

APPENDIX A

The Project Will not Result in any Specific Adverse Impacts on the Environment

A “specific adverse impact” is defined as, “a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete ” (LAMC Section 12.22.A.25(b)).

1. The Project Will Not Result in a Specific Adverse Impact on Traffic or Parking:

The finding that there is no evidence in the record that the proposed incentives will result in a specific adverse impact is supported by the CEQA Findings, the Transportation Assessment prepared by Crain & Associates, dated November 2019, and the LADOT Transportation Assessment Letter dated March 3, 2020.

Senate Bill (SB) 743 was signed in 2013, with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.” When implemented, “traffic congestion shall not be considered a significant impact on the environment” within CEQA transportation analysis. Following the passage of SB 743, the State of California’s Governor’s Office of Planning and Research (OPR) was tasked with developing new guidelines for evaluating transportation impacts under CEQA. These guidelines were intended to shift the performance metric from automobile delay and level of service (LOS) to one that would promote the reduction of greenhouse gas emissions and the development of multimodal and diverse transportation networks. As a result, OPR determined that, under the proposed update to the CEQA Guidelines, Vehicle Miles Traveled (VMT) would be established as the primary metric for evaluating environmental and transportation impacts. VMT is a comprehensive umbrella metric for transportation impacts and is correlated with a number of impacts to the environment and to human health. In response to the updates to the CEQA Guidelines, the LADOT updated the City’s Transportation Assessment Guidelines (TAG) in July 2019 to conform to the requirements of SB 743. The TAG replaced the Transportation Impact Studies Guidelines (December 2016) and shifted the metric for evaluating transportation impacts under CEQA from LOS to VMT for studies completed within the City. The TAG establishes thresholds to identify development projects that would conflict with the updated CEQA Guidelines. As part of the updated TAG, the LADOT has identified three metrics to apply in order to determine if a development project would result in impacts under the updated CEQA Guidelines. The development project would have a significant impact should any of the following be true:

1. The development project would conflict with the City’s plans, programs, ordinances, or policies.

2. The development project would cause substantial VMT.
3. The development project would substantially increase hazards due to a geometric design feature or incompatible uses.

An evaluation of the Project's impacts under these three metrics in The Transportation Assessment for the Project prepared by Crain & Associates dated November 2019, established that there would be no significant transportation related impacts. A comprehensive review of the applicable plans and policies, including the Mobility Plan 2035 and the Westlake Community Plan, was conducted to determine the programs that would be implemented in the Project vicinity. The Mobility Plan 2035 aims to complete its proposed paths, protected cycle tracks, bicycle lanes, routes, and priority Neighborhood Enhanced Network roadway segments by 2035. The Project would not impede the Mobility Plan 2035 improvements which have already been realized, and the Project would support the implementation of future improvements. Thus, the Project would support the implementation of the City's goals and policies and would not have a significant impact regarding compliance with the City's plans, programs, ordinances or policies.

The VMT Calculator Version 1.1 developed by the LADOT determined that the Project would result in a net increase of 247 Daily Vehicle Trips, which is below the threshold requiring a VMT Analysis. The Vehicle Miles Traveled approach to transportation analysis helps to achieve the goals of adopted City of Los Angeles plans and policies, including but not limited to the Mobility Plan 2035 and Sustainable City pLAn/LA'S Green New Deal, which aim to reduce transportation-related greenhouse gas emissions, prioritize the safety, comfort and access of all street users, and plan for well-connected, healthy communities.

The Project would not introduce any additional vehicular access points to the site. Access to the Property is currently provided by existing driveways located along West Temple Street and the alley south of West Temple Street. The existing driveway along West Temple Street is a full movement driveway with no restrictions. To improve the safety at this access point, the Project would relocate the driveway approximately 65 feet to the west and restrict the driveway to right-in/right-out only. Thus, the Project would improve the pedestrian and vehicular safety along West Temple Street without adding any new vehicular access points to the site and, therefore, is considered to not have a significant impact to substantially increasing roadway hazards due to geometric design features or incompatible uses.

