frontages, access

between E. 5th Street and Seaton Street, and also access the various commercial spaces, ground floor plaza, and bicycle parking. The Project's density would result in a floor-to-area ratio ("FAR") of 4.7:1, which would be less than the 6:1 FAR that would be allowed (with the requested General Plan Amendment and Vesting Zone Change).

Although the Project would increase massing on the Project Site relative to existing conditions, the Project's massing would be incrementally larger than existing mid-rise buildings in the area, but would be consistent with the intent of the design standards of the HI Ordinance, and includes design characteristics (e.g., breaks and setbacks in the building articulation) that break up massing and ensure that the Project would not substantially degrade the visual character or quality of the site and its surroundings. Moreover, pursuant to State CEQA Statute Section 21099(d), the Project would result in no impact on aesthetics and further analysis of this issue is not required.

Design

The buildings in the area of the Project Site vary in age and architectural style. The Project's design is a contemporary architectural style (see Figure A-6, Conceptual Project Renderings, in the Project Description). As the Project is located within the Arts District community of downtown Los Angeles, the proposed building has been designed to blend within the distinct urban fabric of the community, which includes industrial, arts production, residential, and general commercial uses.

The articulation of each of the Project's street facades would incorporate a combination of shaped windows and solid walls to create a patterned facade that resembles a flower oriented toward E. 5th Street at the northeastern corner of the Project Site. There would be additional opportunities for wall art on the east and south walls. The north- and west-facing street facades would incorporate scaled windows and partially enclosed balconies at select locations. The design of the balconies would provide a texture to the facade which would complement with neighboring buildings. The Project would adopt the classic metal and plaster materials typical of buildings within the Arts District.

As such, the Project has been designed to create a streetscape within the Arts District that complements the area. The Project's architectural material selection and color palette would contribute toward aesthetic appeal in the area. The design alternates different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive facades. As a result of the proposed building's architectural style and urban design on the Project Site, the Project would be effectively integrated into the aesthetics of the urban viewshed. Thus, the proposed design would not detract from the visual character or quality of the site and its surroundings. Moreover, pursuant to State CEQA Statute Section 21099(d), the Project would result in no impact on aesthetics and further analysis of this issue is not required.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. For projects where State CEQA Statute Section 21099 does not apply, a significant impact may occur if the development introduces new sources of light or glare on or from a project site which adversely affect day or nighttime views in the area. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project located outside of a TPA will result in a significant nighttime illumination impact is made considering the following factors:

- The change in ambient illumination levels as a result of project sources; and
- The extent to which project lighting would spill off the project site and effect adjacent light-sensitive areas.

Light

The Project is located in a well-lit urban area of the City where there are moderate to high levels of ambient nighttime lighting, including street lighting, vehicle headlights, architectural and security lighting, and indoor building illumination (light emanating from structures which passes through windows), all of which are common to densely populated areas. Artificial light impacts are largely a function of proximity. The Project Site is located within an urban environment, thus, light emanating from any one source contributes to the overall lighting impacts rather than being solely responsible for lighting impacts on a particular use. As uses surrounding the Project Site are already impacted by lighting from existing development within the area, any additional amount of new light sources must be noticeably visible to light-sensitive uses to have any notable effect.

The Project would have the potential to alter lighting patterns in the area of the Project Site as compared with the existing vacant warehouses structures and surface parking on site. Night lighting for the Project would be provided to illuminate building entrances, driveways, commercial use, and for security. Although the amount of light emanating from the Project would represent an increase over current light levels, the Project would comply with LAMC Section 12.21.A.5(k) (Design of Parking Facilities – Lighting), which requires parking area lighting to reflect away from any street and any adjacent premises; LAMC Section 14.4.4.E (Sign Illumination Limitations), which prohibits sign lighting from producing a light intensity of greater than three foot candles above ambient lighting as measured from the nearest residentially zoned property; and LAMC Section 93.0117 (Outdoor Lighting Affecting Residential Property), which prohibits outdoor lighting sources from causing the windows and outdoor recreation/habitable areas of residential units from being illuminated by more than two foot candles, or from receiving direct glare from the light source.[3]

Additionally, headlights from vehicles entering and exiting the Project's subterranean structure from Seaton Street at night would be an increased source of light at the Project Site due to the greater intensity of use at the site, which is currently vacant. Light from vehicle headlights would not directly shine upon any nearby light-sensitive land use for any substantial amount of time as a commercial and industrial land uses are located to the west of the Project Site across Seaton Street.

It is anticipated that the amount of light emanating from the Project would represent an increase over current light levels. Even so, compliance with City's regulatory compliance measures, including LAMC Sections 12.21.A.5(k), 14.4.4.E, and 93.0117, would require outdoor lighting to be designed and installed with shielding so that the source of the light (e.g., the bulb) cannot be seen from adjacent residential properties, the public right-of-way, nor from above so as to minimize light trespass. Therefore, the Project would not create a new source of substantial light that would adversely affect day or nighttime views in the area. Moreover, pursuant to State CEQA Statute Section 21099(d), the Project would result in no impact on aesthetics.

Glare

Glare is a common phenomenon in the Southern California area due mainly to the occurrence of a high number of days per year with direct sunlight and the highly urbanized nature of the region, which results in a large concentration of potentially reflective surfaces. Potential reflective surfaces in the Project vicinity include vehicles traveling and parked on streets in the vicinity of the Project site and exterior building windows. Excessive glare not only restricts visibility, but also increases the ambient heat reflectivity in a given area.

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[3] *Direct glare, as used in LAMC Section 93.0117, is a glare resulting from high luminances or insufficiently shielded light sources that is in the field of view.*

The Project would incorporate both solid and glass surfaces. Exterior building materials of the proposed building would use various non-reflective material designed to minimize the transmission of glare from buildings. The Project's parking would be subterranean, thereby minimizing potential glare from vehicles. Compliance with the City's existing regulations, including LAMC Section 93.0117 (Outdoor Lighting Affecting Residential Property), which prohibits outdoor lighting sources from causing the windows and outdoor recreation/habitable areas of residential units from being illuminated by more than two foot candles, or from receiving direct glare from the light source would ensure glare impacts are not significant. Moreover, the Project would not use polished metals in its design. Therefore, the Project would not create a new source of glare that would adversely affect day or nighttime views in the area. Moreover, pursuant to State CEQA Statute Section 21099(d), the Project would result in no impact to glare.

Shade/Shadow

The issue of shade and shadow pertains to the blockage of direct sunlight by buildings, which may affect adjacent properties. The effects of shading are site specific. As described in the *L.A. CEQA Thresholds Guide*, shadow effects are dependent upon several factors, including the local topography, the height and bulk of a project's structural elements, sensitivity of adjacent land uses, season, and duration of shadow projection. 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 uses are considered to be sensitive because sunlight is important to function, physical comfort, or commerce.

The screening criteria for shade/shadow impacts set forth in the *L.A. CEQA Thresholds Guide* asks if a project would include light-blocking structures in excess of 60 feet in height above the ground elevation that would be located within a distance of three times the height of the proposed structure to a shadow-sensitive use on the north, northwest, or northeast. The Project building would exceed 60 feet in height (up to 110 feet). Based on the *L.A. CEQA Thresholds Guide*, a project's impact would normally be considered significant if the project would:

- Cast shadow on shadow-sensitive land uses for more than three hours between the hours of 9 AM and 3 PM (between late October and early April), or for more than four hours between the hours of 9 AM and 5 PM (between early April and late October).

Shadow simulations were prepared for the Project, which has a maximum height of 110 feet, by identifying the height and bulk of the Project building, mapping the footprint of the building (location, shape and size) on the Project Site; and then calculating and diagramming the shadows that would be cast by the building during the most extreme, or conservative conditions. Shadow diagrams were prepared for informational purposes for both the winter solstice (December 21), the summer solstice (June 21), and the equinoxes (March 22 and September 22nd), which are shown in Figures B-6, B-7, and B-8, respectively.

Winter Solstice

The sun angle during the winter solstice is responsible for casting the longest shadows of the year, with peak shadows occurring shortly after sunrise and before sunset. Figure B-6, Proposed Winter Solstice Shadows, presents the Project's winter shadows and their potential impacts on surrounding uses. As shown in this figure, winter shadows from the Project would be cast primarily to the north. At 9:00 AM, shadows would be longest towards the northwest, shading portions of a two-story 91,000 square foot brick building that houses arts-oriented businesses and live/work units, which fronts E. 5th Street, and an outdoor parklet space at the corner of E. 5th Street and Seaton Street. At midday (noon), shadows to the north would

shorten and would shift to the northeast, continually shading the two-story 91,000 square foot brick building that houses arts-oriented businesses, including the parklet space, and E. 5th Street in front of the building. At 3:00 PM, the shadows lengthen and shift eastward, maintaining shading on portions of the two-story 91,000 square foot brick building that houses arts-oriented businesses, E. 5th Street, portions of Colyton Street, and the one- and four-story warehouse buildings and surface parking lot to the east. Additionally, portions of the Chairman Restaurant and its outdoor dining area, located on the southeast corner of E. 5th Street and Colyton Street, would be shaded. In conclusion, the sensitive land uses, the parklet space and the Chairman Restaurant and affiliated outdoor dining area, would be shaded by the Project for less than three hours between the hours of 9:00 AM and 3:00 PM. Furthermore, as previously discussed, the Project Site is within a TPA. As such, pursuant to State CEQA Statute Section 21099(d) and ZI 2452, the Project is exempt from aesthetic impacts. The analysis in this initial study is for informational purposes only and not for determining whether the Project will result in significant impacts to the environment. The aesthetic impact analysis in this initial study, including this discussion of shade/shadow is included to discuss what aesthetic impacts would occur from the Project if PRC Section 21099(d) was not in effect. Pursuant to PRC Section 21099(d) and ZI 2452, the project would result in no impact related to aesthetics, including shade/shadow.

