



Los Angeles County
Department of Regional Planning

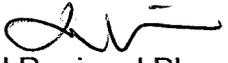


Planning for the Challenges Ahead

Director
Richard J. Bruckner

October 28, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice-Chair
Esther Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Mi Kim 
Principal Regional Planning Assistant
Zoning Permits I Section

SUBJECT: **November 10, 2010 RPC PUBLIC HEARING
AGENDA ITEM NO. 6
PROJECT NO. R2009-02015-(2)
RPA200900013/RZC200900013/RCUP200900150/RPKD201000005/
RENV 200600147
MILLENNIUM-PLAYA DEL MAR APARTMENTS**

The above-referenced case for a 196-unit apartment complex located at 5544 and 5550 Grosvenor Blvd in Playa Del Mar is continued from May 12, 2010, June 16, 2010, July 14, 2010, and October 6, 2010. At the previous public hearing, your Commission continued the matter to allow staff to prepare the Final Environmental Impact Report, and draft conditions and findings in support of the project for your Commission's consideration. Attached are these documents for your review and consideration. As indicated at the previous hearing, staff recommends approval of the project, subject to the attached findings and conditions of approval.

SUGGESTED ACTION MOTIONS

"I move that the public hearing be closed and that the Regional Planning Commission certify the Final Environmental Impact Report along with the required findings of fact and Statement of Overriding Considerations and adopt the attached Mitigation Monitoring Program associated with the project.

"I move that the Regional Planning Commission recommend to the Board of Supervisors the approval of General Plan Amendment No. 200900013 and Zone Change No. 200900013. I further move that the Regional Planning Commission approve Conditional Use Permit No. 200900150 and Parking Deviation Permit No. 201000005 with the attached findings and conditions."

MC:MKK 10/28/10

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
ZONE CHANGE NO. 200900013
CONDITIONAL USE PERMIT NO. 200900150
PARKING DEVIATION PERMIT NO. 201000005
ENVIRONMENTAL CASE NO. 200600147**

REGIONAL PLANNING COMMISSION HEARING DATES: May 12, 2010, June 16, 2010, July 14, 2010, October 6, 2010, and November 10, 2010.

SYNOPSIS:

The applicant, Din/Cal, Inc. ("Applicant"), has requested a conditional use permit, parking deviation permit, zone change, and general plan amendment to authorize the development of a multi-family residential project within the unincorporated community of West Fox Hills, adjacent to the Village at Playa Vista. The applicant is proposing to construct 196 apartments, together with appurtenant structures and facilities, including a pool, fitness center, and parking for 353 cars. The apartments will vary in size from one bedroom to two bedroom units, ranging in size from 724 square feet to 1,137 square feet. The construction will require grading and off-site transport of more than 31,900 cubic yards of earth, and the export of 15,000 cubic yards of demolition debris. The subject property is located at the intersection of Grosvenor Blvd and Jefferson Blvd, near Centinela Ave.

PROCEEDINGS BEFORE THE COMMISSION

May 12, 2010

This item was continued to allow the applicant and residents to meet to discuss concerns raised by the community. Commissioners Valadez, Bellamy, and Helsley were present at the hearing. There was no staff presentation and no testimony other than the request for the continuance.

June 16, 2010

The project was continued to allow the applicant and residents to continue to meet to reach an agreement on the proposed development. Commissioners Rew, Valadez, Bellamy, and Helsley were present at the hearing. There was no staff presentation and no testimony other than the request for the continuance.

July 14, 2010

A revised project proposal resulting from the community meetings was presented to the Commission. The project was revised from a 216-unit apartment with 433 parking spaces to 196-unit apartment with 353 parking spaces with corresponding reduction in height.

Commissioners Rew, Valadez, Bellamy, and Modugno were present at the hearing. The Commission took testimony from the applicant and the public. Many speakers testified that they were not opposed to the development of the property, but were opposed to the density, scale, access, and potential impacts of the project.

Portions of the Draft Environmental Impact Report had to be re-circulated as a result of the revised project description and request for a parking deviation permit. The Commission continued the public hearing to October 6, 2010 and instructed staff and applicant to respond to issues raised at the hearing.

October 6, 2010

The Commission took further testimony on the project. Staff addressed the issues raised at the previous hearing regarding density, traffic, noise, air pollution, parking deviation, scale, massing, and height of the project. The applicant team testified in favor of the project. Opposition testimony was given by members of the Del Aire Homeowners Association and Del Aire Neighborhood Council, and others. Support testimony was given by business owners, representatives of the LAX Coastal Area Chamber of Commerce, and others in the construction industry.

Commissioners Rew, Valadez, Bellamy, and Helsley were present at the hearing. The Commission approved the motion instructing staff to prepare final approval documents for the project. Commissioner Valadez requested that the applicant make every effort to use area contractors and subcontractors.

Findings

REGIONAL PLANNING COMMISSION FINDINGS

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearings on the General Plan Amendment No. 200900013, Zone Change No. 200900013, Conditional Use Permit No. 200900150, and Environmental Case No. 200600147 on May 12, 2010; June 16, 2010; July 14, 2010; October 6, 2010; and November 10, 2010.
2. The applicant, Din/Cal, Inc. ("Applicant"), requested a General Plan amendment, zone change, conditional use permit, and parking deviation permit to construct a residential development on the subject property consisting of 196 dwelling units,

together with appurtenant structures and facilities, including a pool, fitness center, and 329-space parking structure and 24 surface parking space.

3. The subject property is located at 5544 and 5550 Grosvenor Blvd within the unincorporated community of West Fox Hills, Playa Del Rey Zoned District, Second Supervisorial District and consists of five parcels (APNs 4221003040, 4221003042, 4221003038, 4211003068, 4211003041)
4. The subject property is 4.93 gross acres in size including relevant parcels and easements and is rectangular in shape with 2-foot contours. The site is currently developed with a church, paved surface parking lot, and single-family residence.
5. The subject property is currently zoned R-3-DP (Limited Multiple Residence – Development Program). Concurrent with this approval, the Commission considered and recommended approval to the Los Angeles County Board of Supervisors ("Board") of the zone change, and after its effective date, the subject 4.93 gross acre property will be zoned R-4-DP (Unlimited Residence – Development Program).
6. Surrounding zoning is as follows:
 - North: R-1
 - East: C-3 (Unlimited Commercial), City of Los Angeles
 - South: City of Los Angeles
 - West: City of Los Angeles
7. Existing land uses as follows:
 - North: Single-family residence
 - East: Unincorporated County: office buildings, single-family residence. City of Los Angeles: elementary school
 - South: City of Los Angeles: apartments
 - West: City of Los Angeles: office buildings, manufacturing, gymnastics center
8. The existing R-3-DP zoning of the subject property was established in 1984 by Ordinance No. 84-012Z and by Project No. 85028 consisting of Conditional Use Permit No. 85019, Parking Permit No. 85004, Revised Tract Map No. 33003, and Zone Change No. 85008. The church was established in 1987 by a conditional use permit which permitted the construction of the church not to exceed 61 feet in height, with a maximum occupant load of 1,600 in the largest assembly room, with a minimum of 320 parking spaces.
9. The property is designated by the Land Use Policy Map of the Los Angeles County General Plan ("General Plan") as land use Category 1 (Low Density

Residential- One to Six Dwelling Units Per Acre), which allows 29 dwelling units on the subject property which is 4.93 gross acres. This is inconsistent with the density allowed by existing zoning (R-3-DP). Existing zoning would allow 30 dwelling units per net acre, or a maximum of 130 units. Regardless of the proposed project, the development of the project site at the density allowed by existing zoning would require a General Plan Amendment from Category 1 to Category 4 (High Density Residential- 22 or more dwelling units per acre)

10. The applicant requested a General Plan Amendment to Category 4 to bring the land use category into conformance with existing zoning and to accommodate the project density of 45 dwelling units per acre for a total of 196 dwelling units
11. The project density is consistent with the requested land use Category 4. Concurrent with this approval, the Commission considered and recommended approval to the Board of the General Plan Amendment. After its effective date, the subject property will be designated for high-density land use classification of the General Plan Land Use Policy Map.
12. In compliance with Zone Change Case No. 200900013, the proposed residential project does not exceed 50 units per net acre.
13. The development of the subject property with residential development is appropriate. The property is bounded by single-family residential development on the north and multi-family residential development on the south.
14. The higher density land use category is appropriate for the subject property as the density is compatible with the surrounding neighborhood. Average density within 500 feet radius of the project is 6 dwelling units per acre to the north, and 99 dwelling units per acre to the south
15. The project is compatible with existing land use pattern. There are single-family residences are predominant to the north, maximum four-story apartments to the south, office buildings and light manufacturing to the west, and an elementary school, office buildings, and single-family residences east.
16. The project has been designed to be compatible with existing development and density. The project graduates in density and massing from north to south, from single-family residential neighborhood to the north to mid-rise high-density apartments to the south.
17. The project will increase the supply of housing, promote the efficient use of land through a more concentrated pattern of urban development, improve the jobs-housing balance and concentrate well-designed high-density housing in and adjacent to job centers and recreational centers.

18. The project is consistent with the following general policy statement of the General Plan:
- Policy No. 17: Promote the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable land.
 - Policy No. 24: Focus intensive urban uses in an interdependent system of activity centers located to effectively provide services throughout the urban area and supported by adequate public transportation facilities.
 - Policy No. 31: Encourage the location of medium and high density housing in close proximity to regional multipurpose centers.
 - Policy No. 33: Emphasize the location of low and moderate income housing within easy commuting range of multipurpose and single purpose centers with high concentrations of employment.
 - Policy No. 39: Emphasize the preservation, conservation, and maintenance of stable residential areas.
 - Policy No. 41: Encourage the provision of adequate rental housing.
 - Policy No. 45: Increase the availability of low and moderate income housing and encourage its distribution throughout the urban area.
 - Policy No. 47: Promote the provision of an adequate supply of housing by location, type and price.
19. The proposed residential project is consistent with the goals and policies of the General Plan Housing Element policies to provide a wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly persons with special needs, including but not limited to low income households, seniors, persons with disabilities, single-parent households, the homeless and at-risk-homeless, and farmworkers; and to provide housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.
20. Approval of Conditional Use Permit 200900150 will not become effective until the Board of Supervisors of Los Angeles County ("Board") has adopted an

ordinance effecting the proposed change of zone to R-4-DP and plan amendment to High Density Residential.

21. The project will provide 1.8 parking spaces per unit with the requested parking deviation of 10 percent instead of the code required 2.0 spaces per unit. The reduction in parking is substantiated by a parking study conducted by Raju Associates. The parking study shows that parking demand in the vicinity varied from 0.91 spaces per occupied dwelling unit in Marina Del Rey to 1.22 spaces per dwelling unit in Santa Monica, with peak parking demand of 1.52 spaces per dwelling unit. The project will be providing 1.8 spaces. The proposed use is subject to all applicable development standards and requirements of the R-4 zone, as set forth in section 22.20.380 et seq. of the County Code.
22. The project would not exceed the air quality threshold established by Southern California Air Quality Management District (SCAQMD). Nevertheless, the project will provide an enclosed, mechanically ventilated parking garage to reduce potential noise and air quality impacts.
23. The Applicant's site plan ("Exhibit A") depicts 196 residential units and community facilities, including a pool, fitness center, and courtyards. The apartment complex would consist of 95 one-bedroom rental units, 101 two-bedroom rental units ranging in size from 724 square feet to 1,137 square feet. 353 parking spaces are provided pursuant to a parking deviation that allows for 10 percent reduction.
24. The applicant has demonstrated the suitability of the subject property for the proposed use by providing graduated height and density at the northern boundary. The project will complement the existing office and light industry to the west, a job center, and high density housing to the south, and elementary school to the east.
25. Single-family residences are buffered from the driveway by an eight-foot tall block wall and a 10-foot wide setback. The setback will be landscaped with trees and foliage screening the homes from the development. Along the portion of the driveway leading into the parking structure, two-story carriage units provide further buffer between the driveway and single-family residences and help attenuate noise and visual impacts. The easterly driveway is a dedicated fire lane reserved for emergencies.
26. Potential noise will be attenuated by the eight-foot high block wall, 10-foot wide landscape setback, height of the foliage (12 to 16 feet tall), and the two-story carriage units (22 feet deep and 250 feet long). With the attenuation, the noise level is expected to be 34.1 dB(A) CNEL. This level corresponds to "Quiet urban nighttime" noise level as provided in The Noise Guidebook of the U.S. Department of Housing and Urban Development, Office of Community Planning

and Development. This level is below the allowable noise levels standardized by the County of Los Angeles.

27. To improve traffic flow in the area, the applicant is installing a traffic signal with Automated Surveillance and Control (ATSAC) and Adaptive Traffic Control System (ATCS) features at the intersection of Grosvenor Blvd and Jefferson Blvd.
28. The applicant conducted a survey of multi-family developments in the area. The survey shows that the market does not support subterranean parking at the density proposed by the project. Developments with subterranean parking have an average density of 86 dwelling units per acre. Developments with wrap garages have an average density of 55 dwelling units per acre compared to 45 dwelling units per acre proposed by the applicant. The project density is lower than existing developments with wrap garages.
29. Establishment of the proposed use at such location is in conformity with good zoning practice. Adjacent density to the south is higher than the proposed density at the subject property. The property is in proximity to SR-90 and I-405 that provide regional access, and to Marina Del Rey and Playa Del Rey that provide recreational opportunities within walking or bicycling distance.
30. The project is subject to California Department of Fish and Game fee for the project's affect on fish and wildlife.
31. The project is also subject to the Los Angeles County Library Mitigation Fee for each dwelling unit.
32. An Initial Study was prepared for the Proposed Residential Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that an Environmental Impact Report ("EIR") would be required.
33. A Mitigation Monitoring Program, dated November 2010 is consistent with the conclusions and recommendations of the FEIR, has been prepared and its requirements have been incorporated into the conditions of approval by reference.
34. The EIR for the project was prepared in accordance with CEQA, the CEQA Guidelines, and the County CEQA Guidelines. The EIR consists of the Draft EIR and the Recirculated Draft EIR, and the Responses to Comments (collectively referred to as the "FEIR").

35. The EIR prepared for the project concluded that with the exception of noise and air quality during construction, potentially significant environmental impacts, including geology, traffic and access, visual resources, and hydrology and water quality can be mitigated to a level of no significance with the implementation of the mitigation measures presented in the EIR. It has been determined that during construction, there will be unavoidably significant impact on noise and air quality. These will require an adoption of the Statement of Overriding Consideration.
36. Approval of the project requires adoption of a Statement of Overriding Considerations, including a finding that the benefits of the project outweigh the potential unavoidable adverse impacts and that the unavoidable impacts are nonetheless acceptable based on specific overriding considerations.
37. At its public hearing, the Commission received oral testimony and written comments from the proponents and the opponents.
38. The Commission has independently reviewed, considered, and certified the FEIR, and it reflects the independent judgment of the County. As stated in the FEIR and the Findings of Fact and Statement of Overriding Considerations, the project will result in unavoidable significant impacts on air quality and noise during construction. Such impacts have been reduced to the extent feasible, and the Commission finds that the benefits of the project outweigh these unavoidable adverse impacts. Such unavoidable impacts are determined to be acceptable based upon the overriding considerations set forth in the Statement of Overriding Considerations for the project.
39. The Findings of Fact and Statement of Overriding Considerations that have been prepared for the project are incorporated herein by this reference as if set forth in full.
40. After considering the evidence presented, the Commission approved Conditional Use Permit Case No. 200900150, Parking Deviation Case No. 201000005, and recommends approval of Zone Change Case No. 200900013 and General Plan Amendment Case No. 200900013.
41. The documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter are located at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES THAT:**

**WITH RESPECT TO CONDITIONAL USE PERMIT CASE NO. 200900150 AND
PARKING DEVIATION CASE NO. 201000005**

The proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and adequately served by other public or private service facilities as are required;
- E. The project has been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character.

AND, THEREFORE, the information submitted by the Applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Section 22.56.090 and for a parking deviation as set forth in Section 22.56.1762 of the Los Angeles County Code (Zoning Ordinance). **THEREFORE,** in view of the findings of fact and conclusions presented above, Conditional Use Permit No. 200900150 and Parking Deviation No. 201000005 are approved, subject to the attached conditions established by the Commission.

REGIONAL PLANNING COMMISSION ACTION:

The Regional Planning Commission of the County of Los Angeles hereby:

1. Approves the Environmental Impact Report finds that the EIR has been prepared in compliance with CEQA and County CEQA Guidelines and reflects the independent judgment of the Commission as to the environmental consequences of the project;
2. Approves and adopts the Mitigation Monitoring Program for the Proposed Residential Project, incorporated in the EIR, and pursuant to Section 21081.6 of the Public Resources Code, finds that the Mitigation Monitoring Plan is adequately designed to ensure compliance with the mitigation measures during project implementation;
3. Approves Conditional Use Permit Case No. 200900150 and Parking Deviation Case No. 201000005 subject to the attached conditions; and
4. Recommends approval of General Plan Amendment No. 200900013 and Zone Change Case No. 200900013.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

MC:MKK
10/28/10

**THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
GENERAL PLAN AMENDMENT CASE NO. 200900013**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of General Plan Amendment Case No. 200900013 on May 12, 2010, June 16, 2010, July 14, 2010, October 6, 2010, November 10, 2010.

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant has requested an Amendment to the Los Angeles County General Plan to change the land use designation from Category 1 (Low Density Residential – One to Six Dwelling Units Per Acre) to Category 4 (High Density Residential—22 or More Dwelling Units Per Acre) on the 4.93-gross-acre subject property.
2. The subject property is located at 5544 and 5550 Grosvenor Blvd within the unincorporated community of West Fox Hills, Playa Del Rey Zoned District, Second Supervisorial District.
3. The plan amendment request was heard concurrently with Zone Change Case No. 200900013, Conditional Use Permit Case No. 200900150, and Parking Deviation Case No. 201000005.
4. Zone Change Case No. 200900013 is a related request to authorize a change of zone from “R-3-DP” (Limited Multiple Residence – Development Program) and “R-1” (Single Family Residence) to R-4-DP (Unlimited Residence – Development Program).
5. Conditional Use Permit Case No. 200900150 is a related request to authorize the development of a multi-family residential project on the subject property. The applicant is proposing to construct 196 apartments, together with appurtenant structures and facilities, including a pool, fitness center, and parking structure for 353 cars.
6. Parking Deviation Case No. 201000005 is a related request to reduce parking requirement by ten percent. The request was added to project entitlements at the July 14, 2010 public hearing and considered by the Regional Planning Commission at October 6, 2010, and November 10, 2010 public hearings.
7. The Conditional Use Permit No. 200900150 site plan, the Exhibit “A,” depicts the subject property with one apartment building wrapped around two courtyards, and a parking structure. Access to the site is from Grosvenor Blvd via Jefferson Blvd to the south.
8. The applicant is requesting an amendment to the Countywide General Plan to change the land use designation of the 4.93-acre parcel from Low Density Residential to High

Density Residential. The High Density Residential areas are suitable for medium and high-rise apartments and condominiums, three or more stories in height. The intent of this classification is to provide for high-density residential development in appropriate locations, conveniently accessible to, or within multipurpose urban centers. Densities generally exceed 22 units per gross acre.

9. In reaching its decision the Regional Planning Commission considered the whole record, including testimony for and against the project.
10. The proposed plan amendment is consistent with the goals and policies of the Countywide General Plan. The proposed residential project will increase the supply of housing, promote the efficient use of land through a more concentrated pattern of urban development, improve the jobs-housing balance in the area and concentrate well-designed high-density housing in and adjacent to job centers and local transit service.
11. An Initial Study was prepared for the project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that there was substantial evidence that the Proposed Residential Project may have a significant impact on the environment in the following areas: land use, noise, air quality, traffic/access, visual resources, hydrology and water quality, sewer service, and solid waste service. The Initial Study determined that an Environmental Impact Report ("EIR") would be required.
12. The EIR prepared for the project concluded that with the exception of noise and air quality during construction there are no significant impacts that cannot be mitigated to a level of no significance. All other potentially significant environmental impacts, including geology, traffic and access, visual resources, and hydrology and water quality can be mitigated to less than significant levels through the implementation of mitigation measures identified in the EIR.
13. The Findings of Fact and Statement of Overriding Considerations that have been prepared for the project are incorporated herein by this reference as if set forth in full.
14. The Commission approves the Final Environmental Impact Report prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the FEIR has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission as to the environmental consequences of the project; determines that the conditions of approval and mitigation measures discussed in the FEIR are the only mitigation measures for the project which are feasible; determines that the remaining unavoidable environmental effects of the project have been reduced to the extent possible and to

an acceptable level and are outweighed by specific social, economic, and environmental benefits of the project; and adopts the Findings of Fact and Statement of Overriding Considerations prepared for the project.

