

## V. OTHER ENVIRONMENTAL CONSIDERATIONS

### A. SUMMARY OF SIGNIFICANT UNAVOIDABLE IMPACTS

CEQA Guidelines Section 15126.2(b) requires that any significant impacts, including those that can be mitigated but not reduced to a less than significant level, be described and their implications discussed in an EIR. Impacts of the project are analyzed throughout Section IV, Environmental Impact Analysis, of this Draft EIR. As discussed therein, project-level significant unavoidable impact that would occur are related to aesthetics, air quality, and noise.

#### *AESTHETICS*

The proposed project would result in significant shade and shadow impacts to nearby sensitive uses. Specifically, residences located north of the project site would be shaded longer than the two-hour City of Los Angeles threshold during the winter months. No mitigation measures are available to mitigate this impact. This would result in a significant unavoidable impact.

Similarly, anticipated development of the Add Area would result in significant shade and shadow impact. Similar to the proposed project, residences located north of the project site would be shaded longer than the allowable two-hour threshold. As no mitigation measures are available to mitigate this impact, a significant unavoidable impact would occur.

#### *AIR QUALITY*

Proposed project construction activities would exceed SCAQMD regional significance thresholds for volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) and localized significance thresholds for particulate matter less than 2.5 and 10 microns in diameter (PM<sub>2.5</sub> and PM<sub>10</sub>). Construction activities associated with anticipated Add Area development would exceed SCAQMD localized thresholds for PM<sub>2.5</sub> and PM<sub>10</sub>. Under the proposed project with anticipated development of the Add Area, construction activity would exceed the regional significance thresholds for VOC and NO<sub>x</sub> and localized significance thresholds for NO<sub>x</sub>, PM<sub>2.5</sub> and PM<sub>10</sub>.

The net regional operational emissions under the proposed project would exceed SCAQMD significance thresholds for VOC, NO<sub>x</sub>, carbon monoxide (CO), PM<sub>2.5</sub>, and PM<sub>10</sub>. Under anticipated development of the Add Area alone, the net regional operational emissions would not exceed the SCAQMD significance thresholds. For both the proposed project and the Add Area, the net regional operational emissions would exceed the SCAQMD significance thresholds for VOC, NO<sub>x</sub>, CO, PM<sub>2.5</sub> and PM<sub>10</sub> and operational emissions.

The proposed project, and development of the proposed project with the Add Area would result in a cumulatively considerable net increase of criteria pollutants.

#### *NOISE*

The proposed project and anticipated development of the Add Area (separately and together) would generate construction-related noise that would exceed established noise standards. Mitigation Measures IV.I-1 through IV.I-4 would reduce construction noise levels but not to a less than significant level. Mitigation Measure IV.I-5 would reduce construction vibration levels, but not to a less than significant level.

Operational noise would be increased under the proposed project and under anticipated development of the Add Area (separately and together). Expected generation of noise levels would be reduced with mitigation measures. However, truck access associated with the proposed project would result in a significant unavoidable noise impact. Mitigation Measures IV.1-6 through IV.1-9 would control and reduce operational noise levels, but truck access noise would still result in a significant and unavoidable impact.

In addition, the project would contribute to a potentially significant and unavoidable impact to ambient noise levels during construction. Construction-related ambient noise level increases would be approximately 14.2 and 17.5 dBA at the multi-family residences along Lexington Avenue and Orange Drive, respectively, these noise levels would exceed the five-dBA significance threshold. As such, the proposed project would result in a significant and unavoidable noise impact during the construction phase of the proposed project.

