

City of West Hollywood

**8555 Santa Monica
Boulevard Mixed-Use
Project**

Draft
**Environmental
Impact Report**



July 2017

8555 Santa Monica Boulevard Mixed-Use Project

Draft Environmental Impact Report SCH# 2013041041

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8555 Santa Monica Boulevard Mixed-Use Project

Draft

Environmental Impact Report

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EXECUTIVE SUMMARY

This section summarizes the characteristics of the proposed project and the project alternatives, the environmental impacts associated with the project and alternatives, and required and recommended mitigation measures.

PROJECT SYNOPSIS

Lead Agency

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Project Applicant

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Project Location

The project site is located at 8555 Santa Monica Boulevard in the City of West Hollywood. The project site encompasses 55,138 square feet (sf) (approximately 1.27 acres) and includes five parcels (APNs: 4339-005-010, 4339-005-011, 4339-005-012, 4339-005-013, and 4339-005-025). Figure 2-1 in Section 2.0, *Project Description*, shows the location of the site within the region and Figure 2-2 shows the site location within West Hollywood.

Project Description

A detailed description of the proposed project is included in Section 2.0, *Project Description*. The key characteristics of the proposed project are summarized below.

Project Characteristics

The proposed project would involve the demolition of the three existing two-story commercial structures (approximately 27,338 square feet) as well as three existing one-story single-family residences and surface parking areas, and the construction of a mixed-use development on the same site (see Figure 2-7 in Section 2.0, *Project Description*). Detailed floor plans, building elevations and landscaping plans are provided in Appendix B. The proposed project would be 55 feet in height and would include 97 apartment units (15 of which would be designated as affordable housing), 2,820 sf of restaurant and cafe uses, 16,673 sf of live/work use (12 units), 15,678 sf of retail space, a 3,718 sf hair salon, and 6,079 sf of creative office space. Commercial uses would be on the first floor and partially on the second floor. Residential units would be on



levels 2, 3, 4, and 5. Apartment units would range in size between 461 and 1,863 square feet (not including patios and balconies).

The project also includes three levels of parking with 337 vehicle parking spaces (which includes 1 additional space beyond City requirements) and 35 bicycle parking spaces. One level of the parking structure would be fully subterranean. The first floor and mezzanine parking levels would be partially subterranean.

Consistency with Zoning Ordinance and General Plan Requirements

The larger 42,164-square-foot portion of the project site is zoned and has a General Plan land use designation of CC1 and the smaller 12,874 -square-foot portion of the project site is zoned and has a General Plan land use designation of R4B. The area zoned R4B would only contain residential uses and would not include the retail or restaurant uses associated with the project. Because the project spans numerous legal lots, a lot tie is required to hold the lots together as one parcel for the purpose of creating a single building site. The resulting building site would have split zoning which is allowed in the West Hollywood Zoning Ordinance.

The proposed project would meet the requirements of Senate Bill (SB) 1818 (California Government Code Section 65915 et seq.), the State law that provides for density bonuses and incentives for projects that include affordable housing, and the City of West Hollywood's inclusionary housing ordinance by providing at least 20% of the baseline units as affordable housing. The proposed project includes 82 market rate rental units and 15 affordable rental units (7 very low-income and 8 moderate-income). Accordingly, the project is eligible for a 35% density bonus.

The applicant is also seeking height and FAR bonuses based on the proposed mixed-use nature of the project in accordance with the Mixed-Use Development Overlay Zone, a FAR bonus for the provision of affordable housing pursuant to Section 19.22.050 of the West Hollywood Municipal Code and SB 1818, and a FAR bonus available to mixed-use projects that achieve a minimum of 90 points on the West Hollywood Green Building Point System Table.

Building Architecture and Design

The proposed building would be a contemporary style building. The building is designed to include a system of horizontal and vertical layers and a framing system intended to break up the building's massing and de-emphasize the building's height. Materials used for the building's façade would include concrete, parklex wood, plaster, painted corrugated metal, and painted perforated metal screens.

Open Space

The proposed project includes common and private open space per City of West Hollywood Municipal Code requirements. In total, the proposed project would have the required 2,000 sf of common open space, with an additional 2,785 sf of open space, and approximately 20,987 sf of private open space. The first floor of the building would include an approximately 26-footwide public plaza intended for planters and a water feature. Each residential unit would include a minimum of 120 square feet of open space either in the form of a patio or balcony. The second floor of the building (the first floor of the residential space) would include all 2,000 sf of



common open space that would consist of courtyards, a pool, a residential lobby, and a recreation room. In addition, the roof top would include a hot tub with a seating area and sundeck.

Landscaping

The proposed project would include landscaping along the building façade of Santa Monica Boulevard, on the sidewalks along Santa Monica Boulevard and West Knoll Drive, in the proposed first-floor plaza, in common open space areas, and on the roof. The eight existing Chinese Elm trees along Santa Monica Boulevard and three of the eight landscape trees along West Knoll Drive would remain. Two additional street trees (*Ulmus parviflora*) would be planted along Santa Monica Boulevard. Two trees on the sidewalk along West Knoll Drive would be removed in order to make space for the driveway entrance. Three additional landscape trees would be planted along West Knoll Drive that would match the existing landscape trees. The proposed project would involve a “green” or “sustainable” roof with solar panels covering a substantial portion of the roof top, two landscaped areas, a spa and sundeck, and mechanical equipment integrated in the roof top design.

Site Access, Parking, and Loading Areas

Vehicular site access would be provided by two driveways - one driveway on Santa Monica Boulevard and one on West Knoll Drive (see Appendix B, site plans and elevations for depictions of driveways, site access, parking areas, and loading areas). Primary commercial access to the project site would be from Santa Monica Boulevard and residential access would be both from Santa Monica Boulevard and West Knoll Drive. The Santa Monica Boulevard driveway would be approximately 232 feet west of West Knoll Drive and the West Knoll driveway would be approximately 111 feet north of Santa Monica Boulevard. The driveways would serve both inbound and outbound traffic. Both driveways would be right-turn-out only driveways and both driveways would allow both left and right turns into the project site.

Parking would be provided on three levels: the subterranean level, first level, and mezzanine level. All parking areas would be enclosed. The subterranean level would include a waterproofing system which would prevent water intrusion into the building. The first floor would provide 75 total parking spaces. This would include 28 single parking stalls (including 2 Americans with Disabilities Act (ADA) accessible stalls) for commercial uses, 3 single parking stalls and 44 parking stalls in tandem for live/work uses. The subterranean level would provide 159 total parking spaces. This would include 95 parking stalls (53 single and 42 in tandem) for commercial uses (including 4 ADA), 12 parking stalls for live/work uses (6 single and 6 in tandem), 51 parking stalls (11 single stalls and 40 stalls in tandem) for residential uses (including 1 ADA), and one extra single space. A roll-up gate would prevent commercial parking in the residential parking area. The mezzanine level would provide residential parking only and would include 103 parking stalls (29 single stalls and 74 stalls in tandem) including 2 ADA accessible spaces. This level would be accessed by the driveway on West Knoll Drive. The mezzanine level is in between the first floor and second floor.

The loading area, serving all uses on the project site, would be accessed from Santa Monica Boulevard. Trucks would enter the Santa Monica Boulevard driveway and then reverse into the loading area.



Utilities

Electricity would be provided by Southern California Edison, solid waste and wastewater service would be provided by the City of West Hollywood, water service would be provided by the Los Angeles Department of Water and Power. The proposed project would connect to existing sewer and water lines in Santa Monica Boulevard, West Knoll Drive, and on the north side of the property.

The proposed project would involve bio-treatment best management practices (BMPs) in order to meet the City's Low Impact Development (LID) requirements. The proposed project includes raised planters and landscaped areas (mentioned previously) that would be designed to treat stormwater runoff. Stormwater runoff from upper floors would be diverted to the second-floor planters and the landscaped area in the northern part of the project site along West Knoll Drive for filtration. Runoff would be diverted to existing storm drain facilities along West Knoll Drive and Santa Monica Boulevard.

Green Building Features

The proposed project includes solar panels, would use energy efficient systems and incorporates environmentally-friendly materials in order to conform to the City of West Hollywood's Green Building Program. The proposed project would include a green roof system and would include drought-tolerant landscaping.

Grading and Construction

Project construction is estimated to last approximately 22 months. The proposed project would require the export of approximately 49,800 cubic yards of earth material. Assuming an average truck load of 16 cubic yards, approximately 3,113 round trip truckloads would be needed to export the material. Hauling is estimated to occur over a period of approximately four months.