RESOLVED, That the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider General Plan Amendment Case No. 200900013, a change of classification within the Countywide General Plan from Category 1 (Low Density Residential – One to Six Dwelling Units Per Acre) to Category 4 (High Density Residential—22 or More Dwelling Units Per Acre) on approximately 4.93 acres;
2. That the Board of Supervisors certify completion of and approve the attached EIR along with the Findings of Fact and Statement of Overriding Considerations dated November 2010 and adopt the Mitigation Monitoring Program for Countywide Plan Amendment Case No. 200900013; and
3. That the Board of Supervisors adopt the above recommended Countywide Plan Amendment Case No. 200900013.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on November 10, 2010.

Rosie Ruiz, Secretary
County of Los Angeles
Regional Planning Commission

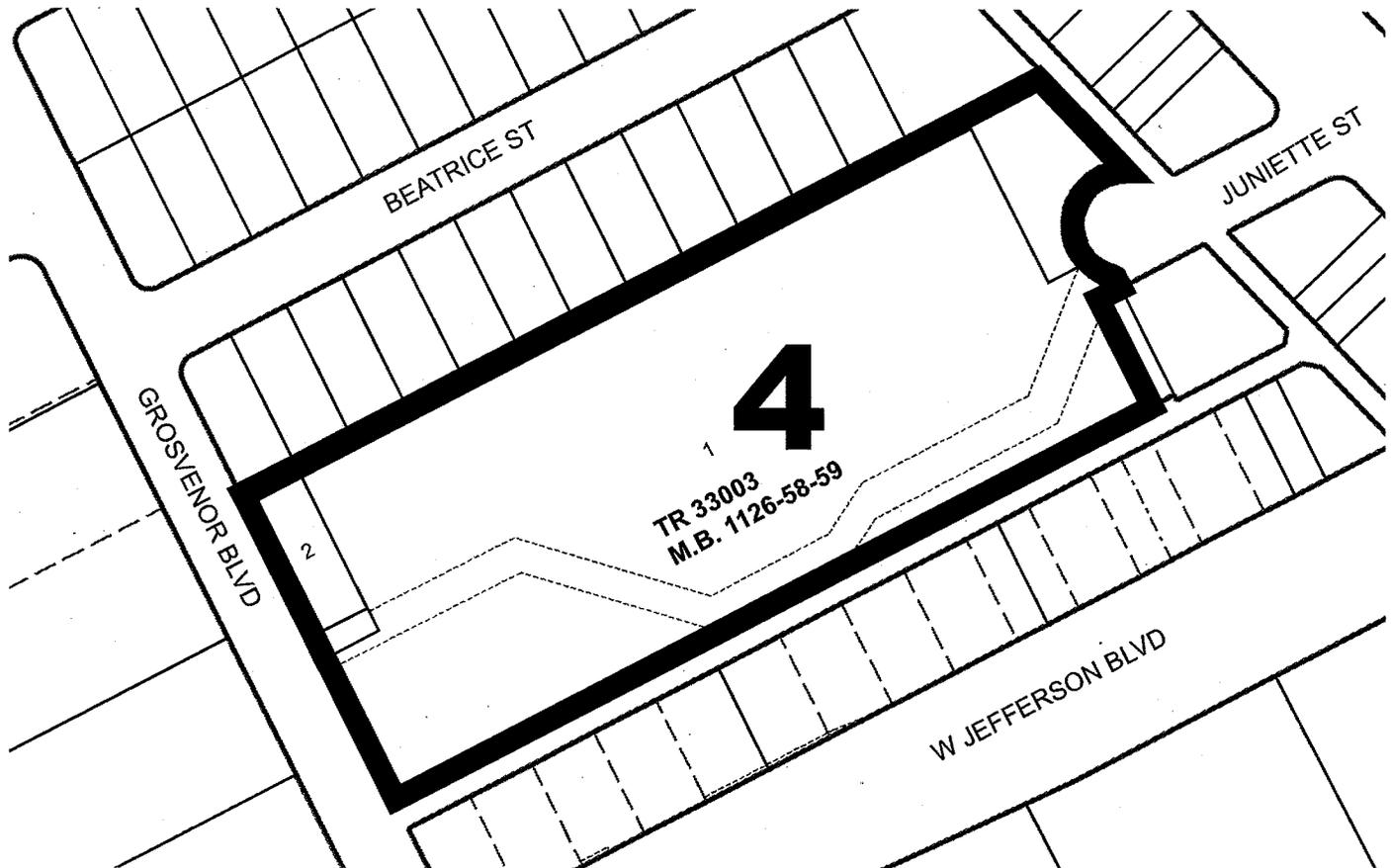
AMENDMENT TO COUNTYWIDE GENERAL PLAN
WEST FOX HILLS COMMUNITY

PLAN AMENDMENT: 200900013

ON: _____

CATEGORY 1 TO CATEGORY 4

(PROPOSED: HIGH DENSITY RESIDENTIAL 22 OR MORE DU/AC)



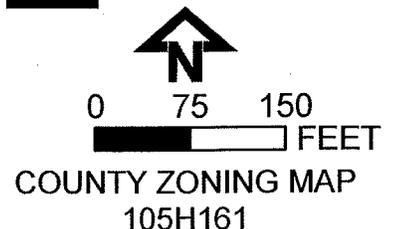
LEGAL DESCRIPTION:

LOTS 1 AND 2 OF TRACT NO. 33003 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 1126 PAGES 58 AND 59 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF LOT 1 AS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE WHICH RECORDED MARCH 25, 2005 AS INSTRUMENT NO. 05-0694025 OF OFFICIAL RECORDS.

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  PLAN AMENDMENT AREA



DIGITAL DESCRIPTION: VZCOZD_PLAYA DEL REY

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
WAYNE REW, CHAIR
RICHARD J. BRUCKNER, PLANNING DIRECTOR

**THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
ZONE CHANGE CASE NO. 200900013**

WHEREAS, the Regional Planning Commission of the County of Los Angeles has conducted public hearings in the matter of Zone Change Case No. 200900013 on May 12, 2010, June 16, 2010, July 14, 2010, October 6, 2010, November 10, 2010

WHEREAS, the Regional Planning Commission finds as follows:

1. The applicant is requesting a change of zone from R-3-DP (Limited Multiple Residence – Development Program) and R-1 (Single Family Residence) to R-4-DP (Unlimited Residence – Development Program).
2. The subject property consists of approximately 4.93 gross acres located at 5544 and 5550 Grosvenor Blvd within the unincorporated community of West Fox Hills, Playa Del Rey Zoned District of the Second Supervisorial District.
3. The Zone Change request was heard concurrently with Plan Amendment Case No. 200900013, Conditional Use Permit Case No. 200900150, and Parking Deviation Case No. 201000005.
4. General Plan Amendment Case No. 200900013 is a related request to authorize a change of land use classification in the Countywide General Plan from Low Density Residential to High Density Residential on the approximately 4.93-gross-acre subject property.
5. Conditional Use Permit Case No. 200900150 is a related request to authorize the development of a multi-family residential project on the subject property. The applicant is proposing to construct 196-unit apartment building with appurtenant structures and facilities, including a pool, fitness center, and parking structure for 353 cars.
6. Parking Deviation Case No. 201000005 is a related request to reduce parking requirement by ten percent. The request was added to project entitlements at the July 14, 2010 public hearing and considered by the Regional Planning Commission at October 6, 2010, and November 10, 2010 public hearings.
7. The site plan for Conditional Use Permit No. 200900150, the Exhibit "A", depicts the subject property with one apartment building wrapped around two courtyards, and a parking structure. Access to the site is from Grosvenor Blvd via Jefferson Blvd to the south.

8. The subject property is currently zoned R-3-DP (Limited Multiple Residence – Development Program) established in 1984 and 1987 by Ordinance No. 84-0121Z and 87-0048Z respectively.
9. The subject property is developed with a church, parking lot, and single-family residence. Existing zoning allows for a density of 22 dwelling units per acre. The property south of the subject property is developed with three apartment buildings with a density of 99 dwelling units per acre. Further south, the residential portion of the Village at Playa Vista is entitled for 55 to 109 units per acre. A zone change to allow for higher density residential development would be consistent with the goals and policies of the General Plan Housing Element goals and policies, which promotes a wide range of housing types and housing costs to sufficiently meet the needs of current and future residents.
10. The zone change is compatible with the goals and policies of the Countywide General Plan. The proposed residential project will increase the supply of housing and promote the efficient use of land through a more concentrated pattern of urban development.
11. The subject property is a proper location for the R-4-DP zoning in that the proposed development provides an improved jobs-housing balance and concentrates well-designed high-density housing adjacent to job centers, recreational amenities, and interstate freeways.
12. Surrounding land use pattern has changed since the R-3-DP zoning was established in 1984, increasing the density in the area. To the south, three apartment buildings with an average density of 98 dwelling units per acre were constructed from 1987 to 1989. Further south, Phase II of the Playa Vista Project was approved in 2010. The mixed-use project would allow for average density of 52 dwelling units per acre.
13. The proposed Zone Change from R-3-DP and R-1 to R-4-DP is consistent with General Plan Amendment No. 200900013 and, as reflected therein, with the goals and objectives of the Countywide General Plan.
14. An Initial Study was prepared for the project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) (“CEQA”), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that there was evidence that the project may have a significant impact on the environment in the following areas: land use, geology, noise, air quality, traffic/access, visual resources, hydrology and water quality, sewer

service, and solid waste service. The Initial Study determined that a Environmental Impact Report ("EIR") would be required.

15. The EIR prepared for the project concluded that with the exception of noise and air quality during construction there are no significant impacts that cannot be mitigated to a level of no significance. All other potentially significant environmental impacts, including geology, traffic and access, visual resources, and hydrology and water quality can be mitigated to less than significant levels through the implementation of mitigation measures identified in the EIR.
16. The Findings of Fact and Statement of Overriding Considerations that have been prepared for the Proposed Residential Project are incorporated herein by this reference as if set forth in full.
17. The Commission approves the Final Environmental Impact Report prepared for the project and presented to the Commission; certifies that it has reviewed and considered the environmental information contained in the document; certifies that the FEIR has been completed in compliance with CEQA, the CEQA Guidelines, and County CEQA Guidelines and reflects the independent judgment of the Commission as to the environmental consequences of the project; determines that the conditions of approval and mitigation measures discussed in the FEIR are the only mitigation measures for the project which are feasible; determines that the remaining unavoidable environmental effects of the project have been reduced to the extent possible and to an acceptable level and are outweighed by specific social, economic, and environmental benefits of the project; and adopts the Findings of Fact and Statement of Overriding Considerations prepared for the project.

THEREFORE, BE IT RESOLVED, THAT the Regional Planning Commission recommend to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board of Supervisors hold a public hearing to consider the recommended change of zone from R-3-DP and R-1 to R-4-DP as provided by the related Conditional Use Permit Case No. 200900150.
2. That the Board of Supervisors certify completion of and approve the attached EIR along with the Findings of Fact and Statement of Overriding Considerations dated November 2010 and adopt the Mitigation Monitoring Program for the Zone Change Case No. 200900013.
3. That the Board of Supervisors find the recommended zoning is consistent with the Los Angeles County General Plan and with the adoption of General Plan Amendment Case No. 200900013 by the Board;

4. That the Board of Supervisors find that the public convenience, the general welfare and good zoning practice justify the recommended change of zone; and
5. That the Board of Supervisors adopt the above recommended change of zone.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on November 10, 2010.

Rosie Ruiz, Secretary
Regional Planning Commission
County of Los Angeles

DRAFT

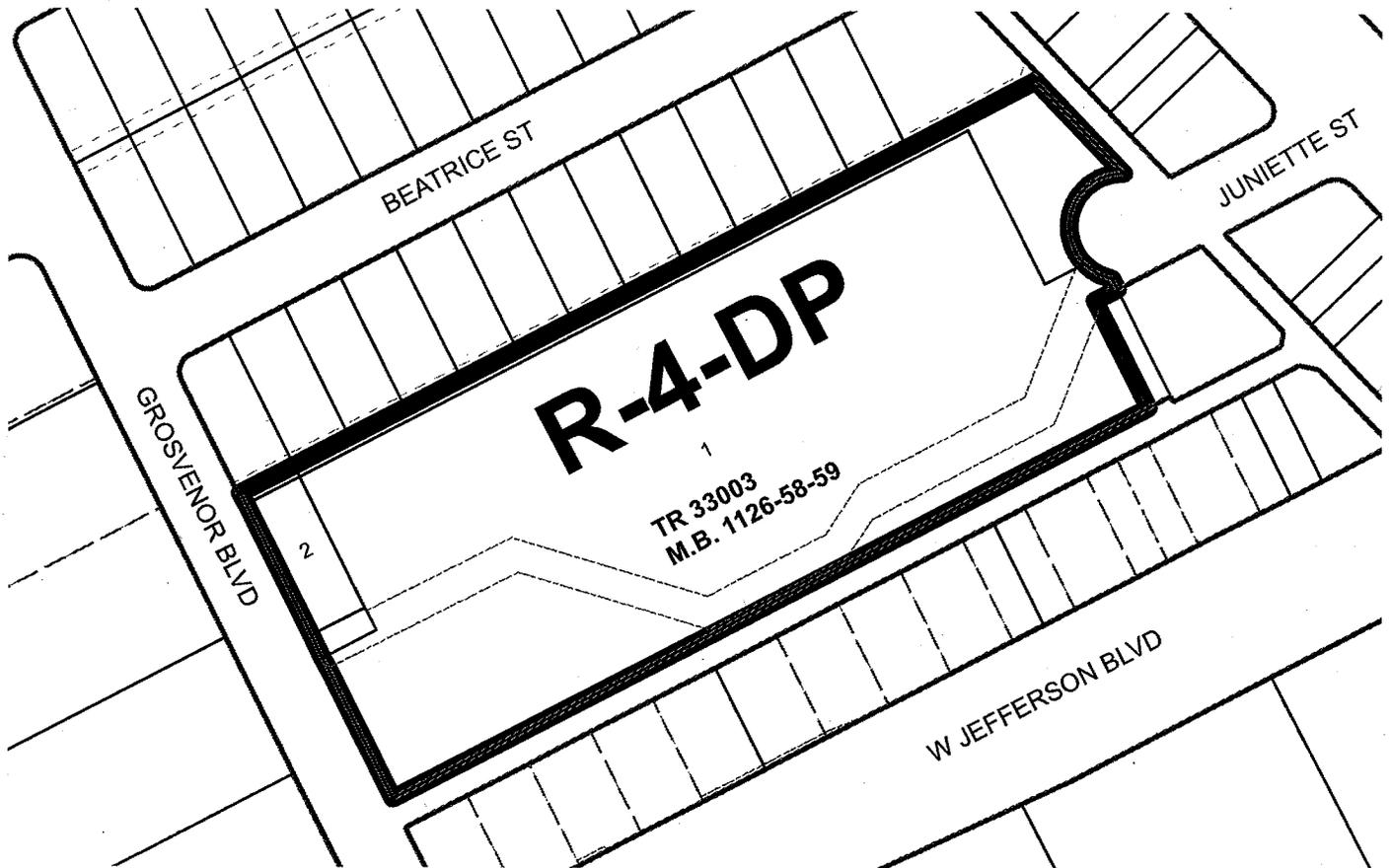
CHANGE OF PRECISE PLAN
PLAYA DEL REY ZONED DISTRICT

ADOPTED BY ORDINANCE: _____

ON: _____

ZONING CASE: ZC 200900013

AMENDING SECTION: 22.16.230 OF THE COUNTY CODE



LEGAL DESCRIPTION:

LOTS 1 AND 2 OF TRACT NO. 33003 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 1126 PAGES 58 AND 59 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF LOT 1 AS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE WHICH RECORDED MARCH 25, 2005 AS INSTRUMENT NO. 05-0694025 OF OFFICIAL RECORDS.

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  ZONE CHANGE AREA



0 75 150
FEET

COUNTY ZONING MAP
105H161

DIGITAL DESCRIPTION: \ZCO\ZD_PLAYA DEL REY

THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
WAYNE REW, CHAIR
RICHARD J. BRUCKNER, PLANNING DIRECTOR

PROJECT NO. R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
ZONE CHANGE NO. 200900013
CONDITIONAL USE PERMIT NO. 200900150
PARKING DEVIATION NO. 201000005

DRAFT CONDITIONS
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This grant authorizes the construction an apartment complex on 4.93 acres, called the Millennium-Playa Del Mar Project as depicted on the approved Exhibit "A." This grant is subject to all of the following conditions of approval.

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. This grant authorizes the construction of a 196-unit apartment with 353 parking spaces with north and south elevations and setback as depicted on the approved Exhibit "A."
3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition 7, and until all required monies have been paid pursuant to Condition 9 and Condition 10. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 4, 5, 8, and 10 shall be effective immediately upon final approval of this grant by the County. Further, this grant shall not become effective unless and until the County of Los Angeles Board of Supervisors has adopted General Plan Amendment Case No. 200900013 and Zone Change Case No. 200900013, and an ordinance effecting such change of zone has become effective.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses

PROJECT NO. R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
ZONE CHANGE NO. 200900013
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DRAFT CONDITIONS
PAGE 2 OF 7

involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted.

- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee according to Los Angeles County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by the court of competent jurisdiction the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the property owner or permittee, or the owner of the subject property if other than the permittee shall **record the terms and conditions** of the grant in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee or the property owner or shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two years from the date of final approval of the grant by the County. The date of final approval is the date the County's action becomes effective pursuant to Section 22.60.260 of the Los Angeles County Code. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance

PROJECT NO. R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
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DRAFT CONDITIONS
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with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County of Los Angeles the sum of **\$600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for **three (3) annual** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Within 3 days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently, **\$2,867.25** (\$2,792.25 for an Environmental Impact Report plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
12. Upon receipt of this letter, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Fire Department to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall

be provided as may be required by said Department.

13. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
14. All structures shall conform with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or extraneous markings, drawings or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
16. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
17. Prior to issuance of a certificate of occupancy for the project, the permittee shall submit to the Director of Planning for approval three copies of sign elevations depicting any proposed permanent signs on the subject property. Signs shall be in conformance with Part 10 of Section 22.52 of the County Code.
18. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, a Revised Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of approval for the Conditional Use Permit.
19. Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. The landscape plan may be incorporated into the revised site plan required in condition 16. All required landscaping shall be continuously maintained in good condition, including proper pruning, weeding, removal or litter, fertilizing and replacement of plants when necessary.

PROJECT NO. R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
ZONE CHANGE NO. 200900013
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PARKING DEVIATION NO. 201000005

DRAFT CONDITIONS
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20. The permittee shall comply with the attached Mitigation Monitoring Program. The applicant shall deposit the sum of **\$3,000** with Regional Planning to defray the cost of reviewing and verifying the information contained in the required mitigation monitoring reports. This deposit is due and payable within 30 days of the approval date of this grant.
21. Pursuant to Chapter 22.72 of the County Code, a Library Facilities Mitigation Fee in the amount of \$172,152 (\$797 per dwelling unit) or the amount required by Chapter 22.72 at the time of payment, if different, shall be paid to the County of Los Angeles Public Library. The fee must be paid prior to the issuance of the building permit and proof of payment shall be provided to the Department of Regional Planning. Contact the County Librarian at (562) 940-8430 regarding payment of fees.
22. The construction, operation and maintenance of the apartment complex is subject to all of the following conditions:
 - a. The permittee shall maintain all areas of the premises in a neat and orderly fashion, free of litter and debris.
 - b. Roof-top mechanical equipment such as air conditioning units shall be screened from pedestrian view.
 - c. A minimum of 353 automobile parking spaces including spaces for guests, shall be provided and maintained pursuant to County Code Section 22.52.1180. The required parking shall be continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized use.
 - d. The permittee shall provide a "hotline" number of a responsible person to take inquiries and complaints during construction hours regarding construction activities and construction personnel, if any. A log shall be kept of all inquiries and complaints and the resolution of any complaints.
 - e. During construction, the permittee and its contractor shall comply with section 12.12.010 – 12.12.100 of the Los Angeles County Code regarding building construction noise, to the extent feasible.
 - f. To reduce construction traffic, grading and construction equipment shall

be stored on the project site while in use, to the extent feasible.