### *TRANSPORTATION AND CIRCULATION*

The proposed project and anticipated development of the Add Area would increase the number of cars in the area. The proposed development could impact the following intersections: Fulton Ave & Sherman Way, Coldwater Canyon Ave & Sherman Way, Whitsett Ave & Sherman Way, Woodman Ave & Vanowen St, Fulton Ave & Vanowen St, Coldwater Canyon Ave & Vanowen St, Whitsett Av & Vanowen St, Coldwater Canyon Ave & Hamlin St, Woodman Ave & Victory Blvd, Fulton Ave & Victory Blvd, Ethel Ave & Victory Blvd, Morse Ave & Victory Blvd, Coldwater Canyon Ave & Victory Blvd, Whitsett Ave & Victory Blvd, 170 FWY SB (North Side) & Victory Blvd, 170 FWY SB (South Side) & Victory Blvd, 170 FWY NB (North Side) & Victory Blvd, 170 FWY NB (South Side) & Victory Blvd, Laurel Canyon Blvd & Victory Blvd, Fulton Way & Oxnard St, Coldwater Canyon Ave & Oxnard St, Whitsett Ave & Oxnard St.

With implementation of the improvement measures (Measures IV.K-1 through IV.K-8), 19 of the 22 intersections remain significantly impacted since the transit center effectiveness cannot be qualitatively measures at this time.

Morse Avenue & Victory Boulevard, 170 FWY SB & Victory Boulevard are less than significantly impacted with the improvement measures. Coldwater Canyon & Victory Boulevard is essentially mitigated to less than significant levels.

The CEQA Guidelines (Section 15126.2(b)) also require that, where there are significant impacts that cannot be alleviated without imposing an alternative design, the reasons why the project is being proposed, notwithstanding such impacts, be discussed in the EIR. The basic objectives of the proposed project, which are listed in Section II, Project Description, of this Draft EIR, outline the primary reasons for the project. These objectives provide the basis for the project and illustrate why the project is being proposed in spite of the above-mentioned specific unavoidable impacts. Furthermore, implementation of the proposed project would fulfill objectives of the North Hollywood Community Plan and would provide housing and employment that create live, work and play opportunities on one site that support the vision of the City's "Do Real Planning" principles.

### **B. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

CEQA Guidelines Section 15126.2(c) requires that an EIR analyze significant irreversible environmental changes that would be caused by the proposed project. This includes the use of

nonrenewable resources during construction and operation of a project to such a degree that the use of the resources thereafter is unlikely. It also includes significant and irreversible environmental changes that could result from environmental accidents associated with the project.

Construction of the proposed project would result in a commitment of limited, slowly renewable, and nonrenewable resources. Such resources would include certain types of lumber and other forest products; metals such as steel, copper, and lead; aggregate materials used in concrete and asphalt (e.g., stone, gravel, and sand); and other construction materials such as plastic. In addition, fossil fuels used in construction vehicles would also be consumed during construction of the project.

Operation of the proposed project would involve the continued consumption of limited, nonrenewable, and slowly renewable resources similar to other mixed-use projects. These resources would include natural gas and electricity, petroleum-based fuels, fossil fuels, and water. Energy resources would be used for heating and cooling of buildings, transporting people and goods to and from the site, heating and refrigeration for food storage and preparation, heating and cooling of water, and lighting. Operation of the project would occur in accordance with Title 24, Part 6 of the California Code of Regulation, which sets forth conservation practices that would limit the amount of energy consumed by the project. In addition, the project would be subject to energy efficient planning and construction guidelines set forth by the City of Los Angeles and will pursue Energy Efficiency points under LEED ND that would likely well exceed Title 24 requirements. Nonetheless, the use of such resources would still continue to represent a long-term, irreversible commitment of these resources.

In addition, the limited use of common hazardous materials on the project site, including cleaning agents and pesticides for landscaping, would be used, handles, stored, and disposed of in accordance with applicable regulations and standards. Thus, the project would not result in a significant and irreversible environmental change associated with the accidental release of hazardous materials.

### **C. GROWTH-INDUCING IMPACTS**

CEQA Guidelines Section 15126.2(d) requires that an EIR discuss growth-inducing impacts of a proposed project. Growth-inducing impacts are ways in which the project could "...foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." This includes projects that would remove obstacles to growth. However, as stated in the Guidelines, "it must not be assumed that growth in any areas is necessarily beneficial, detrimental, or of little significance to the environment."

The proposed project would involve the construction and operation of a mixed-use project after the removal of an existing shopping center and surface parking located on the project site. Rezoning and re-designation of the adjacent Add Area is also anticipated to result in redevelopment of that area (induced growth as a result of the rezoning). The anticipated development of the Add Area is analyzed in this EIR along with the project.