Project Objectives

The objectives of the proposed project are to:

- *Provide additional housing opportunities and contribute to the residential development of mixed-use areas by incorporating residential uses into an existing core of nearby community facilities, employment centers, retail goods and services, and restaurants to enhance the area's overall urban character.*
- *To provide rental housing to satisfy the varying needs and desires of all economic segments of the community, including low and moderate-income households, maximizing the opportunity for individual choices, and contributing to the City of West Hollywood's housing stock.*
- *Develop the site in accordance with the City of West Hollywood policies and designations while furthering the goals and objectives of the General Plan.*
- *Create a consistent pattern of development and uses along Santa Monica Boulevard that serve project residents and the surrounding community by redeveloping an underutilized site.*



- *Create a modern, high-quality, multi-use development that offers unique living experiences while promoting an active pedestrian environment and access to restaurant and retail uses in the area.*
- *Enhance pedestrian activity along Santa Monica Boulevard by providing street-level, street-facing retail and restaurant uses along Santa Monica Boulevard.*
- *Provide housing and retail near alternative means of transportation, and provide sufficient on-site parking for the project.*
- *Expand the economic base of the City, maintain economic vitality, and foster the City's fiscal health by, among other things, providing for commercial and retail activities which generate substantial sales and property tax revenue.*
- *Promote the efficient use of water and energy through incorporation of water and energy conservation measures.*

ALTERNATIVES

As required by CEQA, the EIR examines a range of alternatives to the proposed project. The alternatives, described and evaluated in Section 6.0, include the following:

- *Alternative 1: No Project*
- *Alternative 2: Existing Zoning (No Affordable Housing or Mixed Use Bonus)*
- *Alternative 3: Reduced Density Project (No Affordable Housing Bonus)*
- *Alternative 4: Boutique Hotel*
- *Alternative 5: No Subterranean Parking*
- *Alternative 6: Reduced Density on R4 Lots (No Affordable Housing Bonus on R4 Lots)*
- *Alternative 7: Modified Project*

The No Project Alternative would be the overall environmentally superior alternative, but would not achieve the basic project objectives. Among the development options, Alternative 6 (Reduced Density on R4 Lots) and Alternative 7 (Modified Project) would be environmentally superior to the proposed project. These alternatives would have higher trip generation than the proposed project. However, they would also involve a modified access scheme to allow left turns in and out of the driveway on West Knoll Drive. This new access scheme would affect how trips are distributed on the local roadway network and reduce the number of trips through the intersection of Hancock Avenue and Holloway Drive, thus eliminating the significant and unavoidable impact at that intersection under future (2019) conditions in the PM peak hour. Alternatives 6 and 7 would involve slightly higher air and GHG emissions, traffic noise, and wastewater generation than the proposed project. Nonetheless, these impacts would remain less than significant, the same as the proposed project. These alternatives would not avoid the significant and unavoidable construction noise impact. Alternatives 6 and 7 would meet all the objectives of the proposed project, although Alternative 6 would provide three fewer affordable housing units than the proposed project and thus would not achieve Objective 2 to the same extent as would the proposed project.



SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, recommended mitigation measures (if any), and the level of significance after mitigation. Class I impacts are defined as significant, unavoidable adverse impacts which require a statement of overriding considerations to be issued per CEQA Guidelines § 15093 if the project is approved. Class II impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and which require findings to be made under Section 15091 of the State CEQA Guidelines. Class III impacts are considered less than significant impacts. Class IV impacts are those for which the project's impact would be beneficial.

**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
AIR QUALITY		
Impact AQ-1 Project construction would generate temporary increases in localized air pollutant emissions. Such emissions may result in temporary adverse impacts to local air quality, but are below SCAQMD thresholds. Therefore, air quality impacts associated with construction activities would be Class III, less than significant.	None required.	Less than significant without mitigation.
Impact AQ-2 Operation of the proposed project would generate air pollutant emissions, but emissions would not exceed SCAQMD operational significance thresholds. Therefore, long-term regional air quality impacts would be Class III, less than significant.	None required.	Less than significant without mitigation.
Impact AQ-3 Project-generated traffic could incrementally increase localized carbon monoxide (CO) levels. However, because the increase in CO levels at study area intersections as a result of the proposed project would not cause an exceedance of state or federal CO standards, this impact would be Class III, less than significant.	None required.	Less than significant without mitigation.
BIOLOGICAL RESOURCES		
Trees that could contain nesting birds are located on the project site and would be removed during construction. Therefore, the proposed project has the potential to affect nesting birds if construction occurs during the nesting season. Impacts would be Class II, significant but mitigable. (<i>See Initial</i>	BIO-1 Nesting/Breeding Native Bird Protection. To avoid impacts to nesting birds, including birds protected under the Migratory Bird Treaty Act, all initial ground disturbing activities shall be limited to the time period between August 31 and January 31 (i.e., outside the nesting season) if feasible. If initial site disturbance, grading, and vegetation removal cannot be conducted during this time period, a pre-construction survey for	Less than significant.



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<i>Study, Appendix A).</i>	active nests within the project site shall be conducted by a qualified biologist at the site no more than two weeks prior to any construction activities. If active nests are identified, species specific exclusion buffers shall be determined by the biologist, and construction timing and location adjusted accordingly. The buffer shall be adhered to until the adults and young are no longer reliant on the nest site, as determined by the biologist. Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing. Construction personnel shall be instructed on the sensitivity of the area.	
GEOLOGY AND HYDROLOGY		
<p>Impact GEO-1 Seismically-induced ground shaking could cause liquefiable sediments to lose supporting strength and liquefy, resulting in loss of property or risk to human health and safety. The geotechnical evaluation performed for the proposed project includes mitigation measures to prevent soil-related hazards from adversely affecting the proposed structure. In addition, the proposed project would be required to comply with California Building Code (CBC) requirements. Impacts would be Class II, less than significant with mitigation incorporated.</p>	<p>GEO-1 The following foundation design considerations related to soil engineering, which are also included in Section 7.1 of the 2011 geotechnical report prepared by GeoDesign, Inc. and updated in the 2014 report addendum, must be incorporated into the proposed project grading and building plans, revised as needed for compliance with current California Building Code (CBC). Design and construction of the building shall be engineered to withstand the expected ground acceleration and potential liquefaction that may occur at this site. These include, but are not limited to:</p> <ul style="list-style-type: none"> • Foundation Design. The proposed structure shall be supported on a mat foundation system bearing in the underlying dense native soils, and designed using an allowable bearing pressure of 6,000 pounds per square foot and a subgrade modulus of reaction equivalent to 300 pounds per square inch. Lateral loading must be designed to withstand a passive pressure of 300 pounds per square foot per foot of embedment where the concrete is put directly against the undisturbed native dense soils. A coefficient of friction of 0.3 shall be used to calculate resistance to sliding for footings bearing on native soils. The lateral bearing pressure described in the geotechnical report takes into consideration the hydrostatic pressure generated if the groundwater table rises to its historic high. Any changes to the building or foundation design that result in changes to the foundation load shall be provided to a City-approved geotechnical engineer for their evaluation and approval. <p>Further, the construction shall comply with applicable provisions of the current CBC. The design of the foundation shall be reviewed and approved by the City Engineer prior to the issuance of the building permit.</p>	Less than significant.
<p>Impact GEO-2 The proposed project would require the excavation into an existing hillside. Landslides or slope failure could occur. With implementation of mitigation measures</p>	<p>GEO-2 Geotechnical Recommendations for Foundation Construction. The applicant shall comply with all recommendations contained in the 2011 geotechnical report and 2014 addendum to the report prepared for the project site by GeoDesign, Inc. These</p>	Less than significant.



