

III. Revisions, Clarifications, and Corrections to the Draft EIR

III. Revisions, Clarifications, and Corrections to the Draft EIR

This section of the Final EIR provides changes to the Draft EIR that have been made to revise, clarify, or correct the environmental impact analysis for the ICON Sherman Oaks Project (the Project). Such changes are a result of public and agency comments received in response to the Draft EIR and/or additional information that has become available since publication of the Draft EIR. The changes described in this section do not result in any new or increased significant environmental impacts that would result from the Project.

This section is divided into three parts: Section III.A, General Revisions and Corrections to the Draft EIR; Section III.B, Corrections and Additions to Draft EIR Sections and Appendices; and Section III.C, Effect of Revisions, Corrections, and Additions.

A. General Revisions and Corrections to the Draft EIR

1. Site Plan Refinements

As discussed in detail in Topical Response No. 1 included in Section II, Responses to Comments, of this Final EIR, in response to comments on the Draft EIR and to further lessen potential environmental effects, a Reduced Alternative 5 is presented in this Final EIR. Provided below is a summary description of the Reduced Alternative 5. Refer to Topical Response No. 1 in Section II, Responses to Comments, of this Final EIR, for a detailed description of the Reduced Alternative 5.

Alternative 5, the Reduced Density and Square Footage Alternative, as presented in the Draft EIR, proposes a reduction in the number of residential units and commercial area compared to the Project. Specifically, the number of multi-family residential units would be reduced from 298 units to 278 units and the proposed neighborhood-serving commercial uses would be reduced from approximately 39,241 square feet to 27,414 square feet. In total, Alternative 5 involves the development of approximately 424,775 square feet of floor area (including the approximately 126,674-square-foot Sunkist Building) compared to the Project's approximately 486,469 square feet of floor area. With the reduction in the floor area, the FAR for the Project Site under Alternative 5 was reduced from 1.5:1 to 1.24:1.

The multi-family residential and neighborhood-serving commercial uses proposed under Alternative 5 would be provided within three new buildings, similar to the Project. The heights of the buildings would be similar to the buildings of the Project (60.5 feet to 74.5 feet). Parking and access for Alternative 5 would be similar to the Project. In addition, Alternative 5 includes the approximately 28,000-square-foot (0.64-acre) publicly accessible plaza area within the southern portion of the Project Site that would provide for access to the LA Riverwalk, as proposed by the Project, as well as an additional public plaza just west of the building proposed along the northeast portion of the Project Site.

In response to comments on the Draft EIR, Alternative 5 is further considered and evaluated in this Final EIR in order to further reduce potential environmental effects, and to address many of the comments received on the Draft EIR.

Based on comments received on the Draft EIR, Reduced Alternative 5 further reduces the number of multi-family residential units proposed by Alternative 5 from 278 units to 249 units. While the neighborhood-serving commercial area is increased slightly from 27,414 square feet to 27,470 square feet, this continues to be a reduction from the Project's proposed commercial area of 39,241 square feet. In total, Reduced Alternative 5 would involve the development of up to 287,924 square feet of new floor area (not including the 126,674-square-foot Sunkist Building to remain) and a total floor area of 414,598 square feet when including the Sunkist Building. Comparatively, Alternative 5 would include up to 298,101 square feet of new floor area with a total floor area of 424,775 square feet.

The proposed residential uses would be provided in only two buildings (Building A and Building B). Building C proposed by the Project along Calhoun Avenue would be removed by the Reduced Alternative 5. Similar to the Project, Building A would be located on the northeastern portion of the Project Site, at Riverside Drive and Hazeltine Avenue and Building B would be located within the northwestern portion of the Project Site, adjacent to Building A, near Riverside Drive and Calhoun Avenue. The heights of the buildings proposed by the Reduced Alternative 5 would be similar to the Project.