The proposed project would be a dense mixed-use development located in a developed area of the City of Los Angeles. As the proposed project would include a residential component, the project would directly result in a permanent, full-time population growth in the area. The proposed project, however, would not significantly impact existing schools or other community

services in the area. Thus, the project would result in incremental population growth in the area, but it is anticipated that the project units would meet existing demand and would not result in people moving to the general area.

The project would result in greater density of uses at the intersection of Coldwater Canyon and Victory; this increased densification was identified as desirable in the General Plan Framework Element, that indicates the intersection and the area west as suitable for Community Commercial uses (as opposed to the Neighborhood Commercial uses currently present and allowed for in the existing zoning and land use designation on the site and Add Area.

The project would not induce growth in an area that is not already developed with infrastructure to accommodate such growth. The proposed project would be considered an infill project that would be located in an urban area within the City of Los Angeles. The proposed project would include introduce office, restaurant, health club, hotel and market uses onto the site. Additionally, it would be located in close proximity to various public transportation opportunities in addition to providing a transit plaza and encouraging public transit use. The proposed project would support the vision of the “Do Real Planning” principles in that it would locate jobs near existing housing as well as provide residential units on the site, and developing a mixed-use project near a variety of transit opportunities.

Overall, the project would not result in an increase in the population that could tax existing community service facilities, or encourage or facilitate other activities that could significantly affect the environment or the area, either individually or cumulatively. Thus, the project would not result in significant growth-inducing impacts.

#### **D. POTENTIAL SECONDARY EFFECTS**

CEQA Guidelines Section 15126.4(a)(1)(D) states that, “If a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measures shall be discussed but in less detail than the significant effects of the project as proposed.” In accordance with the Guidelines, the following provides a discussion of the potential impacts that could occur from implementation of the proposed mitigation measures.

##### *AESTHETICS*

Mitigation Measure IV.A-1 would focus project lighting on the site and orient it in a manner that would prevent spillage or glare into surrounding residential communities. Mitigation measures IV.A-2 and IV.A-3 involve requiring the proposed project to comply with lighting regulations and consult with Department of City Planning Urban Design Studio guidelines. Mitigation IV.A-3 involves requiring appropriate screening during construction staging. These measures would not result in secondary impacts as they would be temporary or procedural in nature.

##### *AIR QUALITY*

Mitigation Measure IV.B-1 involves watering of the site during project construction and Mitigation Measure IV.B-3 involves a wheel washing system. Measure IV.B-9 involves covering or watering on-site stockpiles of debris, dirt, or rusty materials. These measures would require the use of additional water. However, such watering would be done periodically and would be temporary (during project construction only). Thus, no significant impacts from implementation of these measures would occur. Mitigation Measure IV.B-5 involves the covering of haul truck

loads and the capacity of haul trucks. Impacts associated with construction air quality and construction traffic are analyzed in this Draft EIR. Mitigation Measures IV.B-7 and IV.B-8 require that operations on unpaved surfaces be suspended during high winds and smog alerts. No physical changes would result from these measures. Mitigation Measure IV.B-6, which limits traffic speeds on unpaved roads, and Mitigation Measure IV.B-2, which limits the track out distance of construction equipment, would also not result in any secondary impacts. Similarly, Mitigation Measures IV.B-10 through 18 involve construction-specific measures including equipment maintenance and operation, idling limitations, parking and traffic controls and controls minimizing VOCs that would also not result in any secondary impacts.

### **BIOLOGICAL RESOURCES**

Mitigation Measure IV.C-1 involves not disturbing nests protected by the Migratory Bird Treaty Act and Mitigation Measure IV.C-3 includes not disturbing the roosts of any special-status bats. Mitigation Measure IV.C-2 includes replacing any protected trees (one western sycamore) in accordance with the Los Angeles Protected Tree Ordinance. These measures would not result in secondary impacts as they involve limitations on construction practices or limited physical activity. Mitigation Measure IV.C-4 involves washing off dust accumulation on the foliage of tree and shrubs during construction activities. This measure would require the use of additional water. However, such watering would be done periodically and would be temporary (during project construction only).