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<p>contained in the geotechnical report and mandatory compliance with CBC requirements, impacts would be Class II, less than significant with mitigation incorporated.</p>	<p>include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • <u>Shoring Design</u>. All recommendations presented in the geotechnical report pertaining to the shoring design considerations shall be followed. Soldier piles, lagging, and tie backs shall be designed to withstand the earth pressure resulting from adjacent soils, traffic loading, and temporary equipment used to excavate the slopes and drive the shoring. For soldier piles driven below the groundwater table, special provisions shall be followed to ensure that caving is minimized. The shoring contractor shall provide its design to a City-approved geotechnical engineer for review and comment prior to commencement of shoring. Lagging deflection and tie back resistance strength shall be measured in the field to ensure that these features are able to withstand the earth pressures that they will undergo. • <u>Foundation Observations</u>. All foundation excavations shall be observed by a City-approved geotechnical engineer to verify penetration into the recommended bearing materials. The observation shall be performed prior to the placement of reinforcement. All foundation pile excavations shall be performed under the continuous observation by City-approved geotechnical engineer to verify penetration into firm undisturbed natural soils. Foundations shall be deepened if necessary to extend into satisfactory soils, or proper compaction shall be performed to ensure that the foundation slab is built upon dense compact material. Foundation excavations shall be cleaned of all loose soils prior to placing steel and concrete. Any required foundation backfill shall be mechanically compacted, flooding is not permitted. • <u>Construction Monitoring</u>. Compliance with the design concepts, specifications or recommendations during construction requires review by City-approved geotechnical engineer. All foundations shall be observed by a city-approved geotechnical engineer prior to placing concrete or steel. Any fill which is placed shall be observed, tested, and verified if used for engineering purposes. It is the responsibility of the contractor to ensure that all excavations and trenches are properly sloped or shored. All temporary excavations shall be cut and maintained in accordance with applicable OSHA rules and regulations. <p>Recommendations contained in the geotechnical report shall be reviewed and approved by the Community Development Department and incorporated into final grading and structural design plans, as deemed</p>	



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	appropriate by the Community Development Department. In addition, all onsite structures shall be required to comply with applicable provisions of the California Building Code.	
<p>Impact GEO-3 The lowest proposed finished floor level of the structure would be located below the historic high groundwater level and provisions to resist resulting hydrostatic pressures would be required. Permanent dewatering is not required, but waterproofing will be required. Temporary dewatering may be needed during construction, which could affect the local groundwater table and result in the discharge of potentially contaminated groundwater. However, with implementation of mitigation measures, impacts would be Class II, less than significant with mitigation incorporated.</p>	<p>GEO-3(a) Groundwater Monitoring. A groundwater well shall be installed at the project site prior to construction to determine the location of groundwater. If groundwater would be encountered during construction and dewatering would be needed, than Mitigation Measure GEO-3(b) would be required.</p> <p>GEO-3(b) Dewatering Plan. If dewatering occurs during construction then a dewatering plan shall be prepared by the applicant and presented to the City Engineer for review and approval. The dewatering plan shall identify the groundwater flow rate, groundwater capture zone, and means of discharge of groundwater. Proper permits for the discharge of the water shall be obtained and approved by the appropriate regulatory oversight agency and included in the dewatering plan. If contaminated groundwater is encountered during dewatering, then contaminated groundwater should be removed in accordance with applicable regulatory requirements. The dewatering plan shall describe the operation and maintenance tasks to be performed and identify who will be responsible for the operation, maintenance, and permit compliance obligations. If the discharge of groundwater is to be done through the sanitary sewer, then the proper connections to the sewer shall be designed and depicted on the plans. If the groundwater is to be discharged into the storm drain, all pipes and pumps shall be properly designed to manage the expected maximum flows and shall meet all construction requirements of the City of West Hollywood. Backup systems, if required, shall be included on the plans. A sufficient amount of area near the dewatering system shall be allocated in case filtration of contaminated groundwater is required after groundwater dewatering commences.</p>	Less than significant.
GREENHOUSE GAS EMISSIONS		
<p>Impact GHG-1 The project would generate short-term as well as long-term GHG emissions. These emissions would incrementally contribute to climate change. However, the proposed project is consistent with applicable plans and policies adopted for the purpose of reducing GHG emissions, including SB 375 and the City of West Hollywood Climate Action Plan and Green Building Ordinance. Impacts would therefore be Class III, less than significant.</p>	None required.	Less than significant without mitigation.



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
LAND USE AND PLANNING		
<p>Impact LU-1 The proposed project would be consistent with the City's General Plan and Zoning Ordinance. Impacts related to consistency with plans, policies, and regulations would therefore be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
NOISE		
<p>Impact N-1 Project construction would intermittently generate high noise levels and groundborne vibration on and adjacent to the site. This would affect existing noise-sensitive receptors near the project site. Therefore, impacts would be Class I, significant and unavoidable.</p>	<p>N-1(a) Staging Area. The contractor shall provide staging areas onsite to minimize off-site transportation of heavy construction equipment. These areas shall be located to maximize the distance between activity and sensitive receptors. This would reduce noise levels associated with most types of idling construction equipment.</p> <p>N-1(b) Diesel Equipment Mufflers. All diesel equipment shall be operated with closed engine doors and shall be equipped with factory- recommended mufflers.</p> <p>N-1(c) Electrically-Powered Tools and Facilities. Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.</p> <p>N-1(d) Construction Notice. Two weeks prior to the commencement of construction at the project site, notification shall be provided to the owners and tenants of residential properties located along West Knoll Drive between Santa Monica Boulevard and Westmount Drive, and the manager of the Ramada Plaza Hotel, disclosing the planned construction schedule, including the various types of activities and equipment that would be occurring throughout the duration of the construction period. This notification shall also provide a contact name and phone number for residents to call for construction noise related complaints. All reasonable concerns shall be rectified within 24 hours of receipt.</p>	<p>Significant and unavoidable with implementation of mitigation.</p>
<p>Impact N-2 Project-generated traffic has the potential to increase traffic-related noise on study area roadway segments under existing plus project and future plus project conditions. However, the change in noise levels would not exceed thresholds. Therefore, the effect of increased traffic noise on existing uses would be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<p>Impact N-3 Noise generated by existing traffic near the project site could expose new sensitive receptors to noise levels that exceed City standards. With compliance with California Building Code requirements, impacts would be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p>Impact N-4 On-site activities associated with project operation would generate noise levels that may periodically be audible to existing uses near the project site. On-site noise sources include stationary equipment such as rooftop ventilation and heating systems, deliveries, trash hauling, and general retail and restaurant activities. However, with adherence to the City of West Hollywood's Noise Ordinance, impacts would be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
TRANSPORTATION AND CIRCULATION		
<p>Impact T-1 Project construction activities and the associated truck trips and worker trips could temporarily interrupt the local roadway system. However, with development of the City-required Construction Mitigation Plan, impacts would be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant.</p>
<p>Impact T-2 The proposed project would generate an estimated 809 net new weekday average daily trips. This would incrementally increase traffic levels at study intersections under existing plus project conditions, but would not create an exceedance of significance thresholds. Therefore, impacts would be Class III, less than significant.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p>Impact T-3 The proposed project would add new traffic to study area intersections under cumulative plus project conditions. Project-generated trips would result in a significant impact at the Hancock Avenue and Holloway Drive intersection during the PM peak hour based on City of West Hollywood thresholds. Cumulative impacts would be Class I, significant and unavoidable.</p>	<p>No feasible mitigation measures have been identified for the intersection of Hancock Avenue and Holloway Drive.</p>	<p>Significant and unavoidable.</p>



**Table ES-1
 Summary of Significant Environmental Impacts,
 Mitigation Measures and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
Impact T-4 The proposed project would generate traffic that would use nearby residential streets. However, the amount of traffic added to these streets would not exceed established thresholds in existing plus project conditions. This is a Class III, less than significant, impact.	None required.	Less than significant without mitigation.
Impact T-5 The proposed project would generate traffic that would use nearby residential streets. However, the amount of traffic added to these streets would not exceed established thresholds in cumulative future plus project conditions. Cumulative impacts would be Class III, less than significant, impact.	None required.	Less than significant without mitigation.
Impact T-6 Traffic generated by the proposed project would incrementally increase traffic at the Congestion Management Program (CMP) intersection of Santa Monica Boulevard and La Cienega Boulevard under existing and future conditions and on nearby freeways. However, the increase in traffic would not exceed CMP thresholds. Therefore, impacts would be Class III, less than significant.	None required.	Less than significant without mitigation.
Impact T-7 The proposed project would not disrupt existing or planned transit, bicycle, or pedestrian facilities or conflict with applicable transit, bicycle or pedestrian plans or policies. Impacts to transit, bicycle, and pedestrian systems are Class III, less than significant.	None required.	Less than significant without mitigation.
UTILITIES		
Impact UTIL-1 The proposed project would generate an estimated 16,610 gallons of wastewater per day above existing conditions. The existing main sewer line along Santa Monica Boulevard and the Hyperion Treatment Plant has sufficient capacity to accommodate this increase in wastewater. Therefore, impacts would be Class III, less than significant.	None required.	Less than significant without mitigation.



