



SECOND ADDENDUM

SunWest Project

Case Number: ENV-2015-2448-EIR
State Clearinghouse: 2015091003

Project Location: 5509-5529 W. Sunset Boulevard; 1505-1535 N. Western Avenue; and 5518 W. Harold Way, Los Angeles, California, 90028

Community Plan Area: Hollywood

Council District: 13 – O'Farrell

Revised Project Description: The SunWest Project included the demolition and removal of an existing commercial building and associated surface parking and the subsequent development of a six-story mixed-use building, with five stories of residential uses to be located above ground-floor commercial uses, podium parking levels, and two levels of subterranean parking, on a 2.22-acre site (Approved Project). Modifications to the Approved Project identified in a first Addendum (May 2020) included: increasing the amount of ground-floor commercial uses from 33,980 to 35,694 square feet; increasing the total number of residential dwelling units from 293 to 412 units; increasing the number of Very Low Income Restricted Affordable housing units from 25 to 61 units; increasing the building height from six to seven stories and from 80 to 95 feet; and increasing the number of levels of subterranean parking from two to three levels (Revised Project). This second Addendum further addresses minor changes to the Revised Project in regards to the commercial square footage, the number of residential levels, and the neighborhood traffic management plan mitigation measure.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

CAJA Environmental Services, LLC

APPLICANT

Metropolitan View Properties, LP

August 2020

1 INTRODUCTION

This document is the second Addendum to the Environmental Impact Report (EIR) prepared for the SunWest Project (Case No. ENV-2015-2448-EIR, State Clearinghouse No. 2015091003), which was certified by the City of Los Angeles (City) on May 3, 2018 (Certified EIR). The first Addendum (May 2020) analyzed proposed modifications (the Revised Project) to the SunWest Project approved in 2018 (the Approved Project). In accordance with the California Environmental Quality Act (CEQA), this second Addendum serves to further clarify the Revised Project's commercial square footage, the number of residential levels, and the neighborhood traffic management plan mitigation measure and demonstrates that all of the potential environmental impacts associated with the proposed modifications would be within the envelope of impacts already evaluated in the Certified EIR.

1.1 BACKGROUND

The City of Los Angeles (City) prepared an EIR pursuant to CEQA for the SunWest Project (Project) to assess potential environmental impacts of the Project, as described below. The EIR is comprised of two parts, the Draft EIR and the Final EIR. A Draft EIR was made available and circulated for public review and comment, pursuant to the provisions of CEQA, for a 46-day public review period from October 20, 2016 to December 5, 2016.¹ The Final EIR was released on January 26, 2018, and included responses to comments and text revisions to the Draft EIR based on input received.² The EIR concluded that with mitigation, all of the Project's environmental impacts would be less than significant, with the exception of a significant and unavoidable environmental impacts related to neighborhood traffic intrusion.

In May 2018, the City adopted the EIR and approved the Project. Subsequent to approval of the Project, the Project Applicant revised the project (Revised Project) and the City prepared an Addendum (May 2020) to the EIR to analyze impacts of the Revised Project. Further clarifications to the Revised Project are discussed further below.

1.2 CEQA AUTHORITY FOR AN ADDENDUM

CEQA establishes the type of environmental documentation required when changes to a project occur after an EIR is certified. Specifically, Section 15164(a) of the CEQA Guidelines states that:

The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162 of the CEQA Guidelines requires the preparation of a Subsequent EIR when an EIR has been certified or a negative declaration has been adopted for a project and one or more of the following circumstances exist:

¹ <https://planning.lacity.org/eir/sunwest/DEIR/DEIR%20SunWest%20Project.html>

² <https://planning.lacity.org/eir/SunWest/FEIR/FEIR%20SunWest%20Project.html>

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Likewise, California Public Resources Code (PRC) Section 21166 states that unless one or more of the following events occur, no Supplemental or Subsequent EIR shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis in this document, clarifications to the Revised Project would not result in any new significant impacts, nor would it substantially increase the severity of previously identified significant impacts. Rather, all of the impacts associated with clarifications to the Revised Project are within the envelope of impacts addressed in the Certified EIR and do not constitute a new or substantially increased significant impact. Therefore, the modifications resulting from the Revised Project do not meet the standards for a Supplemental or Subsequent EIR pursuant to CEQA Guidelines Section 15162 or PRC Section 21166.