With respect to increased traffic volumes in the alley, the attached letter prepared by Crain & Associates dated November 11, 2020, states on the basis of traffic counts that the existing maximum hourly number of vehicles entering and exiting the alley during the AM peak period at the intersection of Temple Street and the alley is 11 vehicles (5 entering vehicles, 6 exiting vehicles), and the existing maximum hourly number of vehicles entering and exiting the alley via Temple Street during the PM peak period at this intersection is 23 vehicles (5 entering

vehicles, 18 exiting vehicles). At the intersection of Cortez Street and the alley, the existing maximum hourly number of vehicles entering and exiting the alley during the AM and PM peak periods is 10 vehicles (4 entering vehicles, 6 exiting vehicles) and 14 vehicles (6 entering vehicles, 8 exiting vehicles), respectively. Therefore, the existing peak hourly vehicular volume along the alley is 21 vehicles during the AM peak period and 37 vehicles during the PM peak period. At the intersection of Temple Street and the alley, the Project is expected to add approximately 6 vehicle trips (1 entering vehicle, 5 exiting vehicles) to the alley during the AM peak hour and approximately 5 vehicle trips (2 entering vehicles, 3 exiting vehicles) to the alley during the PM peak hour. At the intersection of Cortez Street and the alley, the Project is anticipated to add approximately 9 vehicle trips (3 entering vehicles, 6 exiting vehicles) to the alley during the AM peak hour and approximately 12 vehicle trips (9 entering vehicles, 3 exiting vehicles) to the alley during the PM peak hour. During the AM peak period, the maximum number of vehicles entering and exiting the alley via Temple Street is therefore expected to be 17 vehicles (6 entering vehicles, 11 exiting vehicles) following completion of the Project. During the PM peak period, the maximum number of vehicles entering and exiting the alley at Temple Street is projected to be 28 vehicles (7 entering vehicles, 21 exiting vehicles). At the intersection of Cortez Street and the alley, the maximum hourly number of vehicles entering and exiting the alley during the AM and PM peak periods after completion of the Project is expected to be 19 vehicles (7 entering vehicles, 12 exiting vehicles) and 26 vehicles (15 entering vehicles, 11 exiting vehicles), respectively. Therefore, the peak hourly vehicular volume along the alley after the addition of Project traffic is projected to be 36 vehicles during the AM peak period and 54 vehicles during the PM peak period. The Project would accordingly increase trips along the alley by a maximum of 15 trips during the AM peak hour and 17 trips during the PM peak hour. Because the alley currently accommodates a relatively low level of peak period traffic, the addition of these trips is not expected to have an adverse impact on circulation along the alley.

Regarding parking, as an Eligible Housing Development in Tier 2, the Project is not required to provide more than ½ parking space per bedroom. As proposed, the Project is providing 72 parking spaces for 72 one bedroom dwelling units and 700 square feet of commercial floor area, thereby exceeding the requirement. In addition, the Project is providing 58 long-term bicycle spaces and eight short-term bicycle spaces and is situated near numerous bus routes, which encourage alternative modes of transportation and potentially reduce the demand for automobile parking. Therefore, the Project is not required to provide additional on-site parking beyond code requirements. Furthermore, with regard to the environmental analysis performed pursuant to CEQA, Section 21099(d)(1) of the Public Resources Code states that "Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site in a transit priority area shall not be considered significant effects on the environment." Pursuant to Public Resources Code Section 21099(a)(7), a transit priority area is defined as an area within one-half mile of a major transit stop that is existing or planned, and a major transit stop is defined as a site containing an

existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. Pursuant to Public Resources Code Section 21099(a)(4), an infill site is a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. The Property is located approximately 275 feet from the Temple Street/Glendale Boulevard bus stop that qualifies as a Major Transit Stop, and therefore the Project is located in a transit priority area. Because the Project is located on an infill site, parking impacts are not considered significant impacts for purposes of CEQA.