1.0 INTRODUCTION

This document is a Draft Environmental Impact Report (EIR) for a proposed mixed-use project located at 8555 Santa Monica Boulevard. This section discusses: (1) the environmental impact report background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) issues found not to be significant; (5) lead, responsible, and trustee agencies; and (6) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed project is described in detail in Section 2.0, *Project Description*.

1.1 ENVIRONMENTAL IMPACT REPORT BACKGROUND

A Notice of Preparation (NOP) of an environmental impact report was distributed for a 30-day agency and public review period, along with an Initial Study, on April 12, 2013. The Initial Study concluded that the proposed project may have significant environmental impacts and that the City would prepare an EIR to address these impacts. The City held an EIR Scoping Meeting on April 22, 2013, at West Hollywood City Hall. Approximately 35 people attended the Scoping Meeting and the City received 20 letters in response to the NOP. The letters are listed and their content summarized in Table 1-1. At that time, issues brought up at the scoping meeting and in the scoping comment letters did not identify additional issue areas requiring EIR analysis beyond those previously identified in the Initial Study.

**Table 1-1
 Scoping Comments Received - April-May 2013**

Subject	Where Subject is Addressed in EIR
Aesthetics <ul style="list-style-type: none"> • Compatibility of scale, character, and height of building with neighborhood • Consistency with the West Hollywood streetscape plan. • Loss of scenic view of Hollywood Hills • Shade/shadow/solar access 	See Initial Study, Section I, <i>Aesthetics</i> (Appendix A), and Section 1.0, <i>Introduction</i>
Air Quality <ul style="list-style-type: none"> • Odors from restaurants, • Odors from smoking and barbequing on residential balconies • Construction and operational emissions • CO exhaust from enclosed parking areas • Emissions from hauling trucks 	See Initial Study, Section III, <i>Air Quality</i> (Appendix A) and Section 4.1, <i>Air Quality</i>
Geology/Hydrology <ul style="list-style-type: none"> • Geologic and hydrologic hazards at neighboring properties • High water table and water pumping • Earth movement from subterranean parking • Expansive soils • Subsidence and sink holes from groundwater removal • Earthquake and landslide 	See Initial Study Sections VI, <i>Geology and Soils</i> , and IX, <i>Hydrology and Water Quality</i> (Appendix A), and Section 4.2, <i>Geology and Hydrology</i>
Land Use <ul style="list-style-type: none"> • Compatibility of Transit Overlay District • Compatibility with lot zoned as residential with project 	See Initial Study, Section X, <i>Land Use and Planning</i> (Appendix A) and Section 4.4, <i>Land Use and Planning</i>
Noise <ul style="list-style-type: none"> • Construction equipment vibration • Noise from residential balconies and restaurants • Construction noise • Noise from mechanical systems on roof 	See Initial Study, Section XII, <i>Noise</i> (Appendix A) and Section 4.5, <i>Noise</i>



**Table 1-1
 Scoping Comments Received - April-May 2013**

Subject	Where Subject is Addressed in EIR
Population and Housing <ul style="list-style-type: none"> • Doubling size of neighborhood 	See Initial Study, Section XIII, <i>Population and Housing</i> (Appendix A)
Transportation/Circulation <ul style="list-style-type: none"> • Increased congestion • Traffic safety • General site access • Commercial vehicle access/loading/unloading • Emergency Access • Construction staging • Pedestrian safety • Parking • Connectivity to transit 	See Section 4.6, <i>Transportation and Circulation</i>
Utilities and Service Systems/Public Services <ul style="list-style-type: none"> • Landfills in LA County are closing, solid waste impacts • Wastewater generated by the project • Runoff from the project site • Fire and police protection 	See Initial Study, Section XVII, <i>Utilities and Service Systems</i> (Appendix A) and Section 4.7, <i>Utilities and Service Systems</i>
Cumulative impacts	Cumulative impacts are discussed at the end of each subsection of Section 4.0, <i>Environmental Impact Analysis</i>

Since 2013, the applicant added two residential lots to the project site (along West Knoll Drive) and revised the proposed project, also incorporating modifications based on neighborhood input. Compared to the original proposal, the revised project reduces the amount of restaurant and retail space (from 6,720 sf and 27,840 sf to 2,820 sf and 15,678 sf respectively), increases the number of live/work units (from five to twelve), adds creative office space (6,079 sf), adds a 3,718 sf hair salon, and reduces the number of driveways on West Knoll Drive from two to one. The revised project also increases the number of apartment units from 95 units to 97 units. The Initial Study was updated to reflect these revisions. The revised Initial Study, NOP, and NOP comment letters are presented in Appendix A.

In addition, a second scoping meeting was held on August 22, 2016 to review the revised project with community members. Approximately 25 people attended the meeting and six filled out comment cards. The comments/questions received for the project during this meeting are summarized in Table 1- 2.



**Table 1-2
 Scoping Comments Received - August 2016**

Subject	Where Subject is Addressed in EIR
<p>Aesthetics</p> <ul style="list-style-type: none"> • Building height? Will the building be taller than the Ramada? • Loss of natural light and sunlight • Light/glare generated by project 	<p>Specific height details are provided in Section 2.0, <i>Project Description</i>, and the potential impact associated with the building height is discussed in Section 4.4, <i>Land Use and Planning</i>. In addition, as discussed in Section I, <i>Aesthetics</i> in the Initial Study (Appendix A), the project is a mixed-use project on an infill site in a transit priority area. According to Senate Bill (SB) 743, “aesthetics... impacts of a residential, mixed-use, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.” Therefore, the EIR does not include an analysis of potential aesthetic impacts. Nonetheless, based on these comments, the potential loss of sunlight/solar access is discussed below in Section 1.4.1. In addition, the architectural features and mass and scale of the project were evaluated through the City’s design review process.</p>
<p>Air Quality</p> <ul style="list-style-type: none"> • AQ emissions from construction • Vehicle/long-term AQ emissions, diesel particulates emissions 	<p>See Section 4.1, <i>Air Quality</i>.</p>
<p>Biological Resources</p> <ul style="list-style-type: none"> • Concern about loss of tree canopy • Impacts to trees/landscaping from mold due to insufficient drainage 	<p>See Section 4.4, <i>Land Use and Planning</i>, regarding the loss of tree canopy. See Section IX, <i>Hydrology and Water Quality</i>, in the Initial Study (Appendix A) regarding potential impacts to trees/landscaping.</p>
<p>Geology/Hydrology</p> <ul style="list-style-type: none"> • Site development may cause hydrologic changes that would affect downgradient properties (south of Santa Monica Blvd) • Liquefaction/subsidence • Settlement at neighboring properties due to excavation, there are already subsidence issues • Impact to landscape on properties due to loss of groundwater 	<p>See Section 4.2, <i>Geology and Hydrology</i>.</p>
<p>Greenhouse Gas</p> <ul style="list-style-type: none"> • What criteria are used to define the proposed project as a “green building”? • Need to consider the State requirement for Zero Net Energy measures and consider effects of loss of sunlight/solar access at neighboring properties. 	<p>See Sections 2, <i>Project Description</i>, and 4.3, <i>Greenhouse Gas Emissions</i> regarding the project’s compliance with the City’s Green Building Ordinance. The City is working on developing a program and policies to implement the State’s Zero Net Energy (ZNE) goals; however, no requirements are currently in place. In addition, it is anticipated that the ZNE program and policies will apply to new residential construction consisting of single-family homes and multifamily developments of three stories or less. As such, the proposed project would not fall within this parameter. The potential loss of sunlight/solar access is discussed below in Section 1.4.1,</p>
<p>Hydrology</p> <ul style="list-style-type: none"> • Concern about loss of percolation • What happens to the displaced water that is pushed around the building onto neighboring properties? 	<p>See Section IX, <i>Hydrology and Water Quality</i>, in the Initial Study (Appendix A).</p>
<p>Land Use and Planning</p> <ul style="list-style-type: none"> • Concern about loss of green space • How do two new lots translate into the increase of units/sf • How does height/setbacks compare to neighboring properties/neighborhood compatibility? 	<p>See Section 4.4, <i>Land Use and Planning</i>.</p>