- g. The permittee shall provide flagmen or other personnel to direct traffic entering or existing Grosvenor Blvd to give priority to residents, visitors, and other passenger vehicles.
- h. The project site shall be fenced to reduce wind-blown dust. Construction materials shall be covered. All storage soil and sand shall be covered. All debris shall be cleared up daily and put in a dumpster which shall be covered at the end of each day.
- i. All clearing, grading, earth moving, and excavation activities shall cease during periods of high winds (e.g. greater than 15 miles per hour).
- j. If the site is graded and left undeveloped for over three weeks, the permittee shall employ various methods to inhibit dust generation including seeding, watering, spreading soil binders, and other dust suppression methods.
- k. Dust generated by project construction shall be kept on-site through the use of dust control measures, including watering or sprinkling the site at least twice daily or as necessary, covering or watering exposed pits, erecting dust fences, tarping debris transport trucks, and/or other measures as appropriate.
- l. Streets and driveways immediately adjacent to the site shall be swept at least once a day during excavation and grading and more frequently if needed to remove dust and silt which may accumulate from earth work activities.
- m. Demolition and excavation operations shall be suspended during second stage smog alerts in the area. All materials used on-site shall be conditioned in accordance with SCAQMD.
- n. All improvements shall be completed prior to the final certificate of occupancy for the project.
- o. The permittee shall comply with the conditions of the County of Los Angeles Fire Department as outlined in their letter dated October 27, 2010, attached hereto, except as otherwise required by said department.

PROJECT NO. R2009-02015-(2)
GENERAL PLAN AMENDMENT NO. 200900013
ZONE CHANGE NO. 200900013
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DRAFT CONDITIONS
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- p. The permittee shall comply with the conditions of the County of Los Angeles Department of Public Works conditions as outlined in their letter dated June 29, 2010, attached hereto, except as otherwise required by the said department.
- q. The permittee shall comply with the conditions of the County of Los Angeles Department of Public Health conditions as outlined in their letter dated April 22, 2010, attached hereto, except as otherwise required by the said department.
- r. Prior to issuance of building permits the applicant shall pay all required library and school mitigation fees.

Attachment:

Letter from Department of Public Works dated June 28, 2010
Letter from Fire Department dated October 27, 2010
Letter from Department of Public Health dated April 22, 2010

MC:MKK

10/28/10



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE REFER TO FILE: **LD-1**

June 29, 2010

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention: ~~Mi Kim~~

FROM:  Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 200900150
PROJECT NO. R2009-02015
5550 GROSVENOR BOULEVARD—MILLENNIUM PLAYA DEL REY
UNINCORPORATED COUNTY AREA OF MARINA DEL REY

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for CUP No. 200900150, located in the unincorporated County area of Marina del Rey at the intersection of Centinela Avenue and Jefferson Boulevard. The proposed project is for the construction of a new 216-unit apartment.

Upon approval of the site plan, we recommend the following conditions:

1. Grading

- 1.1 Submit a grading plan to Public Works' Land Development Division for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the Standard Urban Stormwater Mitigation Plan (SUSMP) devices if applicable.

- 1.2 Submit the latest drainage concept/hydrology/SUSMP/Low-Impact Development (LID) plan for review and approval to Land Development Division, Storm Drain and Hydrology Section.
- 1.3 Execute a maintenance agreement for privately maintained drainage devices.
- 1.4 Provide Public Woks' Geotechnical and Materials Engineering Division's soil/geology approval, as applicable.
- 1.5 Regulatory agency approvals/permit may be required prior to grading plan approval.

For questions regarding the grading requirements, please contact Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

2. Road Improvements

- 2.1 Dedicate additional right of way (3 feet from the existing right-of-way line) in the alley north of Jefferson Boulevard along the property frontage.
- 2.2 Construct new driveways to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works.
- 2.3 Reconstruct the alley entrances to meet current ADA requirements to the satisfaction of Public Works.
- 2.4 Construct pavement widening along the alley north of Jefferson Boulevard, along the property frontage, to the satisfaction of Public Works. Relocate any above-ground utilities along the pavement widening to the satisfaction of Public Works.
- 2.5 Close any unused driveways along the property frontage on Grosvenor Boulevard and Juniette Street to the satisfaction of Public Works.
- 2.6 Plant street trees along the property frontage on Grosvenor Boulevard and Juniette Street to the satisfaction of Public Works. Existing trees in dedicated right of way shall be removed and replaced if not acceptable as street trees.

- 2.7 Repair any displaced, broken, or damaged curb, gutter, sidewalk, and pavement, along the property frontage, during construction to the satisfaction of Public Works.
- 2.8 Acquire street improvement plan approval or direct check status before obtaining a grading permit or building permit, whichever comes first.
- 2.9 Execute a covenant for private maintenance of curb/parkway drains to the satisfaction of Public Works.
- 2.10 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the road improvement requirements, please contact Patricia Constanza at (626) 458-4921 or by e-mail at pconstan@dpw.lacounty.gov.

3. Street Lighting

- 3.1. Provide street lights on concrete poles with underground wiring along the property frontage on Grosvenor Boulevard and Juniette Street to the satisfaction of Public Works. Submit street lighting plans for review and approval as soon as possible to Public Works' Traffic and Lighting Division, Street Lighting Section, to allow the maximum time for processing and approval.
- 3.2. Upon approval of the CUP, the applicant shall enter into a secured agreement with the County of Los Angeles for the installation of the street light in the amount of \$75,000. This amount is subject to revision at the time of street lighting plan approval.
- 3.3. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

- (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.
- (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor parcel number(s), and parcel boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
- (3) Submit a map of the proposed development, including any roadways conditioned for street lights that are outside the proposed project area, to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

3.4 The annexation and assessment balloting process takes approximately 10 to 12 months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

3.5 For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year.

For questions regarding the street lighting requirements, please contact David Stringer at (626) 300-4754 or by e-mail at dstring@dpw.lacounty.gov.

4. Traffic Studies

4.1 A traffic signal, including the provision of an Automated Traffic Surveillance and Control System and Adaptive Traffic Control System, shall be installed

at the intersection of Grosvenor Boulevard and Jefferson Boulevard. The project shall be fully responsible for the design and construction of the new traffic signal and make a deposit of \$200,000 to the City of Los Angeles for the installation.

- 4.2 The project shall coordinate with the City of Los Angeles to determine the milestone as to when the traffic signal shall be operational.
- 4.3 The design and construction phases will be processed through a B-permit issued by the City of Los Angeles' Department of Public Works, Bureau of Engineering.
- 4.4 Submit a 40-foot-scale site plan of the project showing access location in relationship to adjacent intersections and driveways to Land Development Division and the City of Los Angeles' Department of Transportation, West Los Angeles Development Review Section, for review and approval.
- 4.5 Caltrans and the City of Culver City shall be consulted to obtain their written concurrence with the California Environmental Quality Act level of significance determination.

For questions regarding the traffic studies requirements, please contact Jeff Pletyak at (626) 300-4721 or by e-mail at jpletyak@dpw.lacounty.gov.

5. Drainage

- 5.1 Comply with the requirements of the LID plan, which was conceptually approved on June 8, 2010, to the satisfaction of Public Works.
- 5.2 Comply with the requirements of the drainage concept/hydrology study/SUSMP, which was conceptually approved on August 20, 2008, to the satisfaction of Public Works.
 - 5.2.1 The project site ultimately discharges to the City of Los Angeles maintained catch basin located on Grosvenor Boulevard, per the approved drainage concept/hydrology study/SUSMP.

Mark Child
June 29, 2010
Page 6

5.2.2 The project is in substantial conformance with the approved drainage concept/hydrology study/SUSMP, despite variations to proposed on-site drainage devices, as long as the ultimate discharge point does not change and the allowable Q criteria specified by the City of Los Angeles, for the proposed catch basin connection, is satisfied.

5.3 Provide a permit from the City of Los Angeles for proposed connection to the catch basin fronting the project site on Grosvenor Boulevard to the satisfaction of Public Works.

For questions regarding the drainage requirements, please contact Lizbeth Cordova at (626) 458-4921 or by e-mail at lcordova@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or by e-mail at rcruz@dpw.lacounty.gov.

RC:ca

P:/LDPUB/SUBMGT/CUP/ Project R2009-02015_CUP 200900150_Millennium Playa del Rey - 5550 Grosvenor Blvd- approval.docx



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

Mikim

DATE: October 27, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2009-02015

LOCATION: 5550 Grosvenor Blvd., Los Angeles

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is **3500** gallons per minute for **3** hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- Install **5** Public 6" X 4" X 2 1/2" fire hydrants, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments:** The Fire Department has cleared this project (Site Plan First Level and Fire Access Plan dated 10-20-10) for Public Hearing with conditions as specified in the Special Requirements section.
- Water:** Per the LADWP fire flow tests dated May 14, 2010 and June 29, 2010, the existing water system is adequate.
The required public fire hydrants, as indicated in the site plan dated 10-20-10 filed in our office, shall be installed and tested prior to construction. The existing private fire hydrant on the southerly property line shall be removed.
- Access:** Access is adequate as shown on the site plan filed in our office.
- Special Requirements:**
 - The proposed enhanced paving material on the Fire Lane(s) shall be designed to support a minimum live load of 75,000lbs. Submit details with the architectural plans for review and approval prior to building permit issuance.
 - The proposed Fire Department Access Tunnels shall be reviewed and approved during the architectural plan review prior to building permit issuance. Detail drawings will be required at that time.
 - All proposed gates shall provide 28' of unobstructed access when fully opened and shall comply with LA County Fire Department Regulation 5.
 - Permanent exterior ladders are required on the exteriors of the structure(s) due to the changes in stories which will provide firefighter access to all the roofs. Requirements and locations will be determined during the architectural plan review.
 - The southerly alley, Private Driveway and Fire Lane, shall provide adequate signage and stripping with NO PARKING/FIRE LANE in compliance with the Department of Public Works and the Fire Department standards.
 - The proposed development shall be in compliance with all applicable Building Code, Fire Code, and Departmental Regulations/Standards at the time of submittal for Building Permit.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: Juan C. Padilla 

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783



COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

KEN HABARADAS, MS, REHS
Acting Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 490-5280 • FAX (626) 960-2740

April 22, 2010

Mi Kim
Zoning Permits I Section
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: PROJECT NO. R2009-02015
RCUPT 200900150
MILLENNIUM-PLAYA DEL MAR APARTMENTS PROJECT

- Environmental Health recommends approval of this CUP.
 Environmental Health does **NOT** recommend approval of this CUP.

Dear Ms. Kim:

The Los Angeles County Department of Public Health – Environmental Health has reviewed the information provided for the subject project and has no objection to the approval of the CUP with the following conditions:

1. The proposed project shall utilize established public water supply and public sewer.
2. The proposed project shall comply with the requirements of the County Noise Control Ordinance as found in Title 11 of the Los Angeles County Code.

If you should have any questions or need additional information, please let me know.

Sincerely,

Ken Habaradas, MS, REHS
Bureau of Environmental Protection



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**MILLENNIUM-PLAYA DEL MAR
APARTMENTS PROJECT**

MITIGATION MONITORING PROGRAM

State Clearinghouse No. 2006101014

COUNTY PROJECT NO. R2009-02015

GENERAL PLAN AMENDMENT

CASE NO. RPAT200900013

CONDITIONAL USE PERMIT

NO. RCUPT200900150

PARKING DEVIATION RPKDT2010000005

ZONE CHANGE NO. RZCT200900013

ENVIRONMENTAL CASE NO. RENTV200600147

LEAD AGENCY:

**Los Angeles County
Department of Regional Planning
Impact Analysis Section
320 West Temple Street
Los Angeles, California 90012**

October 2010

Exhibit
Millennium-Playa del Mar Apartments Project, Project R2009-02015
Mitigation Monitoring Plan

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY</p> <p>Implementation of the proposed project would expose people and structures to strong seismic ground shaking that could result in ground failure.</p>	<p>4.2-1 A certified geologist shall conduct observation and testing in order to evaluate actual soil conditions during construction activities. Appropriate revisions to the recommendations included in the geotechnical evaluation shall be applied at this time to the satisfaction of the Los Angeles County Department of Public Works, should they be required at the time of field inspections.</p> <p>The following mitigation measures discuss foundation recommendations for the proposed structures.</p> <p>4.2-2 Due to the presence of soft to firm, moderate to high compressible clays below the site, and variable potential liquefaction settlements across the subject site, a shallow foundation shall not be used. Instead, the proposed structure shall be supported on auger pressure grouted displacement (APGD) piles.</p> <p>4.2-3 To provide uniform support and to improve lateral restraint of the piles, the upper 24 inches of subgrade soils below building pad shall be compacted to 95 percent of relative compaction.</p> <p>4.2-4 Piles shall be embedded 3 to 5 feet into the dense sand and gravel layer to develop end-bearing capacity. The design pile tip elevation shall be taken as elevation -33 feet below mean sea level. The allowable vertical bearing capacity of a 52-foot-long, 16-inch-diameter APGD pile shall be taken as 200 kips (one kip equals 1,000 pounds of force, kip is short for kilopound).</p>	<p>The applicant shall submit plans designed in conformance with UBC and County of Los Angeles Building Code requirements.</p>	<p>Building and Safety</p>	<p>During plan check</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-5 Piles shall be installed with a minimum 3 diameters center-to-center spacing. For piles with 3 diameters center-to-center spacing no reduction in axial capacity is required.</p> <p>4.2-6 Total and differential settlement of piles under the recommended allowable load may be taken as 0.5 inch and 0.25 inch, respectively. This recommendation shall be confirmed, and revised as necessary to the satisfaction of the Los Angeles County Department of Public Works, during the pile load testing program.</p> <p>4.2-7 The liquefaction downdrag acting on a single pile, under a design basis earthquake event, is estimated to be on the order of 68 kips. This maximum downdrag load of 68 kips is based on the assumption that no settlement of the piles occurs due to the application of the downdrag load. It is estimated that piles could settle about 0.25 inch as the downdrag load is applied. This settlement would significantly reduce the downdrag load. Consequently, an ultimate capacity of 400 kip shall be required for piles, assuming the full downdrag of 68 kip for seismic conditions. The ultimate and allowable pile capacity shall be estimated by conducting a static load-testing program to the satisfaction of the Los Angeles County Department of Public Works.</p> <p>4.2-8 Pre-drilling shall not be permitted for test piles and production piles.</p> <p>4.2-9 The minimum torque required to indicate penetration into the bearing layer shall be set at 60 ft-kip, unless shown to be otherwise during the load-testing program.</p>			

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing																				
<p>GEOLOGY (continued)</p>	<p>4.2-10 The following capacities shall be used for the 16-inch-diameter APGD pile that may be used for the building foundation: Lateral Pile Capacity for a 16-inch Square Driven Concrete Pile</p> <table border="0"> <tr> <td colspan="2">Free Head Condition</td> </tr> <tr> <td>Pile Head Deflection</td> <td>1.0</td> </tr> <tr> <td>Max Shear (Kips)</td> <td>12</td> </tr> <tr> <td>Max. Moment (Kip-feet)</td> <td>52</td> </tr> <tr> <td>Depth to Max Moment (feet)</td> <td>10</td> </tr> <tr> <td colspan="2">Fixed Head Condition</td> </tr> <tr> <td>Pile Head Deflection</td> <td>1.0</td> </tr> <tr> <td>Max Shear (Kips)</td> <td>25</td> </tr> <tr> <td>Max. Moment (Kip-feet)</td> <td>-135</td> </tr> <tr> <td>Depth to Max Moment (feet)</td> <td>0</td> </tr> </table> <p>4.2-11 Pile-load-testing shall be conducted, which would consist of monitoring the installations of four test piles at selected locations and performing a test loading according to American Society for Testing and Materials (ASTM) 1143-81. The testing program shall be carried out as a separate mobilization by the pile contractor. It is expected that the testing program shall require 26 hours to perform each pile load test in the field plus an additional week of geotechnical analyses by the project engineer to provide the pile length and allowable load recommendations to the satisfaction of the Los Angeles County Department of Public Works.</p>	Free Head Condition		Pile Head Deflection	1.0	Max Shear (Kips)	12	Max. Moment (Kip-feet)	52	Depth to Max Moment (feet)	10	Fixed Head Condition		Pile Head Deflection	1.0	Max Shear (Kips)	25	Max. Moment (Kip-feet)	-135	Depth to Max Moment (feet)	0			
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Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-12 Test piles shall be continuously installed to various depths of penetration into dense granular material (Layer 6) below about elevation -26 to -28 feet below mean sea level, using a Bauer BG25 drilling machine, or equivalent, delivering drill torque up to 180,000 foot-lbs. Final tip elevations for test piles shall be at about elevation -33 feet below mean sea level; however, some variability should be expected. Each test pile location requires a cone penetration test (CPT), which shall be completed prior to the load-testing program.</p> <p>4.2-13 A creep test is required at the recommended allowable load. The creep test holds the allowable load for at least 2 hours to demonstrate displacement of the test pile slows to less than 0.005 inch per hour, which is half the rate recommended ASTM 1143-81. Test piles not meeting this requirement shall be rejected.</p> <p>4.2-14 The project engineer shall monitor the indicator-pile and production pile installations to verify that piles are installed in accordance with the geotechnical recommendations and have achieved a satisfactory pile length to the satisfaction of the Los Angeles County Department of Public Works.</p> <p>4.2-15 Per the County requirement, one CPT sounding shall be performed per 12 production piles used in the building foundation. Depending on the actual number of production piles, additional CPT soundings shall be required prior to installing production piles.</p>			

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-16 For resistance to lateral loads, an allowable passive fluid pressure of 300 pounds per cubic foot (pcf) may be used for design, for grid beams and pile caps placed in structural fill or in undisturbed, stiff or dense, native soils. Sliding resistance shall not be used due to potentially high liquefaction settlement.</p> <p>4.2-17 Due to potentially high and variable liquefaction settlement, slab-on-grade shall not be used for the proposed building; instead, structural slab supported on the pile foundation shall be used.</p> <p>The following mitigation measures pertain to the use of minor retaining walls and fence walls:</p> <p>4.2-18 Minor retaining walls that are less than 36 inches in height retaining level backfill, for hardscape around the building exterior (if used) shall be supported near the finish grade on spread footing. Footings shall be designed using an allowable bearing pressure of 1.5 ksf. The upper 12 inches of wall footing subgrade shall be scarified, moisture conditioned as required, and compacted to a minimum of 95 percent relative compaction in accordance with the ASTM D 1557 standard. Retaining wall footings on level ground shall have a minimum embedment of 18 inches below finished grade. Retaining walls founded on a 2:1 (H:V) slope shall have a minimum embedment of 36 inches below the finished grade above the sloped edge of footing.</p>			

Mitigation Monitoring Program

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-19 Retaining walls shall be backfilled with non-expansive granular soils with a PI less than 15 percent passing No. 200 sieve or less than 15 percent. A 2-foot-thick cap consisting of less pervious on-site materials shall be used to minimize infiltration of surface water. The finished surface shall be graded to drain away from the proposed structures. Soils within 5 feet of the wall shall either be compacted with hand operated equipment or designed to withstand compaction pressure from heavy equipment.</p> <p>4.2-20 Cantilever walls, which are free to move laterally at least 0.5 inch for each 10 feet of height, shall be designed for an equivalent fluid pressure of 38 pcf (with level backfill) or 45 pcf (2:1 sloping backfill).</p> <p>4.2-21 All walls shall be constructed with a properly designed drainage system to prevent buildup of hydrostatic pressures behind the wall. This may consist of geocomposite drain board or 12 inches of clean crushed rock encapsulated in filter fabric, discharging to weep holes or drain pipes.</p>			