Summer Solstice

Figure B-7, Proposed Summer Solstice Shadows, presents the Project's summer shadows and the potential impacts on surrounding uses. As shown, morning shadows at 9:00 AM from the Project would shade portions of a gas station with truck wash and industrial uses, which front Seaton Street. By 1:00 PM, the shadows would be the shortest and fall only on portions of the one- and four-story warehouse buildings and surface parking lot to the east. At 5:00 PM, the shadows would extend across larger portions of the one- and four-story warehouse buildings and surface parking lot to the east. No sensitive land use would be shaded by the Project for more than four hours between the hours of 9:00 AM and 5:00 PM. Moreover, pursuant to PRC Section 21099(d) and ZI 2452, the Project would result in no aesthetic impacts, including impacts related to shade/shadow.

Spring and Fall Equinoxes

At the equinoxes, day and night are the same duration as the sun's transit falls on the equator. Shadows cast on the equinoxes are intermediary between the solstices. Figure B-8, Proposed Equinox Shadows, presents the Project's equinox shadows and the potential impacts on surrounding uses. The Project would cast shadows to the northwest through the northeast during the spring and fall Equinox. At 8:00 AM, equinox shadows from the Project would be cast in a northwesterly direction. These shadows would shade portions of a gas station with truck wash and industrial uses, which front Seaton Street. By 12:00 PM, the shadows would be the shortest and fall only on portions of E. 5th Street. At 4:00 PM, equinox shadows from the Project would be cast in a northeasterly direction. These shadows would shade portions of Colyton Street, and the one- and four-story warehouse buildings and surface parking lot to the east. Additionally, portions of the Chairman Restaurant and its outdoor dining area, located on the southeast corner of E. 5th Street and Colyton Street, would be shaded. In conclusion, a sensitive land use, the Chairman Restaurant and affiliated outdoor dining area, would be shaded by the Project for less than four hours between the hours of 8:00 AM and 4:00 PM. Moreover, pursuant to PRC Section 21099(d) and ZI 2452, the Project would result in no aesthetic impacts, including impacts related to shade/shadow.

9.00 AM

12.00 PM

3.00 PM

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-6
Proposed Winter Solstice Shadows

9.00 AM

1.00 PM

5.00 PM

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-7
Proposed Summer Solstice Shadows

EQUINOX 03.22

8.00 AM

12.00 PM

4.00 PM

EQUINOX 09.22

8.00 AM

12.00 PM

4.00 PM

Source: Hanson LA, Architecture, February 2018.

EcoTierra consulting

Figure B-8
Proposed Equinox Shadows

II. Agriculture and Forestry Resources

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. A significant impact may occur if a project were to result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. The Project Site is developed with vacant commercial structures and associated surface parking areas, and is located in a developed area of the City. According to the State Farmland Mapping and Monitoring Program's most recent Farmland mapping data for Los Angeles County, neither the Project site nor the surrounding area are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[4] Thus, Project implementation would not result in the loss of State-designated Farmland. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?

No Impact. A significant impact may occur if a project were to conflict with existing zoning for agricultural use or a Williamson Act Contract. The Project Site is zoned M3-1-RIO (Heavy Industrial Zone – Height District No. 1 – River Improvement Overlay District). Thus, the Project Site is not zoned for agricultural use, nor are there any agricultural uses currently occurring at the Project Site or within the surrounding area. Additionally, according to the State's most recent Williamson Act land data, neither the Project Site nor surrounding area are under a Williamson Act contract.[5] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12222(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. A significant impact may occur if a project were to conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code ["PRC"] section 12220(g)), timberland (as defined by PRC section 4526), or timberland zoned timberland production (as defined by Government Code section 51104(g)).

In the City, forest land is a permitted use in areas zoned OS (Open Space); however, the City does not have specific zoning for timberland or timberland production. The Project Site is zoned M3-1-RIO (Heavy Industrial Zone – Height District No. 1 – River Improvement Overlay District). The Project Site is not zoned for forest land, timberland, or timberland production land uses.

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[4] *State of California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, Los Angeles County Important Farmland 2014, published April 2016, website: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/los14.pdf, accessed: April 19, 2017.*

[5] *State of California Department of Conservation, Division of Land Resource Protection, State of California Williamson Act Contract Land, Los Angeles County Williamson Act FY 2015/2016, published 2016, website: ftp://ftp.consrv.ca.gov/pub/dlrp/wa/LA_15_16_WA.pdf, accessed: April 19, 2017.*

Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d) Would the project result in the loss of forest land or conversion to forest land to non-forest use?

No Impact. A significant impact may occur if a project were to result in the loss of forest land or conversion of forest land to non-forest use. The Project Site is entirely developed with vacant warehouse structures and associated surface parking, and is located in a heavily developed area of the City. No forest land exists on or in the vicinity of the Project Site, and Project implementation would not result in the loss or conversion of forest land. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. A significant impact may occur if a project indirectly results in the conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. The Project Site is entirely developed and located in a heavily developed area of the City. No agricultural uses, designated Farmland, or forest land uses occur at the Project Site or within the surrounding area. As such, implementation of the Project would not result in the conversion of existing Farmland, agricultural uses, or forest land on- or off-site. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

III. Air Quality

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. A significant air quality impact may occur if a project is not consistent with the applicable Air Quality Management Plan ("AQMP"), or would in some way represent a substantial hindrance to employing the policies, or obtaining the goals, of that plan.

The City, including the Project Site, is within the South Coast Air Basin ("Basin"), and the South Coast Air Quality Management District ("SCAQMD") is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources to meet federal and State ambient air quality standards. SCAQMD has responded to this requirement by preparing a series of AQMPs. The Governing Board of SCAQMD adopted the most recent of these on March 3, 2017. This AQMP, referred to as the 2016 AQMP, was prepared to comply with the federal and State Clean Air Acts and amendments, to accommodate growth, to reduce the high levels of pollutants in the Basin, to meet federal and State air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy. The 2016 AQMP identifies the control measures that will be implemented over a 20-year horizon to reduce major sources of pollutants. Control measures established in previous AQMPs have substantially decreased exposure to unhealthful levels of pollutants, even while substantial population growth has occurred within the Basin. However, as construction and operation of the Project could result in an increase in emissions, potential impacts may be significant. Therefore, this potential impact will be evaluated in an EIR.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Impact. A project may have a significant impact if project-related emissions would violate federal, State, or regional air quality standards, or if project-related emissions would substantially contribute to an existing or projected air quality violation. Air pollutants would be emitted as a result of demolition, grading, and the construction of the Project. In addition, air pollutants would be emitted as a result of automobiles travelling to and from the Project Site during operation. Since the Project introduces a greater intensity of development to the Project Site, the resulting emissions could violate air quality standards set by the SCAQMD. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative threshold for ozone precursors)?

Potentially Significant Impact. A significant impact may occur if a project would add a cumulatively considerable contribution to federal or State non-attainment pollutants. The Basin, wherein the Project Site is located, is currently in nonattainment for ozone, lead, and particulate matter. The construction and operation of a new intensity of development from the Project could emit criteria air pollutants that could potentially result in a cumulatively considerable net increase of criteria air pollutants. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

d) Would the project expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. A significant impact may occur if a project were to generate pollutant concentrations to a degree that would significantly affect sensitive receptors. SCAQMD currently recommends that impacts to sensitive receptors be considered significant when emissions generated at a project site causes localized pollutant levels to exceed state ambient air quality standards at sensitive receptors or where a project causes an increase in local contaminants during construction and operation of the project. A significant impact may also occur where a project would cause concentrations at sensitive receptors located near congested intersections to exceed the national or state ambient air quality standards and the traffic generated by the project contributes to the concentrations.

Sensitive receptors near the Project Site include, but are not limited to, the Arts District Park at the southwest corner of E. 5th Street and Hewitt Street, approximately 365 feet to the east of the Project Site; and the existing multi-family residences approximately 590 feet to the east. Additional sensitive receptors may also be identified during the preparation of the EIR. The construction and operation of a new intensity of development from the Project could emit concentrations of air pollutants near those sensitive receptors. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

e) Would the project create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. Project-related significant adverse effects could occur if construction or operation of a project would create objectionable odors affecting a substantial number of people.

According to the SCAQMD CEQA Air Quality Handbook, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project involves the construction and operation of a mixed-use live/work and commercial development, which includes land uses that are not typically associated with odor complaints according to the SCAQMD. As the Project involves no elements related to industrial or other odor-generating land uses, no objectionable odors are anticipated. Therefore, the potential impacts associated with objectionable odors would be less than significant and no mitigation measures are required.

Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the Project Site. The Project would use typical construction techniques, and the odors would be typical of most construction sites and temporary and intermittent in nature. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

IV. Biological Resources

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, candidate, or sensitive species or a Species of Special Concern;
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community; or
- Interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species.