**Table 1-2
 Scoping Comments Received - August 2016**

Subject	Where Subject is Addressed in EIR
Transportation/Circulation <ul style="list-style-type: none"> • Accessing SM Blvd is already difficult • Impacts of moving vans/trash vehicles • West Knoll is a bottleneck, cars parked on both sides of the street • Left turns onto SM Blvd from La Cienega are difficult, and there's a short signal • Holloway traffic will worsen/already long queues, potential accident hazard • Concern about increased traffic, including from other nearby projects • Concern about lack of guest parking/street parking • Traffic on Westbourne – it's the only intersection with a signal, safety concern due to traffic speed • Concern about feasibility of right turn mechanism onto West Knoll • Preference for access from SM Blvd rather than West Knoll • Concern about generation of left turn onto West Knoll, removal of left turn into Ramada (farther from La Cienega) • Consider new left turn in traffic analysis • Can delivery/moving trucks access the site? • Where will delivery truck park? • Consider changes to parking restrictions on local streets • Parking permits can be obtained from sheriff – not tied to City system(day passes) • Concern about live/work employees (traffic and parking) 	See Section 4.6, <i>Transportation and Circulation</i> .
Utilities and Service Systems <ul style="list-style-type: none"> • Concern about landfills capacity and adequacy of infrastructure with all new development 	See Section XVII, <i>Utilities and Service Systems</i> , in the Initial Study (Appendix A).
Cumulative Impacts <ul style="list-style-type: none"> • Concern about density and adequacy of infrastructure with all new development 	See the cumulative impact analyses throughout Section 4.
Aging in Place <ul style="list-style-type: none"> • Does project comply with the “aging in place” requirements? 	The City’s “Aging in Place” Plan outlines guidelines for the City to create ordinances and incentivize elderly appropriate development in the City. No regulations have been adopted; therefore, the project would not conflict with the Plan.
Live/Work Units <ul style="list-style-type: none"> • Concern about potential impacts associated with the employees of the live/work units 	Residents of the project would be required to comply with the regulations outlined in WHMC 19.36.160 Live/Work Facilities. Section 4.6, <i>Transportation and Circulation</i> , accounts for the live/work units in the traffic analysis.
Impact of short-term rentals	Residents of the project would be required to comply with the regulations outlined in WHMC 19.36.331, which prohibits rentals of 30 days or less.



1.2 PURPOSE AND LEGAL AUTHORITY

The proposed project requires the discretionary approval of the City of West Hollywood Planning Commission. Therefore, it is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

This EIR has been prepared as a Project EIR pursuant to Section 15161 of the *CEQA Guidelines*. A Project EIR is appropriate for a specific development project. As stated in the *CEQA Guidelines*:

This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.

This EIR is to serve as an informational document for the public and City of West Hollywood decision-makers. The process will culminate with a Planning Commission hearing to consider certification of a Final EIR and approval of the proposed project.

1.3 SCOPE AND CONTENT

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues were found to include potentially significant impacts and have been studied in the EIR:

- *Air Quality*
- *Geology and Hydrology*
- *Greenhouse Gas Emissions*
- *Land Use and Planning*
- *Noise*
- *Transportation and Circulation*
- *Utilities*

Issue areas found to be less than significant and not studied in this EIR are discussed below in Section 1.4.

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and background documents prepared by the City. A full reference list is contained in Section 7.0, *References and Report Preparers*.

The alternatives section of the EIR (Section 6.0) was prepared in accordance with Section 15126.6 of the *CEQA Guidelines*. The alternatives discussion evaluates the CEQA-required “no project” alternative and four alternative development scenarios for the site.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The *CEQA Guidelines* provide the standard of adequacy on which this document is based. The *Guidelines* state:



An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (Section 15151)

1.4 ISSUE AREAS FOUND NOT TO BE SIGNIFICANT

The following issues on the environmental checklist were addressed in the Initial Study (Appendix A). As indicated in the Initial Study, there is no substantial evidence that significant impacts would occur in any of these issue areas. Therefore, further discussion of these issues in the EIR is not warranted.

1.4.1 Aesthetics

Senate Bill (SB) 743 was signed into law on September 27, 2013, after publication of the Initial Study. According to SB 743, which became effective January 1, 2014, "aesthetics...impacts of a residential, mixed-use, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment." Pursuant to Section 450.216 or 450.322 of the Code of Federal Regulations, a "transit priority area" is defined in as an area within one-half mile of an existing or planned major transit stop. A "major transit stop" is defined in Section 21064.3 of the California Public Resources Code as a 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.

The proposed project is a mixed-use project on an infill site in the City of West Hollywood. The project site is located with one-half mile (approximately 700 feet) from the intersection of Santa Monica Boulevard and La Cienega Boulevard. Santa Monica Boulevard is served by Metro Line 4 and Metro Rapid Line 704 and La Cienega Boulevard is served by Metro Line 105 and Metro Rapid Line 705. All these Metro Lines have a service interval of less than 15 minutes during the morning and afternoon peak commute periods. Therefore, the proposed project is within a transit priority area and meets the criteria of SB 743. As such, aesthetics impacts shall not be considered significant impacts on the environment.

Some aspects of the project related to aesthetics, such as the project's architectural design and detailing, landscaping, and the mass and scale of the project, were considered by the City as part of the Design Review Process in accordance with WHMC Sections 19.46.010 – 19.46.050. The proposed project was reviewed by the City's Design Review Subcommittee four times on September 13, 2012, June 12, 2014, January 22, 2015, and December 8, 2016. Recommendations provided by the Design Review Subcommittee were incorporated into the project including:

- Reducing the number of driveways on West Knoll Drive from two to one;
- Increasing the setback above the second floor on the elevation facing the Ramada Inn;



- Changing the accent color; and,
- Moving the mechanical equipment further away from the building's edge.

During the second scoping meeting held on August 22, 2016, a member of the public provided a comment stating their concern over the potential loss of sunlight/solar access at neighboring properties due to the proposed project. As such, shadow modeling was conducted and is presented in Figures 1-1a through 1-1d. The estimated summer solstice (June 21) shadows generated by the proposed project are illustrated in Figures 1-1a and 1-1b. Based on this modeling shown in these figures, shadows would not be cast onto neighboring uses. During the evening around 5:00 p.m., shadows would be cast onto the southeast corner of the commercial building directly east of the project site (on the northeast corner of West Knoll Drive and Santa Monica Boulevard). However, given that the shadows during this time would only affect the southeast corner of the building, the majority of the building would not be affected by the project. In addition, as the building is a commercial land use, no residences would be affected.

The estimated winter solstice (December 22) shadows generated by the proposed project are illustrated in Figures 1-1c and 1-1d. For most of the day in the winter months, shadows from the proposed project would be cast onto West Knoll Drive. In the morning hours, shadows would affect the lower south-facing portions of certain neighboring structures to the north but would not be cast onto the rooftops of these structures. For the commercial building directly east of the project site, shadows would be cast onto West Knoll Drive and would reach the commercial building in the afternoon, covering a substantial portion of the building by sunset; however, as this is a commercial use, no residences would be affected. Therefore, because shadows would not be cast onto light-sensitive uses for extended periods of time and would not completely cover any land uses, shadow impacts of the proposed project would be less than significant.