With the reduction in the number of multi-family residential units and the neighborhood-serving commercial uses, the Reduced Alternative 5 would require 798 parking spaces. As with the Project, the Reduced Alternative 5 would exceed the parking requirements of the Los Angeles Municipal Code (LAMC) and would provide 1,141 parking spaces to adequately serve the proposed uses. Parking has been redesigned compared to the Project and would be provided in three separate parking facilities instead of two parking facilities as proposed by the Project. Specifically, the six-level parking structure (four above-grade levels and two subterranean levels) previously proposed along Hazeltine Avenue has been relocated to the western portion of the Project Site, west of the Sunkist Building, along Calhoun Avenue, and reduced to five levels (three

above-grade levels and two subterranean levels) with rooftop parking. In addition, a surface parking lot is now proposed east of the Sunkist Building to serve mainly the neighborhood-serving commercial uses proposed within Buildings A and B.

While vehicular access would continue to be via Riverside Drive and Hazeltine Avenue, similar to the Project, the Reduced Alternative 5 proposes design modifications that enhance access and circulation to and throughout the Project Site and on Hazeltine Avenue. Specifically, the proposed surface parking lot along Hazeltine Avenue includes a pass-through lane for all vehicles that would allow access to Building A from the Project Site's southerly Hazeltine Avenue driveway, as opposed to traveling northbound and turning left at Hazeltine Avenue and Riverside Drive. Additionally, Hazeltine Avenue is proposed to be restriped to provide a dual southbound left-turn entry into Westfield's signalized driveway. This would reduce the potential for queuing into the Westfield parking garage. Based on community input, the Project Site's northerly Hazeltine Avenue driveway would be restricted to only right-turn in and right-turn out access to improve circulation along Hazeltine Avenue. Project residents and patrons traveling northbound on Hazeltine Avenue would be prohibited from turning left into the northerly Hazeltine Avenue driveway.

Like the Project, the Reduced Alternative 5 would provide for common open space that would be publicly accessible and would include the approximately 28,000-square-foot (0.64-acre) publicly accessible plaza area within the southern portion of the Project Site that would provide for access to the LA Riverwalk. The Reduced Alternative 5 would also include an additional public plaza and parkway located along Hazeltine Avenue (Hazeltine Parkway), which is not proposed by the Project. The Hazeltine Parkway would be programmable, useable open space connecting Riverside Drive to the LA River along Hazeltine Avenue. In addition, a portion of the previously proposed Building A commercial square footage has been reconfigured to abut the Hazeltine Parkway to activate and enliven the public open space.

Overall, the Reduced Alternative 5 represents a reduced development in terms of residential density, residential and commercial square footage, and overall building mass as compared to the Project.

With regard to the lot areas described on page II-21 of Section II, Project Description, of the Draft EIR, due to the removal of Building C and the relocation of the parking structure proposed by the Reduced Alternative 5, the lot configurations and the respective lot areas for Lots 1 and 2 described in Section II, Project Description, of the Draft EIR, would be revised. Specifically, under the Reduced Alternative 5, Lot 1 would be 153,289 square feet (compared to 121,379 square feet under the Project) and would generally include the southern/southwestern portion of the Project Site, encompassing the existing Sunkist Building and the proposed parking structure along Calhoun Avenue. Upon completion of the Reduced Alternative 5, Lot 1 would include 126,674 square feet of floor

area (same as the Project) associated with the existing Sunkist Building, resulting in a floor area ratio (FAR) of 0.82:1 (reduced from 1.05:1 compared to the Project). This FAR would be below the permitted FAR of 1.5:1 under the proposed C2-1L zoning for this portion of the Project Site. Under the Reduced Alternative 5, Lot 2 would be 207,637 square feet (compared to 240,150 square feet under the Project) and would include 287,924 square feet (compared to the Project's 359,795 square feet) of new proposed residential and neighborhood serving commercial floor area (i.e., Buildings A and B) with a total FAR of 1.4:1 (reduced from 1.5:1 compared to the Project). This FAR would be below the permitted FAR of 3:1 under the proposed RAS3-1L zoning for this portion of the Project Site.

2. Surrounding Land Uses

The Draft EIR describes the surrounding area as urbanized and including a mix of low- and high-density residential neighborhoods. Based on comments received regarding the surrounding uses, this description has been modified throughout the Draft EIR to identify only the low and medium density residential uses immediately surrounding the Project Site.