2. The Project Will Not Result in Specific Adverse Noise or Vibration Impacts:

The Environmental Noise Impact Analysis in the CEQA Findings found that the Project, through the implementation of all applicable regulatory compliance measures and best management practices (BMPs), would not result in any significant noise impacts to nearby sensitive receptors. Furthermore, the Project is subject to the City's Noise Ordinances that regulate noise levels during construction as follows: LAMC Section 41.40 prohibits construction activity and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m. Additionally, LAMC Section 41.40 prohibits construction or repair of any kind upon, or any earth grading for, any building or structure located on land developed with residential buildings or perform such work within 500 feet of land occupied with residential buildings before 8:00 a.m. or after 6 p.m. on any Saturday or national holiday or at any time on any Sunday. LAMC Section 112.05 prohibits operation of any powered equipment or powered hand tool that exceeds 75 dBA for construction machinery in any residential zone or within 500 feet of a residential zone unless compliance therewith is technically infeasible. Technical infeasibility means that the noise limitations cannot be complied with despite the use of mufflers, shields, sound barriers and/or other noise reduction device or techniques during the operation of the equipment. Projects that generate more than 75 dBA in any residential zone or within 500 feet of a residential zone are therefore required to implement measures to reduce noise levels in compliance with the applicable requirements of the LAMC. The Project will accordingly implement BMPs for noise control that include but will not be limited to:

1. Delivery drivers will be notified to turn off vehicles while unloading or loading their vehicles so long as doing so does not present a health and safety risk.
2. Construction vehicle idling will be restricted to a maximum of five minutes.
3. Contractors will construct barriers made of plywood, flexible sound

- control curtains or other materials as deemed appropriate and effective for the on-the-ground circumstances around the perimeter of the construction site and stationary equipment to the extent feasible.
4. A temporary, continuous sound barrier will be erected along the entire southern perimeter of the Project Site that would achieve a Sound Transmissions Loss of at least 25 dBA and have sufficient height to break the line-of-sight between the construction activities and residential properties abutting the southern side of the Project site.
 5. Contractors using power equipment will be required to have that equipment outfitted with state-of-the-art noise shielding and muffling devices.
 6. All diesel equipment shall be required to operate with closed engine doors.
 7. No radios will be allowed to operate onsite for the duration of construction.
 8. Food trucks shall be prohibited from honking their horns upon arrival or departure from the project site.

The Court in *Berkeley Hills Watershed Coalition v. City of Berkeley* (2019) 31 Cal.App.5th 880, 893, n. 9, rejected arguments that compliance with applicable municipal code requirements would preclude the application of a categorical exemption. Implementation of the BMPs and compliance with the City's Noise Ordinances would therefore reduce the Project's noise impacts to a less than significant level and not preclude the Project from being categorically exempt from CEQA.

With respect to vibration impacts, the attached Memorandum Analysis for Vibration Analysis prepared by EcoTierra Consulting dated October 22, 2020, determined, based on accepted modeling methodologies and thresholds established by the Federal Transportation Authority and the California Department of Transportation, that ground borne vibration does not exceed the threshold to cause structural damage to the closest adjacent building to the Project site. Impacts to buildings in the Project's vicinity related to construction vibration resulting from the Project would therefore be less than significant, and no mitigation is required.

3. The Project Will Not Result in a Specific Adverse Impact on Air Quality:

The finding that there is no evidence in the record that the proposed incentives will result in a specific adverse impact is supported by the Air Quality Impact Analysis in the CEQA Findings, dated June 2020, which found that Project construction activities and operational impacts would be less than significant. The South Coast Air Quality Management District (SCAQMD) has developed significance thresholds for regulated pollutants, as summarized in Table III-5, SCAQMD Air Quality Significance Thresholds of the CEQA Findings. The SCAQMD's CEQA Air Quality Significance Thresholds (April 2019) indicate that any projects in the South Coast Air Basin (SCAB) with daily emissions that

exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact.