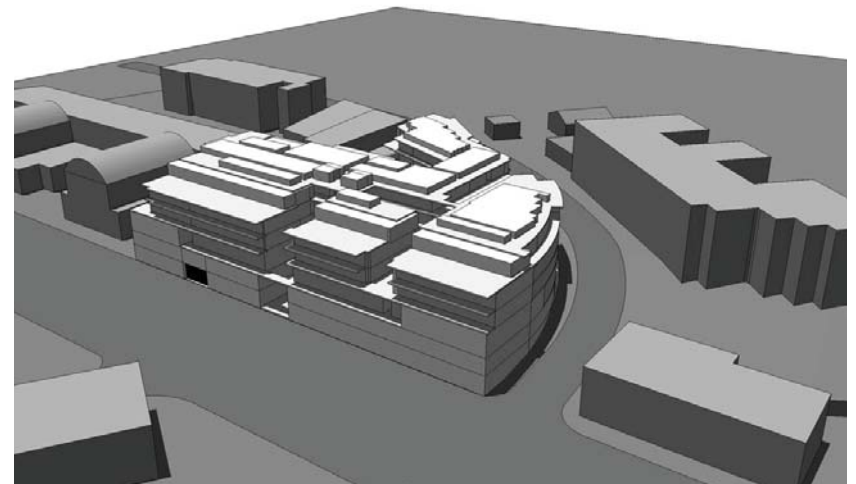
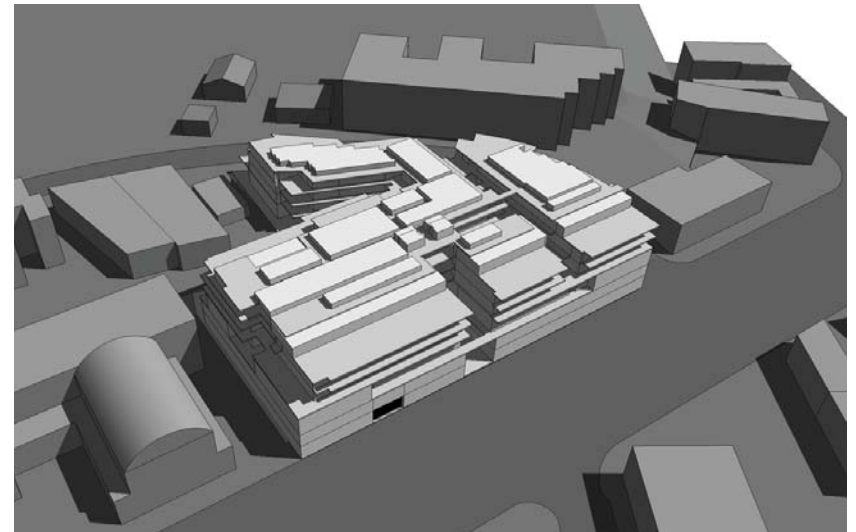
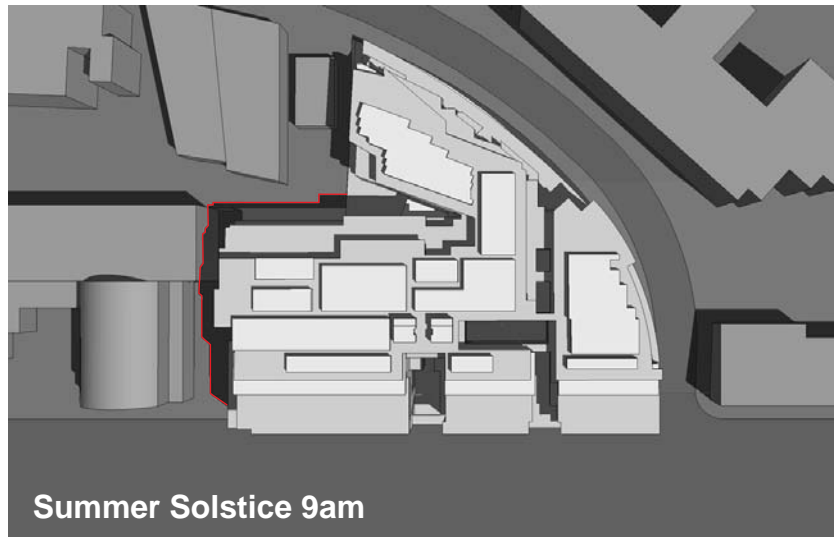
1.4.2 Agricultural and Forestry Resources

The project site is currently developed with commercial, residential, and parking uses. There are no agricultural activities onsite and the project site does not contain forestry resources. Implementation of the proposed project would not require conversion of farmland to non-agricultural uses or non-forestry resources. No impact would occur.

1.4.3 Biological Resources

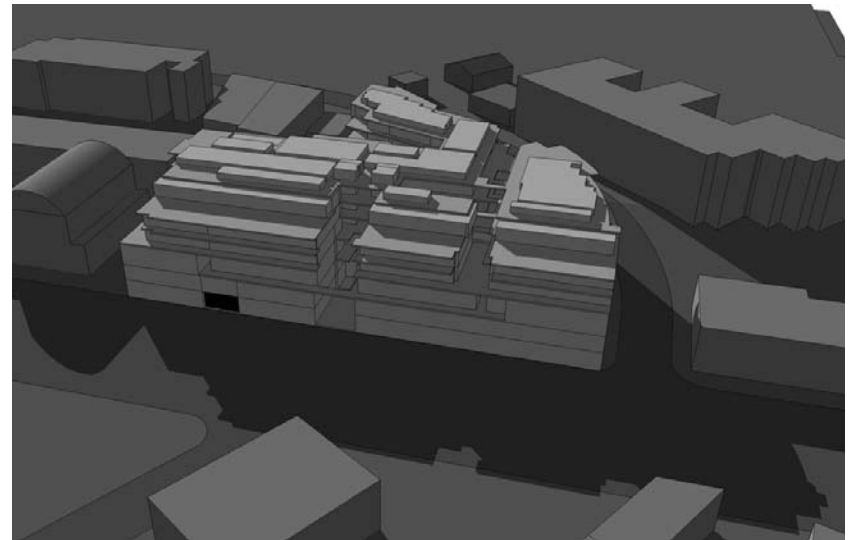
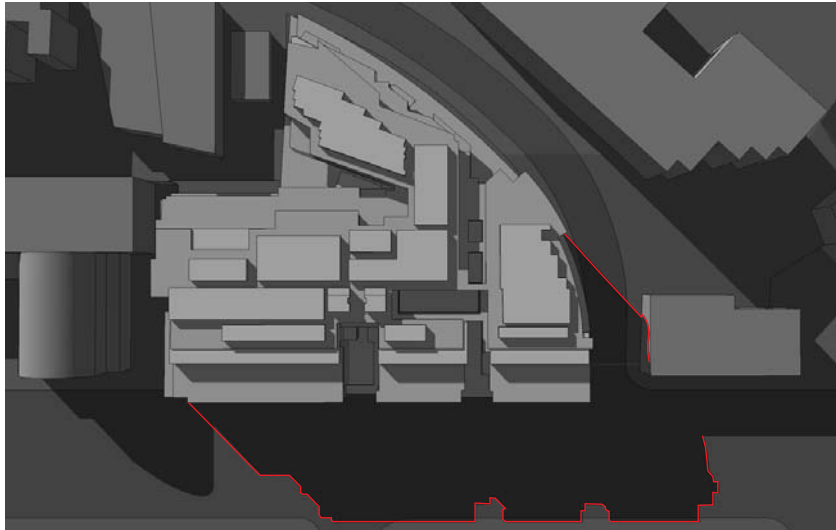
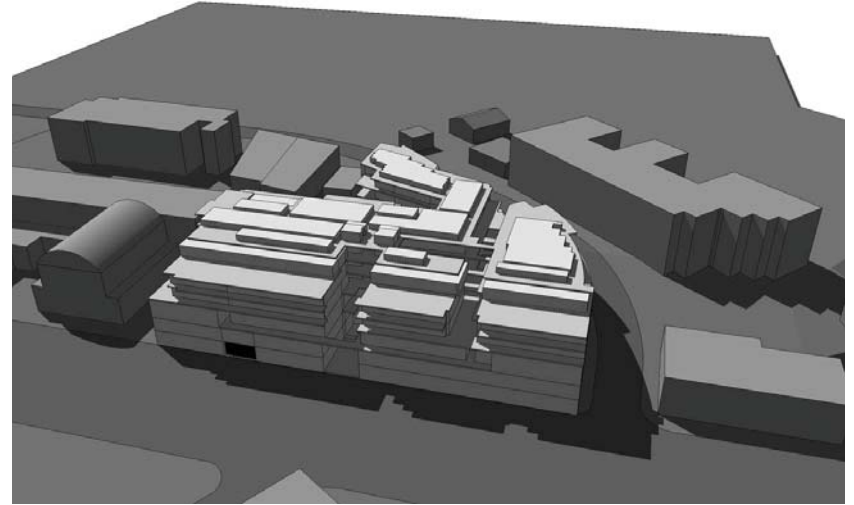
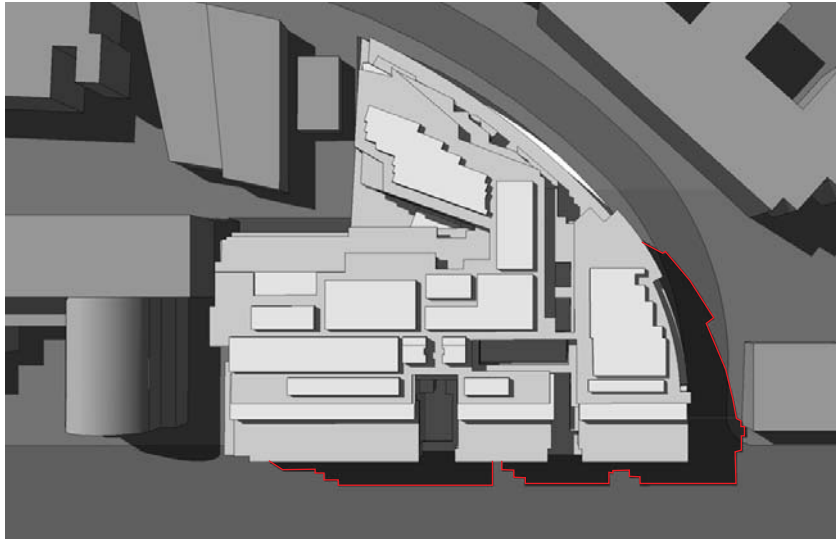
The project site does not contain riparian habitat or other sensitive natural communities, federally protected wetlands or waters of the U.S. or State. The project site is not located within or adjacent to a regionally significant wildlife movement corridor, nor does it contain identifiable local wildlife movement corridors (e.g., streams). The project site is not located within the boundaries of a Habitat Conservation Plan or Natural Community Conservation Plan area or other approved conservation plan area. The proposed project would involve removing trees that may contain nesting birds. However, with compliance with the Migratory Bird Treaty Act, impacts to nesting birds would not occur. No impact to biological resources would occur.