### **CULTURAL RESOURCES**

The mitigation measures contained in Section IV.D, Cultural Resources, address the unanticipated discovery of archaeological or paleontological resources during project construction. These measures involve the analysis of such discoveries and would not result in secondary impacts.

### **GEOLOGY AND SOILS**

Most of the mitigation measures included in Section IV.E, Soils and Geology, involve specific construction-related measures that address soil conditions and are design-specific. These measures are considered part of the construction phase of the project and, thus, have been analyzed as part of the project. This would not result in significant secondary impacts.

### **HAZARDS**

Mitigation Measures address specific remediation-related measures on the site. Remediation activities would involve analysis and regulatory compliance during demolition activities that have been analyzed for the project. These mitigation measures would not result in significant secondary impacts.

### **HYDROLOGY AND WATER QUALITY**

Most of the mitigation measures included in the Hydrology Section of this Draft EIR involve specific construction-related measures that address runoff. These measures are considered part of the construction phase of the project and, thus, have been analyzed as part of the project. This would not result in significant secondary impacts.

## *LAND USE*

The proposed project would comply with land uses plans and polices of the City of Los Angeles as well as applicable plans and policies of regional agencies. Specifically, the proposed project will include a series of discretionary approvals from the City of Los Angeles for a General Plan Amendment, height district change, subdivision map, and a conditional use permit for the sale of alcohol. Any necessary approval actions would be included as part of the proposed project. This is considered part of the project. No significant secondary impacts would occur.

Extensive mitigation measures have been identified throughout Chapter V of this Draft EIR to address specific impacts associated with Air Quality (Section IV B), Noise (Section IV.I), Aesthetics (Section IV.A), Traffic (Section IV.K) and other related concerns.

## *NOISE*

Several of the mitigation measures (IV.I-1 through IV.I-3, IV.I-5, and IV.I-9) require the use of mufflers, quieter equipment during construction activities, temporary barriers, and that staging areas be located away from neighboring residential and institutional uses. While the use of a barrier could result in visual impacts to the closest residences, such impacts would be temporary in nature and thus, less than significant. Mitigation Measure IV.I-6 calls for an exterior to interior analysis shall be conducted in conformance with the California Building Code, Section 1207. Mitigation Measures IV.I-7 limits truck deliveries between specific hours. Mitigation Measure IV.I-4 requires the establishment of a noise disturbance coordinator. These are procedural and administrative measures with no direct physical impacts. Measure IV.I-8 specifies that loading dock gates shall be closed during all loading/unloading activity. Consequently, these measures would not result in secondary impacts.

## *PUBLIC SERVICES*

### *Fire Services*

Mitigation Measures involve consultation and compliance with applicable local and state fire guidelines and regulations. These are procedural measures and no secondary impacts would occur. Measure IV.J-6 requires unobstructed emergency access during construction activities already accounted for in the design and construction process. No secondary impact would occur.

### *Police Protection*

Mitigation Measure IV.J-11 requires adequate emergency access during the construction phase. Mitigation Measures IV.J-12 through IV.I.J-15 require consultation and compliance with LAPD security and design features. These measures would not result in a change to the physical environment. No secondary impact would occur.

### *Schools*

The mitigation measure requires the payment of required developer school fees to LAUSD pursuant to Government Code Section 65995, as amended by Senate. No secondary impact would result.

### *Parks*

The mitigation measure would include in-lieu fees or on-site improvements. This would not result in a significant secondary impact.

### *Libraries*

No mitigation measures related to libraries are proposed under the project.