As shown in Table III-6, Construction-Related Regional Pollutant Emissions of the CEQA Findings, emissions resulting from Project construction would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. As shown in Table III-8, Local Construction Emissions at the Nearest Receptors of the CEQA Findings, none of the analyzed criteria pollutants would exceed the local emissions thresholds at the nearest sensitive receptors. In addition to the Air Quality Impact Analysis, the attached Memorandum Analysis for Construction Health Risk Assessment (HRA) was conducted by EcoTierra Consulting dated October 2, 2020, to determine whether adjacent sensitive receptors would be exposed to significant cancer and/or non-cancer risks from construction of the Project. The HRA evaluated the environmental impacts of Toxic Air Contaminants (TACs) that could be produced by diesel-powered equipment during construction. According to the HRA, cancer and non-cancer risks from diesel particulate matter calculated to be generated by Project construction equipment would be well below acceptable thresholds. In addition, the Project will comply with the following minimum requirements of SCAQMD's Rule 403 to control fugitive dust emissions during construction. Thus, a less than significant impact would occur for Project-related construction-source emissions.

1. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site.
2. The Developer will provide wheel washers for vehicles exiting the site and will sweep the alley at the end of each day during construction.
3. All active portions of the construction site shall be sufficiently watered at least three times per day to reduce/prevent dust.
4. Vehicles hauling dirt from the Project site will be water-sprayed to control fugitive dust, shall be required to cover all loads and shall maintain at least six inches of freeboard for all loads.

As shown in Table III-9, Regional Operational Pollutant Emissions of the CEQA Findings, worst-case summer or winter criteria pollutant emissions resulting from the Project's long term operations would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant. The SCAQMD has developed significance thresholds for regulated pollutants including carbon monoxide (CO). For operational emissions, the daily threshold is 550 pound/day. Per the Transportation Impact Analysis, the proposed Project would generate a total of 247 net Daily Vehicle Trips. The intersection with the highest traffic volume nearby is located at Glendale Boulevard and Temple Street and has a Future (2023) with Project evening peak hour volume of 1,072 vehicles. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of

approximately 100,000 vehicles per day would not violate the CO standard. Therefore, as the Project-related traffic volumes fall far short of 100,000 vehicles necessary to create a CO “hot spot”, no significant long term air quality impact is anticipated to local air quality with the ongoing use of the Project. In addition, the parking garage will be vented in a manner that does not project the garage’s air in the direction of residential properties abutting the Property. Further, vehicle and pedestrian entrances and fresh air intake grills will be restricted to the north and east sides of the building. With the exception of vehicle and pedestrian entrances and fresh air intake grills, all vehicle parking shall be completely enclosed along all sides of the building. Thus, a less than significant impact would occur for Project-related operational emissions.

4. The Project Will Not Result in a Specific Adverse Impact on Water Quality:

Construction associated with the Project would be subject to the requirements of Los Angeles Regional Water Quality Control Board (LARWQCB) Order No. R4-2012-0175-A01, National Pollution Discharge Elimination System (NPDES) Permit No. CAS004001, effective December 28, 2012, Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges within the Coastal Watersheds of Los Angeles County (MS4 Permit), which controls the quality of runoff entering municipal storm drains in Los Angeles County. Section VI.D.8 of the MS4 Permit, Development Construction Program, requires permittees (which include the City) to enforce implementation of Best Management Practices (BMPs), including, but not limited to, approval of an Erosion and Sediment Control Plan (ESCP) for all construction activities within their jurisdiction. ESCPs are required to include the elements of a Stormwater Pollution Prevention Plan. Accordingly, the construction contractor for the Project would be required to implement BMPs that would meet or exceed local, State, and federal mandated guidelines for stormwater treatment to control erosion and to protect the quality of surface water runoff during the construction period. BMPs utilized could include, without limitation: disposing of waste in accordance with all applicable laws and regulations; cleaning up leaks, drips, and spills immediately; conducting street sweeping during construction activities; limiting the amount of soil exposed at any given time; covering trucks; keeping construction equipment in good working order; and installing sediment filters during construction activities. Therefore, potential impacts during construction of the Project would be less than significant.