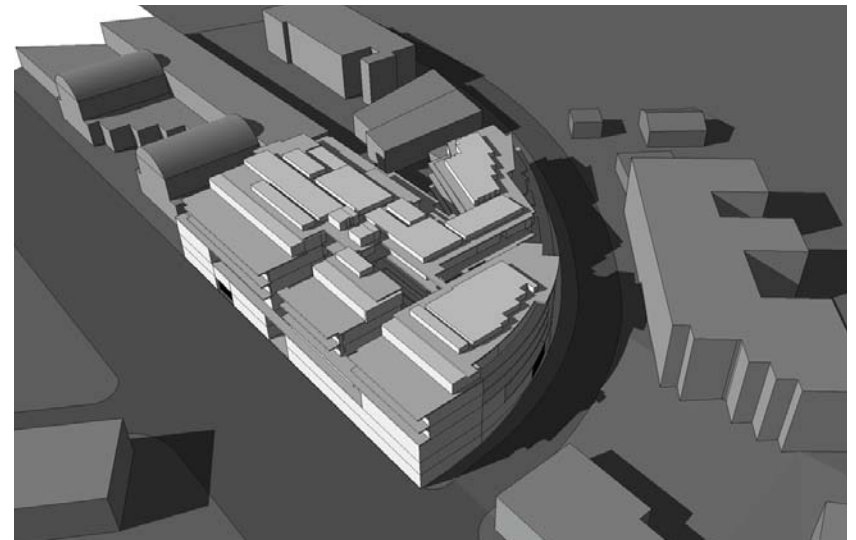
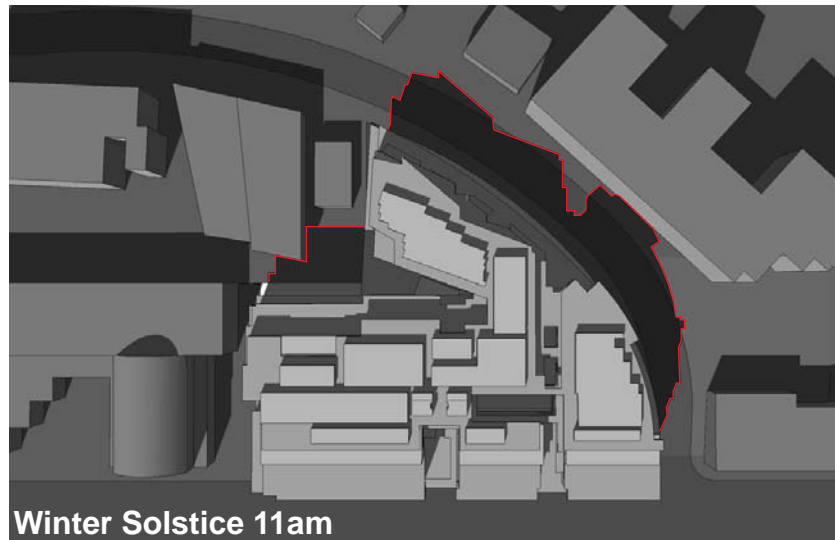
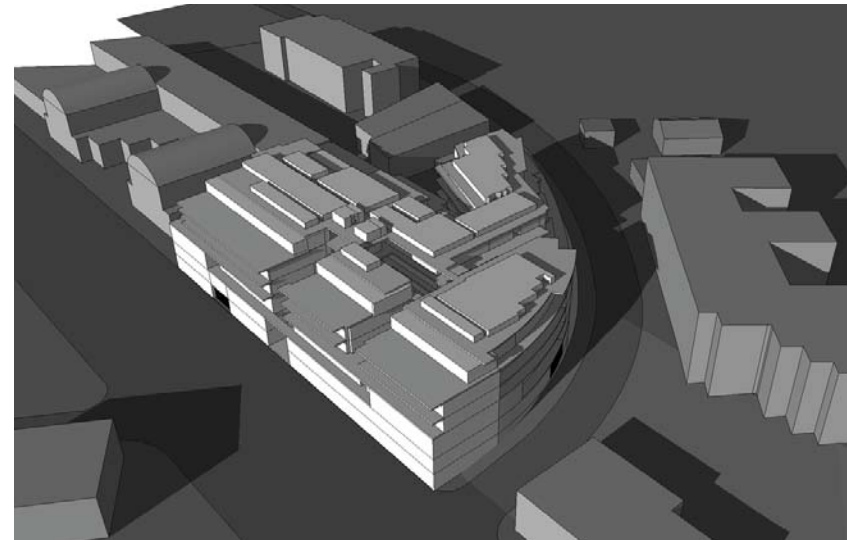
Shadow Modeling

Figure 1-1a
City of West Hollywood



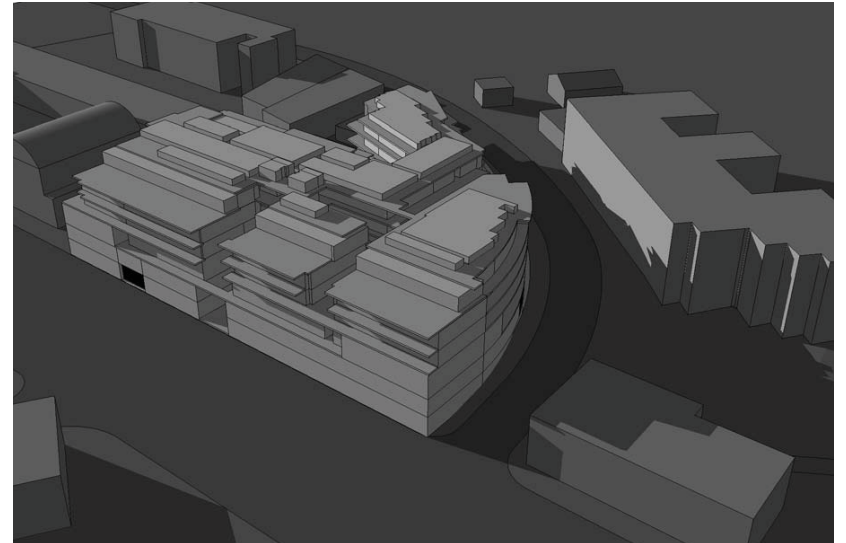
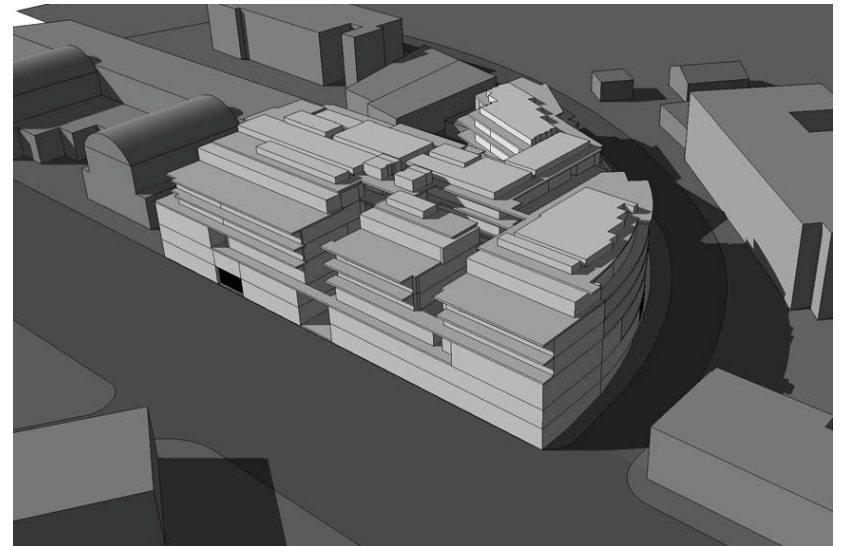
Shadow Modeling