The Project Site is developed with three vacant warehouses and surface parking in a developed area of the City. According to Exhibit C-2 of the *L.A. CEQA Thresholds Guide*, the Project Site and surrounding area are not identified as a biological resource area.[6] Moreover, the Project Site and immediately surrounding area are not within or near a designated Significant Ecological Area.[7] The Project Site does not contain any habitat capable of sustaining any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Additionally, there are no known locally designated natural communities at the Project Site or in the immediate vicinity, nor is the Project Site located immediately adjacent to undeveloped natural open space or a natural water source that may otherwise serve as habitat

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[6] *City of Los Angeles, L.A. CEQA Thresholds Guide, 2006, Exhibit C-2, Biological Resource Areas (Metro Geographical Area).*

[7] *Los Angeles County Department of Regional Planning, Planning & Zoning Information, GIS-NET3 online database, website: http://planning.lacounty.gov/gisnet3, accessed: April 19, 2017.*

for State- or federally-listed species. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on biological resources if it could result in:

- The loss of individuals, or the reduction of existing habitat, of a state or federal listed endangered, threatened, rare, protected, candidate, or sensitive species or a Species of Special Concern;
- The loss of individuals or the reduction of existing habitat of a locally designated species or a reduction in a locally designated natural habitat or plant community;
- The alteration of an existing wetland habitat; or
- Interference with habitat such that normal species behaviors are disturbed (e.g., from the introduction of noise, light) to a degree that may diminish the chances for long-term survival of a sensitive species.

The Project Site is developed with three vacant warehouse structures and surface parking in a developed area of the City. No riparian or other sensitive habitat areas are located on or adjacent to the Project Site.[8,9] As discussed above, neither the Project Site nor adjacent areas are within a biological resource area or Significant Ecological Area. Implementation of the Project would not result in any adverse impacts to riparian habitat or other sensitive natural communities. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on biological resources if it could result in the alteration of an existing wetland habitat.

The Project Site is developed with three vacant warehouse structures and surface parking in a developed area of the City. Review of the National Wetlands Inventory identified no wetlands in the vicinity of the Project Site.[10] Furthermore, the Project Site does not support any riparian or wetland habitat, as defined by Section 404 of the Clean Water Act. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[8] *City of Los Angeles, L.A. CEQA Thresholds Guide, 2006, Exhibit C-2, Biological Resource Areas (Metro Geographical Area)*.

[9] *U.S. Fish and Wildlife Service, National Wetlands Inventory, Wetlands Mapper, website: http://www.fws.gov/wetlands/Data/Mapper.html, accessed: April 19, 2017.*

[10] *Ibid*.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on biological resources if it could result in interference with wildlife movement or migration corridors that may diminish the chances for long-term survival of a sensitive species.

There are no wildlife corridors or native wildlife nursery sites in the Project vicinity. However, the five existing on-site trees, four queen palm trees and one avocado tree, would be removed during construction of the Project. It should be noted that these on-site trees are not protected under the LAMC. These trees may provide temporary suitable habitat for nesting migratory birds, which are protected under the federal Migratory Bird Treaty Act ("MBTA"). The MBTA, which is an international treaty ratified in 1918, protects migratory nongame native bird species (as listed in 50 C.F.R. Section 10.13) and their nests. Additionally, Section 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (as listed under the MBTA). Tree removals would be undertaken pursuant to applicable City permits and requirements. The Project would be required to comply with these existing federal and State laws (i.e., MBTA and California Fish and Game Code, respectively). Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a significant impact could occur if a project were to cause an impact that is inconsistent with local regulations pertaining to biological resources, such as the City of Los Angeles Protected Tree Ordinance No. 177,404. As set forth in Ordinance No. 177,404, any of the following Southern California native tree species, which measures four inches or more in cumulative diameter, four and one-half feet above the ground level at the base of the tree, is a protected tree:

- Oak tree including Valley Oak (*Quercus lobata*), California Live Oak (*Quercus agrifolia*), or any other tree of the oak genus indigenous to California but excluding the Scrub Oak (*Quercus dumosa*);
- Southern California Black Walnut (*Juglans californica* var. *californica*);
- Western Sycamore (*Platanus racemose*); and
- California Bay (*Umbellularia californica*).

A certified arborist inspected the Project Site on September 14, 2016, to determine if any were native protected species are present on the Project Site as set forth in Ordinance No. 177,404.[11] The arborist conducted a walk-through of the Project Site and also inspected adjacent properties. The only trees on the Project Site were within a planter to the east of the warehouse fronting E. 5th Street. Four of the trees in this planter are queen palm trees (*Syagrus romanzoffiana*) and one tree is an avocado tree (*Persea americana*). Along the border of the property to the east of the Project Site are several trees growing on an off-site property. They

[11] *Written correspondence from James Komen, Board Certified Master Arborist #WE-9909B, Register Consulting Arborist #555, with Class One Arboriculture, Inc., September 14, 2016. Included as Appendix A to this Initial Study.*

include purple leaf plum (*Prunus cerasifera*), and crape myrtle (*Lagerstroemia indica*). None of these tree species are protected by the City's tree protection ordinance. Therefore, construction of the Project would not affect any protected trees. Moreover, the Project proposes to provide approximately 57 trees as part of the Project's landscape plan, which exceeds the LAMC requirement of one tree for every four dwelling units. Further, there are no existing street trees that abut the Project Site along the public right-of-way. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project Site and its vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.[12] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

V. Cultural Resources

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a significant impact may occur if a project would result in a substantial adverse change in the significance of a historical resource. Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as:

1) a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources;

2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or

3) an object, building, structure, site, area, place, record or manuscript which a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record.

A significant adverse effect would occur if a project were to result in a substantial adverse change in the significance of an historical resource meeting one of the above definitions. A substantial adverse change in the significance of an historic resource means demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

There are three vacant warehouses buildings on the Project Site. According to Los Angeles County Assessor data, the on-site warehouses were built between 1928 and 1985. Thus, at least one of the warehouses may be eligible for consideration as a historic resource since the building is over 50 years of age. As the Project proposes to demolish the vacant warehouse

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[12] *California Department of Fish and Wildlife, California Regional Conservation Plans, August 2015, website: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline, accessed: April 19, 2017.*

buildings, a potentially significant impact may result. This potential impact will be evaluated in an EIR.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a significant impact may occur if a project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA.

The Project Site and surrounding area appear to be within proximity of a known archaeological site; however, the exact location of the resource is not known in this area.[13] Figure CR-1 of the EIR for the City's General Plan Framework Element identifies generalized locations of archaeological sites in the City. The sites mapped on Figure CR-1 are intentionally not precise locations to protect the integrity of the sites. This figure identifies three such sites in the general vicinity of the proposed Project. The closest of these sites is near the intersection of Santa Fe Street and Olympic Boulevard, approximately one mile south of the Project Site. The other two of these sites are near the intersection of Alameda Street and the U.S. 101 Freeway, approximately 4,500 feet north of the Project Site. Section 15064.5(a)(3)(D) of the *State CEQA Guidelines* generally defines archaeological resources as any resource that "has yielded, or may be likely to yield, information important in prehistory or history." Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community. The Project Site is located within a highly urbanized area and has been subject to grading and development in the past; however, the Project proposes to construct a 3-level subterranean parking structure, and thus, would likely excavate to depths not previously disturbed. Therefore, due to the site's proximity to the general locations of known archaeological sites and depth of Project excavations, potential impacts to archaeological resources may occur, and this potential impact will be evaluated in an EIR.

c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. According to the *LA CEQA Thresholds Guide*, the determination of significance with regard to impacts on paleontological resources is made on a case-by-case basis, considering the following factors:

- Whether, or the degree to which the project might result in the permanent loss of, or loss of access to, a paleontological resource; and
- Whether the paleontological resource is of regional or statewide significance.

Paleontological resources are the fossilized remains of organisms that have lived in a region in the geologic past and whose remains are found in the accompanying geologic strata. This type of fossil record represents the primary source of information on ancient life forms, since the majority of species that existed on earth from this era are extinct. Although the Project Site has been previously disturbed with warehouses, the Project would require excavation likely to depths not previously disturbed, which would have the potential to disturb undiscovered

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[13] *City of Los Angeles, Citywide General Plan Framework Final Environmental Impact Report, certified August 2001, Figure CR-1 – Prehistoric and Historic Archaeological Sites and Survey Areas in the City of Los Angeles.*

paleontological resources that may exist within the Project Site. This potential impact will be evaluated in an EIR.

d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Potentially Significant Impact. A significant adverse impact could occur if grading or excavation activities associated with a project were to disturb previously interred human remains. It is unknown whether human remains are located at the Project Site. Any human remains that may have existed near the site surface are likely to have been disturbed or previously removed. Although the Project Site has been previously disturbed with warehouses, the Project would require excavation likely to depths not previously disturbed, which would have the potential to inadvertently discover human remains that may exist within the Project Site, which may also be of Native American origin. This potential impact will be evaluated in an EIR.

VI. Geology and Soils

In 2015, the California Supreme Court in California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD), held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project.

Thus, in accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD decision, the Project would have a significant impact related to geology and soils if it results in any of the following impacts to future residents or users.

a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, caused in whole or in part by the project's exacerbation of the existing environmental conditions? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. The Project Site is located in the seismically active region of Southern California. Numerous active and potentially active faults with surface expressions (fault traces) have been mapped adjacent to, within, and beneath the City. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazards of surface faulting and fault rupture to built structures. Active earthquake faults are faults where surface rupture has occurred within the last 11,000 years. Surface rupture of a fault generally occurs within 50 feet of an active fault line.