With respect to water quality during operation of the Project, Los Angeles County and all incorporated cities within Los Angeles County (except the City of Long Beach) are permittees under the MS4 Permit, Section VI.D.7, Planning and Land Development Program, of which is applicable to, among other things, land-disturbing activities that result in the creation or addition or replacement of 5,000 square feet or more of impervious surface area on an already developed site, which would apply to the Project. This Program requires, among other things, that the Project runoff volume from the following be retained on-site: (a) the 0.75 inch, 24-hour rain event; or (b) the 85th percentile, 24-hour rain event, as

determined from the Los Angeles County 85th percentile precipitation isohyetal map, whichever is greater. The Project would also be subject to the BMP requirements of the Standard Urban Stormwater Management Plan (SUSMP) adopted by LARWQCB. As a permittee, the City is responsible for implementing the requirements of the County-wide SUSMP within its boundaries. In compliance with these regulatory requirements, a Project-specific SUSMP would be implemented during the operation of the Project. In compliance with the MS4 Permit and SUSMP requirements, the Project would be required to retain, treat and/or filter stormwater runoff through biofiltration before it enters the City stormwater drain system. The system incorporated into the Project must follow design requirements set forth in the MS4 permit and must be approved by the City. Adherence to the requirements of the MS4 Permit and SUSMP would ensure that potential impacts associated with water quality would be less than significant. With appropriate Project design and compliance with the applicable federal, State, local regulations, and permit provisions, impacts of the Project related to stormwater runoff quality would be less than significant.

In addition, the Project would be subject to the provisions of the City's Low Impact Development (LID) Ordinance, which is designed to mitigate the impacts of increases in runoff and stormwater pollution as close to the source as possible. LID comprises a set of site design approaches and BMPs that promote the use of natural systems for infiltration, evapotranspiration and use of stormwater, as appropriate. The LID Ordinance would require the Project to incorporate LID standards and practices to encourage the beneficial use of rainwater and urban runoff and reduce stormwater runoff. In this regard, the City has established review procedures to be implemented by the Department of City Planning, Department of Building and Safety, and Department of Public Works that parallel the review of the SUSMP discussed above. Incorporation of these features would minimize the increase in stormwater runoff from the Project Site. The SUSMP consists of structural BMPs built into the Project for ongoing water quality purposes over the life of the Project. Additionally, because the Project site does not currently operate under a SUSMP, implementation of the Project with a SUSMP would improve water quality leaving the Project site compared to existing conditions. Therefore, impacts would be less than significant.

5. The Project Will Not Result in a Significant Effect on the Environment Due to Unusual Circumstances:

After consideration of the whole of the record, the City, as lead agency, found that the proposed Project did not fall within any of the exceptions within Section 15300.2 of the CEQA Guidelines and could utilize the Class 32 categorical exemption. As such, the issuance of a categorical exemption for the proposed Project is appropriate. The Property is located within a highly urbanized setting, and the site would be redeveloped from commercial uses (office and storage uses) to a multi-family residential building with ground floor retail, which is a typical urban land use appropriate for the area. By deed-restricting nine percent (seven dwelling units) of the proposed 72 dwelling units for Extremely Low

Income Households as well as the Property's proximity to a Major Transit Stop, the Project is consistent with the underlying zoning, as well as the City's TOC Guidelines, which permit, among other incentives, a 60 percent density increase and resulting development FAR of 3.25:1. As detailed above, the Project would not result in any Project specific or cumulative traffic, noise, air quality, or water quality impacts. The proposed land uses are consistent and compatible with the Property's urban setting and are typical for an infill development located near transit and on a major City thoroughfare. Therefore, as set forth above and below, there are no unusual circumstances regarding the Project or the Property, and the Project will therefore not have a significant effect on the environment due to unusual circumstances.