Mitigation Monitoring Program

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p> <p>Implementation of the proposed project would expose people and structures to unstable soils. Grading and retaining wall standards mitigation would reduce impacts to a less than significant level.</p>	<p>4.2-22 To provide uniform support for pavements, and to improve lateral constraint of the piles, the upper 24 inches of subgrade soils below the building pad and pavement shall be compacted to 95 percent of relative compaction.</p> <p>4.2-23 The project shall comply with the following grading standards as included in the Geotechnical Report to the satisfaction of the Los Angeles County Department of Public Works:</p> <ul style="list-style-type: none"> • The grading contractor shall be responsible for notifying the Geotechnical Engineer of a pre-grading meeting prior to the start of grading operations and anytime that the operations are resumed after an interruption. • Prior to the start of earthwork, the existing improvements shall require demolition of the existing church on the project site. Existing utilities shall be removed, relocated, or protected, as appropriate. • The project area shall be stripped and cleared of vegetation. Two feet of on-site soil below the proposed building pad and pavement are shall be removed and recompacted to provide uniform support for pavements, and to improve lateral constraint of the piles. The actual limits for removals shall be determined by the project Geotechnical Engineer when final elevations are established for the building and shall be reviewed during grading, depending on the actual conditions encountered. Due to the existence of highly compressible clay layer, if new fill is to be added to the site to an elevation above the existing grade, a surcharge program and waiting period shall be required. 	<p>The applicant shall submit a Grading Plan to protect the project from improper surface drainage.</p>	<p>Department of Public Works, Building and Safety</p>	<p>Prior to the issuance of grading permit</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-23 (continued)</p> <ul style="list-style-type: none"> • Fill placed under structures or pavements shall be placed as "structural fill." All structural fill shall be free of expansive clay, rock greater than 3 inches in maximum size, debris and other deleterious materials. All structural fill shall be compacted to at least 95 percent of the maximum dry density determined by ASTM D 1557-91. Fill placed in non-structural and landscape areas shall be compacted to at least 90 percent. • The bottoms of completed excavations shall be observed by the project Geotechnical Engineer, while it is proof-rolled with loaded equipment. Any loose or yielding soils shall be over-excavated and recompacted to the limits determined by the Geotechnical Engineer. • All earthwork and grading shall be performed under the observation of the Geotechnical Engineer. Compaction testing of the fill soils shall be performed at the discretion of the Geotechnical Engineer. Testing shall be performed for approximately every 2 feet in fill thickness or 500 cubic yards of fill placed, whichever occurs first. If specified compaction is not achieved, additional compactive effort, moisture conditioning, and/or removal and recompaction of the fill soils shall be required. • All materials used for asphalt concrete and base shall conform to the 2000 "Green Book" or the equivalent, and shall be compacted to at least 95 percent relative compaction. 			

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-23 (continued)</p> <ul style="list-style-type: none"> If, in the opinion of the Geotechnical Engineer, Contractor, or Owner, an unsafe condition is created or encountered during grading, all work in the area shall be stopped until measures can be taken to mitigate the unsafe conditions. An unsafe condition shall be considered any condition that creates a danger to workers, on-site structures, on-site construction, or any off-site properties or persons. <p>The following mitigation measures pertain to the temporary excavation involving the removal of the one-level basement of the existing church building during demolition: Depending on the embedment depth of footings, it is likely that 1 or 2 feet of the excavation for removal of the existing basement will be below the water table.</p> <p>4.2-24 Water entering the excavation shall be handled by pumping from perimeter ditches and sumps.</p> <p>4.2-25 Excavation slopes shall be made with an inclination of 1 to 1 (Vertical to Horizontal).</p> <p>4.2-26 Surcharge loads, such as vehicular traffic, heavy construction equipment, and stockpiled materials, shall be kept away from the top of temporary excavations a horizontal distance at least 5 feet from the excavation. Sloughing of sand slopes and unstable soil zones shall be anticipated within temporary excavations, and workmen shall be adequately protected. Construction equipment and foot traffic shall be kept off excavation slopes to minimize sloughing.</p>			

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>GEOLOGY (continued)</p>	<p>4.2-27 All excavation slopes shall meet the minimum requirements of the Occupational Safety and Health Association (OSHA) Standards. Maintaining safe and stable slopes on excavations is the responsibility of the contractor and shall depend on the nature of the soils and groundwater conditions encountered and the method of excavation. Excavations during construction shall be carried out in such a manner that failure or ground movement shall not occur. The contractor shall perform any additional studies deemed necessary to supplement the information contained in Geotechnical report for the purpose of planning and executing the excavation plan.</p> <p>The following mitigation measures pertain to the potential for methane gas hazards at the project site.</p> <p>4.2-28 Buildings or structures adjacent to or within 200 feet (60.96 meters) of active, abandoned or idle oil or gas well(s) shall be provided with methane gas-protection systems per County Building and Safety requirements, as defined in Los Angeles County Building Code Section 110.4.</p>			

Mitigation Monitoring Program

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>NOISE</p> <p>Noise levels during some phases of site redevelopment would exceed standards for daytime construction noise as set by the County Noise Ordinance.</p>	<p>4.3-1 Driven pile driving shall be prohibited. The proposed structure shall be supported on auger pressure grouted displacement (APGD) piles only to help minimize the disrupting effects of noise and vibration normally associated with driven piles.</p> <p>4.3-2 All construction equipment, fixed or mobile, that is utilized on the site for more than two working days shall be in proper operating condition and fitted with standard factory silencing features. To ensure that mobile and stationary equipment is properly maintained and meets all federal, state and local standards, the applicant shall maintain an equipment log. The log shall document the condition of equipment relative to factory specifications and identify the measures taken to ensure that all construction equipment is in proper tune and fitted with an adequate muffling device. The log shall be submitted to the Los Angeles Department of Public Works and Public Health for review and approval on a quarterly basis. In areas where construction equipment (such as generators and air compressors) is left stationary and operating for more than one day within 100 feet of residential land uses, temporary portable noise structures shall be built. These barriers shall be located between the piece of equipment and sensitive land uses. As the project is constructed, the use of building structures as noise barrier would be sufficient. The County building official or a designee should spot check to ensure compliance. The operator shall brief all employees and subcontractors on noise control guidelines and procedures prior to construction operations.</p>	<p>The applicant shall submit an equipment log to ensure the equipment is properly maintained.</p>	<p>Department of Public Works Building and Safety</p>	<p>Log submitted quarterly and during field inspections</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>NOISE (continued)</p>	<p>4.3-3 All exterior construction activity, including grading, transport of material or equipment and warming-up of equipment, shall be limited to between the hours of 8:00 AM to 5:00 PM, and shall not occur during weekend periods unless approved by the Los Angeles County Department of Public Works. Idling mode of mobile equipment shall be minimized. All equipment not in use longer than 5 minutes shall be turned off, unless proper silencing features are provided. When feasible, hydraulic equipment should be used instead of pneumatic impact tools and electric powered equipment instead of diesel powered equipment for exterior construction work. For smaller equipment such as air-compressors and small pumps, line powered (electric) equipment should be used when feasible. The work schedule shall be posted at the construction site and modified as necessary to reflect deviations approved by the Los Angeles County Building and Safety Division. The County building official or a designee should spot check and respond to complaints.</p> <p>4.3-4 The project applicant shall post a notice at the construction site and along the proposed truck haul route. The notice shall contain information on the type of project and anticipated duration of construction activity, and shall provide a phone number where people can register questions and complaints. The applicant shall keep a record of all complaints and take appropriate action to minimize noise generated by the offending activity where feasible. A monthly log of noise complaints shall be maintained by the applicant and submitted to the County of Los Angeles Department of Public Health.</p>			

Mitigation Monitoring Program

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>AIR QUALITY</p> <p>Construction activities associated with the development of the project would have significant impacts because emissions generated by these activities would exceed SCAQMD significance threshold for VOC during construction activities.</p>	<p>The South Coast Air Quality Management District (SCAQMD) has prepared a list of measures to reduce the impacts of construction-related emissions to the greatest extent possible. Those that could be feasibly implemented during the development of the project to mitigate the ambient air impacts for VOC are as follows for architectural coatings:</p> <p>4.4-1 The project Contractor shall use only interior and exterior architectural coatings certified to the SCAQMD Super-Compliant VOC standards. Low-VOC coatings may be used if no feasible Super-Compliant VOC coating is commercially available. Low-VOC coatings are certified to the SCAQMD Rule 1113 (Architectural Coatings) standards while Super-Compliant VOC coatings are reformulated to levels below the standards.</p> <p>4.4-2 The Contractor shall avoid non-essential architectural coating during the peak smog season: July, August, and September.</p> <p>4.4-3 The Contractor shall keep architectural coatings lids closed on all containers when not in use to prevent VOC emissions and excessive odors.</p> <p>4.4-4 The Contractor shall keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.</p>	<p>The applicant shall submit a construction materials plan to ensure use of low-VOC coatings.</p>	<p>Department of Public Works</p>	<p>Prior to issuance of a building permit and on going during construction</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>TRAFFIC AND ACCESS</p> <p>No analyzed intersection would be significantly impacted by the proposed project under Future Year 2013 Conditions with the exception of the intersection of Grosvenor Boulevard and Jefferson Boulevard during the morning peak hour. Therefore, the project would result in a significant cumulative impact prior to mitigation.</p>	<p>4.5-1 A traffic signal including the provision of an Automated Traffic Surveillance and Control (ATSAC) System and Adaptive Traffic Control System (ATCS) shall be installed at the intersection of Grosvenor Boulevard/Jefferson Boulevard, prior to the issuance of a certificate of occupancy. The project shall be solely responsible for the design and construction of the new traffic signal at this intersection. The design and construction phases shall be processed through a B-permit issued by the City of Los Angeles' Department of Public Works, Bureau of Engineering.</p>	<p>Submittal of plan for review</p>	<p>City of Los Angeles, Bureau of Engineering</p>	<p>Prior to issuance of certificate of occupancy</p>
<p>VISUAL RESOURCES</p> <p>Reflective surfaces on the proposed structures could impact adjacent residents. Interior lighting of the parking structure and headlamp illumination within the parking structure have the potential to adversely impact residents of the existing apartment build situated south of the project site.</p>	<p>4.6-1 Proposed building materials, paint colors, wrought iron balconies and rails shall not be constructed with highly reflective material.</p> <p>4.6-2 Exterior lighting and lighting within the parking structure shall be shielded to prevent light from spilling over onto adjacent properties. Exterior lighting and internal parking structure lighting plans shall be submitted to and approved by the Los Angeles County Department of Regional Planning prior to construction.</p> <p>4.6-3 Exterior landscape plans and plans for the parking structure vegetated screen shall be submitted to and approved by the Los Angeles County Department of Regional Planning prior to construction.</p>	<p>Submittal and approval of landscape and final design plans</p>	<p>Department of Regional Planning</p>	<p>Prior to issuance of building permit</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
HYDROLOGY AND WATER QUALITY				
<p>Upon completion of the proposed project, the project site would be covered with non-erosive surfaces, including roofs, pavement, and/or permanent vegetation, which would reduce sediment in site runoff. As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts associated with project operation are not significant.</p>	<p>4.7-1 A final drainage plan, final grading plan, NPDES permit and SWPPP (including an erosion control plan if required) shall be prepared by the applicant to ensure that no significant erosion, sedimentation, or flooding impacts would occur during or after redevelopment of the project sites. These plans shall include source control Best Management Practices (BMPs) that address non-stormwater discharges, waste handling and disposal, safer alternative products, building/grounds maintenance, building repair/construction, parking/storage area maintenance, drainage system maintenance, site design, landscape planning, efficient irrigation and storm drainage signage. Additionally, these plans will include site design BMPs to minimize impervious area, maximize permeability (C-Factor Reduction), and minimize directly connected impervious areas. These plans shall be prepared to the satisfaction of the Regional Water Quality Control Board and Los Angeles County Department of Public Works, Flood Control Division prior to the issuance of grading, demolition, or building permits.</p>	<p>The applicant shall submit a final drainage plan and final grading plan</p>	<p>Department of Public Works</p>	<p>Prior to issuance of demolition and grading permits</p>
SOLID WASTE SERVICE				
<p>Demolition of existing uses would generate approximately 15,000 cubic yards (cy) of demolition debris.</p>	<p>4.9-1 The Millennium-Playa del Mar Apartments project shall comply with Title 20, Chapter 20.87, of the Los Angeles County Code, Construction and Demolition Debris Recycling. The project proponent shall also provide a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. The Waste Management Plan shall be provided to the County of Los Angeles Department of Public Works for review and approval, prior demolition.</p>	<p>The applicant shall submit a Recycling and Reuse Plan</p>	<p>Department of Public Works</p>	<p>Prior to issuance of demolition and grading permits</p>

Impact	Mitigation Measure	Monitoring/Reporting Action(s)	Agency Responsible for Compliance	Timing
<p>SOLID WASTE SERVICE (continued)</p> <p>The proposed Millennium-Playa del Mar Apartments project would generate a net increase over existing uses of approximately 853.2 pounds per day, or about 156.9 tons per year, of solid waste. These quantities represent a worst-case scenario, with no recycling activities in place. However, project uses would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County's model ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would reduce the volume of solid waste generated by the project and entering landfills.</p>	<p>4.9-2. To reduce the volume of solid and hazardous waste generated by the operation of the project, a solid waste management plan shall be developed by the Millennium-Playa del Mar Apartments project applicant. This plan shall be reviewed and approved by the County of Los Angeles Department of Public Works and shall be made available to all new residents. The plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained within the County of Los Angeles Source Reduction and Recycling Element. Methods shall include locating recycling bins in proximity to dumpsters used by future on-site residents.</p>	<p>The applicant shall submit a solid waste management plan.</p>	<p>Department of Public Works</p>	<p>Prior to issuance of demolition and grading permits</p>

**FINDINGS OF FACT and
STATEMENT of OVERRIDING CONSIDERATIONS
Regarding MILLENNIUM-PLAY DEL MAR APARTMENTS**

PROJECT NUMBER: R2009-02015

PROJECT ENVIRONMENTAL CASE NUMBER: RENV200600147

PROJECT CUP: RCUP200900150

PROJECT PLAN AMENDMENT: RPA200900013

PROJECT ZONE CHANGE: RZC200900013

PROJECT PARKING DEVIATION: RPKD201000005

STATE CLEARINGHOUSE NUMBER: 2006101014

COUNTY OF LOS ANGELES

DEPARTMENT OF REGIONAL PLANNING

320 WEST TEMPLE STREET

LOS ANGELES, CALIFORNIA 90012

November 10, 2010

**FINDINGS OF FACT AND STATEMENT OF OVERRIDING
CONSIDERATIONS REGARDING THE FINAL
ENVIRONMENTAL IMPACT REPORT
(STATE CLEARINGHOUSE NUMBER 2006101014)
FOR MILLENNIUM-PLAY DEL MAR APARTMENTS PROJECT
(COUNTY PROJECT NUMBER R2009-02015)**

The Regional Planning Commission ("Commission") of the County of Los Angeles ("County") hereby certifies Millennium-Play Del Mar Apartments Project Final Environmental Impact Report, State Clearinghouse Number R2009-02015, which consists of the Draft Environmental Impact Report ("DEIR") dated March 2010, Technical Appendices to the DEIR March 2010, Recirculated DEIR ("RDEIR") dated August 2010, and the Final Environmental Impact Report, including Responses to Comments dated October 2010, collectively referred to as the "FEIR," and finds that the FEIR has been completed in compliance with the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*) ("CEQA"). The Commission further hereby certifies that it has received, reviewed and considered the information contained in the FEIR, the applications for County Project R2009-02150, RENV200600147, RCUP200900150, RPA200900013, RZC200900013, RPKD201000005, to permit 196 apartments in multiple buildings with a maximum height of four stories (49 feet) along with 353 total parking spaces (329 spaces in a parking garage, 20 parking spaces in private garages, and 4 on-grade parking spaces opposite the leasing office) (collectively, the "Project"). Concurrently with the adoption of these findings, the Commission adopts the Mitigation Monitoring Plan attached as Exhibit A to these findings.

Having received, reviewed and considered the foregoing information, as well as carefully considering public comments and testimony any and all other information in the record, the Commission hereby makes findings pursuant to and in accordance with Section 21081 of the Public Resources Code as follows:

(a) Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

(b) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency,

(c) Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report.

BACKGROUND

Project Description; Revised Project

The Project evaluated in the Draft EIR proposed 216 apartments in one building with a maximum height of four stories (60 feet) along with a 433-space parking structure with a maximum height of 4.5 stories (approximately 50 feet); a zone change from R-3-DP and R-1 to R-4-DP; and a general plan amendment to change the land use designation from Low Density Residential 1 to High Density Residential 4.

The Project objectives are:

- Contribute toward an adequate supply of housing preserved and maintained in sound condition, located within safe and decent neighborhoods, as stated in the 2008 Housing Element.

- Provide new housing to meet current and future needs in an area with significant unmet demand for housing.
- Construct high-quality multi-family housing at a density, physical scale, and architectural style compatible with and complimentary to adjacent uses and the surrounding neighborhood.
- Design a residential building that will provide a height transition between the single-family homes northwest of the Project site, and the multi-family homes to the southeast.
- Provide housing in an area of the County that Southern California Association of Governments (SCAG) has defined as jobs rich and in a geographic zone with a defined housing need, and where nearby employment sectors, recreational resources and coastal access opportunities interact to improve mobility through the consideration of jobs/housing balance and locating housing where recreational opportunities exist.
- Provide for additional needed affordable housing in or near the Coastal Zone, in compliance with the Mello Act;
- Avoid unnecessary environmental impacts associated with grading and excavation by building structures above a level grade to the extent feasible.
- Generate additional revenues to the County in the form of development fees and tax revenues.

On July 15, 2010 the developer submitted the revised Project (defined above) for consideration.

Section 15088.5(a) of the *State CEQA Guidelines* states that a "lead agency is required to recirculate an EIR when significant new information is added after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before circulation." Section 15088.5 also states that:

"New information added to an EIR is not "Significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse effect (including a feasible project alternative) that the Project's proponents have declined to implement.

"Significant information" requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the Project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative of mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project's proponents decline to adopt it.

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

The above Project revisions were evaluated in the RDEIR and the FEIR, where it was determined that the revisions would not increase the severity of any significant impact nor create a new significant impact or otherwise require recirculation of the RDEIR. RDEIR Chapter 4.0 provides substantial evidence supporting the conclusion that the Project revisions only required recirculation of the Project description, Traffic and Access impact analysis, and Visual Resources impact analysis. The administrative record contains no substantial evidence contradicting this conclusion.

The Environmental Impact Report Process

The County completed an Initial Study of the Project and determined that an Environmental Impact Report was required. Potentially significant environmental impacts addressed in the DEIR include Land Use & Planning, Geology, Noise, Air Quality, Traffic & Access, Visual Resources, Hydrology & Water Quality, Sewer Service, and Solid Waste Service. The Draft EIR analyzed both project and cumulative effects of the Project on these topics and identified a variety of mitigation measures to minimize, reduce, avoid or compensate for the potential adverse effects of the proposed Project.

The DEIR also discussed a number of potential alternatives to the proposed Project, including (1) No Project, (2) Residential Buildout as Allowed Under General Plan, (3) Three-Story Residential Development over One-Level of Ground Level Parking; and (4) Private Open Space/Taller Building over Underground Parking. Potential environmental impacts of each of these alternatives were discussed at the CEQA-prescribed level of detail and comparisons were made to the proposed Project. This range of reasonable alternatives has permitted as reasoned choice to be made by

the Commission in directing specific changes to the Project. The Commission has reviewed each of the alternatives and recommends approval of the Project, as revised during the public hearing process.