2 PROJECT DESCRIPTION

2.1 PROJECT SUMMARY

2.1.1 Overview of Revised Project

The Revised Project, as analyzed in the first Addendum, includes a proposed mixed-use development including six stories of residential apartments above a podium level and three subterranean parking levels, 35,694 square feet of general commercial land uses (including 23,940 square feet of ground-floor market, 10,564 square-foot retail/restaurant, and a 1,190-square-foot leasing office), and three levels of subterranean parking. The Revised Project includes 412 dwelling units (176 studios, 163 1-bedroom units, and 73 2-bedroom units). Of the 412 dwelling units, 61 units would be Very Low Income Restricted Affordable housing units. The maximum height of the building would reach approximately 95 feet.

3 TECHNICAL CORRECTIONS AND CLARIFICATIONS

Text changes are noted as follows: deletions in ~~bold strikethrough~~ and additions in **bold underline**.

2.1 Minor Changes to the Commercial Square Footage

The first Addendum and related technical reports were based on a larger amount of commercial square footage (35,694 square feet). The Project Applicant has reduced the commercial square footage (34,759 square feet). The changes to the Project are shown in **Table 2-1**.

Table 2-1
Project Comparison

Characteristics	1 st Addendum (May 2020)	2 nd Addendum (August 2020)	Change
Commercial Uses (total)	35,694 sf (total)	34,759 sf (total)	-935 sf (total)
- Grocery Store	23,940 sf	22,978 sf	-962 sf
- Retail/Restaurant	10,564 sf	10,591 sf	+27 sf
- Leasing Office	1,190 sf	1,190	0
Addendum commercial uses were based on <u>Traffic Impact Analysis</u> , Overland Traffic Consultants, June 13, 2019. <u>Plans</u> , Withee Malcolm Architects, July 2, 2020			

Therefore, Page 4 of the first Addendum is revised as follows:

The Revised Project, as analyzed in this Addendum, includes a proposed mixed-use development including **seven** ~~six~~ stories of residential apartments above a podium level, **34,759** ~~35,694~~ square feet of general commercial land uses (including **22,978** ~~23,940~~

square feet of ground-floor market, **10,591** ~~10,564~~ square-foot retail/restaurant, and a 1,190-square-foot leasing office), and three levels of subterranean parking.

As noted previously, the first Addendum and related technical reports, including transportation assessment were based on the larger commercial square footage. The reduced commercial square footage would be within the envelope of impacts already evaluated. Therefore, the changes would not result in new or increased significant impacts beyond those already identified in the previously adopted EIR and the first Addendum.

No substantial changes would occur with respect to the circumstances under which the Revised Project would be undertaken which would result in new or substantially increased significant impacts beyond those already identified in the previously adopted EIR. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the EIR and first Addendum.

2.2 Clarification to the number of residential levels

This Addendum also clarifies the number of residential levels.

Page 4 of the first Addendum is revised as follows:

The Revised Project, as analyzed in this Addendum, includes a proposed mixed-use development including **seven** ~~six~~ stories of residential apartments above a podium level...

The height of the proposed building has not changed at 95 feet. This height was correctly noted in the first Addendum and correctly identified in Appendix A, Plans of the first Addendum. However, the number of residential levels was inadvertently identified as six stories rather than seven in the Addendum text. Correcting the number of residential levels would not result in increased impacts, including noise impacts. As described in the EIR and first Addendum, construction activities at above-grade elevations would utilize smaller equipment that generate substantially less noise than heavy equipment and diesel-powered construction vehicles that operate at or below grade.

Therefore, the Revised Project would not result in new or increased significant impacts beyond those already identified in the previously adopted EIR and Addendum.

No substantial changes would occur with respect to the circumstances under which the Revised Project would be undertaken which would result in new or substantially increased significant impacts beyond those already identified in the previously adopted EIR relative to utilities and service systems. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the EIR and first Addendum.

2.3 Clarification to the neighborhood traffic management plan mitigation measure

This Addendum also clarifies the neighborhood traffic management plan mitigation measure.