The Project Site is not located within a designated Alquist-Priolo Earthquake Fault Zone.[14] The nearest active fault is the Puente Hills Blind Thrust, approximately one mile from the Project Site, and thus, well over 50 feet away, which is the range within fault rupture generally occurs.[15] Thus, the potential for future surface rupture on site is very low. Moreover, the Project Site is not within a Preliminary Fault Rupture Study Area.[16] Additionally, the City of Los Angeles Building Code, with which the proposed Project would be required to comply, contains construction requirements to ensure habitable structures are built to a level such that they can withstand acceptable seismic risk. Thus, the Project would not exacerbate existing environmental conditions from ground rupture from known earthquake faults. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

(ii) Strong seismic ground shaking caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Potentially Significant Impact. The Project Site is located in the seismically active region of Southern California and, therefore, is susceptible to ground shaking during a seismic event. The nearest active fault to the Project Site is the Puente Hills Blind Thrust, approximately one mile from the Project Site. Potential impacts related to strong seismic ground shaking will be evaluated in an EIR.

(iii) Seismic-related ground failure, including liquefaction, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Potentially Significant Impact. Liquefaction is a process whereby strong seismic shaking causes unconsolidated, water-saturated sediment to temporarily lose strength and behave as a fluid. The possibility of liquefaction occurring at a given site is dependent on several factors, including: anticipated intensity and duration of ground shaking; the origin, texture, and composition of shallow sediments (in general, cohesionless, fine-grained sediments such as silts or silty sands, and areas of uncompacted or poorly compacted fills are more prone to liquefaction); and the presence of shallow groundwater.

While the Project Site is not identified by the City as susceptible to liquefaction,[17] a geotechnical report for the Project Site would identify the underlying geologic materials and groundwater levels so as to assess and account for a potential risk from seismic-related ground failure including liquefaction. Potential impacts related to seismic-related ground failure, including liquefaction, will be evaluated in an EIR.

(iv) Landslides, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

No Impact. The Project Site is not located within an area identified by the City as having a potential for landslides, or of a known landslide.[18,19] The Project Site and surrounding area

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[14] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, website: http://zimas.lacity.org, accessed: April 19, 2017.*

[15] *Ibid.*

[16] *Ibid.*

[17] *Ibid.*

[18] *Ibid.*

[19] *City of Los Angeles Department of City Planning, Los Angeles City General Plan Safety Element, Exhibit C, Landslide Inventory & Hillside Areas, Adopted November 1996.*

consist of relatively flat topography. The Project Site is not in the path of any known or potential landslides. Thus, the Project would not exacerbate existing environmental conditions related to landslides. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant sedimentation or erosion impact if it would:

- Constitute a geologic hazard to other properties by causing or accelerating instability from erosions; or
- Accelerate natural processes of wind and water erosion and sedimentation, resulting in sediment runoff or deposition which would not be contained or controlled on site.

The Project Site is currently improved with three vacant warehouses and associated surface parking. Nearly the entire approximately 1.2-acre Project Site is paved with impervious surfaces except for an approximately 450-square-foot planter. The area surrounding the Project Site is completely developed and would not be susceptible to indirect erosional processes (e.g., uncontrolled runoff) caused by the Project. During construction, Project grading and excavation would expose relatively low amounts of soil for a limited time, allowing for possible erosion. However, due to the temporary nature of the soil exposure during the grading and excavation processes, substantial erosion is unlikely to occur. Furthermore, during this period, the Project would be required to prevent the transport of sediments from the Project Site by stormwater runoff and winds through the use of appropriate Best Management Practices ("BMPs"). These BMPs would be detailed in the required Stormwater Pollution Prevention Program ("SWPPP"), which must be acceptable to the City and in compliance with the latest National Pollutant Discharge Elimination System ("NPDES") Stormwater Regulations. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Potentially Significant Impact. As noted above, the Project Site is located approximately one mile from the active Puente Hills Blind Thrust and is subject to strong seismic ground shaking. A geotechnical report for the Project Site would identify the underlying geologic materials and assess and account for a potential risk from an unstable geologic unit or soil. Potential impacts related to substantial adverse effects from an unstable geologic unit or soil will be evaluated in an EIR.

d) Would the project be located on expansive soil, as identified in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property caused in whole or in part by the project exacerbating the expansive soil conditions?

Potentially Significant Impact. A geotechnical report for the Project Site would identify the underlying geologic materials so as to assess the expansive properties of the soil and if the Project is feasible from the geotechnical standpoint. Potential impacts related to expansive soil will be evaluated in an EIR.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. This question would apply to a project only if it was located in an area not served by an existing sewer system. The Project Site is located in a developed area of the City, which is served by a wastewater collection, conveyance, and treatment system operated by the City. The Project would connect to the existing wastewater system. No septic tanks or alternative disposal systems are necessary, nor are they proposed. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

VII. Greenhouse Gas Emissions

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. Greenhouse gas ("GHG") emissions refer to a group of emissions that are believed to affect global climate conditions. These gases trap heat in the atmosphere and the major concern is that increases in GHG emissions are causing global climate change. Global climate change is a change in the average weather on the earth that can be measured by wind patterns, storms, precipitation, and temperature. Construction and operation of the Project would generate GHG emissions, which may significantly impact the environment either directly or indirectly. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. A significant impact would occur if a proposed project would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Construction and operation of the Project would generate GHG emissions, which may be inconsistent or in some way represent a substantial hindrance to employing the policies or obtaining the goals of GHG-reduction plans. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

VIII. Hazards and Hazardous Materials

As discussed above, in 2015, the California Supreme Court in CBIA v. BAAQMD, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the project. For example, if construction of the project on a hazardous waste site will cause the potential dispersion of hazardous waste in the environment, the EIR should assess the impacts of that dispersion to the environment, including to the project's residents.

Thus, in accordance with Appendix G of the State CEQA Guidelines and the CBIA v. BAAQMD decision, the Project would have a significant impact related to hazards and hazardous materials if it would result in any of the following impacts.

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. A significant impact may occur if a project involves transport, use, or disposal of hazardous materials as part of its routine operations and, as a result, would create a significant hazard to the public or the environment.

The types and amounts of hazardous materials that would be used in connection with the Project would be typical of those used in other residential and commercial developments (e.g., cleaning solvents, pesticides for landscaping, painting supplies, and petroleum products). Construction of the Project would also involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. However, it is reasonably anticipated that all potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Any associated risk would be adequately reduced to a less-than-significant level through compliance with these standards and regulations. Thus, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project create significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact to hazards and hazardous materials if:

- The project involved a risk of accidental explosion or release of hazardous substances (including, but not limited to oil, pesticides, asbestos, chemicals or radiation); or
- The project involved the creation of any health hazard or potential health hazard.

Due to the age of the existing warehouse structures and potentially hazardous past uses that may have been associated with the Project Site, hazardous materials could be present. Moreover, the Project Site is located within a designated Methane Zone, which indicates a potential for methane intrusions emanating from geologic formations.[20] Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. There are no existing or planned school sites within a quarter-mile of the Project Site. Even so, construction of the Project would involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, and transmission fluids. Additionally, Project operation would involve the limited use of hazardous materials typically used in the maintenance of mixed-use projects incorporating live/work and commercial uses (e.g., cleaning solutions, solvents, pesticides for landscaping, painting supplies and petroleum products). However, it is reasonably anticipated that all potentially hazardous materials would be used,

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[20] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, website: http://zimas.lacity.org, accessed: April 19, 2017.*

stored, and disposed of in accordance with manufacturers' specifications and in compliance with applicable federal, State, and local regulations. As such, the use of such materials would not create a significant hazard to any nearby schools, albeit none are within a quarter-mile. Additionally, as further discussed under VIII.(a), above, the Project is not expected to emit any hazardous emissions. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment, caused in whole or in part from the project's exacerbation of existing environmental conditions?

Potentially Significant Impact. California Government Code Section 65962.5 requires various State agencies to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells and solid waste facilities where there is known migration of hazardous waste and submit such information to the Secretary for Environmental Protection on at least an annual basis. A significant impact may occur if a project site is included on any of the above lists and poses an environmental hazard to surrounding sensitive uses.

There are no known hazardous sites associated with the Project Site as according to California Department of Toxic Substances Control's (DTSC) EnviroStor database,[21] State Water Resources Control Board's (SWRCB) GeoTracker database,[22] and DTSC's current "Cortese" list.[23] Nonetheless, given the past industrial uses of the Project area, a Phase I Environmental Site Assessment will be prepared to definitively determine if there are any recognized environmental conditions on the Project Site. If past industrial uses have resulted in contamination of the Project Site, impacts would be potentially significant. Therefore, this topic will be further evaluated in an EIR.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project exacerbate current environmental conditions so as to result in a safety hazard for people residing or working in the project area?

No Impact. The Project Site is not located within any airport's influence area nor within two miles of an existing airport.[24] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[21] *California Department of Toxic Substances Control, EnviroStor, website: http://www.envirostor.dtsc.ca.gov/public/, accessed: September 5, 2017.*

[22] *State Water Resources Control Board, GeoTracker, website: https://geotracker.waterboards.ca.gov/map/, accessed: September 5, 2017.*

[23] *California Department of Toxic Substances Control, Hazardous Waste and Substances Site List (Cortese), website: http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed: September 5, 2017.*

[24] *Los Angeles County Airport Land Use Commission, Airports and Airport Influence Areas, June 2012, website: http://planning.lacounty.gov/assets/upl/project/ALUC_Airports_June2012_rev2d.pdf, accessed: April 19, 2017.*

f) For a project within the vicinity of a private airstrip, would the project exacerbate current environmental conditions so as to result in a safety hazard for people residing or working in the project area?

