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February 19, 2021

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

Attention: PLUM Committee

Dear Honorable Members:

**SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT REQUEST FOR  
PROPOSED BELMONT VILLAGE SENIOR LIVING WESTWOOD II PROJECT, 10822 WEST  
WILSHIRE BOULEVARD AND 10812 WEST ASHTON AVENUE; CF 20-1624**

This report includes Environmental Findings, Justification, Response to Comments, and supporting documents and technical analyses for the Sustainable Communities Environmental Assessment (SCEA) that was published for public review from November 12, 2020 to December 14, 2020 for the following project:

<u>Project Name:</u>	Belmont Village Senior Living Westwood II Project
<u>Environmental Case No.:</u>	ENV-2019-5735-SCEA
<u>Project Applicant:</u>	Stephen Brollier, Belmont Village Senior Living
<u>Project Address:</u>	10822 West Wilshire Boulevard and 10812 West Ashton Avenue
<u>Community Plan Area:</u>	Westwood
<u>Specific Plan Area:</u>	Wilshire / Westwood Scenic Corridor
<u>Council District:</u>	5 - Koretz

An initial study has been prepared and circulated in compliance with Public Resources Code (PRC) Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project. The Transit Priority Project (TPP) has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior Environmental Impact Report(s) (EIR), including the current Southern California Association of Governments (SCAG) Regional Transportation Plan (RTP) to include a Sustainable Communities Strategy (SCS); finding that all potentially significant effects identified in the initial study have been identified and analyzed in the SCEA; finding that with

respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or 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.

It is hereby requested that the City Council consider and determine if the proposed project qualifies for a SCEA, pursuant to PRC Section 21155.2.

### **Background**

Through the “Sustainable Communities and Climate Protection Act of 2008,” known as Senate Bill 375 (SB 375), the state legislature created a new document for environmental review called a SCEA. The intent of a SCEA is to encourage projects that would implement regional plans to reduce greenhouse gas emissions (e.g. by building housing near public transit) by providing for streamlined environmental review of Transit Priority Projects that are consistent with an adopted sustainable communities strategy. The SCEA provides complete environmental analysis by evaluating the potential effects of a Project in an Initial Study similar to a Mitigated Negative Declaration (MND), with additional requirements specific to a SCEA as described below.

SB 375 requires Metropolitan Planning Organizations (MPOs), such as SCAG, to create a new component in their Regional Transportation Plan to include a Sustainable Communities Strategy. Government Code Section 65080(b)(2)(B) requires the SCS to set forth a forecasted development pattern for the region that integrates transportation policies to reduce greenhouse gas emissions and achieve the reduction targets approved by the California Air Resources Board. SB 375 also contains new environmental clearances in the California Environmental Quality Act (CEQA) for projects that can qualify under PRC Section 21155 as TPPs. The SB 375 clearances are intended to meet the goals of the SCS to encourage higher density, infill development located near transit. If a project qualifies as a TPP and would mitigate potentially significant impacts to a level of insignificance, the lead agency may choose to prepare a SCEA. Under PRC Section 21155, to be a TPP, the project must be consistent with the general land use designation, density, building intensity, and policies in the SCAG RTP/SCS; and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in a regional transportation plan. Under PRC Section 21155.2(b), a TPP may qualify for a SCEA if it meets all of the following:

- The Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in applicable EIRs; and
- An initial study is prepared and the initial study shows the Project will have less than significant impacts, including if needed, through the imposition of mitigation measures.

The evaluation of a SCEA differs from standard MND environmental review in that it requires the following additional analysis: (1) consistency analysis with the SCAG RTP/SCS; and (2) analysis to demonstrate all applicable mitigation measures from applicable EIRs have been incorporated into the Project. The SCEA also has additional procedural requirements from an MND. Under a SCEA, the City is not required to analyze growth inducing impacts or project specific or cumulative impacts from cars and light trucks on global warming or the regional transportation network. The Initial Study should identify any cumulative effects that have been adequately analyzed and

mitigated in prior applicable certified EIRs. Projects that use the SCEA provisions will still need to obtain discretionary permits or other approvals from the lead agency.

### **Project Description**

The subject of this SCEA is a Project that would construct a new 12-story, 176,580-square foot Eldercare Facility containing up to 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, and 46 Alzheimer's/Dementia Care Housing guest rooms. The Project would also include a new 2,520-square foot Fellowship Hall event space for use by the existing Church on the Project Site, and 2,923 square feet of shared space, including a multipurpose room, kitchen with pantry, and storage for use by the Eldercare Facility and existing Church. The Project would also construct a new two-story, 19,703 square foot Childcare Facility containing classrooms, administrative office space, multipurpose/group space, and Church related administrative offices. To allow for construction of the Project, the existing preschool, Fellowship Hall, administrative offices, surface parking lot, and a single-family residence would be demolished. The existing Church on the Project Site would remain.