3. Supplemental Traffic Analysis

A supplemental traffic analysis was prepared in March 2019 to evaluate potential traffic impacts resulting from implementation of the Reduced Alternative 5 and the extension of the Project buildout year from 2018 to 2021 with the addition of a two percent ambient growth rate per year (total of six percent). The Supplemental Traffic Analysis also included an updated related projects list, revised lane configurations, and updated freeway ramp locations. No new significant and unavoidable impacts were identified. The Supplemental Traffic Analysis and corresponding assessment letter from the Los Angeles Department of Transportation (LADOT) are included in Appendix FEIR-4 of this Final EIR.

4. Mitigation Measure I-4

As evaluated in Section IV.I, Transportation/Traffic, of the Draft EIR, implementation of the Project would result in significant impacts at two intersections under Existing Plus Project and Future Plus Project Conditions. These two intersections include Intersection 6, Hazeltine Avenue and Riverside Drive, and Intersection 10, Riverside Drive and Woodman Avenue. The Draft EIR identified Mitigation Measure I-2, Mitigation Measure I-3, and Mitigation Measure I-4 to address these impacts.

Mitigation Measure I-4 requires the Project Applicant to coordinate with LADOT to fund and implement an operational right-turn lane for eastbound Riverside Drive to southbound Woodman Avenue by relocating the existing Metro bus stop located on the

south side of Woodman Avenue, west of Riverside Drive. During preparation of the Draft EIR, the location of the relocated bus stop was not established. Subsequently, it had been determined that the relocated bus stop could potentially occur in three potential locations: (1) on the south side of Riverside Drive, west of Woodman Avenue between the two gas station driveways; (2) on the south side of Riverside Drive west of Woodman Avenue and west of the easterly gas station driveway; and (3) east of the current bus stop location between the two shopping center driveways located approximately 650 feet west of the current location. However, as provided in Appendix FEIR-4 of this Final EIR, based on interdepartmental consultation between LADOT and Metro, the relocation of the Metro bus stop has been determined infeasible and Mitigation Measure I-4 will not be implemented. Therefore, the significant and unavoidable traffic impacts identified in the Draft EIR and as summarized below would remain.

As concluded in the Draft EIR, the Project's potential impacts to Intersection 6 and Intersection 10 under Existing Plus Project Conditions would be reduced to a less-than-significant level with implementation of Mitigation Measure I-3 and Mitigation Measure I-4. However, as it was unknown if Metro and/or LADOT would approve relocation of the bus stop as part of Mitigation Measure I-4, the A.M. peak hour impact at Intersection 10, Riverside Drive and Woodman Avenue, was conservatively considered significant and unavoidable in the Draft EIR.

Additionally, while full implementation of Mitigation Measure I-3 and Mitigation Measure I-4 would reduce the Project's impacts at Intersection 6: Hazeltine Avenue and Riverside Drive during the P.M. peak period and at Intersection 10: Riverside Drive and Woodman Avenue during the A.M. and P.M. peak periods under Future Plus Project Conditions, traffic impacts at Intersection 6: Hazeltine Avenue and Riverside Drive during the A.M. peak period would remain significant and unavoidable under Future with Project Conditions. Additionally, as it was unknown if Metro and/or LADOT would approve relocation of the bus stop as part of Mitigation Measure I-4, the Project's significant impact at Intersection 10 during the A.M. and P.M. peak periods under Future Plus Project Conditions was also determined to be significant and unavoidable in the Draft EIR.

B. Corrections and Additions to Draft EIR Sections and Appendices

Additional changes have been made to the Draft EIR as a result of public and agency comments received in response to the Draft EIR and/or new information that has become available since publication of the Draft EIR. Deletions are shown in ~~strikethrough~~ and additions are shown in underline. Such changes are presented by EIR section.

IV.A. Aesthetics

Volume 1, Section IV.A, Aesthetics, page IV.A-10, replace Figure IV.A-1 with Revised Figure IV.A-1 on page III-7.

