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June 2, 2022

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

Attention: PLUM Committee

Dear Honorable Members:

**SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT FOR 5001 WILSHIRE PROJECT. STAFF REPORT. 5001 WILSHIRE BOULEVARD, 671 – 677 SOUTH HIGHLAND AVENUE, AND 668 SOUTH CITRUS AVENUE; CF 22-0453**

This report includes Environmental Findings, Justification, and supporting documents and technical analyses for the Sustainable Communities Environmental Assessment (SCEA) that was published for public review from April 14, 2022 to May 13, 2022 for the following project:

Project Name: 5001 Wilshire Project  
Environmental Case No.: ENV-2021-3327-SCEA  
Project Applicant: Wilshire Springs, LLC  
Project Address: 5001 Wilshire Boulevard, 671 – 677 South Highland Avenue, and 668 South Citrus Avenue  
Community Plan: Wilshire  
Council District: 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 Southern California Association of Governments (SCAG) Connect SoCal 2020 – 2045 Regional Transportation Plan (RTP)/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 Sustainable Communities Environmental Assessment (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 proposes the demolition of an existing two-story commercial building and surface parking lots to develop an eight-story mixed-use building with 242 residential units and 10,900 square feet of commercial space fronting Wilshire Boulevard. The Project will reserve 10 percent, or 25 units, of the total number of residential units proposed for Extremely Low Income households pursuant to the Transit Oriented Communities (TOC) Affordable Housing Incentive Program. The Project will encompass a total floor area of 282,050 square feet resulting in a Floor Area Ratio (FAR) of 3.84:1, and will have a maximum building height of 105 feet. In addition, the northern lots and Carling Way will be redeveloped into a 5,600 square-foot green belt that will be utilized as a publicly-accessible common open space. In total, the Project will provide 26,350 square feet of open space which includes the green belt, a courtyard, roof deck, private balconies, and amenity rooms. The Project will comprise of 324 residential parking spaces located within three subterranean parking levels and 30 commercial parking spaces located on the ground level. Designated driveways will provide ingress and egress for residential and commercial parking, and will be located along South Citrus Avenue. The Project will also provide 164 bicycle spaces (143 long-term and 21 short-term).

The Project approvals requested by the Applicant include:

1. Pursuant to LAMC Section 12.32 H, Clarification of “Q” Condition pursuant to Ordinance 174,483 to allow a privately maintained and publicly accessible open space area in Subarea 944 which limits development to parking lots and residential developments;
2. Pursuant to the TOC Guidelines and LAMC Section 12.22 A.31, ministerial clearances for a TOC Tier 3 project requesting three Base Incentives:
  - a. Density. Increase the maximum number of dwelling units by up to 70 percent to allow a maximum residential density of 244 units in lieu of 143 units;
  - b. FAR. Increase in FAR by up to 50% to allow to a maximum FAR of up to 4.5:1 for lots in the C4-2D Zone and a FAR of 3.75:1 for lots in the [Q]C2-1 and [Q]C2-1-HPOZ Zones, for an overall FAR of 3.84:1, in lieu of 3:1 and 1.5:1, respectively; and
  - c. Parking. A reduction in required residential parking to not exceed 0.5 spaces per unit to allow a minimum of 121 spaces in lieu of 362 spaces, and a reduction in required nonresidential parking by up 30 percent to allow a minimum of 30 spaces in lieu of 42 spaces;
3. Pursuant to the TOC Guidelines and LAMC Section 12.22 A.31, a Tier 3 TOC project requesting the two Additional Incentives:
  - a. Averaging. Permit the averaging of density, FAR, open space, parking, and vehicular access across the project site; and
  - b. Transitional Height. Utilization of Tier 3 Transitional Height requirements in which the project’s building height limit shall be stepped back at a 45-degree angle as

measured from the horizontal plane originated 25 feet above grade at the property line of the adjoining lots in the R1R3-RG and R1-1-HPOZ Zones;

4. Pursuant to LAMC Section 16.05, a Site Plan Review for a development project creating 50 or more residential units; and
5. Pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map (VTT-83358) to merge the existing four lots with Carling Way and to resubdivide the project site into two ground lots (Lot 1 – Mixed-Use Building with accessory uses; Lot 2 – Open Space) for condominium purposes. The applicant also requests the following actions from the Deputy Advisory Agency:
  - a. A Waiver of the Deputy Advisory Agency Parking Policy AA 2000-1 to allow a parking ratio of 0.5 spaces per unit (consistent with the TOC Guidelines), in lieu of two residential parking spaces and 0.25 parking spaces per condominium unit;
  - b. A yard designation to allow Lots 1 and 2 to be designated as through lots with front yards on South Highland Avenue and South Citrus Avenue; and
  - c. A haul route approval.