## *TRANSPORTATION AND CIRCULATION*

Mitigation Measures IV.K-3 through IV.K-7 implement street dedications and roadway widenings identified by, and to the satisfaction of, LADOT. As such, temporary and limited air quality and noise effects as well as traffic impacts would be expected along the associated roadways during the period it would take to complete the improvement. Such activities should not be of sufficient scale to create a new significant impact, or to compound a previously analyzed impact such that a less than significant impact would exceed established thresholds of significance. Mitigation measure IV.K-12 would require the submittal of a shared parking program for approval by the Department of City Planning; Mitigation Measure IV.K-1 includes the design and construction of a multi-modal transit plaza (which is included in the Project Description and analyzed throughout the EIR). Measures IV.K-8, IV.K-9 and IV.K-11 would include the development of a Transportation Demand Management Program and a Worksite Traffic Control Plan, and a Neighborhood Traffic Management Plan. These measures would not result in significant secondary impacts.

## *UTILITIES*

### *Wastewater*

Mitigation Measure IV.L-1 involves consultation with the City of Los Angeles Bureau of Sanitation during the design phase and is procedural. However, should any sewer upsizing/improvements be required, any such improvements may involve minor trenching and grading with associated short-term air quality and noise effects, none of which would be sufficient to create a new significant impact, or to compound a previously analyzed impact such that a less than significant impact would exceed established thresholds of significance.

### *Water*

Mitigation Measure IV.L-2 involves the implementation of water conservation measures. Mitigation Measures IV.L-3 through IV.L-7 involve various consultations including with LADWP to identify feasible and reasonable measures that reduce water consumption. These measures would not inherently result in physical impacts that could result in significant secondary impacts.

### *Solid Waste*

Similarly, Mitigation Measures IV.L-8 through IV.L-9 involve consultation and compliance with applicable regulations and policies. These measures would not inherently result in physical impacts that could result in significant secondary impacts.

## Energy

Similarly, Mitigation Measures IV.L-10 through IV.L-12 involve consultation and compliance with applicable regulations and policies regarding energy. These measures would not inherently result in physical impacts that could result in significant secondary impacts.

## E. EFFECTS FOUND NOT TO BE SIGNIFICANT

Section 15128 of the CEQA Guidelines requires that an EIR contain a brief statement indicating the reasons that certain possible significant effects of a project were determined to be less than significant and thus, were not analyzed in the EIR. Discussions of those impacts found not to be significant are provided here:

### AGRICULTURAL RESOURCES

The project site is developed and zoned for urban uses and is not currently used for agricultural purposes. Implementation of the proposed project would not result in the conversion of farmland. No loss of farmland would result from the proposed project. No Williamson Act contracts are currently applicable on the site.

### MINERAL RESOURCES

The project site is currently paved and developed with a shopping center and associated surface parking. No mineral resources are known to occur within the project site and no mining activities are known to have taken place on the site. According to the City of Los Angeles General Plan Safety Element Exhibit E, Oil Field and Oil Drilling Areas, the project site is not located within or near any oil field or major oil drilling area.<sup>1</sup> The project site is not zoned for oil extraction or drilling or mining of mineral resources. Additionally, proposed site development would occur over a fully improved property with grading limited to a depth necessary to accommodate subterranean parking levels. Project construction could result in the limited consumption of aggregate and other resources, if such local products are utilized.

### POPULATION AND HOUSING

The proposed project would include the development of a mixed-use project that would include residential, commercial, retail, theatre and hotel uses. Implementation of the proposed project is anticipated to generate 2,885 employees (1,731 full-time employees and 1,154 part-time employees) and 323 residents.<sup>2</sup> The number of residents and employees would be within SCAG forecasts for the employees and residents anticipated for this area of the City of Los Angeles. Furthermore, the project is consistent with the General Plan Framework vision for the area showing higher density Community Commercial uses for the project site and would also support the vision of the "Do Real Planning" principles in that it would locate jobs near existing housing, develop a mixed-use project near a variety of transit opportunities and provide residential units on the site. Therefore, the proposed project is not expected to induce substantial unanticipated population growth or generate the need to expand existing urban infrastructure. No impacts related to growth inducement would occur.

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<sup>1</sup> <http://www.lacity.org/PLN/Cwd/GnlPln/SaftyElt.pdf>. Accessed September 7, 2008.

<sup>2</sup> Kosmont Companies, *Estimate of Permanent Jobs and Residents-Plaza at the Glen Project*, 2008.