Page 119 of the first Addendum is revised as follows:

MM-Trans-3 Neighborhood Traffic Management (NTM) Plan

Prior to issuance of a Certificate of Occupancy ~~and after Project occupancy and implementation of Mitigation Measure MM-Trans-2 (TDM program)~~, the Project Applicant shall ~~prepare a~~ take the following actions in accordance with LADOT practice and protocol concerning the development of Neighborhood Traffic Management (NTM) Plan: ~~==~~

(a) identify proposed neighborhood traffic calming measures (which measures could include raised medians, traffic chokers, landscaping features, roadway striping changes street trees, sidewalk improvements, landscaping, neighborhood identification features, and pedestrian amenities),

(b) conduct a survey of traffic in the neighborhood at a time in accordance with LADOT protocol, and

(c) engage in outreach with Council District 13 and the neighborhood stakeholders to obtain their input as to the proposed measures. Within one year of Project occupancy (which shall mean when

(i) the proposed grocery market is operational or 50% of the other commercial space is occupied and

(ii) 50% the approved residential units are occupied),

The Project Applicant shall take the following actions in accordance with LADOT practice and protocol concerning the development of the NTM.

(d) ~~The Project Applicant shall~~ survey and monitor the traffic on Harold Way between Western Avenue and Wilson Place ~~to assess the level of Project impact. As substantiated (determined by LADOT), the Project Applicant shall coordinate with LADOT, Council District 13, and neighborhood stakeholders along the Harold Way between Western Avenue and Wilton Place to identify neighborhood traffic-calming measures.~~ in accordance with LADOT protocol to evaluate the Project's actual effect on neighborhood traffic,

(e) further refine the proposed calming measures, and

(f) engage in further outreach with Council District 13 and the neighborhood stakeholders so a vote is taken on the measures by the neighborhood stakeholders.

Within one year after said vote, the Project Applicant shall submit the necessary plans and applications to obtain the necessary permits and approvals to implement the traffic calming measures that are supported by a plurality of the voting neighborhood stakeholders.

The Project Applicant shall be responsible for implementing any measures approved by LADOT and supported by stakeholders, **including obtaining approval of the measures through the Bureau of Engineering's B-Permit process. Since traffic calming measures are not susceptible to a quantitative performance standard, the measures shall be determined by the plurality vote of the neighborhood stakeholders.**

Based on expert evidence, implementation of the appropriate traffic calming measures should cost up to \$100,000. The Project Applicant shall deposit a letter of credit in the amount of \$100,000 with the City prior to the issuance of the first building permit for the Project, which letter of credit shall be released in favor of the Applicant upon posting the required bond pursuant to the City's B-Permit process.

~~The Project Applicant shall be responsible for conducting any engineering evaluation of the potential neighborhood traffic-calming measures (for example: street trees, sidewalks, landscaping, neighborhood identification features, pedestrian amenities, etc.) that could be required to determine feasibility regarding drainage, constructability, street design, etc.~~

~~It shall be the Applicant's responsibility to implement any approved NTM measures through the Bureau of Engineering's B-Permit process.~~

The first Addendum recommended that similar to the Approved Project, the Revised Project would be required to implement **Mitigation Measure K-3**, a neighborhood calming program, to mitigate neighborhood traffic impacts. The measure would require installing speed humps or other traffic calming measures along Harold Way between Western Avenue and Wilton Place, subject to the approval procedures of LADOT and in consultation with the neighborhood. However, this mitigation would not reduce the impact to a level that is less than significant. No other feasible mitigation measures to further reduce the Project's impact on Harold Way are known at this time. Therefore, similar to the Approved Project, the Revised Project's neighborhood intrusion impacts would remain significant and unavoidable.

Mitigation Measure K-3 has been modified to provide more detailed milestones for implementation and to provide certainty to the Applicant, LADOT, and community. The mitigation measure remains as effective as the prior version.

Therefore, modifications to the mitigation measure for the Revised Project would not result in new or increased significant impacts beyond those already identified in the previously adopted EIR and first Addendum.

No substantial changes would occur with respect to the circumstances under which the Revised Project would be undertaken which would result in new or substantially increased significant impacts beyond those already identified in the previously adopted EIR relative to transportation. Therefore, there are no new circumstances involving new significant impacts or substantially more severe impacts than what was analyzed in the EIR and first Addendum.

4 CONCLUSION

Based on the above, the Revised Project will not result in any of the conditions set forth in PRC Section 21166(c) or CEQA Guidelines Sections 15162 or 15163 that would require the preparation of a Supplemental or Subsequent EIR. Specifically, the information included in this Addendum does not disclose any project changes or circumstances involving new significant impacts or a substantial increase in the severity of an impact already identified in the Draft EIR, nor does it contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible alternative or mitigation measure that the Applicant has declined to adopt. All of the information added in this Addendum merely clarifies, corrects, adds to, or makes insignificant modifications to information in the EIR and first Addendum. The City has reviewed the information in this Addendum and has determined that it does not change any of the basic findings or conclusions of the EIR.