6. The Property Does Not Pose Any Concerns Due to Hazardous Wastes:

California Government Code Section 65962.5 requires various State agencies to compile lists of hazardous waste disposal facilities, unauthorized releases from underground storage tanks, contaminated drinking water wells, and solid waste facilities where there is known migration of hazardous waste, and submit such information to the Secretary for Environmental Protection on at least an annual basis. A significant impact may occur if a project site is included on any of the above lists and poses an environmental hazard to surrounding sensitive uses. A Phase I Environmental Site Assessment (ESA) was performed by SESPE Consulting, Inc. in November 2019. The ESA was performed in conformance with the scope and limitations of ASTM Practice E1527-13. The purpose of the ESA is to identify existing or potential recognized environmental conditions (RECs) affecting the Project site. An REC is the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property due to release to the environment; under conditions indicative of a release to the environment; or under conditions that pose a material threat of a future release to the environment. The ESA also categorizes RECs as controlled RECs and historical RECs. A controlled REC is a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, and a historic REC is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority, without subjecting the property to any required controls. The reconnaissance of the Project site identified no obvious RECs. Given that the buildings would be demolished, any underground equipment would be removed at that time and any impacted soils, if encountered, would be excavated to provide for subterranean parking and disposed of in compliance with applicable regulations at that time. A Soil Management Plan would be prepared to address any unknowns, if encountered, during the demolition process. Furthermore, there are no known hazardous sites associated with the Project site according to California Department of Toxic Substances Control's (DTSC) EnviroStor database, SWRCB's GeoTracker database, or DTSC's current "Cortese" list. In addition, the attached Report of Methane Investigation dated

February 16, 2021 (RMI) was prepared by Applied Earth Sciences in accordance with the City of Los Angeles Department of Building and Safety *Site Testing Standards for Methane* (Document No. P/BC 2014-101) and Los Angeles Municipal Code Ordinance No. 175790. According to the RMI, methane gas was not detected in any of the probes at any depth, and soil gas pressure in excess of two inches of water column was not detected in either of the two monitoring wells drilled on the Property. Therefore, construction and operation of the Project would not pose an environmental hazard to surrounding sensitive uses or the environment in regards to siting the Project on a known hazardous waste site or any other type of site appearing on a list compiled pursuant to Section 65962.5 of the Government Code, and a less than significant impact would occur.

7. The Project Will Not Cause a Substantial Adverse Change in the Significance of a Historical Resource:

According to the ESA that was prepared for the Project site, the current buildings on the Property appear to date back over 100 years. The west building (1626 West Temple) was constructed in 1915. An addition was made in 1925, and the use of the building was apparently a repair garage. This building was also used for an upholstery shop, assembly warehouse, metal chair manufacturing, and ACME Chrome Plating was identified to have occupied the building in the 1948 to 1968 city directory listings and on the 1970 Sanborn map. Since the 1970's, it appears that the north portion of this building has been used for office and medical related businesses, and the south portion has been used for storage. The 1914 West Temple building was constructed in 1907 as a hay barn and stable. This building has also been used for lumber storage and wood working, and in 1969, it is described to be used for furniture, machine shop and office. Since the 1980's, this building appears to have been used for office related purposes and warehouse/storage in the basement. In support of the lumber and wood working history, there were also buildings and a saw building area located on the west side of this building (currently parking area), and the concrete remnants in this area may reflect this prior history. It is very possible that both buildings operated as the same business with different operations occurring in different building areas.

The Project site is not within a Historic Preservation Review area, nor is the Project site within a Historical Preservation Overlay Zone. The Project site is not identified as an eligible resource by Survey LA, the City's Office of Historic Resources survey; or as a City Historic-Cultural Monument. Moreover, the Project site is not listed as an historical resource in national or State registries. Furthermore, the existing buildings at the Project site are not identified as an individual resource in Survey LA's Historic Resources Survey Report for the Westlake Community Plan Area. Therefore, implementation of the proposed Project would not result in a substantial adverse change to a historic resource.