Figure 1-1b



Shadow Modeling

Figure 1-1c



Shadow Modeling

Figure 1-1d

1.4.4 Cultural Resources

The project site does not contain any unique geological features or buildings or structures that have been identified for listing on the National Register of Historic Places or California Register of Historic Resources. The existing residences that would be demolished as part of the proposed project were built in the 1920s, but are not designated as a historic or cultural resource or a potential historic or cultural resource by the City of West Hollywood. The commercial buildings on the project site that would be demolished were built in 1924, 1940, and 1972. These also are not designated as a historic or cultural resource or a potential historic or cultural resource by the City of West Hollywood. The project site is within an urbanized area and is on a disturbed site. It is unlikely that archaeological resources or paleontological resources would be present onsite. In the unlikely event that these resources are uncovered during grading and excavation, the resource would be treated in accordance with state requirements. No impact would occur.

1.4.5 Hazards and Hazardous Materials

The proposed project would involve replacement of existing commercial and residential uses with a mix of residential and commercial uses and would not involve the routine transport, use or disposal of hazardous substances, other than minor amounts typically used for cleaning and maintenance. The proposed project would not emit or handle hazardous materials near a school. Demolition of the existing structures may release asbestos and lead-based paints or materials; however, compliance with SCAQMD Rule 1403 and OSHA regulations would reduce impacts. The project site does not appear on any hazardous material list compiled pursuant to Government Code Section 65962.5. The project site is not located in the vicinity of a public or private airstrip, is an infill site which would not alter or block emergency response or evacuation routes, and is not located within a wildland fire hazard area. These impacts are less than significant.

1.4.6 Mineral Resources

The project site is in an urbanized area that is not used for mineral resource extraction. No impact would occur.

1.4.7 Population and Housing

The project site currently contains three residences that would be demolished as part of the proposed project but would not displace substantial numbers of people. The proposed project would involve a net increase in 106 new dwelling units (97 new apartment units plus 12 live/work units minus the three existing housing units on the project site) which would generate approximately 166 residents within the City. This would be within the Southern California Association of Governments and City of West Hollywood population forecasts. Impacts would be less than significant.

1.4.8 Public Services

The proposed project would increase the population density on the project site, which would incrementally increase demand for fire and police protection services. However, the proposed



project would comply with existing regulations and is within the capacities and service areas of existing fire and police facilities. Impacts would be less than significant. The proposed project would generate new students and increase demand for park facilities; however, with payment of school impact fees and park impact fees, impacts would be less than significant.

1.4.9 Recreation

The proposed project would incrementally increase the use of and demand for parks and recreational facilities. However, the project applicant would be required to pay Quimby Act and Public Open Space Development fees that would be used by the City to acquire parkland as it becomes available and/or to expand and maintain existing recreational facilities. Impacts would be less than significant.

1.5 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

The *CEQA Guidelines* define lead, responsible and trustee agencies. The City of West Hollywood is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project. A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. There are no responsible or trustee agencies for the proposed project.

1.6 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below and illustrated on Figure 1-2. The steps are presented in sequential order.

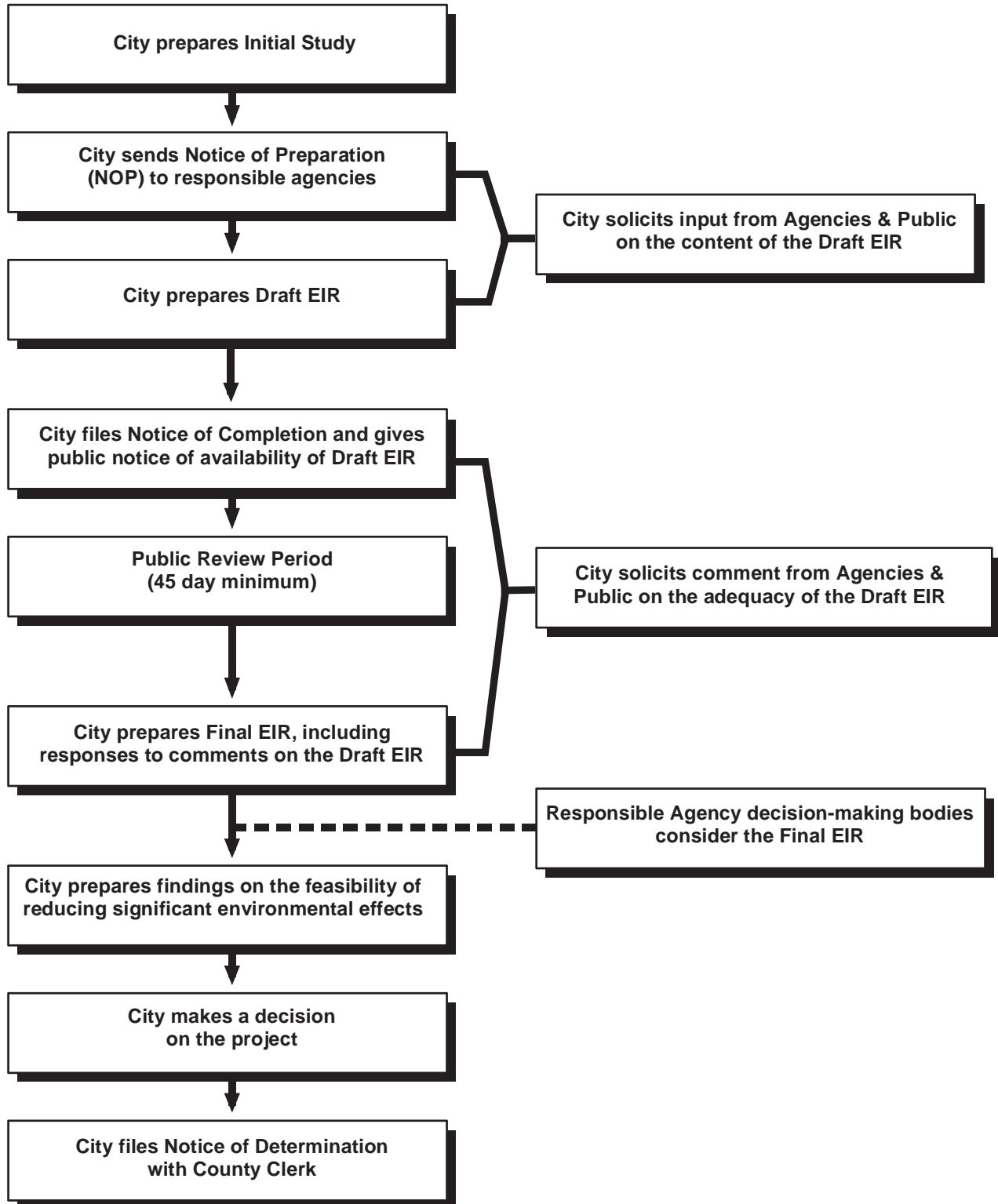
- 1. Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency (City of West Hollywood) must file an NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (*CEQA Guidelines* Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the proposed project could create significant environmental impacts.
- 2. Draft Environmental Impact Report (DEIR) Prepared.** The DEIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
- 3. Notice of Completion.** The lead agency must file a Notice of Completion with the State Clearinghouse when it completes a DEIR and prepare a Public Notice of Availability of a DEIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the Notice to anyone requesting it (*CEQA*



Guidelines Section 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public, and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a DEIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the Clearinghouse approves a shorter period (Public Resources Code 21091).

4. **Final EIR (FEIR).** An FEIR must include: a) the DEIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of FEIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the FEIR has been completed in compliance with CEQA; b) the FEIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the FEIR prior to approving a project (CEQA Guidelines Section 15090).
6. **Lead Agency Project Decision.** The lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the Notice with the County Clerk. The Notice must be posted for 30 days and sent to anyone previously requesting notice. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).





Environmental Review Process

Figure 1-2

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