No Impact. This question would apply to a project only if it were in the vicinity of a private airstrip and would subject area residents and workers to a safety hazard. The Project Site is not located in the vicinity of a private airstrip. The nearest private airstrip is located at the Goodyear Blimp Base Airport in the City of Carson, approximately 13 miles south from the Project Site.[25] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact to hazards and hazardous materials if a project involved possible interference with an emergency response plan or emergency evacuation plan. According to the *L.A. CEQA Thresholds Guide*, the determination of significance shall be made on a case-by-case basis considering the degree to which a project may require a new, or interfere with an existing emergency response or evacuation plan, and the severity of the consequences.

The Project Site is near identified disaster routes. Specifically, Alameda Street is approximately 286 feet to the west; and E. 4th Street is approximately 693 feet to the north.[26] Project construction activities may potentially impact traffic along Alameda Street and E. 4th Street, which may be utilized as evacuations routes during an emergency, if the Project requires temporary street and/or lane closure(s) without adequate measures to ensure optimal circulation and safety of motorists. Similarly, operation of the Project may significantly impact the performance of these roadways, which may be utilized as evacuations routes during an emergency. A traffic impact analysis is therefore warranted. As impacts may be potentially significant, this potential impact will be evaluated in an EIR.

h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including, where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, caused in whole or in part from the project's exacerbation of existing environmental conditions?

No Impact. A significant impact would occur if a project site is located in proximity to wildland areas and poses a significant fire hazard, which could affect persons or structures in the area in the event of a fire.

The Project Site is located within a highly developed area of the City and does not include wildlands or high fire hazard terrain or vegetation. The Project Site is not within a Very High Fire Hazard Severity Zone,[27] nor is the Project Site or surrounding area within a wildland fire

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[25] *AirNav, Airport Search, website: https://airnav.com/airports/search.html, accessed: October 26, 2017.*

[26] *Los Angeles County Department of Public Works, Disaster Route Maps, City of Los Angeles Central Area, website: http://dpw.lacounty.gov/dsg/disasterRoutes/map/Los%20Angeles%20Central%20Area.pdf, accessed: April 19, 2017.*

[27] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, website: http://zimas.lacity.org, accessed: April 19, 2017.*

hazard area.[28] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

IX. Hydrology and Water Quality

a) Would the project violate any water quality standards or waste discharge requirements?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on surface water quality if discharges associated with a project would create pollution, contamination, or nuisance as defined in Section 13050 of the California Water Code ("CWC") or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or Water Quality Control Plan for the receiving water body.

The Los Angeles Regional Water Quality Control Board ("LARWQCB") issued Waste Discharge Requirements for Municipal Stormwater and Urban Runoff Discharges (NPDES Permit No. CAS004001), which requires new development and redevelopment projects to incorporate stormwater mitigation measures. Depending on the type of project, either a SUSMP or a Site Specific Mitigation Plan is required to reduce the quantity and improve the quality of rainfall runoff that leaves a project site.

In addition to the SUSMP, the City institutionalized the use of Low Impact Development ("LID") techniques for development and redevelopment projects. In October 2011, the City adopted the Stormwater LID Ordinance (Ordinance No. 181,899) with the stated purpose of:

- Requiring the use of LID standards and practices in future developments and redevelopments to encourage the beneficial use of rainwater and urban runoff;
- Reducing stormwater/urban runoff while improving water quality;
- Promoting rainwater harvesting;
- Reducing off-site runoff and providing increased groundwater recharge;
- Reducing erosion and hydrologic impacts downstream; and
- Enhancing the recreational and aesthetic values in our communities.

Construction activities associated with the Project have the potential to degrade water quality through the exposure of surface runoff (primarily stormwater) to exposed soils, dust, and other debris, as well as from runoff from construction equipment. Operation of the Project also has the potential to degrade water quality and/or exceed waste discharge requirements. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

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[28] *City of Los Angeles Department of City Planning, General Plan Safety Element, Exhibit D, Selected Wildlife Hazard Areas in the City of Los Angeles, Adopted November 1996.*

b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on groundwater level if it would:

- Change potable water levels sufficiently to:
    - Reduce the ability of a water utility to use the groundwater basin for public water supplies, conjunctive use purposes, storage of imported water, summer/winter peaking, or respond to emergencies and drought;
    - Reduce yields of adjacent wells or well fields (public or private); or
    - Adversely change the rate or direction of flow of groundwater
- Result in demonstrable and sustained reduction in groundwater recharge capacity.

Operation of the Project would use a municipal water supply and does not propose the use of any wells or other means of extracting groundwater. The City also imports the majority of its potable water supply from sources outside the Los Angeles Basin. Though the Project would not extract groundwater or use wells, potential impacts to groundwater resources and supply due to development of the Project may result. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?

Potentially Significant Impact. A significant impact may occur if a project results in a substantial alteration of drainage patterns that would result in a substantial increase in erosion or siltation during construction or operation of the project.

While a stream or river does not traverse the site, redevelopment of the Project Site may alter the existing drainage pattern. Moreover, during grading and construction activities, soil could be exposed and erosion could occur. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on surface water hydrology if it would result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the current or direction of water flow.

While a stream or river does not traverse the site, redevelopment of the Project Site may alter the existing drainage pattern. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

e) Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on surface water quality if discharges associated with a project would create pollution, contamination, or nuisance as defined in the CWC or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or Water Quality Control Plan for the receiving water body.

Impacts may be potentially significant and this potential impact will be evaluated in an EIR, which will evaluate changes to runoff and the potential corresponding effects on the stormwater drainage system.

f) Would the project otherwise substantially degrade water quality?

Potentially Significant Impact. A significant impact may occur if a project includes sources of water pollutants that would substantially degrade water quality.

Construction activities associated with the Project have the potential to degrade water quality through the exposure of surface runoff (primarily stormwater) to exposed soils, dust, and other debris, as well as from runoff from construction equipment. Operation of the Project also has the potential to degrade water quality. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. A significant impact would occur only if a project would place housing within a 100-year flood zone. According to the Federal Emergency Management Agency's ("FEMA") Flood Insurance Rate Map, the Project Site is within Zone X – Other Areas, which is a designation for areas determined to be outside the 100-year flood hazard area.[29] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. A significant impact may occur if a project were located within a 100-year flood zone, which would impede or redirect flood flows. As discussed in response to checklist question IX.g), above, FEMA's Flood Insurance Rate Map shows the Project Site is not within a 100-year flood hazard area. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[29] *Federal Emergency Management Agency, Flood Insurance Rate Map, Los Angeles County, California, FEMA Map Number 06037C1636F, effective September 26, 2008, website: http://msc.fema.gov/portal, accessed: April 19, 2017.*

i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Potentially Significant Impact. Although not specified in the *L.A. CEQA Thresholds Guide*, a significant impact may occur if a project exposes people or structures to a significant risk of loss or death caused by the failure of a levee or dam.

The Project Site is within a modeled potential inundation area for the Los Angeles River, located approximately 0.4 mile to the east.[30] Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

j) Would the project expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?

No Impact. The Project Site is not within an area potentially impacted by a tsunami as the Project Site is approximately 14 miles from the Pacific Ocean.[31] There are also no major water bodies in the vicinity of the Project Site that would put the site at risk of inundation by seiche. Furthermore, the Project Site is located within a heavily developed area of the City. The Project site is relatively flat and is not located adjacent to a hillside area and, thus, the potential for mudflows to impact the Project site would be highly unlikely. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

X. Land Use and Planning

a) Would the project physically divide an established community?

Less Than Significant Impact. A significant impact may occur if a project would physically divide an established community. According to the *L.A. CEQA Thresholds Guide*, the determination of significance shall be made on a case-by-case basis considering the following factors:

- The extent of the area that would be impacted, the nature and degree of impacts, and the types of land uses within that area;
- The extent to which existing neighborhoods, communities, or land uses would be disrupted, divided or isolated, and the duration of the disruptions; and
- The number, degree, and type of secondary impacts to surrounding land uses that could result from implementation of the proposed project.

The Project Site currently consists of three vacant warehouse buildings and surface parking. The Project would demolish the existing buildings and construct a mixed-use building containing live/work units and commercial and art production-related land uses. There is no existing residential use on the site, or a residential use that would be physically separated or otherwise disrupted by the Project, as development currently exists within the boundaries of the Project Site, and development of the Project would remain within the boundaries of the existing Project Site. Implementation of the Project would result in further infill of an already developed community. The Project would not disrupt, divide, or isolate an existing neighborhood or

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[30] *City of Los Angeles Department of City Planning, General Plan Safety Element, Exhibit G, Inundation & Tsunami Hazard Areas in the City of Los Angeles, Adopted November 1996.*

[31] *Ibid.*

community directly or indirectly. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Potentially Significant Impact. According to the *L.A. CEQA Thresholds Guide*, the determination of significance shall be made on a case-by-case basis considering the following factors:

- Whether the proposal is inconsistent with the adopted land use/density designation in the Community Plan, redevelopment plan or specific plan for the site; and
- Whether the proposal is inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans.

The Project is subject to numerous regional and local land use plans, policies, and regulations as well as to the LAMC, and requests several discretionary approvals including a General Plan Amendment, Vesting Zone Change, and Height District Change. A consistency analysis will be provided in the EIR. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. As discussed in response to checklist question IV.f), above, the Project Site and its immediate vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

XI. Mineral Resources

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

Less Than Significant Impact. According to the *L.A. CEQA Thresholds Guide*, the determination of significance shall be made on a case-by-case basis considering the following factors:

- Whether, or the degree to which, the project might result in the permanent loss of, or loss of access to, a mineral resource that is located in a State Mining and Geology Board Mineral Resource Zone ("MRZ") 2 zone or other known or potential mineral resource area, and
- Whether the mineral resource is of regional or statewide significance, or is noted in the Conservation Element as being of local importance.