After conducting its own internal departmental review and analysis of the proposed project through the screen check process, the Los Angeles County Department of Regional Planning circulated copies of the preliminary DEIR to all affected County agencies for a 45-day review period. Interested County agencies provided written comments on the document, and those comments were appended to and made a part of the DEIR.

As defined by Section 15050 of the *State CEQA Guidelines*, the County of Los Angeles is serving as "Lead Agency," responsible for preparing both the Draft and Final EIR for this Project. A Notice of Preparation (NOP) was prepared and circulated by the County of Los Angeles December 10, 2009 through January 18, 2010, for the required 30-day review period.

The County of Los Angeles Department of Regional Planning (DRP) circulated the Draft EIR and related appendices to affected agencies, the public and other interested persons on March 18, 2010. This 60-day public comment period on the original Draft EIR closed on May 17, 2010.

Three sections of the Draft EIR (project description, traffic and access, and visual resources) were revised and recirculated for public review on August 19, 2010. This 45-day comment period on the RDEIR closed on October 6, 2010. The RDEIR was made available for public comment and input for the period set forth by State law.

Detailed responses to the comments received regarding the originally-proposed project and the Project and the analyses of the DEIR and RDEIR were prepared with

assistance by a private consultant, reviewed, and revised as necessary to reflect the County's independent judgment on issues raised. These Responses to Comments are embodied in the FEIR.

The Regional Planning Commission held public hearings on May 12, 2010, June 16, 2010, July 14, 2010, October 6, 2010, and November 10, 2010 when the public hearing before the Commission was closed.

On November 10, 2010, the Commission made the following environmental findings and certified the FEIR and adopted orders approving the CUP and recommending that the Board of Supervisors approve the Plan Amendment and Zone Change.

The FEIR has been prepared by the County in accordance with CEQA, as amended, and State and County Guidelines for the implementation of CEQA. More specifically, the County has relied on Section 15084(d)(3) of the *State CEQA Guidelines*, which allow acceptance of drafts prepared by the applicant, a consultant retained by the applicant, or any other person. The Department of Regional Planning, acting for the County, has reviewed and edited as necessary the submitted drafts to reflect its own independent judgment, including reliance on County technical personnel from other departments.

Section 1 of these findings discusses the potential environmental effects of the Project which are not significant or which have been mitigated to a less than significant level. Section 2 discusses the significant environmental effects of the Project which cannot be feasibly mitigated to a level of insignificance. Section 3 discusses the growth-inducing impacts of the Project. Section 4 discusses the alternatives to the Project discussed in the FEIR. Section 5 discusses the mitigation-monitoring program

for the Project. Section 6 contains the Statement of Overriding Considerations. Section 7 contains the Section 15091 and 15092 findings. Section 8 contains the Section 21082.1(c)(3) findings. Section 9 identifies the custodian of the record upon which these findings are based. Section 10 discusses the relationship between these findings and the DEIR, RDEIR, and FEIR. The findings set forth in each section are supported by substantial evidence in the administrative record of the Project.

SECTION 1

POTENTIAL ENVIRONMENTAL EFFECTS WHICH ARE NOT SIGNIFICANT OR WHICH HAVE BEEN MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

All FEIR mitigation measures (as set forth in the Mitigation Monitoring Plan attached as Exhibit A to these findings) have been incorporated by reference into the conditions of approval for the CUP. In addition, the other conditions of approval for the CUP further mitigate the potential effects of the Project.

Substantial evidence in DEIR Chapter 5.0 shows that no potentially significant impacts will occur with regard to agricultural, biological resources, cultural resources, environmental safety, mineral resources, population and housing, public services, or utilities and services.

Project Impacts

(1) Land Use and Planning

Potential Effect

A project will normally have a significant land use and planning impact if it would physically divide an established community; 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; or conflict with any applicable habitat conservation plan or natural community conservation plan. The Project site is currently developed with a church use and surface parking. The proposed Project is an in-fill development that would not divide an established community or conflict habitat or conservation plans. The Project, while consistent with most of the policies, goals and requirements of the County of Los Angeles General Plan and the SCAG Regional Comprehensive Plan is not consistent with the existing General Plan Land Use or existing zoning designations. Amendments to the County of Los Angeles General Plan are required in addition to a zone change consistent with the proposed land use amendment. However, amendments to the General Plan would not result in any significant impact to the physical environment and are not considered significant.

Finding

Implementation proposed Project would not physically divide a community, conflict with an applicable land use plan, policy, or regulation, adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with any applicable habitat conservation plan or natural community conservation plan. No significant

impacts would occur. Similarly no significant cumulative impacts would occur. No mitigation measures are required.

Facts

The Project would not physically divide the existing community because the Project site is an in-fill development in an area typified by a variety of residential housing types that vary from low- to high-density land uses as well as commercial and industrial land uses. Rather than divide an established community, the Project would continue the recent development of higher density residential and commercial uses that currently border the site and are present or are planned in the nearby Playa Vista project that is situated farther to the south and west, thereby contributing to the coherence of the community by being consistent with contemporary land uses. The existing roadway infrastructure in this portion of the County would provide access to the Project site, so there will be no disruption of existing arterials.

The Project site is not located within a County-designated Significant Ecological Area (SEA) or SEA Buffer and there are currently no habitat or natural community conservation plans in the Project area. As a result, development of the Project and related projects would not conflict with any habitat conservation plan or natural community conservation plan because no such plans are applicable to the Project site or its vicinity.

Section 4.1.4.4 of the DEIR includes an analysis of potential and use impacts relating to consistency with applicable plans and policies, including a policy-by-policy analysis of the consistency with the County General Plan—concluding the proposed Project is consistent with the General Plan and the applicable regulations.

Many public comments addressed to the commission or focusing on the DEIR regarded the Project density. Prior to the density reduction in the Project, a residential density study was prepared and included in **Appendix 4.1 of the Draft EIR for the 216 unit project**. The study conducted a parcel by parcel analysis of the relative density (dwelling units per area in acres) within a 1,000-foot radius from the Project site. Density ranged from a low density figure of 3.63 dwelling units per acre to the highest density of 119.93 dwelling units per acre. The aggregate density within the unincorporated area of Los Angeles County is 19.16 dwelling units per acre, averaged for 312 units. The overall average density for all (3,512) parcels included in the study is 41.66 dwelling units per acre.

Figure 4.1-2, Surrounding Residential Density included in the Draft EIR shows that three multi-family residential buildings to the south of the Project site (the Club Marina Apartments) have a combined total of 154 units on 1.55 acres, which is a density of approximately 99 units per acre. The revised Project (196 units) would have two ranks of density as indicated in modified Figure 4.1-2, Surrounding Residential Density of the Final EIR: 177 units on 3.0 acres on the southern portion of the Project site, or 59.0 units per acre, and 19 units on 1.3 acres on the northern portion of the Project site, or 14.6 units per acre. The blended site-wide density of the proposed Project design is 46.6 units per acre, which is almost half of the density of the existing multi-family residential uses located directly south of the Project site boundaries in the City of Los Angeles. The residential density study shows that the Project is compatible with the general density of the surrounding area and **Section 4.1 Land Use and Planning** of the Draft EIR concludes that the proposed Project is compatible with the density of the site and surrounding properties.

Moreover, the revised Project reduces the overall density by 20 units which lower the density per acreage on the Project site.

The current land use designation of Low-Density is inconsistent with the current multi-family R-3 zoning and is out-of-date with the existing prevalence of higher-density residential development adjacent to and nearby the Project site. Thus, the consequence of the Project's inconsistency with the existing General Plan Land Use Designation of Low-Density 1 must be evaluated in light of the existing land uses to determine if the Project, as proposed, would itself be incompatible with adjacent and surrounding uses in the neighborhood.

(2) Geology

Potential Effect

The Project's potential Geology impacts regard exposing persons to the adverse effects of earthquake and landslides, soil erosion, soil expansion. The technical reports supporting the DEIR found no impact to potential loss of topsoil or soil erosion. This is due to the lack of water bodies and other sources of soil erosion in the vicinity. Approximately 31,700 cubic yards of earth material would be removed as part of the excavation process, and the export of this material would be required. It is estimated that 15,000 cubic yards of excavation material would be removed and taken to a landfill as capping material or used on other construction sites. The specific criteria for suitable soil reuse are discussed below. Finally, the use of septic tanks is not proposed as part of this Project as the site already has access to municipal sewer lines, therefore, the site's potential to support septic tanks is not discussed further.

Finding

The Project will not result in significant impacts relative to Geology. Substantial evidence shows that Mitigation Measures 4.2-1 through 4.2-27 will reduce potentially significant geologic impacts to less than significant levels. These Mitigation Measures have been incorporated into the Project. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. Substantial evidence shows that cumulative impacts will not be significant.

Facts

The facts supporting this finding and the conclusions of the DEIR are found primarily in the following expert technical reports: *Geotechnical Report, Proposed Residential Development, Lots 1 and 2 of Tract 33003, 5550 Grosvenor Boulevard, Los Angeles, CA 90066*, dated May 3, 2007, and *Report Update, Change in Parking Structure Finished Elevation*, dated April 7, 2008, prepared by Group Delta Consultants, (included in **Appendix 4.2** of the DEIR; referred to herein as "Geotechnical Report").

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone, but is located in a seismically active region, and is in relative proximity to active faults. Based on regional data for the area in the Geotechnical Report, relatively large peak ground accelerations (pga) are possible with strong earthquakes on the Project site. A seismic hazard analysis indicated the potential ground shaking on site is 0.45 pga with an associated magnitude of 6.6 with a 10 percent probability of being exceeded in 50 years. Development of the proposed Project would expose future residents to strong seismic ground shaking associated with large magnitude earthquakes. The site would not be significantly affected by smaller seismic events due to the distance of the nearest active fault. Strong seismic ground shaking could damage buildings, roadways, and other structures associated with the proposed project. The Project characteristics would

not cause a greater risk of seismic shaking to residents or structures beyond what is currently experienced in the region. To minimize impacts associated with seismic shaking, design parameters set forth in DEIR Table 4.2-1 are required by law for the Project based on provisions defined in the California Building Code.

The Project would construct a building and foundation in accordance with the seismic safety standards of the Uniform Building Code (UBC). The UBC specifies that the proposed structure on the Project site should be able to (1) resist minor earthquakes without damage; (2) resist moderate earthquakes without structural damage but with some non-structural damage; and (3) resist major earthquakes without collapse but with some structural as well as non-structural damage. Implementing UBC standards for new construction is a procedure that is commonly applied in Southern California to mitigate earthquake-shaking hazards to an acceptable level.

Landslide issues do not apply to the Project because, although there exists a mound on the Project site, this mound is man-made and will be removed as part of Project grading, leaving the topography of the site flat with no natural or artificial slopes to potentially cause landslide danger. The surrounding area is also flat with no natural or artificial slopes to potentially cause landslide danger to the Project site.

For these reasons, Project impacts related to seismic ground shaking would be less than significant.

Approval of the proposed Project would permit the construction and operation of a four-level apartment building and associated 4.5-story-deck parking structure. According to the Geotechnical Report, the Project site would be subject to ground shaking during a strong seismic event. During a strong seismic event, the Project site could be subject to liquefaction if the sandy soils on the Project site become saturated.

The new structure would be designed by law to conform to UBC standards. These standards include mitigation of liquefiable deposits beneath the structure or designing the structure for the anticipated settlement resulting from liquefaction. Additionally, the County of Los Angeles project engineer would review grading plans and project specifications prior to construction to determine whether the recommendations in the geotechnical evaluation and UBC standards are effectively implemented. Without mitigation defined as part of the UBC, the capability of the proposed structure to withstand seismic events cannot be evaluated, and is considered a potentially significant impact.

Although Group Delta indicates that no oil or gas wells occurred on the site historically, the proposed project is located proximal to potential sources of methane gas that are present in the vicinity of abandoned oil wells. As a result, methane concentrations beneath the Project site could be high enough to concentrate within the proposed buildings. Required construction compliance with the County Building Code as defined below, which includes specifications for sites with the potential to contain methane gas, would result in a less than significant impact.

Mitigation measures 4.2-1 through 4.2-27 were identified to reduce potentially significant geologic impacts to less than significant levels.

Potential geologic or seismic impacts discussed above affect the Project site and its inhabitants. Implementing the Project would not significantly increase the risk of geologic or seismic impacts to the surrounding communities of Los Angeles County and nearby incorporated cities. While the general geologic and seismic issues discussed above may be applicable to other areas within the region, impacts, if left unmitigated, typically are felt within specific sites (i.e., on a site-by-site basis). In addition, since this and other projects in the region must conform to and comply with the UBC and general

engineering standards of care, the potential for geologic and seismic impacts of and to the various adjacent and adjoining sites would be less than significant since these impacts would be mitigated prior to commencement of construction. Therefore, the cumulative impact of implementing the Project with respect to geology would not be significant.

(3) Operational Noise—Construction Vibration

Potential Effect

Construction activities, in particular pile driving, have the potential to cause significant vibration impacts. Vehicle traffic and parking structure traffic has the potential to cause operational noise impacts.

Finding

The Project will not result in significant impacts relative to Operational Noise or Construction Vibration. Substantial evidence shows that Mitigation Measure 4.3-1 will reduce potentially significant construction vibration impacts to less than significant levels. This Mitigation Measure has been incorporated into the Project along with project design features. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. Substantial evidence shows that operation of the Project after buildout will not result in significant noise impacts. Substantial evidence shows that cumulative operational noise and construction vibration impacts will not be significant.

Facts

Noise impacts are evaluated in DEIR Section 4.3. Information used to complete this the analysis includes noise measurements taken on the Project site by Impact Sciences, Inc., the Project traffic study, prepared by Raju Associates, Inc., future noise

calculations performed by Impact Sciences based on a model created by the Federal Highway Administration, and state and local regulations and standards that apply to acceptable noise levels. Supplemental noise measurements and modeling worksheets are set forth in DEIR Appendix 4.3.

The proposed project site is situated in an urban area. The primary existing source of noise in the Project area is generated by the motor vehicles on Grosvenor Boulevard (Grosvenor), West Jefferson Boulevard (Jefferson), and South Centinela Avenue (Centinela). As shown in DEIR Table 4.3-4, the current noise levels exceed the County standard for noise-sensitive uses.

The primary source of noise issuing from the operation of the Project after buildout is vehicle noise. The traffic study conducted by Raju Associates, Inc. was used as model input to calculate the noise impacts of the existing traffic noise plus Project traffic noise. The results of these calculations and model runs are presented in DEIR Table 4.3-7 and shows that the Project would contribute traffic volumes that would increase noise levels from 0.0 dB(A) to 0.7 dB(A) along studied roadways segments. This increase is not generally perceptible to most individuals and the operational noise levels are close to the applied standard. Therefore, impacts are not considered significant given County noise assessment methodologies and current assessment standards. Sensitive receptors are located proximal to the Project site and the nearby Playa Del Rey Elementary School would not be significantly affected by noise generated by project traffic.

Noise generated by vehicles traveling on the alleyways along the northern and southern boundaries of the Project site could result in a substantial permanent increase in ambient noise levels at the adjacent single- and multi-family residences, respectively. Access to the proposed leasing office and associated surface parking lot would be

provided by a 28-foot alley along the northern boundary of the Project site. A 8-foot block wall is proposed along the property line to the north of the access alley. Immediately north of the proposed block wall are single-family residences. Vehicles traveling along the alleyway are generally not expected to exceed a speed of 15 miles per hour (mph) based on the length and width of the alley and because vehicles would slow to access the small surface parking lot near the leasing office. The proposed project would result in 1,078 daily vehicle trips. The number of vehicles traveling along the northern project site boundary would represent a fraction of the overall project-generated trips because the alley would generally be used to access to the leasing office and primary access to the Project site would be provided via the access alleyway proposed along the southern boundary of the Project site. Therefore, vehicles traveling along the northern alley are not expected to result in a substantial permanent noise source.

The existing alley that runs along the southern boundary of the Project site would be widened from 25 to 28 feet and provide access to the proposed parking structure within the southern portion of the Project site. Immediately south of the alley are multi-family residences. The residential units within the adjacent multi-family residential buildings are elevated approximately 10 feet above on-site parking garages. Vehicles traveling along the alleyway are generally not expected to exceed a speed of 15 miles per hour (mph) based on the length and width of the alley and because vehicles would slow to access the parking structure. As discussed in **Section 4.5, Traffic and Access**, of this Draft EIR, the proposed project would result in 1,078 daily vehicle trips. As described above, the noise associated with all project-generated trips along a 28-foot roadway at a distance of 8 feet would be 57.4 dB(A) CNEL. As shown in DEIR Table 4.3-4, the existing noise levels within the southern portion of the Project site currently exceed 57.4 dB(A) CNEL and the County of Los Angeles standard. Noise levels at the

existing multi-family residences would be very similar to those on the Project site because stationary and mobile noise sources are the same for both. Therefore, based on the above analysis, the proposed project would not result in a substantial permanent increase in ambient noise at the adjacent multi-family residences. Impacts would be less than significant.

Multi-family residences located adjacent to the south of the Project site would be approximately 37 feet south of the parking structure after project construction. While the enclosed structure would act as a barrier, most noise generated by vehicles traveling within the parking structure such as tires squealing, car alarms sounding, car stereos and horns honking would be attenuated by the enclosed structure. These sources of noise may be audible at the northernmost residential units within the adjacent multi-family complexes and may result in temporary annoyances. However, this noise would be temporary and periodic and occur most intensely during the AM and PM peak periods when project residents are leaving or returning from work. Further, the proposed parking structure is not anticipated to introduce a substantial permanent noise source that would exceed defined County Standards in the ambient noise level. Therefore, impacts would be less than significant.

The primary cumulative noise source in the Project area is roadway noise from vehicle traffic. With regional growth in traffic volumes and increased traffic due to other nearby development projects, it is likely that there will be cumulative roadway noise impacts along other roadways in the Project area. The proposed project would contribute traffic volumes in the future that would increase noise levels from 0.0 dB(A) to 0.7 dB(A) along studied roadway segments. This increase is not generally perceptible to most individuals and would not exceed defined County standards. For purposes of calculating cumulative contribution to noise impacts, an imperceptible

noise contribution is functionally equal to a contribution of 0. Although it is likely that there will be regional traffic noise impacts along arterial roadways due to regional traffic growth, the proposed project would not contribute perceptible noise to these cumulative impacts.

The primary vibration source associated with development involves the use of pile drivers during foundation construction. Pile drivers create a high intensity, repetitious noise that is disturbing and can result in substantial ground vibrations. Usually, peak ground vibrations occur during the initial blows of the pile driving through the compacted soil zone. Once the compacted soil layer at the surface is penetrated, the pile typically slides more easily through the ground water saturated zone. Because the use of pile driving equipment is required for foundation construction, vibration impacts would occur and to sensitive receptors are located adjacent to the Project site. Without mitigation, this represents a potentially significant impact. However, Mitigation Measure 4.3-1 would be implemented and incorporated into the design and construction of the structure to reduce potential vibration impacts to a less than significant level.

(4) Air Quality

Potential Effect

Project construction and operation has the potential to emit pollutants and constituents that degrade air quality or contribute to global warming.

Finding

Substantial evidence shows that operation of the Project will not result in significant air quality impacts. Substantial evidence shows that Project construction will not result in significant air quality impacts relative to PM₁₀, PM_{2.5}, NO_x, SO_x, CO, or

grading-related VOC emissions. Substantial evidence shows that the Project will not result in significant global warming impacts. Substantial evidence shows the Project will not result in significant cumulative air quality impacts with regard to the above-referenced contaminants or resulting from Project operation.

Facts

Air Quality impacts are discussed and evaluated in DEIR Chapter 4.4.

Impacts related to construction emissions associated with the proposed project would be considered significant when the Project emissions exceed the limits specified by SCAQMD as Daily Construction Emission Thresholds. DEIR Table 4.4-3 shows that Project construction will not exceed any of the SCAQMD thresholds for PM₁₀, PM_{2.5}, NO_x, SO_x, CO, or grading-related VOC emissions. This data is supported by substantial evidence contained DEIR Appendix 4.4.

DEIR Chapters 1.0 and 6.0 mistakenly referenced significant impacts relative to PM₁₀, PM_{2.5}. This mistaken reference is corrected in the Final EIR.