Volume 1, Section IV.A, Aesthetics, page IV.A-23 and page IV.A-24, revise last paragraph beginning at the end of page IV.A-23 as follows:

The Project would provide a variety of open space, recreational amenities, and rooftop gardens within the Project Site. Specifically, the Project would include approximately 191,991 square feet (4.41 acres) of common open space areas, of which approximately 74,074 square feet would be landscaped. As identified in the Horticultural Tree Report completed for the Project Site, the Project implementation would require the removal of trees within the Project site and along the northern and eastern boundaries.¹ Existing trees along the Project Site frontage on Riverside Drive and Hazeltine Avenue, and within the main entry driveway, would be removed and replaced with minimum 24-inch box trees in accordance with the Project's conceptual landscape plan. Existing trees along and within the southern portion of the Project Site would be incorporated into the Project design as noted in the Horticultural Tree Report and shown in Figure II-3 in Section II, Project Description, of this Draft EIR. In addition, should the Project necessitate the removal of street trees, the Project would comply with the City's Urban Forestry Division requirements to replace any street trees removed at a 2:1 ratio. The removal of street trees would require approval by the Board of Public Works. Public open space areas to be provided would include landscaped entry plazas, planting areas with seatwalls, planted parkways, and landscaped plazas. In addition, an approximately 28,000-square-foot (0.64-acre) plaza area referred to herein as a River Greenway would be located within the southern portion of the Project Site. The River Greenway would feature an expansive lawn and would provide access to the LA Riverwalk. Outdoor recreational amenities for the residential uses would include a pool and spa, and rooftop gardens and courtyards. In addition, approximately 13,150 square feet (0.30 acre) of private open space would be provided that would include balconies within Buildings A, B, and C. In total, the Project would provide approximately 205,141 square feet of open space, including 107,793 square feet of open space that would be publicly accessible to visitors of the Project Site.

¹ TREES, etc. (a division of RDI & Associates, Inc.), Horticultural Tree Report, Parcel Map 72664, 14310 Riverside Dr. (Sunkist Site), Sherman Oaks, CA 91432, March 1, 2014, pp. 2–3.



Revised Figure IV.A-1
Aerial View of the Urban Setting in the Project Vicinity

Volume 1, Section IV.A, Aesthetics, page IV.A-22, revise Project Design Feature A-2 as follows:

Project Design Feature A-2: Mechanical, electrical, and roof top equipment (including Heating, Ventilation, and Air Conditioning [HVAC] systems), as well as building appurtenances, will be integrated into the Project's architectural design (e.g., placed behind parapet walls) and shall be screened from public view.

Volume 1, Section IV.A, Aesthetics, page IV.A-59, revise Mitigation Measures A-1, A-2, and A-3 as follows:

Mitigation Measure A-1: Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the street level, as feasible, and to keep unpermitted persons from entering the construction area. Regular daily and multiple security patrols during non-construction hours (e.g., nighttime hours, weekends, and holidays) will also be provided to minimize trespassing, vandalism, and short-cut and other attractions. During construction activities, the Contractor will document the security measures; and the documentation will be made available to the Construction Monitor.

Mitigation Measure A-2: The Project Applicant shall ensure through appropriate postings and daily visual inspections that no unauthorized materials (i.e., graffiti removal) are posted on any temporary construction barriers or temporary pedestrian walkways that are accessible/visible to the public, and that such temporary barriers and walkways are maintained in a visually attractive manner (i.e., free of trash, graffiti, peeling postings and of uniform paint color or graphic treatment) throughout the construction period.

Mitigation Measure A-3: Light sources associated with Project construction shall be shielded and/or aimed so that no direct beam illumination is provided outside of the Project Site boundary. Outdoor lighting will be shielded such that the light source cannot be seen from adjacent residential properties, the public right-of-way, or from the above. However, construction lighting shall not be so limited as to compromise the safety of construction workers.

Volume 1, Section IV.A, Aesthetics, page IV.A-60, revise Mitigation Measures A-5 as follows:

Mitigation Measure A-5: The exterior of the proposed structures shall be constructed of materials such as, but not limited to, high-performance and/or low-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat. Consistent with applicable energy and building code requirements, including Section 140.3 of the California Energy Code as may be amended, glass with coatings required to meet the Energy Code requirements shall be permitted.