The Project Site is located within the boundaries of the State-designated Union Station Oil Field;[32] however, the Project Site is fully developed and no oil wells are present.[33, 34] Moreover, the Project Site is located within an MRZ-2 zone.[35]

MRZ-2 sites contain potentially significant sand and gravel deposits which are to be conserved; however, much of the area within the MRZ-2 sites in the City was developed with structures prior to the MRZ-2 classification and, therefore, are unavailable for extraction (e.g., the Project Site). Areas in the City with MRZ-2 sites, and which require resource management provisions due to the potentially significant sand and gravel deposits, include Sun Valley Community Plan Area and Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan Area. The Project Site has been developed with a warehouse as early as 1928 and is not used for oil or mineral extraction. The Project would not affect any extraction activities associated with the Union Station Oil Field as existing wells would continue extraction activities unaffected by the construction and operation of the Project, and there would be no impact on existing or future regionally important mineral extraction sites. The Project would not involve mineral extraction activities, nor are any such activities presently occurring on the Project Site. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Less Than Significant Impact. According to the *L.A. CEQA Thresholds Guide*, the determination of significance shall be made on a case-by-case basis considering the following factors:

- Whether, or the degree to which, the project might result in the permanent loss of, or loss of access to, a mineral resource that is located in a MRZ-2 zone or other known or potential mineral resource area, and
- Whether the mineral resource is of regional or statewide significance, or is noted in the Conservation Element as being of local importance.

While the Project Site is within the State-designated boundaries of the Union Station Oil Field and an MRZ-2 zone, there are no oil extraction operations and drilling or mining of mineral resources at the Project Site. Moreover, existing wells associated with the Union Station Oil Field would continue extraction activities unaffected by the construction and operation of the Project. Therefore, development of the Project would not result in the loss of availability of a mineral resource that would be of value to the residents of the State or a locally-important mineral resource, or mineral resource recovery site, as delineated on a local general plan, specific plan, or land use plan. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

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[32] *City of Los Angeles Department of City Planning, Los Angeles City General Plan Safety Element, Exhibit E, Oil Field and Oil Drilling Areas, Adopted November 1996.*

[33] *City of Los Angeles Department of City Planning, Zone Information & Map Access System, website: http://zimas.lacity.org, accessed: April 19, 2017.*

[34] *California Department of Conservation, Division of Oil, Gas & Geothermal Resources, Well Finder, website: https://maps.conservation.ca.gov/doggr/wellfinder/#close, accessed October 26, 2017.*

[35] *City of Los Angeles Department of City Planning, Los Angeles City General Plan Conservation Element, Exhibit A, Mineral Resources, Adopted September 2001.*

XII. Noise

a) Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Potentially Significant Impact. As the Project Site is comprised of three vacant warehouse buildings and surface parking, existing sources of noise at the Project Site generally consists of traffic along area roadways and vehicles using the parking lot. Construction and operation of the Project would increase both temporary and long-term noise, which could exceed City noise standards. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Potentially Significant Impact. Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise.

Groundborne vibration and groundborne noise could be generated during the construction of the Project, including from excavation and grading activities that may result in adverse impacts related to building damage or human annoyance. Therefore, impacts may be potentially significant. This potential impact will be evaluated in an EIR.

c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. A significant impact may occur if a project would result in a substantial permanent increase in ambient noise levels above existing ambient noise levels without the project. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would typically have a significant impact on noise levels from project operations if the project would increase the ambient noise levels by 3 dBA CNEL at the property line of homes where the resulting noise level would be at least 70 dBA CNEL, or at the property line of commercial buildings where the resulting noise level would be at least 75 dBA CNEL. Additionally, any long-term increase of 5 dBA CNEL or more would cause a significant impact.

As the Project Site currently consists of three vacant warehouse buildings and is not otherwise in use, the Project would introduce new sources of noise that may substantially increase the ambient noise levels in the vicinity. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. A significant impact may occur if a project were to result in a substantial temporary or periodic increase in ambient noise levels above existing ambient noise levels without the project. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact to noise levels from construction if:

- Construction activities lasting more than one day would exceed existing ambient exterior noise levels by 10 dBA CNEL or more at a noise sensitive use;
- Construction activities lasting more than 10 days in a 3-month period would exceed existing ambient exterior noise levels by 5 dBA CNEL or more at a noise sensitive use; or

- Construction activities would exceed the ambient noise level by 5 dBA CNEL at a noise sensitive use between the hours of 9:00 PM and 7:00 AM Monday through Friday, before 8:00 AM or after 6:00 PM on Saturday, or at any time on Sunday.

Construction activities at the Project Site would introduce new sources of temporary noise that may substantially increase the ambient noise levels in the vicinity. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a significant impact on ambient noise levels would normally occur if noise levels at a noise sensitive use attributable to airport operations exceed 65 dBA CNEL and the project increases ambient noise levels by 1.5 dBA CNEL or greater.

Although the Project Site is subject to occasional over flights from jet and propeller aircraft, as discussed in response to checklist question VIII.e), above, the Project Site is not within an airport's influence area or within two miles of an airport. Moreover, the Project Site is not located within an existing or projected noise contour associated with an airport.[36] Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a significant impact on ambient noise levels would normally occur if noise levels at a noise sensitive use attributable to airport operations exceed 65 dBA CNEL and the project increases ambient noise levels by 1.5 dBA CNEL or greater. This question would apply to a project only if the project site were in the vicinity of a private airstrip and would subject area residents and workers to substantial noise levels from aircraft operations. As discussed in response to checklist question VIII.f), above, the Project Site is not located in the vicinity of a private airstrip. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

XIII. Population and Housing

a) Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Potentially Significant Impact. A significant impact may occur if a project would locate new development such as homes, businesses, or infrastructure, with the effect of substantially inducing population growth in the area either directly or indirectly. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on population and housing growth shall be made considering the following factors:

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[36] *Los Angeles County Airport Land Use Commission, Los Angeles County Airport Land Use Plan, Airport Influence Area figures, adopted December 19, 1991, revised December 4, 2004; website: http://planning.lacounty.gov/view/alup/; accessed: October 31, 2017.*

- The degree to which a project would cause growth (i.e., new housing or employment generators) or accelerate development in an undeveloped area that exceeds projected/planned levels for the year of project occupancy/buildout, and that would result in an adverse physical change in the environment;

- Whether a project would introduce unplanned infrastructure that was not previously evaluated in the adopted Community Plan or General Plan; and

- The extent to which growth would occur without implementation of a project.

The Project would construct approximately 220 live/work units and approximately 44,530 square feet of commercial uses at a site that currently consists of three vacant warehouse buildings and surface parking, and at a site zoned and designated for heavy industrial uses. The Project would generate new residents on site as well as employees at the commercial spaces depending on the tenant type. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. A significant impact may occur if a project would result in the displacement of existing housing units, necessitating the construction of replacement housing elsewhere. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on population and housing displacement shall be made considering the following factors:

- The total number of residential units to be demolished, converted to market rate, or removed through other means as a result of the proposed project, in terms of net loss of market-rate and affordable units;

- The current and anticipated housing demand and supply of market rate and affordable housing units in the project area;

- The land use and demographic characteristics of the project area and the appropriateness of housing in the areas; and

- Whether the project is consistent with the adopted City and regional housing policies such as the Framework and Housing Elements, HUD Consolidated Plan and CHAS policies, redevelopment plan, Rent Stabilization Ordinance, and the Regional Comprehensive Plan and Guide (RCP&G).

The Project Site currently consists of three vacant warehouse buildings and surface parking and, thus, the Project would not displace existing housing. The Project would introduce a net increase of 220 live/work units to the City, including 25 live/work units set aside as affordable housing for Very Low Income households. Moreover, the Project would include live/work uses in an area consisting of other such units as well as residential and commercial land uses. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. A project-related significant adverse effect could occur if a project would result in the displacement of a substantial amount of people, necessitation the construction of replacement housing elsewhere. The Project Site currently consists of three vacant warehouse buildings and surface parking and, thus, the Project would not displace people. Therefore, no

impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

XIV. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

a) Fire protection?

Potentially Significant Impact. Based on the *L.A. CEQA Thresholds Guide*, a project would normally have a significant impact on fire protection if it requires the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service. The City of Los Angeles Fire Department ("LAFD") considers fire protection services for a project to be adequate if a project is within the maximum response distance for the land use proposed. Pursuant to LAMC Section 57.09.07A, the maximum response distance between residential land uses and a LAFD fire station that houses an engine or truck company is 1.5 miles. If this distance is exceeded, all structures located in the applicable residential area would be required to install automatic fire sprinkler systems.

The nearest fire station to the Project Site is Fire Station 17, located at 1601 S. Santa Fe Avenue, approximately 1.1 miles to the southeast of the Project Site. The Project would construct approximately 220 live/work units and approximately 44,530 square feet of commercial uses at a site currently consisting of three vacant warehouse buildings and surface parking. As discussed above, implementation of the Project would generate new residents on site. Additional on-site population would be increased by the numbers of employees and patrons to the commercial spaces. The redevelopment of the site and on-site population could increase the number of emergency calls to LAFD. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Police protection?

Potentially Significant Impact. A significant impact may occur if the City of Los Angeles Police Department ("LAPD") could not adequately serve a project, necessitating a new or physically altered station the construction of which could cause significant environmental impacts. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether the project results in a significant impact on police protection shall be made considering the following factors:

- The population increase resulting from the proposed project, based on the net increase of residential units or square footage of non-residential floor area;
- The demand for police services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to LAPD services (facilities, equipment, and officers) and the project's proportional contribution to the demand; and
- Whether the project includes security and/or design features that would reduce the demand for police services.