The SCAQMD recommends the evaluation of localized NO_x, CO, PM₁₀, and PM_{2.5} impacts as a result of on-site construction and operational activities to sensitive receptors in the immediate vicinity of the Project site. The nearest sensitive receptors are located less than 25 meters north and south of the construction site boundary; therefore, the distance used to determine the mass-rate emissions from the screening tables is 25 meters. DEIR Table 4.4-14 shows that the Project will not exceed any SCAQMD's localized significance thresholds.

In addition, the existing buildings on-site were built before 1978 and are considered to have a higher probability of containing asbestos fibers; however, under

SCAQMD Rule 1403, all buildings must be properly inspected for the presence of asbestos. Demolition of all existing structures on site must comply with the precautionary requirements specified in Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). This rule is intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing waste material generated or handled during these activities. As part of Project implementation, the Project applicant must comply with the requirements of SCAQMD Rule 1403. Project compliance with Rule 1403 would ensure that asbestos-containing materials would be removed and disposed of appropriately. With adherence to this applicable regulation, the potential for significant adverse health impacts would be reduced to less than significant level.

Operational emissions would be generated by both stationary and mobile sources as a result of normal day-to-day activity on the site after occupation. Stationary emissions would be generated by the consumption of natural gas for space and water heating devices, the operation of landscape maintenance equipment, and from the use of consumer products. Mobile emissions would be generated by motor vehicles traveling to and from the Project site. Trip generation rates were obtained from the traffic report for the proposed project. DEIR Table 4.4-15 shows that the net emission increase associated with the proposed project at build out and in full operation would not generate emissions that would exceed SCAQMD thresholds during the summer or the winter. Therefore, daily operational emissions generated by the proposed project would not constitute a significant impact.

The Project was evaluated to determine if it would cause a CO hotspot. Maximum future cumulative plus project CO concentrations were calculated for peak hour morning and evening traffic volumes using the highest traffic volumes in the

traffic report associated with the Project.¹ Background CO concentrations were included in the analysis. Under worst-case conditions, future CO concentrations at each intersection would not exceed the state 1-hour and 8-hour standards with the development of the proposed project. No significant CO hotspot impacts would occur to sensitive receptors in the vicinity of these intersections. As a result, no significant project-related impacts would occur relative to future carbon monoxide concentrations.

The proposed project is located in an area with an approximate carcinogenic risk of 1,013 in 1,000,000. The carcinogenic risk for nearby surrounding grids ranges from 755 to 1,063 in 1,000,000. The proposed project is not in close proximity to any major roadways and freeways. Accordingly, based on the MATES III data and the substantial reduction of health effects from freeways beyond 300 feet, the impacts would not be any higher than those experienced by the general population in the Project area. Therefore, it is not anticipated that the Project would expose sensitive receptors to substantial increases in health risks and pollutant concentrations relative to the general population. No significant impacts with respect to this criterion are expected to occur.

The proposed project studied in the DEIR could house up to 480 residents. Population data for Los Angeles County were based on SCAG projections. These figures, along with the Project ADT volume included in the traffic study prepared for the Project and traffic data for Los Angeles County obtained from the EMFAC2007 on-road motor vehicle emissions model developed by CARB, were used to calculate and compare the ratio of project residential ADT to anticipated ADT and the ratio of the Project residential population to the anticipated population in the area. DEIR Table 4.4-17 shows that the ADT ratio is less than the population ratio at project buildout in 2012. As such, cumulative impacts would be less than significant based on this criterion.

¹ Raju Associates, Inc., *Traffic Study for the Millennium-Playa Del Mar Residential Project*, (2009). Provided in **Appendix 4.5**.

DEIR Section 4.4.5.2 discussed and evaluated potential impacts associated with Project Greenhouse Gas (“GHG”) emissions. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective.

The Project proposes the following project design features to reduce GHG emissions:

- Use energy-efficient lighting.
- Use energy-efficient cooling and heating systems.
- Plant shade trees
- Install low-flow showerheads
- Install water efficient toilets.
- Use drought tolerant and native species for landscaping
- Provide residents with bus route information to reduce vehicle miles traveled
- Divert at least 50 percent of all construction and demolition waste.

At full buildout, the Project would result in direct annual emissions of GHGs during project operation. These emissions, primarily CO₂, CH₄, and N₂O, are the result of fuel combustion from building heating systems and motor vehicles. Building and motor vehicle air conditioning systems may use HFCs (and HCFCs and CFCs to the extent that they have not been completely phased out at later dates); however, these emissions are not quantified since they would only occur through accidental leaks. It is not possible to estimate the frequency of accidental leaks without some level of speculation. Direct emissions of CO₂, the primary greenhouse gas generated from

operation of the proposed project, are primarily due to natural gas consumption and mobile source emissions. The proposed project would also result in indirect GHG emissions due to the electricity demands.

While the proposed project would result in increased emissions of GHGs, it would result in a very small fraction of the state's GHG emissions. DEIR Table 4.4-20 shows that the Project would contribute approximately 0.000006 percent to the annual state GHG inventory. Because the Project incorporates GHG reduction measures and design features, and would contribute such a small fraction of GHGs, the Project's GHG emissions, by itself, would have a less than significant impact on the environment.

The Project is consistent with the implementing plans and regulations to reduce GHG emissions, including: 2006 Climate Action Team Report and 2007 Update; Consistency with Attorney General Mitigation Measures (Project Level); OPR Technical Advisory; and AB 32 Scoping Plan Measures. As such, the Project would have a less than significant impact on global climate change.

(5) Traffic/Access

Potential Effect

Traffic trip generation from the Project has the potential to impact existing traffic flows. Access to the Project could also impact vehicular circulation around the Project site.

Finding

Substantial evidence shows that the Project will not result in significant traffic or access impacts. Substantial evidence shows that Mitigation Measure 4.5-1 will reduce potentially significant cumulative traffic impact at the intersection of Grosvenor

Boulevard and Jefferson Boulevard during the morning peak hour to less than significant levels. This Mitigation Measure has been incorporated into the Project along with project design features. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. As such, cumulative impacts would be less than significant based on this criterion.

Facts

The Project's potential traffic and circulation impacts were assessed in a traffic study prepared by Raju Associates, Inc. in December 2009. This traffic study is included as DEIR Appendix 4.5 Traffic Impact Analysis. This traffic study was prepared in consultation with the City of Los Angeles Department of Transportation (LADOT) and was approved by the County of Los Angeles Department of Public Works Traffic and Lighting Division (LACDPW). Traffic and circulation impacts were assessed discussed and analyzed in DEIR Section 4.5 Traffic and Access of the March 2010 Draft EIR. Additional analysis of the revised project was prepared for the July 2010 RDEIR.

The traffic study indicates that the proposed project would produce a net additional 1,078 daily trips, of which 88 trips are estimated to occur during the AM peak hour and 115 trips are estimated to occur in the PM peak hour. The traffic analysis indicates that of the analyzed intersections studied only the intersection of Grosvenor Boulevard and Jefferson Boulevard during the morning peak hour would be significantly impacted by the proposed project. Therefore, the Project would result in a significant cumulative impact prior to mitigation. This impact would be as a result of regional traffic growth and other related projects, and the Millennium-Playa del Mar

Apartments Project, however, this impact would not considerably contribute to these cumulative traffic impacts with implementation of Mitigation Measure 4.5-1, which requires a traffic signal at the intersection of Grosvenor Boulevard and Jefferson Boulevard.

A traffic signal at the intersection of Grosvenor Boulevard and Jefferson Boulevard would fully mitigate the Project-related impact at this location. With provision of a traffic signal at the intersection of Grosvenor Boulevard and Jefferson Boulevard, traffic in the Project vicinity would be better regulated and would flow better. Additionally, a traffic signal at this location would allow for safe left turns in and out of Grosvenor Boulevard and provide a safer pedestrian connection to destinations within Playa Vista located south of the Project site

Several commenters raised concerns with the legitimacy of using trip credits in the analysis from the existing church use on the Project site and the overall trip generation numbers from the proposed project, concerns related to use of the alley adjacent to the Project site, and as well as the general traffic circulation concerns. Several commenters assert that the traffic impact analysis is flawed and requires revision and recirculation of the Draft EIR. Thorough written comments were prepared in response to these comments.

The estimated trip credit for the church is 355 daily trips of which 22 trips occurred in AM peak hour and 21 trips occurred in the PM peak hour. These trip credit estimates were based on trip generation rates for a church use per ITE Trip Generation, 8th Edition, Informational Report. The trip credits and methodology used for implementation in the study were also approved by the City of Los Angeles Department of Transportation (LADOT) and the County of Los Angeles Department of Public Works, Traffic and Lighting Division staff members.

The proper environmental baseline for evaluating environmental impacts under CEQA is the existing condition on the Project site at the time CEQA analysis is commenced. When the Notice of Preparation was published, the Church leased parking spaces to Chiat Day and others on the Project site. The trips generated by Chiat Day and others using the Project site for daily parking was greater than the trip generation of the previous church use. Although the number of trips generated by Chiat Day and others was greater, the traffic consultant, LADOT and LACDPW, agreed to conservatively only account for the trip credit from a church use using the ITE trip generation data as discussed above.

Several commenters expressed concern that the proposed project would increase the number of vehicles utilizing the existing alley to the south of the Project site and would create a significant impact. The traffic study prepared by Raju Associates, Inc determined that the east-west alley between the Project site and the apartment buildings on Jefferson Boulevard currently carries approximately 1,060 daily trips of which 930 trips (87.5%) travel in the eastbound direction. The Responses to Comments provide a detailed analysis of the nature of the existing vehicular traffic in the alleyway.

There would be one cumulative LOS impact at the intersection of Grosvenor and Jefferson Boulevards but the majority of the intersections studied during AM and PM peak hours would be below the threshold of significance. This impact would be as a result of regional traffic growth and other related projects, and the Millennium-Playa del Mar Apartments Project, however, this impact would not considerably contribute to these cumulative traffic impacts with implementation of **Mitigation Measure 4.5-1**.

(6) Visual Resources

Potential Effect

The Project will add new buildings to the site that are larger than the existing structures on-site, and will add new sources of shade, shadow, light and glare. These changes have the potential to impact visual resources.

Finding

The Project will not result in significant impacts relative to Visual Resources. Substantial evidence shows that Mitigation Measures 4.6-1 through 4.6-3 will reduce potentially significant light and glare impacts to less than significant levels. These Mitigation Measures have been incorporated into the Project along with project design features. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. Substantial evidence shows that cumulative impacts will not be significant.

Facts

DEIR Chapter 4.6 and discussed and evaluated the originally-proposed project's potential visual resource impacts. RDEIR Chapter 4.6 discussed and evaluated the Project's potential impacts to visual resources.

The visual character of the region is dominated by urban uses associated with the County and City of Los Angeles. The architecture of the buildings surrounding the Project site lacks a cohesive theme and there is a minimal amount of landscaping in the area. The area features mostly older single-family houses, multi-family apartment buildings, offices, and light industrial commercial uses. Recent development in the Project area is primarily high density residential, particularly to the south and southeast of the Project site, where the Playa Vista development is being constructed in the City of Los Angeles. There are also new neighborhood retail and service businesses in the area. There are no defined scenic roadways, scenic resources, or scenic features near the

Project site. Scenic resources are defined as large area landscape features such as undeveloped natural open space, vegetation or a combination of these features that provide for a pleasing or unique scenic vista. Scenic features generally are defined as specific places with unusual or rare visual features.

In general, the visual character of the site is one of low aesthetic quality. The existing church building elements are poorly integrated with each other and have few architectural features. The single-family house on the property does not contain any unique architectural elements or other distinguishing features. The surface parking lot covers the remainder of the site.

The Project would not affect a scenic vista because the Project site is not located near any defined scenic vistas or in the vicinity of a scenic highway. The Project site is situated in an urban area and is developed with a church, single-family house, parking lots, landscaping, and associated facilities, and is in a built-out urban area. Project development would not damage any scenic resources such as trees, rock outcroppings, or historic buildings within a state scenic highway. Therefore, implementation of the proposed project would not cause any significant impacts.

During construction phases, the existing structures and facilities on the Project site, including the surface parking lots, would be removed along with most or all of the existing ornamental landscaping. Site preparation would include excavation of the mounded material in the center of the site. During these periods, the visual character of the site would consist of soil and excavation trenches. After excavation and grading, construction on the building would commence and proceed. In total, the site would be visually impacted during the majority of the 16-month development period. These changes in visual character would occur with any development of the site, and would be temporary in nature. Because the character of the site is not presently of high visual

quality, and because the site does not contain any visual resources, these impacts would be considered less than significant and no mitigation is required.

The visual character of the Project site would be intensified to high-density residential within an urban area. The proposed project would result in the development of a high-density residential project, which is similar to the medium/high-density residential projects to the south of the Project site. The design would be substantially taller than the adjacent single-family housing. The proposed buildings with the apartments will reach a maximum height of 49 feet (51 feet including the stairwell towers) while the 329-space parking structure will reach a maximum height of approximately 35 feet. The Project site would be developed from a church facility with minimal architectural features to a modern, residential project. In addition, the proposed landscaping and buffers (also used for Fire Department access) would minimize visual quality impacts.

The Project analyzed in the Draft EIR was designed in consideration of the sensitive single-family residential uses to the north to ensure the Project's physical compatibility with these residences. The proposed building height is limited to one and two stories along the northerly edge of the structure in proximity to the single-family residences located northerly of the site), and increases to three stories at the northwest corner, and to a maximum of four stories as the building transitions from north to south across the site toward the existing apartment complex that is sited adjacent to the subject property to the southeast. This design provides a height transition from the one-story single-family homes and private back yards along the northern perimeter to the mid-rise multi-family apartments on the southern boundary. In order to further ensure the Project's physical compatibility with the single-family residences to the north, the Project is designed with an open space buffer along the northerly side of the building.

Along the northern boundary, the building would be set back a minimum of approximately 35 feet and a maximum of about 43 feet from the northern site boundary; two-story perimeter structures would not exceed 31 feet in exterior height (excluding chimney heights) along the northern project margin. At the northwest corner of the Project site, a three-story portion of the building would reach a height of 40 feet. At approximately 80 feet from the northern property line, the building would transition to a height of four stories, or about 53.5 feet, exclusive of architectural projections at the roof line. The height of the parking structure would be 56 feet.

Moreover, the revised project further ensures the Project's visual compatibility with surrounding uses. The revised project is designed with open space and two-story carriage units along the northerly side of the Project site and provides a similar height transition from the single-story single-family homes located just northerly of the subject property. Along the northern boundary, the primary residential building would be set back a minimum of approximately 35 feet and a maximum of about 43 feet from the northern site boundary. The two-story perimeter structures would not exceed 28 feet in exterior height (excluding chimney heights) along the northern project margin, compared to 31 feet for the Draft EIR project. At the northwest corner of the Project site, a three-story portion of the building would reach a height of 39.5 feet. At approximately 80 feet from the northern property line, the building would transition to a height of four stories, or about 49 feet, exclusive of architectural projections. The height of the parking structure has been reduced from 56 feet to approximately 35 feet.

Additional project design features include new trees, shrubs, and turf that would be added to the Project site as a part of the development. Two gardens would be located on the northeast portion of the property and both would include formal planting, pathways, benches, natural stone fountain, and bamboo plantings. Next, a palm court

would be located toward the southeastern section of the property and would include mixed palm tree species, a fountain, and seating areas, while a recreation area would be located toward the northwestern portion of the property and would include a pool, spa, and a mixture of date palm and broadleaf evergreen tree species. Finally, landscaping would occur around the perimeter of the Project site and within the common areas and would include more vegetation than is currently found on the site. To further screen the proposed project from existing residents situated to the north, extensive landscaping that, when mature, would provide a visual buffer along the northern site perimeter of the Project site (RDEIR Figure 4.6-8). In addition, the five carriage units in three buildings above private garages will be sited in the northwesterly portion of the site as a mechanism to provide additional visual and noise screening for the single-family residences located northerly of the Project site.

Project design features are not mitigation measures because these features are part of the proposed project. The Project design features described above would be subject to review by the staff of the Department of Regional Planning, followed by review and approval by both the Los Angeles County Regional Planning Commission and the County Board of Supervisors; these project design features would be made enforceable by the County by imposing them as conditions of approval for the Project. The Project applicant will be required to incorporate revisions on project design imposed by these entities.

Current views to the north from the existing apartments along Jefferson Boulevard may provide vistas of the Santa Monica and San Gabriel Mountains in the distance. This would be most probable for those apartment buildings not currently in the line-of-sight of the existing church. The proposed building height of the Millennium-Playa del Mar Apartments will be comparable to the existing height of the

four-story apartments to the south along Jefferson Boulevard and the existing church peak, after the central mound is removed during construction. While a change in viewshed for the apartment units along the alley will occur, this is not considered a significant impact as no specifically identified scenic resource is designated in this community. In addition, there is no legal protection in state law that preserves private views. The existing character of the site is not one of high visual quality and the Project would not degrade this existing visual character of the site. The Project is located in an urban area that does not contain sensitive visual resources, utilizes an architectural design that would provide a height transition between adjacent properties, and would have professionally designed architectural features and landscaping that are aesthetically pleasing. Furthermore, the architect has incorporated many design revisions recommended by Los Angeles County. Therefore, permanent changes to the visual character of the site would not substantially degrade the visual character of the site and its surroundings, but, on the contrary, would be beneficial and, therefore, would be considered to be less than significant. No mitigation is proposed or necessary.

The Project would introduce new light to the area. There would be an increase in vehicular headlights because of the increase in the number of vehicles generated by the new residents and visitors to the site. The landscaping proposed along the southern boundary of the Project site would grow to an approximate height of 30 to 45 feet and would serve to screen against light emitted from vehicular headlights in the parking structure. Also, a vegetated screen would be constructed on the southern façade of the parking structure to further limit headlamp illumination as well as interior lighting of the parking structure. The combination of Mitigation measures 4.6-1 and 4.6-2 with project landscape design features would reduce or eliminate light and glare associated with parking structure operation on the existing apartment structures situated to the south. In the interim, an increase in vehicular headlights would be visible from the

multi-family residential units adjacent to the Project site to the south as vehicles travel along the alley and out of the parking garage. The alley that runs along the southern boundary of the Project site is part of the existing condition and adjacent residents are currently exposed to a high volume of vehicular headlights. Therefore, the increase in light generated by vehicles accessing the Project site after buildout would not represent a substantial source of light during the period when project landscaping is growing to mature heights. Impacts would be less than significant.

Due to the proximity of the City of Los Angeles to the Project site, it is appropriate to use the more quantitative City thresholds. As defined in RDEIR Figure 4.6-9, structures north and south of the Project site would not be shaded for more than three hours between 9:00 AM and 5:00 PM during both the Summer Solstice (June 21) and the Winter Solstice (December 21). As can be seen in RDEIR Figure 4.6-9, the proposed project would cast shadows on the residential units between 9:00 AM to 11:00 AM during the Winter Solstice. Therefore, using these more quantitative standards established in the City of Los Angeles, shade impacts associated with the proposed project are not considered significant.

Several comments to the DEIR and RDEIR asserted that the Project will degrade existing access to views and light. The County finds that these comments do not present substantial evidence that the conclusions of the DEIR and RDEIR are incorrect because they are based on speculation, incorrect facts, or opinions. For example, comments were received asserting that the height of the proposed project will be over 20 feet higher than the Club Marina apartment complex and take away the entire view and light. This comment is incorrect. The existing Club Marina apartment complex located directly across the southern alley to the south of the Project site is approximately 49 feet tall from grade on Jefferson Boulevard and approximately 37 feet

tall from grade directly adjacent to the alley. The revised project would increase the width of the existing alley from 25 feet to 28 feet to create more distance between the proposed parking garage and existing Club Marina apartment complex. The 35-foot-tall proposed parking garage would be 2 feet lower than the height of the existing Club Marina apartment complex that is across the existing alley adjacent to the Project site on the southern boundary. Adequate responses to these comments have been prepared.