The Project approvals requested by the Applicant include:

- Eldercare Facility Unified Permit pursuant to Los Angeles Municipal Code (LAMC) Section 14.3.1 to allow the construction of an Eldercare Facility in the R5 and R1 zones;
- Conditional Use Permit pursuant to LAMC Section 12.24 W.51 and 12.24 W.9 to allow the proposed childcare facility and church administrative office uses within the R1 zone, and associated deviations from the otherwise applicable height and area requirements pursuant to LAMC Section 12.24 F, including deviations related to building and fence height, yards, floor area, and plane breaks;
- Site Plan Review pursuant to LAMC Section 16.05 for the development of 50 or more dwelling units or guest rooms in connection with the Eldercare Facility;
- Design Review and Project Permit Compliance pursuant to LAMC Sections 16.50 and 11.5.7.C and the Wilshire-Westwood Scenic Corridor Specific Plan;
- Vesting Tentative Tract Map pursuant to LAMC Section 17.15; and
- Approval of other permits, ministerial or discretionary, may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, storm water discharge permits, grading permits, haul route permits, off-site improvements, and installation and hookup approvals for public utilities and related permits, and the removal of trees on public and/or private property.

### **Public Comments & Response to Comments**

The SCEA was released for public comment from November 12, 2020 to December 14, 2020. During the public comment period of the SCEA, the Department of City Planning received 33 written comments from members of the public and one agency comment. The public comments

included concerns over traffic and circulation, parking, safety, construction, air quality, noise, shade and shadow impacts, privacy and views, height, neighborhood character, increased density and intensity of use on the project site, impacts on property values, related requested deviations from the Wilshire / Westwood Scenic Corridor Specific Plan and LAMC, and adequacy of the SCEA as the environmental clearance for the project. The agency comment was from the California Department of Transportation (Caltrans) and included concerns over the Project's potential increase for vehicle trips, configuration of underground parking, and hauling operations.

Attached as Exhibit A of this Staff Report, a Response to Comments dated January 19, 2020 has been added to the Council File and provides the City's responses to each of the written comments received for the SCEA. Copies of the written comments in their entirety can be found in the administrative record of Case No. ENV-2019-5735-SCEA and as part of Attachment B of the Response to Comments letter. In summary, there is no substantial evidence that the project will have a significant effect on the environment in any of the areas of environmental concern identified by the public. Furthermore, only the project's environmental clearance is before the Planning and Land Use Management Committee of the City Council; the validity of the requested land use entitlements will be evaluated by the appropriate decisionmaker at a later date.

### **Erratum**

Attached as Exhibit B of this Staff Report, an Erratum was prepared which makes minor technical corrections and clarifications to the SCEA. These modifications clarify and refine the SCEA and provide supplemental information to City decision-makers and the public. CEQA requires recirculation of an environmental document only when substantial revisions are made or significant new information is added (refer to CEQA Guidelines Section 15088.5 regarding environmental impact reports and CEQA Guidelines Section 15073.5 regarding negative declarations) before the document is certified or adopted.

The information added pursuant to this Erratum does not disclose any new significant environmental impact that would result from the Project, nor does it identify any new or different mitigation measures resulting in new significant effects. All information added pursuant to this Erratum merely clarifies, amplifies, or makes insignificant modifications to the information contained in the SCEA. The City has reviewed the information in this Erratum and has determined that it does not change any of the basic findings or conclusions of the SCEA, does not constitute a "substantial revision" pursuant to CEQA Guidelines Section 15073.5, and does not require recirculation of the SCEA.

The Erratum contains three sections: Specific Revision to the SCEA Text; Supplemental Consistency Analysis Regarding the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy; and, Incorporation of Applicable Mitigation Measures from the 2020-2045 RTP/SCS Program EIR.

Specific Revision to the SCEA Text includes two minor textual revisions to the SCEA text that are being made to more accurately reflect the Project's proposed features. The refinements to PDF-N-3 and clarification of the proposed fence heights do not result in any change to the Project's uses, density, floor area, building height, building footprint, or depth of subterranean excavation, as those Project characteristics are described in the SCEA. Accordingly, no changes to any potential environmental effects related to use, density, or floor area (e.g., air quality, greenhouse

gas emissions, construction of operational noise, traffic, public services, utilities, energy) would change as a result of these revisions.

Supplemental Consistency Analysis Regarding the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy includes additional and supplemental consistency findings have been prepared that further demonstrate the Project's consistency with the 2020-2045 RTP/SCS. At the time of the SCEA's preparation, CARB had not yet certified the 2020-2045 RTP/SCS; accordingly, the SCEA primarily assessed the Project in relation to the 2016-2040 RTP/SCS, with supplemental references to and assessment of the 2020-2045 RTP/SCS, as applicable. CARB has subsequently certified the 2020-2045 RTP/SCS, and accordingly, as a component of the Erratum, additional and supplemental consistency findings have been prepared that further demonstrate the Project's consistency with the 2020-2045 RTP/SCS. As detailed in the Erratum, the Project Site falls within an identified Priority Growth Area under the 2020-2045 RTP/SCS. Further, the 2020-2045 RTP/SCS also includes implementation strategies for focusing growth near destinations and mobility options, promoting diverse housing choices, leveraging technology innovations, supporting implementation of sustainability policies, and promoting a green region. These strategies are intended to be supportive of implementing the regional SCS.