The Project would construct approximately 220 live/work units and approximately 44,530 square feet of commercial uses at a site currently consisting of three vacant warehouse buildings and

surface parking. As discussed above, implementation of the Project would generate new residents on site. Additional on-site population would be increased by the numbers of employees and patrons to the commercial spaces. The Project would generate a permanent on-site population where there currently is none, thereby, potentially increasing the number of service calls to LAPD from the Project Site. Responses to thefts, vehicle burglaries, vehicle damage, traffic-related incidents, and crimes against persons would potentially increase as a result of the increased on-site activity and increased traffic on adjacent streets and arterials. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Schools?

Potentially Significant Impact. A significant impact may occur if a project includes substantial employment or population growth, which could generate a demand for school facilities that would exceed the capacity of the Los Angeles Unified School District ("LAUSD"), necessitating new or physically altered school facilities the construction of which could cause significant environmental impacts. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on public schools shall be made considering the following factors:

- The population increase resulting from a project, based on the net increase of residential units or square footage of non-residential floor area;
- The demand for school services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to LAUSD services (facilities, equipment, and personnel) and a project's proportional contribution to the demand;
- Whether (and to the degree to which) accommodation of the increased demand would require construction of new facilities, a major reorganization of students or classrooms, major revisions to the school calendar (such as year-round sessions), or other actions which would create a temporary or permanent impact on the school(s); and
- Whether a project includes features that would reduce the demand for school services (e.g., on-site school facilities or direct support to LAUSD).

The Project would construct up to 220 live/work units and up to 44,530 square feet of commercial uses at a site currently consisting of three vacant warehouse buildings and surface parking. As discussed above, implementation of the Project would generate new residents on site. LAUSD schools that serve the Project Site include 9th Street Elementary School, Hollenbeck Middle School, and as the Project Site is within the Boyle Heights Zone of Choice, students in this zone have the choice of attending STEM Academy of Boyle Heights, Theodore Roosevelt High School, and Felicitas & Gonzalo Mendez High School. Some residents are likely to have grade-school-aged children that in turn could generate increased demand on LAUSD schools currently serving the Project Site. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

d) Parks?

Potentially Significant Impact. A significant impact would occur if the recreation and park services available could not accommodate the projected population increase resulting from implementation of a project, necessitating new or physically altered parks the construction of which could cause significant environmental impacts. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on recreation and parks shall be made considering the following factors:

- The net population increase resulting from a project;
- The demand for recreation and park services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to recreation and park services (renovation, expansion, or addition) and a project's proportional contribution to the demand; and
- Whether a project includes features that would reduce the demand for park services (e.g., on-site recreation facilities, land dedication, or direct financial support to the Department of Recreation and Parks).

The Project would construct up to 220 live/work units and up to 44,530 square feet of commercial uses at a site currently consisting of three vacant warehouse buildings and surface parking. As discussed above, implementation of the Project would generate new residents on site. Additional on-site population would be increased by the numbers of employees and patrons to the commercial spaces. Consistent with LAMC requirements, the proposed Project would provide recreational amenities and open space for Project residents. However, the Project's future residents could increase the use of parks and recreational facilities in the area that may not have the capacity to serve residents. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

e) Other public facilities?

Potentially Significant Impact. A significant impact may occur if a project includes substantial employment or population growth that could generate a demand for other public facilities (such as libraries), which would exceed the capacity available to serve a project site, necessitating new or physically altered facilities the construction of which could cause significant environmental impacts. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on libraries shall be made considering the following factors:

- The net population increase resulting from a project;
- The demand for library services anticipated at the time of project buildout compared to the expected level of service available. Consider, as applicable, scheduled improvements to library services (renovation, expansion, addition or relocation) and the project's proportional contribution to the demand; and
- Whether a project includes features that would reduce the demand for library services (e.g., library facilities or direct financial support to the Los Angeles Public Library).

The Project would construct up to 220 live/work units and up to 44,530 square feet of commercial uses at a site currently consisting of three vacant warehouse buildings and surface parking. As discussed above, implementation of the Project would generate new residents on site. Additional on-site population would be increased by the numbers of employees and patrons to the commercial spaces. The Project-generated residents could result in an increased demand for library materials, and potentially result in the need for new or expanded library facilities, the construction of which could have an adverse significant impact. In addition to libraries, roadway improvements and/or dedications may be required by the Bureau of Engineering, the construction of which could have an adverse significant impact. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

XV. Recreation

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Potentially Significant Impact. A significant impact may occur if a project would include substantial employment or population growth which could generate an increased demand for park or recreational facilities that would cause substantial physical deterioration of the park facilities. As discussed in response to checklist question XIV.d), above, the Project-generated residents could increase demand for parks and recreational facilities in the area, some of which may not have the capacity to serve additional residents. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Potentially Significant Impact. A significant impact may occur if a project includes the construction or expansion of park facilities and such construction would have a significant adverse effect on the environment. The Project includes open spaces and recreational amenities, the construction of which could have an adverse significant impact related to construction activities. As discussed in checklist question XIV.d), the Project's future residents could increase the use of parks and recreational facilities in the area, some of which may not have the capacity to serve residents. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

XVI. Transportation/Traffic

a) Would the project conflict with 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?

Potentially Significant Impact. A significant impact would occur if the change in performance at the study area intersections associated with a project exceeds the thresholds of significance adopted by the City. The Project would require the use of a variety of construction vehicles throughout the Project construction. Typical construction schedules create trips outside of the traffic peak hours. It is anticipated that there would be no hauling during the PM peak hour, and that construction workers would arrive at the Project Site prior to the AM peak hour, which is typical construction industry practice.

Operation of the Project would generate new residents on site in addition to on-site employees and patrons of the commercial spaces, which would result in increased vehicle trips on area roadways that could degrade the existing performance levels of roadway facilities. The Project-generated population could also increase the demand for and use of public transit, which may affect the performance of existing transit conditions in the area. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) Would the project conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand

measures, or other standards established by the county congestion management agency for designated roads or highways?

Potentially Significant Impact. A significant impact may occur if a project would conflict with the Congestion Management Program ("CMP"). The nearest CMP facility to the Project Site is the Hollywood Freeway ("US-101"), approximately 0.8 mile to the north.[37] The CMP requires that new development projects analyze potential project impacts on CMP monitoring locations if an EIR is prepared for the project. When a CMP analysis is required, the CMP methodology requires the analysis of traffic conditions at all CMP arterial monitoring intersections where a project would add 50 or more trips during either the AM or PM weekday peak hours. The CMP also requires that traffic studies analyze mainline freeway monitoring locations where a project would add 150 or more trips in either direction during either AM or PM weekday peak hours. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. This question would apply to the project only if it involved an aviation-related use or would influence changes to existing flight paths. The Project does not include any aviation-related use and would have no impact on any airport. The Project would also not require any modification of flight paths for the existing airports in the Los Angeles Basin. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. No hazardous design features or incompatible land uses would be introduced with the Project that would create significant hazards to the surrounding roadways. The Project proposes a land use that would complement the surrounding urban development and utilizes the existing roadway network. The Project would have one vehicular access point. This vehicle access would be available from Seaton Street and provide access into the shared parking garage for the commercial and live/work uses within the three subterranean parking levels. The Project's driveway would conform to the City's design standards and would provide adequate sight distance, sidewalks, and pedestrian movement controls meeting the City's requirements to protect pedestrian safety. Therefore, no impacts would occur, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

e) Would the project result in inadequate emergency access?

Potentially Significant Impact. A significant impact may occur if a project design would not provide emergency access meeting the requirements of LAFD, or threaten the ability of emergency vehicles to access and serve the project site or adjacent uses.

Construction of the Project could result in temporary blockage or adjacent street lanes. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

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[37] *Los Angeles County Metropolitan Transportation Authority, 2010 Congestion Management Program, Exhibit 2-3, page 13, website: http://media.metro.net/docs/cmp_final_2010.pdf, accessed: April 19, 2017.*

f) Would the project conflict with adopted polices, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Potentially Significant Impact. To encourage and facilitate the use of public transportation and bicycle use, the proposed Project would provide approximately 288 bicycle parking spaces (242 spaces for live/work use and 46 spaces for the commercial use). This proposed quantity of bicycle parking spaces would comply with LAMC requirements. Nonetheless, operation of the Project would generate new residents on site in addition to employees and patrons associated with the commercial space, which would increase the demand for and use of public transit and may affect the performance of existing transit conditions in the area. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

XVII. Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Potentially Significant Impact. Assembly Bill 52 ("AB 52"), signed into law on September 25, 2014, requires lead agencies to evaluate a project's potential to impact Tribal Cultural Resources ("TCR") and establishes a formal notification and, if requested, consultation process for California Native American Tribes as part of CEQA. TCR includes sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register or included in a local register of historical resources. AB 52 also gives lead agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a TCR. Consultation is required upon request by a California Native American tribe that has previously requested that the City provide it with notice of such projects, and that is traditionally and culturally affiliated with the geographic area of a proposed project. Impacts may be potentially significant and this potential impact will be evaluated in an EIR.