(7) Hydrology & Water Quality

Potential Effect

The proposed Project could result in on- or off-site flooding, increased erosion, and/or increased sedimentation and debris production. Pre- and post-project runoff volumes for a 50-year storm event were calculated by Development Resource Consultants, Inc., in conformance with the Los Angeles County Department of Public Works (LACDPW) *Hydrology Manual*, as amended. References used to evaluate potential impacts include:

- *Water Quality Control Plan (Basin Plan) [for the] Los Angeles Region (4)* prepared by the California Regional Water Quality Control Board (RWQCB), Los Angeles Region (dated June 13, 1994, and approved February 23, 1995);
- *Conceptual Hydrology & SUSMP Study, Millennium-Playa Del Mar Apartments, 5550 Grosvenor Boulevard, Los Angeles County, California, prepared by Development Resource Consultants, Inc., (dated February 23, 2010).*

LACDPW *Sedimentation Manual* (June 1993).

Finding

The Project will not result in significant impacts relative to hydrology or water quality. Substantial evidence shows that Mitigation Measure 4.7-1 will reduce potentially significant geologic impacts to less than significant levels. These Mitigation Measures have been incorporated into the Project. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment. Substantial evidence shows that cumulative impacts will not be significant.

Facts

Hydrology and water quality is discussed in DEIR Chapter 4.7.2. The Project site is currently developed with impervious surfaces covering approximately 91 percent of the site. Therefore, the majority of the storm water that encounters the Project site is collected as runoff in the local storm drain system rather than percolating through the ground surface. Based on calculations consistent with the LACDPW *Hydrology Manual*, existing conditions generate a 50-year peak flow rate of 10.5 cubic feet per second (cfs) and generates a total runoff volume of 1.7 acre-feet.

Based on calculations consistent with the LACDPW *Hydrology Manual*, the volume of runoff from the Project site during a 50-year storm event would decrease after buildout of the Millennium-Playa del Mar Apartments Project. As defined above, existing runoff from the Project site is approximately 10.5 cfs. The runoff volume from the Project site would decrease after project buildout because the impervious area on the site would decrease. Currently, the Project site is 91 percent impermeable surfaces. The proposed project includes landscaped setbacks and increase landscaped garden areas as project design features that would increase permeable surfaces (surfaces capable of natural percolation of storm water) from 9 percent on the existing site to approximately 19 percent under the proposed project. After project buildout, therefore,

runoff from the Project site would be 8.3 cfs during a 50-year storm event—2.2 cfs less than the existing conditions on site. As runoff volumes during the 50-year storm event would be less than the existing condition and the Project would be required to comply with County flood protection standards, and impacts would be less than significant.

Upon completion of the proposed project, the Project site would be covered with non-erosive surfaces, including roofs, pavement, and/or permanent vegetation, which would reduce sediment in site runoff (as described above). As a result, the potential for post-development sedimentation would be reduced or eliminated and impacts associated with project operation are not significant.

The Geotechnical Report shows that the soil on this Project is mainly clay and that groundwater was encountered at elevation +10 feet. The proposed development will have site elevations between +17.5 feet and +19.6 feet. Due to the groundwater elevation and the soil type infiltration is not feasible as described in the County of Los Angeles Low Impact Development Standards Manual dated January 2009. The site proposes that the storm water runoff from the site will be treated by an on-line centralized SUSMP devices and Best Management Practices (“BMP”) filters, or approved equivalent, in the on-site storm drain system prior to release into public facilities. Other BMP features to be used by the Project are included in Mitigation Measure 4.7-1.

Because on-site drainage facilities would have adequate capacity to capture and convey off-site flows from the site and from developed upstream areas during a 50-year frequency storm, and because any new or upgraded storm drainage improvements in the remainder of the watershed would be required to convey design year storm flows, no significant increases in velocity and related scouring, and no significant cumulative project flooding impacts are expected to occur downstream of the site.

Furthermore, the development and redevelopment of the remainder of the watershed would result in water quality impacts similar to those of the proposed project and would be subject to the same types of water quality requirements as the Project. Therefore, no cumulative water quality impacts are anticipated.

Implementation of the identified mitigation measures in accordance with LACDPW and RWQCB requirements would reduce erosion, sedimentation, and water quality impacts to less than significant levels. Therefore, no unavoidable significant project-specific impacts are anticipated.

As all development within the tributary watershed are expected to comply with jurisdictional requirements to ensure that upstream or downstream flooding does not occur and to ensure that downstream erosion and sedimentation do not occur, no unavoidable significant cumulative flooding, erosion or sedimentation impacts would be created. These developments must also comply with the water quality requirements of the RWQCB. Therefore, no unavoidable significant cumulative water quality impacts would occur.

(8) Sewer/Wastewater Service

Potential Effect

The Project will increase wastewater generation over existing on-site uses, which could be considered a significant impact unless sufficient capacity exists both in the local sewer line network.

Findings

Substantial evidence shows that the Millennium-Playa del Mar Apartments Project (combined, separately, and cumulative with other related projects) would not

significantly impact the sewer service environment during project construction or operation.

Facts

Construction contractor activities on site during construction would not contribute any quantifiable amount of wastewater to the sewer because contractors provide portable on-site sanitation facilities for use during demolition and construction that would be serviced by approved and licensed operators that maintain agreements with local treatment plants to dispose of their domestic sewage. Therefore, wastewater that would be generated during construction would not have a significant impact on local wastewater treatment facilities.

Based on information obtained from Development Resource Consultants, the sewage collection and conveyance system designed to serve the proposed Millennium-Playa del Mar Apartments Project would connect to the existing 8-inch sewer main located in Grosvenor Boulevard. The City and County of Los Angeles have evaluated the increase in sewer flows due to the Project and has found there to be sufficient capacity in the receiving mains. The LACDPW requires that any developer constructing a new sewer line must coordinate the construction and dedication of the sewer with the department's Water Works and Sewer Maintenance Division for future operation and maintenance. All local collector sewer lines within the Project boundaries would be constructed to the standards set forth by LACDPW, and would be sized to accommodate sewage flows generated at project buildout. Impacts to the wastewater collection system would be less than significant.

Sewage generated on the Project site would be conveyed via the mains identified to the HTP for treatment. With the HTP currently operating 130 mgd below capacity,

the addition of approximately 28,425 net gpd generated by the proposed Millennium-Playa del Mar Apartments Project would not exceed current plant exceeding capacity. This fact has been confirmed by the City of Los Angeles Bureau of Engineering that has issued a report indicating sewage treatment capacity was available and approved the request for the Project. This approval is contained in **Appendix 4.8**. Therefore, adequate capacity exists to treat sewage generated by the Project, and the impact of the proposed project on the sewage treatment system is less than significant.

The Millennium-Playa del Mar Apartments Project applicant must pay connection fees to the City of Los Angeles in order to fund incremental expansion of treatment capacity. The Project applicant has obtained a will serve letter prior to issuance of building permits demonstrating the ability of the treatment plant and collection system to accommodate project generated effluent (reference **Appendix 4.8**). Within the County, all sewer improvement will be required to be annexed to the Consolidated Sewer Maintenance District. Based on the above, no significant impacts to wastewater treatment facilities will occur as a result of the proposed project.

As will serve letters have been received (reference **Appendix 4.8**), the Millennium-Playa del Mar Apartments Project would not impact local receiving mains or treatment plant capacity. As such, no mitigation measures are proposed or are required.

As shown in DEIR Table 4.8-3, buildout of the Millennium-Playa del Mar Apartments Project and related projects occurring within the CSMD and MSMD would generate an estimated 2,064,516 gpd of domestic wastewater, which does not exceed the 130 mgd currently available at the HTP. Therefore, capacity is available at the HTP under current contracts. In addition, each future project is required to provide adequate capacity to convey sewage to a safe point of discharge and pay fees to connect to the

sewage system. In this manner, the existing sewage collection and conveyance system would be upgraded to accommodate sewage created by the development of future projects.

(9) Solid Waste--Construction

Potential Effect

Construction of the proposed Project would generate a net increase of solid waste, which will increase demand on limited landfill capacity.

Findings

Substantial evidence shows that construction of the Project will not result in significant solid waste impacts.

Facts

Potential solid waste impacts are discussed in DEIR Chapter 4.9.

Although it is anticipated that the soil exported from the Project site would be used as cover material rather than treated as solid waste, if all of the 15,000 cy of soil were disposed in the landfill as solid waste, then the impact of disposal of 18,150 tons of earth material would be to use approximately 0.28 percent of the remaining Puente Hills capacity. As such, the disposal of excess earth material at the Puente Hills landfill in 2009 is not considered significant.

On January 4, 2005, Los Angeles County adopted an amendment to Title 20, Utilities, of the Los Angeles County Code, to add Chapter 20.87, Construction and Demolition Debris Recycling, to provide for the recycling and reuse of construction and demolition debris in the unincorporated areas of the County of Los Angeles. The

Millennium-Playa del Mar Apartments Project would comply with this amendment. The Project proponent is required to prepare a Waste Management Plan to recycle, at a minimum, 50 percent of the construction and demolition debris. Reports would be submitted to the Los Angeles County Environmental Programs Division for review and approval.

To comply with County code requirements for construction debris recycling, waste generated during demolition and construction, demolition debris will be trucked from the site to one of several locations. It can be assumed that a portion of the trash and wood generated during demolition would be delivered to the Downtown Diversion facility located in Los Angeles, while a portion of the asphalt and stucco would be delivered to the Lovco crushing facility in Wilmington. The Downtown Diversion facility has a 1,500-ton capacity per day.² Other non-hazardous construction debris would be collected by local solid waste disposal companies and disposed of at local landfills. Given the sufficiency of available capacity at the Downtown Diversion facility, the Lovco Crushing facility, and local Class III landfills, the disposal of demolition and construction debris would not result in impacts that are considered significant. No mitigation is proposed or is required.

Site grading would require the export of 15,000 cy of earth material. The Project applicant indicates that excess earth material would be disposed of at the Puente Hills landfill that currently accepts earth material at no charge (as earth material is used for daily capping operations). Although it is anticipated that the soil exported from the Project site would be used as cover material rather than treated as solid waste, if all of the 15,000 cy of soil were disposed in the landfill as solid waste, then the impact of disposal of 18,150 tons of earth material would be to use approximately 0.28 percent of

² California Integrated Waste Management Board, <http://www.ciwmb.ca.gov/SWIS/19-AR-1224/Detail/>.

the remaining Puente Hills capacity (reference **Table 4.9-3**). As such, the disposal of excess earth material at the Puente Hills landfill in 2011 is not considered significant.

(10) Recreation

Potential Effect

Implementation of the proposed project will result in an estimated population increase of 480 new residents to the area, which would incrementally increase the use of parks in the area.

Findings

Substantial evidence shows that the Project will not cause a significant impact to park and recreation resources, nor will the Project result in a cumulatively significant impact.

Facts

The DEIR incorrectly stated that the Project could adversely impact park resources and would pay fees to mitigate potential park impacts. This statement was corrected in the FEIR. Los Angeles County is not authorized to collect Quimby Act fees from apartment projects. Furthermore, the Project will not result in a significant impact to Park Resources.

The County of Los Angeles Department of Parks and Recreation has recommended that no park fees be required for this Project. In addition, future publicly accessible parks will be built for Playa Vista, which will appropriately serve the new residents of the Millennium-Playa del Mar Apartments project.

The Los Angeles County Department of Parks and Recreation is responsible for maintaining and planning park space in the County of Los Angeles. The Project site is situated in County of Los Angeles Park and Recreation Planning Area No. 18B. Park Planning Area No. 18B maintains one park, Del Aire Park, which totals 7 acres. Del Aire Park contains four tennis courts, baseball/softball field, children's playground, gymnasium, multipurpose room, outdoor lighted basketball court, picnic areas, and restrooms.

Park Planning Area No. 18B is currently deficient in parks and recreational facilities by 26.4 acres. Implementation of the proposed Project will result in an estimated population increase of 196 new residents to the area, which may incrementally increase the use of parks in the area. But this potential increase in use will adversely affect existing parks in the area because the Project provides a significant amount of open space and passive as well as active recreational facilities on-site: five separate open space courts, swimming pool, clubhouse, and fitness center.

SECTION 2

SIGNIFICANT UNAVOIDABLE ENVIRONMENTAL EFFECTS WHICH CANNOT BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The County has determined that, although FEIR mitigation measures, design features included as part of the Project, and conditions of approval imposed on the Project will reduce the following effects, these effects cannot be feasibly or effectively mitigated to less than significant levels. Consequently, in accordance with Section 15093 of the *State CEQA Guidelines*, a Statement of Overriding Considerations has been prepared (see Section 6).

(1) Construction Noise

Potential Effects

Implementation of the Project would generate construction-related noise that is temporary in nature, but nonetheless could cause temporary significant noise impacts.

Finding

The construction-related noise impacts identified in the FEIR cannot be mitigated to a less than significant level. However, all feasible mitigation has been incorporated into the Project to substantially reduce the severity of the impact. Mitigation Measures 4.3-2 through 4.3-4, in addition to conditions of approval such as restrictions on grading and construction hours and construction equipment would substantially reduce, to the extent feasible, but not avoid the significant environmental impacts of construction-related noise.

Facts

Significant construction noise impacts are discussed in DEIR Section 4.2.6.6. The construction phase is planned for a period of 16 months, and will be broken into sub-phases that will overlap for short periods. Not all phases will result in significant noise impacts.

Noise levels were calculated to be highest during the phases of site development that included building demolition and removal, site grading, and excavation for the proposed building foundation. During these phases multiple pieces of heavy mobile equipment (backhoes, haul trucks, etc.) would be used on the site. The noise level for building demolition equipment, at a distance of 50 feet is calculated to be 87.7 dB(A). The noise levels calculated for the foundation and pavement demolition, and fence

removal equipment is 93.5 dB(A) at 50 feet. Noise levels for demolition, grading, and excavation would be audible and substantially above the permitted daytime standards of 75 and 80 dB(A) for single- and multi-family residential land uses and schools, as established in the County Noise Ordinance and shown DEIR Table 4.3-2. Construction activities, therefore, are expected to result in intermittent daytime exceedances of the County noise guidelines for short periods. As sensitive receptors are located adjacent to and in the vicinity of the Project site, this intermittent increase in noise would result in a significant impact and would most substantially impact those homes located north of the Project site.

Project construction will require the use of heavy trucks to haul equipment and materials to the site, as well as transport debris and earth excavated during demolition of existing structures and grading of the site. Wood and trash debris from demolition would be hauled to the Downtown Diversion Facility in the City of Wilmington, while asphalt and concrete would be hauled to the Lovco crushing facility in Wilmington. To limit noise impacts associated with construction traffic on nearby land uses, truck haul routes have been established which route vehicles away from sensitive uses to the maximum extent feasible.

Noise impacts from construction traffic would be greatest during the demolition and grading phases of project development, when (excepting construction employees trips) heavy trucks are expected to make up to 38 (round) trips on average per working day to haul debris and excess cut material from the site. This construction traffic would only be traveling to and from the site during working hours. The Los Angeles County Department of Public Works (LACDPW), Construction Division, limits construction activities to between the hours of 7:00 AM and 7:00 PM daily and prohibits work on Sundays and legal holidays. This reduces the impact on local residents by restricting

most construction-based noise generation to hours when most residents are at work and not generally home. Based on the U.S. Department of Transportation Highway Noise Prediction Model land uses within 50 feet of the haul route could experience temporary noise events ranging from 83 to 88 dB(A), which exceeds County standards outlined above. Therefore, a temporary significant impact would result from trucks traveling to and from the Project site along the haul route during the demolition and grading phases of the Project

(2) Air Quality--Construction

Potential Effects

Project construction will result in VOC emissions in 2012 that exceed SCAQMD's threshold of significance for VOC.

Finding

The construction-related air quality impacts of VOC emissions cannot be mitigated to a less than significant level. However, Mitigation Measures 4.4-1 through 4.4-4 as well as conditions of approval and design features such as development and implementation of a construction management plan incorporated into the Project would reduce the severity, to the extent feasible, the significant environmental effects.

Facts

Construction VOC emissions would exceed Southern California Air Quality Management District ("SCAQMD") regional significance thresholds. DEIR Table 4.4-13 shows that during the architectural coating phase of construction, VOC emissions will exceed the SCQAMD threshold by approximately 78.75 pounds per day. This impact will be temporary, but nonetheless significant.

Individual projects that exceed the SCAQMD-recommended daily thresholds for project-specific impacts would be considered to cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment. The Project's construction emissions would exceed the Project-level significance threshold for VOC in the year 2012. Therefore, construction of the proposed project would have a significant cumulative impact on air quality. However, since construction emissions exceed SCAQMD's VOC threshold, the Project would result in regional cumulative

emissions that are cumulatively considerable and would result in significant cumulative impacts during construction with respect to this criterion.

(3) Solid Waste

Potential Effects

Implementation of the proposed Project, together with the related projects, would generate a net increase of solid waste, which will increase demand on limited landfill capacity.

Finding

The Project-specific operational and cumulative solid waste impacts identified in the FEIR cannot be mitigated to a less than significant level and the Project's contribution to these impacts will be cumulatively considerable. However, mitigation measures 4.9-1 and 4.9-2, as well as conditions of approval such as a solid waste management plan incorporated into the Project would reduce, to the extent feasible, but not avoid the significant environmental effects.

Facts

Implementation of the proposed Millennium-Playa del Mar Apartments Project would result in the development of 196 apartment units (the only uses on associated with the Project that would generate quantifiable amounts of solid waste). However, the DEIR analyzed impacts that would result from the originally-proposed 216 apartment units. Thus, the solid waste impact analysis in the DEIR analyzes a greater potential impact than would result from the Project. Currently, there is an approximately 39,000-square-foot church and one residential unit on site.

DEIR Table 4.9-2 shows the solid waste generation of the originally-proposed project without any reduction for recycling. The County of Los Angeles identifies landfill capacity in 15-year planning periods, which currently ends in 2021. As shown in DEIR Table 4.9-3, Existing Landfill Capacity and Regional Needs Analysis for Los Angeles County, excess capacity would occur from 2010 through 2013. A shortfall in capacity would occur in 2014 and beyond 2021. However, it is not reasonably foreseeable that all existing landfill space will reach capacity and that no new landfill space or disposal options will be made available. Because untreated solid waste is a public health risk (e.g., from disease), it will be necessary for either local agencies or the state to intervene to assist with implementing new landfills and/or other disposal options. Nonetheless, because of the current County landfill deficit under a worst-case scenario, project-generated solid waste impacts related to the Project would be significant unless additional landfill space or other disposal alternatives are approved. Mitigation to reduce the amount of project-generated solid waste disposed of at landfills would reduce impacts to solid waste, but not to levels of insignificance.

As shown in DEIR Table 4.9-4, the Millennium-Playa del Mar Apartments Project and other related projects would generate an estimated 148,121 pounds per day, or 27,033.2 tons per year, of solid waste and are assumed operational by 2012. These quantities represent a worst-case scenario, with no recycling activities in place. However, future projects would be required to provide adequate areas for collecting and loading recyclable materials in accordance with the County's Model Ordinance to reduce the volume of solid waste entering landfills. This recycling, implemented in concert with the Countywide efforts and programs, would reduce the volume of solid waste generated by the Project and entering landfills. Assuming that cumulative projects will divert at least 50 percent of the waste stream annually, cumulative projects would generate approximately 13,516.6 tons of solid waste per year.

It is reasonable to assume the market forces that drive the waste disposal industry will place pressure on the industry and governmental agencies to continually identify new economically feasible means of waste disposal in the future to accommodate this growth. However, because an adequate supply of landfill capacity for this waste does not occur, waste management facilities in the County are deemed inadequate. Therefore, the cumulative increase in solid and hazardous waste generation would cause a significant impact unless additional landfill space or other disposal alternatives are approved.

The above finding is made in conjunction with a Statement of Overriding Considerations, which is simultaneously being adopted for the Project (see Section 6).

SECTION 3

GROWTH INDUCING IMPACTS OF THE PROJECT

Potential Effect

Development of the Project has the potential to induce growth by fostering economic or population growth or construction of additional housing either directly or indirectly.

Finding

The proposed Project does not meet a growth-inducing criterion specified under CEQA, and, therefore, the proposed Project is not considered to be growth inducing.