### **Public Comments**

The SCEA was released for public comment from April 14, 2022 to May 13, 2022. During the public comment period of the SCEA, the Department of City Planning received 15 written comments from members of the public and one agency comment. The public comments included notification of typographical errors and inconsistencies with several graphics found in the initial study, concerns related to noise impacts, traffic congestion, lack of parking, privacy between the northern adjacent single-family houses and the proposed project, the inadequate analysis of noise, air, hazardous materials, and public welfare impacts, and adequacy of the SCEA as the environmental clearance for the project. The agency comment was received from the California Department of Transportation (Caltrans) stating their gratitude in being a part of the environmental review process for the subject SCEA. Based on the SCEA, transportation impacts from the Project would be less than significant as the Project would not exceed thresholds for Vehicle Miles Traveled (VMT) or net daily trips to necessitate further VMT analysis and that the project meets the goals and policies of the Wilshire Community Plan Transportation Improvement and Mitigation Plan (TIMP).

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 decision maker at a later date.

### **Mitigation Measures**

As described in the SCEA, 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. In addition, the SCEA also considers suggested mitigation measures in the Wilshire Community Plan TIMP. An analysis of the SCAG and Wilshire TIMP mitigation measures that are applicable to the Project is provided in Section III. Sustainable Communities Environmental Assessment Eligibility and Appendix A. Applicable Mitigation Measures of the SCEA.

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. The following mitigation measures were identified for the Project:

### Geology and Soils

#### *MM-GEO-1*

In the event that paleontological resources are unearthed during ground-disturbing activities, the City of Los Angeles Department of Building and Safety will be notified immediately, and all work will cease in the area of the find until a qualified paleontologist evaluates the find. Construction activity may continue unimpeded on other portions of the Project site. The paleontologist shall determine the location, the time frame, and the extent to which any monitoring of earthmoving activities shall be required. The found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in California PRC § 21083.2.

### Noise

#### *MM-NOI-1*

During the construction phase along the northern property line, the project shall employ construction control measures to reduce increases in ambient noise at the closest receptors by a minimum of 1 decibel Leq. Examples of employable measures include use of mufflers, sound barriers and reducing activity levels of construction of equipment. This specification shall be included on all construction documents to ensure compliance.

#### *MM-NOI-2*

During the construction phase along the northern property line, the project shall employ construction control measures to reduce increases in ambient noise at the closest receptors by a minimum of 12 decibels Leq. Examples of employable measures include use of mufflers, sound barriers and reducing activity levels of construction of equipment. This specification shall be included on all construction documents to ensure compliance.

### Cultural Resources

#### *MM-CUL-1*

The Applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for an archaeologist who shall be present during construction excavations such as grading, trenching, grubbing or any other construction

excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus fill soils, and the depth of excavation, and if found, the abundance and type of archaeological resources encountered.

#### *MM-CUL-2*

In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources unearthed by Project construction activities shall be evaluated by the archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. In the event the archaeological resources are prehistoric, the archaeological monitor shall coordinate with the Applicant and the City to retain a Native American Representative from the Gabrieleno/Tongva San Gabriel Band of Mission Indians tribe to help determine the appropriate treatment for the resources and whether Native American construction monitoring is warranted in the area of the find thereafter. If avoidance of the resource is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource from the Project Site.

#### Tribal Cultural Resources

#### *MM-TCR-1*

The Applicant shall retain a qualified archaeological monitor who meets the Secretary of the Interior's Professional Qualifications Standards for an archaeologist who shall be present during construction excavations such as grading, trenching, grubbing or any other construction excavation activity associated with the Project. The frequency of monitoring shall be determined by the archaeological monitor based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus fill soils, and the depth of excavation, and if found, the abundance and type of archaeological resources encountered.

#### *MM-TCR-2*

In the event that archaeological resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find. All archaeological resources unearthed by Project construction activities shall be evaluated by the archaeologist. The Applicant shall coordinate with the archaeologist and the City to develop an appropriate treatment plan for the resources if they are determined to be potentially eligible for the California Register or potentially qualify as unique archaeological resources pursuant to CEQA. In the event the archaeological resources are prehistoric, the archaeological monitor shall coordinate with the Applicant and the City to retain a Native American Representative from the Gabrieleno/Tongva San Gabriel Band of Mission Indians tribe to help determine the appropriate treatment for the resources and whether Native

American construction monitoring is warranted in the area of the find thereafter. If avoidance of the resource is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource from the Project Site.

### **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 and Actions for the City Council**

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-2021-3327-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 and the Wilshire Community Plan TIMP;

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

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning



DAVID WOON  
Planning Assistant

VPB:HB:EC:DW