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Potentially Significant Impact. Under AB 52, if a lead agency determines that a project may cause a substantial adverse change to a TCR, the lead agency must consider measures to mitigate that impact. PRC Section 21074 provides a definition of a TCR. In brief, in order to be considered a TCR, a resource must be either: 1) listed, or determined to be eligible for listing, on the national, State, or local register of historic resources, or 2) a resource that the lead agency chooses, in its discretion supported by substantial evidence, to treat as a TCR. In the latter instance, the lead agency must determine that the resource meets the criteria for listing in the State register of historic resources or City Designated Cultural Resource. In applying those criteria, a lead agency shall consider the value of the resource to the tribe. As mentioned

above, a TCR includes sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register, are included in a local register of historical resources, or are otherwise determined by the lead agency to be significant based on substantial evidence. A substantial adverse change to a TCR is a significant effect on the environment under CEQA. Because the Project would include excavation to depths not previously disturbed in order to construct a 3-level subterranean parking structure, and given that the AB 52 Tribal notification/consultation process has not been completed to date, this potential impact will be evaluated in an EIR.

XVIII. Utilities and Service Systems

a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. A significant impact could occur if a project would discharge wastewater, whose content exceeds the treatment requirements of the applicable Regional Water Quality Control Board. This checklist question would typically apply to properties served by private sewage disposal systems, such as septic tanks. CWC Section 13260 states that persons discharging or proposing to discharge waste that could affect the quality of the waters of the State, other than into a community sewer system, shall file a Report of Waste Discharge containing information which may be required by the appropriate Regional Water Quality Control Board ("RWQCB"). The RWQCB then authorizes a NPDES permit that ensures compliance with wastewater treatment and discharge requirements.

LARWQCB enforces wastewater treatment and discharge requirements for properties in the Project area. The Project would convey wastewater via municipal sewage infrastructure maintained by the Los Angeles Bureau of Sanitation to the Hyperion Treatment Plant ("HTP"). No industrial discharge into the wastewater system would occur. The HTP is a public facility, and, therefore, is subject to the State's wastewater treatment requirements. As such, wastewater from the implementation of the Project would be treated according to the wastewater treatment requirements enforced by LARWQCB. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

b) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Potentially Significant Impact. A significant impact may occur if a project would increase water consumption or wastewater generation to such a degree that the construction of new water or wastewater treatment facilities or expansion of existing facilities would be required, the construction of which could cause significant environmental effects. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether a project results in a significant impact on water shall be made considering the following factors:

- The total estimated water demand for the project;
- Whether sufficient capacity exists in the water infrastructure that would serve the project, taking into account the anticipated conditions at project buildout;
- The amount by which the project would cause the projected growth in population, housing or employment for the Community Plan area to be exceeded in the year of the project completion; and

- The degree to which scheduled water infrastructure improvements or project design features would reduce or offset service impacts.

Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant wastewater impact if:

- The project would cause a measurable increase in wastewater flows to a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained; or

- The project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the Wastewater Facilities Plan or General plan and its elements.

The Project would increase the demand for water and the generation of wastewater, and thus, increase the demand of treatment facilities compared to existing conditions such that physical expansion of the treatment facilities or construction of a new treatment facility may be required, which may have a significant impact on the environment. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

c) Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Potentially Significant Impact. A significant impact may occur if the volume of stormwater runoff would increase to a level exceeding the capacity of the storm drain system serving a project site, resulting in the construction of new stormwater drainage facilities, the construction of which could cause significant environmental effects.

The amount and direction of stormwater flow could be altered with the development of the Project. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Potentially Significant Impact. A significant impact may occur if a project would increase water consumption to such a degree that new water sources would need to be identified. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether the project results in a significant impact on water shall be made considering the following factors:

- The total estimated water demand for the project;

- Whether sufficient capacity exists in the water infrastructure that would serve the project, taking into account the anticipated conditions at project buildout;

- The amount by which the project would cause the projected growth in population, housing or employment for the Community Plan area to be exceeded in the year of the project completion; and

- The degree to which scheduled water infrastructure improvements or project design features would reduce or offset service impacts.

The demand for water would increase with the development of 220 live/work units and approximately 44,530 square feet of commercial uses when compared to the Project Site's

existing condition as three vacant warehouse building and surface parking. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

e) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Potentially Significant Impact. Based upon the criteria established in the *L.A. CEQA Thresholds Guide*, a project would normally have a significant wastewater impact if:

- The project would cause a measurable increase in wastewater flows to a point where, and a time when, a sewer's capacity is already constrained or that would cause a sewer's capacity to become constrained; or
- The project's additional wastewater flows would substantially or incrementally exceed the future scheduled capacity of any one treatment plant by generating flows greater than those anticipated in the Wastewater Facilities Plan or General plan and its elements.

The Project would increase the generation of wastewater conveyed to the wastewater treatment system. Further analysis is required to determine whether the project's added wastewater could result in a significant impact on the City's wastewater treatment capacity. This topic will be evaluated in an EIR.

f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Potentially Significant Impact. A significant impact may occur if a project were to increase solid waste generation to a degree such that the existing and projected landfill capacity would be insufficient to accommodate the additional solid waste. Based on the *L.A. CEQA Thresholds Guide*, the determination of whether the project results in a significant impact related to solid waste shall be made considering the following factors:

- Amount of projected waste generation, diversion, and disposal during demolition, construction, and operation of the project, considering proposed design and operational features that could reduce typical waste generation rates;
- Need for additional solid waste collection route, or recycling or disposal facility to adequately handle project-generated waste.

The Project would generate construction and demolition solid waste as well as daily solid waste during the operation of the Project, which would be recycled or landfilled. Therefore, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

Potentially Significant Impact. A significant impact may occur if a project would generate solid waste that was not disposed of in accordance with applicable regulations. The determination of whether the project results in a significant impact related to solid waste regulation shall be made considering the following factor:

- Whether the project conflicts with solid waste policies and objectives in the Source Reduction and Recycling Element or its updates, the Solid Waste Management Policy Plan, Framework Element of the Curbside Recycling Program, including consideration of

the land use-specific waste diversion goals contained in Volume 4 of the Source Reduction and Recycling Element.

The Project would generate construction and demolition waste as well as daily solid waste during operation of the Project, which would be recycled or landfilled. Even so, impacts may be potentially significant and this potential impact will be evaluated in an EIR.

XIX. Mandatory Findings of Significance

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Potentially Significant Impact. A significant impact could occur if a project would have an identified potentially significant impact for any of the above issues, as discussed in the preceding sections. As noted in the foregoing analysis, potentially significant impacts may result, which will be evaluated in an EIR.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Potentially Significant Impact. For the purpose of this Initial Study, a significant cumulative impact may occur if a project, in combination with the related projects, would result in impacts that would be less than significant when viewed separately, but would be significant when viewed together. The impacts of the Project could potentially combine with the impacts of related projects. For those environmental issues discussed above that are to be analyzed in the EIR, the EIR will include an analysis of the cumulative impacts associated with those environmental issues. The following is a list of the cumulative impacts analyses to be included in the EIR:

- Air Quality
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Tribal Cultural Resources
- Utilities and Service Systems

For those environmental issues that are to be scoped out of the EIR, the cumulative impacts analysis is provided below:

Aesthetics

Less Than Significant Impact. Development of the Project in conjunction with other development projects would likely result in an intensification of existing prevailing land uses in an already heavily urbanized area of the City. Development of any additional projects is expected to generally occur in accordance with adopted plans and regulations, and with the Adaptive Reuse Ordinance for those projects within the Arts District similar to those which the Project is subject. With respect to the overall visual quality of the surrounding neighborhood, similar to the Project, any additional projects would be required to submit a landscape plan and signage plan (if proposed) to the Department of City Planning for review and approval prior to the issuance of grading permits. Any approvals granted to related projects are expected to allow landscape and signage that would be aesthetically compatible with the surrounding neighborhood. Additionally, as a qualifying infill project within a TPA in accordance with State CEQA Statute Section 21099(d), the Project would not have a significant impact with regard to visual resources, aesthetic character, shade and shadow, light and glare, and scenic vistas or any other aesthetic impacts as a matter of law. Therefore, the Project would not have cumulatively considerable aesthetic impacts. Other qualifying infill projects within a TPA would similarly not result in significant impacts. Cumulative impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Agriculture and Forestry Resources

No Impact. Development of the Project in combination with other development projects would not result in the conversion of State-designated Farmland or existing agricultural activities or zoning to non-agricultural uses. The Project Site and surrounding area are also not under a Williamson Act contract. Moreover, the Project Site is not zoned for forest land, timberland, or Timberland Production, nor would the Project result in the loss of forest land. Thus, the Project would not contribute to a cumulative loss of forest land to non-forest land uses. Therefore, no cumulative impacts would occur and no mitigation measures are required, nor would the Project result in a cumulatively considerable impact. No further evaluation of this topic in an EIR is required.

Biological Resources

Less Than Significant Impact. As discussed above, the Project would not result in a potentially significant impact to biological resources. The Project Site and other area development projects are located in a developed area in the City. However, it is unknown whether or not any of the properties on which other development projects are located contain biological resources, such as sensitive species or protected trees. Regardless, the Project would result in minimal, if any, biological resource impacts, and as such, would not have a considerable contribution to any significant cumulative biological resource impact. Therefore, impacts would be less than significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

Mineral Resources

Less Than Significant Impact. As discussed above, the Project would result in a less than significant impact on mineral resources. It is not known if any other projects in the vicinity would result in the loss of availability of known mineral resources. Regardless, the Project would have not have a considerable contribution to a potential cumulative impact on mineral resources. Therefore, cumulative impacts would be less than

significant, and no mitigation measures are required. No further evaluation of this topic in an EIR is required.

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. The analysis contained in this Initial Study concludes that the Project may result in potentially significant impacts, which will be further evaluated in an EIR.

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