Facts

Growth inducing impacts are discussed at DEIR Chapter 9.0. The following facts support the above finding:

(1) Removal of an Impediment to Growth

The Project site is located in the unincorporated southwest portion of the County of Los Angeles, and is situated in an existing urban area. Currently, there are two church buildings and one single-family residence on the Project site. A full range of infrastructure and municipal services exist and are available to the Project site, including: vehicular and pedestrian access routes and public transit options; water, wastewater and stormwater infrastructure; police, fire and educational services; and recreational facilities. As such, the Project requires no improvements to infrastructure or services that have not been pre-planned. Therefore, under this criterion, the Project would not be growth inducing.

(2) Urbanization of Land in Remote Locations

Development can be considered growth-inducing when it is not contiguous to existing urban development and “leaps” over open space areas. The Project site is situated within an existing community that is contiguous to other developed uses located in the City of Los Angeles, and surrounding areas such as Culver City and Santa Monica. Further, the Project entails development of previously developed land. As a result, the proposed project will not “leap frog” over any undeveloped areas or induce development into an area not previously developed.

(3) Economic Growth

Project development would increase the population and housing opportunities within Los Angeles County at buildout. A temporary increase in construction-related job opportunities would also occur during site development. However, the short-term construction employment opportunities are likely to be filled by the existing labor force in the Los Angeles metropolitan area so no substantial influx of workers seeking to fill these temporary positions are anticipated.

With regard to operational impacts, the analysis contained in DEIR Section 4.0, Existing Conditions, Project Impacts, Mitigation Measures and Cumulative Impact Analysis, indicates that the growth in population and housing for the Project are within the Projections for the Westside Cities Subregion, as established by the Southern California Association of Governments (SCAG). The Project's population and employment generation would, therefore, not result in an increase in population and employment over expected levels, or that which has been officially planned for as part of the General Plan Housing Element. Based on the above, the Project is considered "growth accommodating" rather than "growth inducing" under this criterion.

(4) Precedent Setting Action

The proposed project studied in the DEIR is a request for a Conditional Use Permit to allow 216 apartments in one building with a maximum height of 4 stories (60 feet) along with a 433-space parking structure with a maximum height of 4.5 stories (50 feet); a zone change from R-3-DP and R-1 to R-4-DP; and a General Plan amendment to change the land use designation from Low Density Residential 1 to High Density Residential 4. These discretionary actions are common requirements for development within Los Angeles County, which is subject to a number of regulatory and planning policies.

The Project would also require a General Plan Amendment and Zone Change to increase density on the Project site. This change from lower to higher density would allow for the development of housing on the site and associated additional population. While this would allow additional growth over what is presently allowed under the General Plan and zoning ordinance, the Project would not induce additional population growth beyond what is projected for the area by SCAG. Therefore, the Project would not be considered as growth inducing under this criterion.

SECTION 4

FINDINGS REGARDING ALTERNATIVES

Alternatives to the proposed Project described in the Draft EIR were analyzed and considered.

The *State CEQA Guidelines* place some restrictions on the range of alternatives an EIR must address. First, the range of alternatives is limited by the rule of reason. An EIR need not evaluate every imaginable alternative or multiple variations of a single alternative. Second, an EIR need only examine those alternatives that meet most project objectives and which may substantially reduce or avoid the significant impacts of the proposed project. Third, the guidelines stipulate that alternatives addressed in an EIR should be feasible and should not be considered remote or speculative. When addressing feasibility, the guidelines state that “among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, jurisdictional boundaries, and whether the applicant can reasonably acquire, control or otherwise have access to the alternative site.” Lastly, alternatives need not be presented in the same level of detail as the assessment of the proposed project.

The County finds that the alternatives discussed in the FEIR constitute a reasonable range of alternatives necessary to permit a reasoned choice. The FEIR concluded that the “No Project” Alternative was the environmentally superior alternative. However, as specified in the *State CEQA Guidelines* (Section 15126.d.2) if the No Project Alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Alternative 1 - The "No Project" Alternative

Description of Alternative

Under this alternative, the Project site would remain in its present condition with improvements as they exist.

Comparison of Effects

None of the potential Project-related impacts identified in the FEIR would occur under the "No Project" alternative. The selection of the "No Project" alternative, however, is not consistent with the objectives of the Project. Furthermore, no traffic signal would be placed at the intersection of Grosvenor Boulevard/Jefferson Boulevard. The benefits of improving existing traffic congestion as a result of this traffic signal would not occur.

Finding

The "No Project" alternative is rejected as infeasible because it fails to meet any of the objectives identified in the DEIR, would not provide any of the Project benefits as set forth herein.

Facts

The No Project alternative would leave the existing structures on the site. The church, surface parking, and single-family residence could remain and operate as they have in the past. Demolition, grading, and excavation are not anticipated as part of Alternative 1. No discretionary approval would be needed for Alternative 1 and the existing church uses permitted under conditional use permit (CUP) 85-019, which allows a maximum building occupancy of 1,600 people, would continue. A minimum of 320 parking spaces are required under the CUP and about 375 currently exist. The "No

Project” Alternative would not provide housing or reconcile the inconsistency between the zoning the General Plan.

Alternative 2 – Residential Buildout as Allowed Under General Plan

Description of Alternative

The existing General Plan land use designation for the site is Low Density (1 to 6 dwelling units per acre). Under this alternative, a maximum of six residential units could be built for each developable acre of the larger parcel on the property. In total, approximately 26 single-family detached homes could be built on the site, and the existing single-family home on the smaller parcel would remain (6 units × 4.36 acres = 28 units).

Comparison of Effects

Construction noise and air quality impacts associated with this alternative are similar to the proposed project. The majority of noise impacts would occur during the initial demolition, excavation, and grading phases of site development. Because both the proposed project and Alternative 2 would involve demolition of the church, demolition of the surface parking lot pavement, excavation, and removal of the earthen mound, and leveling of the site for building, the noise associated with these activities would be virtually identical between the proposed project and Alternative 2. Under this alternative, similar machinery would be required to complete these phases. Therefore, the maximum noise levels experienced by nearby residents would be similar to the proposed project and are expected to exceed County standards.

It is presumed that given residential setbacks (a 20-foot rear yard setback) and building heights (a 24-foot-high residential structure height) as defined in the County of

Los Angeles Zoning Ordinance, it is presumed that the mass of the residential structures proposed as part of Alternative 2 would result in incrementally reduced impacts to the visual resources environment. However, project impacts associated with the visual resources environment were not considered adverse and not significant.

This alternative would result in reductions in project impact potential but would not substantially reduce the significant, construction-related noise and air quality impacts that are associated with the proposed project.

This alternative would involve the demolition of all existing structures on the site, except the existing single-family home, as well as excavation and removal of the mounded center area of the site to create a more level parcel for development. Excavation similar to the proposed project would be required for this leveling, and to create foundations for the new homes. This alternative would roughly require, and assumes, the same amount soil export (16,584 cubic yards), and therefore about the same amount of total truck trips to haul excavated soils off site. However, the foundations for the single-family detached homes are not as deep as for the proposed apartment building(s) and excavation associated with the parking structure is not required. Thus, this alternative may require incrementally less soil excavation. For the purposes of this alternative, construction of the streets drives and homes is expected to be similar in duration to the proposed project (i.e., 17 months).

Alternative 2 would not require an amendment to the County of Los Angeles General Plan but would still require a discretionary approval of a conditional use permit.

Finding

Alternative 2 is found infeasible on the basis that it would fail to meet the basic project objectives and would not substantially reduce or avoid the Project's significant environmental impacts.

Alternative 3 – Three-Story Residential Development over One Level of Ground-Level Parking

Description of Alternative

Under this alternative, multiple three-story buildings would be constructed above one story of at-grade parking on the Project site. This alternative would be assumed to contain approximately 190 residential units.

Comparison of Effects

Due to the provision of at grade parking, the height of the structure would be approximately the same height as the proposed Millennium-Playa del Mar Apartments Project. Exterior balconies are proposed on all sides, but the structure would contain fewer units because the ground floor would be used for parking instead of residential uses. This alternative would require excavation and grading to level the site, and a similar amount of demolition and removal of existing materials. Therefore, development of the site under this alternative would involve the same amount of overall excavation and material hauling as the proposed project.

The slightly smaller size of the Project being developed, and the reduced building scale would reduce the proposed project's 22-month construction period by 10 percent to approximately 20 months. Approximately one to two weeks of this reduction would occur during site preparation (excavation and grading operations). Environmental impacts associated with site grading would be similar to the proposed project. However, significant adverse impacts associated with construction noise that

would occur as a result of site excavation and construction would be incrementally reduced as the duration of construction activity (and thus the impact) would be reduced by 10 percent (approximately 2.2 months) when compared to the proposed project. Because the same equipment would be used for demolition and grading, noise levels during demolition and site grading of Alternative 3 would be identical to those of the proposed project and County noise standards would also be equally exceeded. The reduced construction schedule would result in a reduction in noise associated with structure construction. Noise generated during building construction would also exceed County standards and this significant impact would be reduced but not avoided by Alternative 3. Therefore, Alternative 3 would incrementally but not substantially reduce construction-related noise impacts, which would remain significant.

Primarily due to a reduction in vehicle trips and a reduction in the intensity of land uses proposed as part of Alternative 3, impacts associated with project operation on the air quality environment would be incrementally reduced. However, impacts on the air quality environment during project operation were not considered significant and no mitigation was required. Significant construction Air Quality impacts would be reduced but not avoided.

Traffic associated with Alternative 3 would generate a net increase of 835 trips, while proposed project would generate a net increase of 1,078 trips. As proposed, the Project would mitigate an already significant traffic impact that occurs at the intersection of Grosvenor Boulevard and Jefferson through signalization. Given the net decrease in trips associated with Alternative 3, it is presumed that this significant impact may still occur and may not be mitigated as a result of the implementation of Alternative 3.

Building heights associated with Alternative 3 would be similar to the proposed project. Given the distance of the structures proposed as part of Alternative 3 and the existing single-family homes to the north and apartments to the south it is presumed that the mass of the residential structures proposed as part of Alternative 3 may be reduced to a small degree. However, project impacts associated with the visual resources environment were not considered adverse and not significant.

Alternative 3 would also require an amendment to the County of Los Angeles General Plan. (i.e., a change in the General Plan land use designation from Low-Density 1 (1 to 6 dwelling unit per [du/acre]) to High Density 4 (22 or more du/acre; and a zone change from R-3-DP (4.22 acres) and R-1 (0.14 acre) to R-4-DP), in addition to development program conditional use permit.

Finding

Alternative 3 would meet most of the basic objectives of the Project but would not result in the public benefit resulting from the traffic signal at the intersection of Grosvenor Boulevard/Jefferson Boulevard. Alternative 3 is rejected as infeasible because it would not substantially reduce or avoid the significant impacts of the Project and would not result in the public benefits of the Project.

Alternative 4 – Park/Taller Building over Underground Parking

Description of Alternative

Under this alternative, a six-story apartment building approximately 100 feet tall would be constructed over underground parking on the eastern portion of the Project site and 2 acres of private open space for project residents would be constructed on the

western portion of the site. The proposed apartment building would have 216 units and 433 parking spaces, the same as the proposed project.

This alternative was developed in response to requests for using the property as public open space while leaving a portion of the Project available to the property owner and applicant for private use—otherwise using the property entirely for public use would constitute a taking of the property for public use.

Comparison of Effects

This alternative would involve removing all existing structures on the site and thus would require a similar amount of demolition and removal of existing materials. However, construction of the proposed underground parking structure would require a significant amount of excavation and grading. Therefore, development of the site under this alternative would result in a greater amount of soil that would need to be exported off site, and thus a greater amount of total truck trips.

In addition, due to the size of the proposed structure, it is expected that the proposed 22-month construction period would be increased to 27 months. This schedule is based on one month of demolition, five months of excavation and grading, and 21 months of building/park construction.

Construction noise impacts would be greater than the proposed project. Demolition, excavation, and grading cause the most severe noise impacts of construction. Because Alternative 4 requires increased grading volumes, construction noise to adjacent residents would be increased. The increased construction schedule for Alternative 4 is the result of excavating a subterranean parking structure and building a taller building than the proposed project. Additional hauling and a longer construction

period would cause the construction noise impacts of Alternative 4 to be more severe than the proposed project and remain significant.

Building heights associated with Alternative 4 would be substantially higher. However, setbacks between structures proposed as part of Alternative 4 would be increased and a 2-acre park area is proposed in the western portion of the Project site. It can be assumed that the height and mass of the structure proposed as part of Alternative 4 would be substantially taller than other structures occurring in the Project area and would stand out in sharp contrast to the existing landscape. Further, this structure would differ substantially from existing code requirements pertaining to structure height in this portion of the County.

Finding

Alternative 4 is rejected as infeasible because it would increase the significant environmental impacts of the Project and would cause significant impacts that the proposed project does not cause.

Environmentally Superior Alternative

The No Project alternative is environmentally superior as it would not result in significant construction-related noise and air quality impacts or other impacts on the visual resource, water quality, solid waste, or sewer environments. However, the No Project alternative is not consistent with project objectives. The proposed project would improve traffic conditions at the intersections of Grosvenor Boulevard/Jefferson Boulevard and Westlawn Avenue/Jefferson Boulevard. By contrast, the No Project Alternative would not result in similar benefits at these intersections.

As specified in the *State CEQA Guidelines* Section 15126(d)(2), if the No Project alternative is the environmentally superior alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Of the alternatives considered, Alternative 2: Residential Buildout as Allowed Under the General Plan, would be the superior alternative. This alternative would result in the greatest reduction of the severity of unavoidable significant air quality impacts associated with the Millennium-Playa del Mar Apartments Project due to a reduced number of truck trips. However, this alternative would not result in reductions in construction noise and air quality impacts to levels that are not considered significant. However, this alternative does not fulfill the following basic objectives of the Project:

- Contribute toward an adequate supply of housing preserved and maintained in sound condition, located within safe and decent neighborhoods, as stated in the 2008 Housing Element; and
- Provide new housing to meet current and future needs in an area with significant unmet demand for housing

Alternative 2 does not meet this Project objective because the expected demand for housing requires increases in density to meet current and future need for housing in the area. As shown in Table 4.1-1, the population of the unincorporated Westside Cities Subregion is expected to grow by 41.3 percent by 2030. By contrast, housing opportunities in the same region are expected to grow only 29.3 percent. Therefore, additional residential density is needed to close the gap between population growth and housing opportunities. Alternative 2 fails to meet this Project objective of closing that gap because Alternative 2 maintains existing levels of residential density that have already been shown as insufficient to accommodate expected unmet demand.

- Construct high-quality multi-family housing at a density, physical scale, and architectural style compatible with and complimentary to adjacent uses and the surrounding neighborhood.

Adjacent uses on the site include three-story multi-family houses along the southern border of the Project site. Alternative 2 would fail to provide multi-family housing compatible and complimentary to this adjacent use.

- Adjacent uses on the site include three-story multi-family houses along the southern border of the Project site. Alternative 2 would fail to provide multi-family housing compatible and complimentary to this adjacent use.

This area of the county will experience a 41.3 percent growth in population and a 29.3 percent growth in housing that cannot meet demand unless density is increased in residential developments. DEIR Table 4.1-1 also shows an expected 34.5 percent growth in employment in the area. Thus, the area has strong population and employment growth, but housing growth lags behind. Because Alternative 2 does not contribute to closing the jobs-housing gap that will occur in this area, it does not meet this Project objective.

- Avoid unnecessary environmental impacts associated with grading and excavation by building structures above a level grade to the extent feasible

Alternative 2 merely reduces the severity of air quality impacts, but does not avoid them.

Finding

Although Alternative 2 is the Environmentally Superior Alternative, the Commission hereby finds that this alternative is infeasible because it fails to meet the

basic objectives of the Project and does not substantially reduce or avoid the significant impacts of the Project.

SECTION 5

FINDINGS REGARDING MITIGATION MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires that when a public agency is making the findings required by *State CEQA Guidelines* Section 15091(a)(1), codified as Section 21081(a) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes to the Project which it has adopted or made a condition of approval, in order to mitigate or avoid significant effects on the environment.

The Commission hereby finds that the Mitigation Monitoring Program, which is attached as Exhibit A to these Findings and incorporated in the Project's Coastal Development Permit, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of Project conditions intended to mitigate potential environmental effects.

SECTION 6

STATEMENT OF OVERRIDING CONSIDERATIONS

The FEIR identified and discussed significant effects that will occur as a result of the Project. With the implementation of the mitigation measures discussed in the FEIR, these effects can be mitigated to levels of insignificance except for unavoidable significant Project impacts regarding construction noise, construction air quality and unavoidable significant cumulative impacts on solid waste disposal, as identified in Section 2 of these findings.

Having reduced the significant adverse environmental effects of the proposed Project by approving the Project and adopting the conditions of approval and the mitigation measures identified in the FEIR, and having balanced the benefits of the Project against the Project's potential unavoidable significant adverse impacts, the Commission hereby determines that the benefits of the Project outweigh the potential unavoidable significant adverse impacts, and that the unavoidable significant adverse impacts are nonetheless acceptable, based on the following overriding considerations: Alternative 2 merely reduces the severity of air quality impacts, but does not avoid them.

- The Project provides a new traffic signal at the intersection of Grosvenor Boulevard/Jefferson Boulevard which would more than mitigate the Project's impacts—it would improve traffic circulation in this area for the benefit of the public.
- The Project provides additional rental housing in an area characterized by a significant unmet housing need.
- The subject property is currently developed with a church, appurtenant surface parking and an adjoining single-family residence owned by the church. In contrast to the existing church building and single-family residence sited on the property, which are devoid of architectural interest and lack quality design, the architecture and landscape design of the Project will be of the utmost quality; the approved apartments' high-quality architecture and design will contribute positively to residential property values in the neighborhood, which is beneficial to the welfare of the residential property owners in the vicinity. The Project will also generate additional property tax revenues for the County, which, in turn,

will contribute positively to the general welfare as those taxes are apportioned by the County to help fund its social programs.

- Proceeds from the sale of the subject property will help fund a charitable educational non-profit foundation operated by the church.
- In response to neighbor concerns the applicant has incorporated additional design features for the benefit of the public, including:
 - A 10-foot-wide landscape set-back area to the south of the North Property Line between Grosvenor Blvd and the fire access gate located on the Property.
 - At the fire access gate, the landscape set-back area will transition easterly to 6 feet wide between the fire access gate along the North Property Line to the eastern Project boundary, at the alley west of Centinela Street.
 - An 8-foot-tall concrete block wall along the entire North Property Line of the north side of the Property.

SECTION 7

SECTION 15091 AND 15092 FINDINGS

Based on the foregoing findings and the information contained in the record, the Commission has made one or more of the following findings with respect to each of the significant adverse effects of the Project:

- a. Changes or alterations have been required in, or incorporated into, the Project that mitigate or avoid many of the significant environmental effects identified in the FEIR.
- b. Some changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency, or can and should be adopted by such other agency.
- c. Specific economic, legal, social, technological or other considerations make infeasible the mitigation measures or alternatives identified in the FEIR.

Based on the foregoing findings and the information contained in the record, and as conditioned by the foregoing:

- a. All significant effects on the environment due to the Project have been eliminated or substantially lessened where feasible.
- b. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations set forth in the foregoing Statement of Overriding Considerations.

SECTION 8

SECTION 21082.1(c)(3) FINDINGS

Pursuant to Public Resource Code § 21082.1(c)(3), the Commission hereby finds that the FEIR reflects the independent judgment of the lead agency.

SECTION 9

CUSTODIAN OF RECORDS

The custodian of the documents or other material which constitute the record of proceedings upon which the Regional Planning Commission's decision is based is the Department of Regional Planning located at 320 West Temple Street, Los Angeles, California 90012.

SECTION 11

RELATIONSHIP OF FINDINGS TO EIR

These findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the DEIR, RDEIR and the FEIR, on the one hand, and these findings, on the other, these findings shall control and the DEIR, RDEIR, FEIR, or all three, as the case may be, are hereby amended as set forth in these findings.