Incorporation of Applicable Mitigation Measures from the 2020-2045 RTP/SCS Program EIR includes the 2020-2045 RTP/SCS PEIR mitigation measures and a summary of the City's applicability analysis of these measures. As shown in Table 1 of the Erratum, the Project's proposed mitigation measures remain consistent with the 2020-2045 RTP/SCS Program EIR MMRP, and each has been found to be equal to or more effective than the applicable SCAG mitigation measure.

### **Mitigation Monitoring Program**

Attached as Exhibit C of this Staff Report is the Mitigation Monitoring Program (MMP). Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a "reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment." Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting. A MMP has been prepared in compliance with the requirements of CEQA, Public Resources Code Section 21081.6, and Section 15097 of the CEQA Guidelines.

As described in the SCEA and in the Erratum dated January 22, 2021, PRC Section 21151.2(a) requires that a TPP such as the Project incorporate all feasible mitigation measures, performance standards, or criteria from prior applicable EIRs. As a new predominantly residential project to be developed at an urban infill site that is within a SCAG-identified high-quality transit area and transit priority area, the most relevant prior EIR for the Project is the program EIR (PEIR) prepared for SCAG's 2020-2045 RTP/SCS, which was adopted by SCAG on September 3, 2020 and certified by the California Air Quality Board (CARB) on October 30, 2020. An analysis of the SCAG mitigation measures that are applicable to the Project is provided in Section 3.0, SCEA Criteria.

Where appropriate, the SCEA has identified Project design features, regulatory compliance measures, or potential mitigation measures to avoid or to reduce potentially significant environmental impacts of the proposed Project. This MMP is designed to monitor implementation of any mitigation measures identified for the Project.

### **Environmental Findings**

The City of Los Angeles finds that the Proposed Project complies with the requirements of CEQA for using an SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). The City of Los Angeles has determined that:

The Project is a Transit Priority Project (TPP) pursuant to PRC Section 21155:

- (a) The Project is consistent with the general use designation, density, building intensity, and applicable policies specified in the project area in the current SCAG RTP/SCS.
- (b) The Project contains at least 50 percent residential use, based on total building square footage, and if the project contains between 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75;
- (c) The Project provides a minimum net density of at least 20 dwelling units per acre;
- (d) The Project is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan, consistent with PRC Section 21155(b). A major transit stop means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

The Transit Priority Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the following prior applicable EIRs: SCAG's 2020-2045 RTP/SCS EIR.

An initial study has been prepared and circulated in compliance with PRC Section 21155.2(b). A public hearing on the SCEA, and all comments received on the SCEA, will be considered by City Council prior to SCEA adoption and approval of the Project.

All potentially significant or significant effects required to be identified in the initial study have been identified and analyzed.

With respect to each significant effect on the environment required to be identified in the initial study, either of the following apply:

- (i) Changes or alterations have been required in or incorporated into the project that avoid or mitigate the significant effects to a level of insignificance.
- (ii) 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.



**Conclusion & Actions for the City Council**

In light of the foregoing, the City of Los Angeles finds that the Project complies with the requirements of CEQA for using a SCEA as authorized pursuant to Public Resources Code Section 21155.2(b). City Planning Staff recommends that PLUM recommend for City Council action the adoption of the SCEA, with the following recommended actions:

FIND, pursuant to Public Resources Code (PRC) Section 21155.2, after consideration of the whole of the administrative record, including the SB 375 Sustainable Communities Environmental Assessment, No. ENV-2019-5735-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment;

FIND that the City Council held a hearing on and adopted the SCEA pursuant to PRC Section 21155.2(b);

FIND the Project is a transit priority project pursuant to PRC Section 21155 and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in prior EIR(s), including SCAG's 2020-2045 RTP/SCS EIR;

FIND all potentially significant effects required to be identified in the initial study have been identified and analyzed in the SCEA;

FIND with respect to each significant effect on the environment required to be identified in the initial study for the SCEA, changes or alterations have been required in or incorporated into the Project that avoid or mitigate the significant effects to a level of insignificance or 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;

FIND the SCEA reflects the independent judgment and analysis of the City;

FIND the mitigation measures have been made enforceable conditions on the project; and

ADOPT the SCEA and the Mitigation Monitoring Program prepared for the SCEA.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

A handwritten signature in blue ink, appearing to read "Milena Zasadzien", with a long horizontal flourish extending to the right.

MILENA ZASADZIEN  
Senior City Planner

VPB:LI:MZ:CS:RK

PLUM Committee  
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Enclosures

- Exhibit A – Response to Comments
- Exhibit B – Erratum
- Exhibit C – Mitigation Monitoring Program