IV.B. Air Quality

Volume 1, Section IV.B, Air Quality, page IV.B-58, revise Mitigation Measure B-3 as follows:

Mitigation Measure B-3: ~~To minimize exposure to diesel exhaust and the re-entrainment of paved roadway dust, the Project shall: (1) install inoperable windows facing the freeway; and (2) place actively and passively utilized outdoor areas as far away from the roadway as possible. Particulate air filters shall be replaced four times per year. The replacement, including the number and type of particulate filters, shall be recorded by property managers. Property managers shall record the number/type of filter replacements.²~~

IV.D. Cultural Resources

Volume 1, Section IV.D, Cultural Resources, page IV.D-24, add the following project design feature:

² *As discussed in detail in Topical Response No. 1 included in Section II, Responses to Comments, of this Final EIR, in response to comments on the Draft EIR and input from the community, a Reduced Alternative 5 is presented in this Final EIR. As part of the Reduced Alternative 5, the proposed residential uses would be provided in only two buildings (Building A and Building B). Building C proposed by the Project along Calhoun Avenue would be removed by the Reduced Alternative 5. Therefore, under the Reduced Alternative 5, the residential uses previously located closest to the freeway in Building C have been removed. Thus, the health risks of the Reduced Alternative 5 would be reduced as compared to the Project.*

Project Design Feature D-1: The rehabilitation and preservation of the Sunkist Building shall be guided by the Sunkist Building Preservation Plan prepared by Chattel, Inc. (October 2018). Based on the Secretary of the Interior's Standards for Rehabilitation, the Preservation Plan would provide more detailed guidance regarding the rehabilitation and preservation of the Sunkist Building. Implementation of the Preservation Plan would ensure that the rehabilitation and preservation of the Sunkist Building is performed in accordance with the Secretary of the Interior's Standards and that such activities, as well as the construction of new structures do not affect the eligibility of the Sunkist Building for listing in the National Register, the California Register, or as a Historic-Cultural Monument. Per the Preservation Plan, all rehabilitation plans for the Sunkist Building would be subject to review by a qualified historic preservation professional. An on-site monitor shall also be present to ensure the rehabilitation of the Sunkist Building is executed consistent with the Preservation Plan's conditions. Final plans for the Sunkist Building shall be submitted to the Office of Historic Resources prior to issuance of the first building permit for the Sunkist Building to preliminarily ensure conformance with the Preservation Plan. Quarterly progress reports shall also be provided to the Office of Historic Resources through the duration of the rehabilitation work to ensure ongoing compliance with all Preservation Plan requirements.

IV.G. Noise

Volume 2, Section IV.G, Noise, page IV.G-22 to page IV.G-23, revise Project Design Feature G-1 and Project Design Feature G-5 as follows:

Project Design Feature G-1: Power construction equipment (including combustion engines), fixed or mobile, shall be equipped with state-of-the-art noise shielding and muffling devices (consistent with manufacturers' standards) and shall include the use of solar-powered generators, to the extent feasible. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts would be generated. The construction contractor will keep documentation on-site demonstrating that the equipment has been

maintained in accordance with manufacturer's specifications.

Project Design Feature G-5: Outdoor sound systems shall be designed so as to not exceed a maximum noise level of 75 dBA (L_{eq}) at a distance of 50 feet from the speaker location within the residential rooftop courtyard, the outdoor dining area, and the public plaza. A noise consultant will provide written documentation that the design of the system complies with these noise levels.

Volume 2, Section IV.G, Noise, page IV.G-43, revise Mitigation Measure G-1 as follows:

Mitigation Measure G-1: A temporary and impermeable sound barrier shall be erected at the ~~following~~ locations listed below. At plan check, building plans shall include documentation prepared by a noise consultant verifying compliance with this measure.:

- Along the western property line of the Project Site between the construction area and existing residential buildings along Calhoun Avenue. The temporary sound barrier shall be designed to provide a minimum 15 dBA noise reduction at the ground level of the adjacent residential buildings to the west.
- Along the northern property line of the Project Site between the construction area and multi-family residential buildings on the north side of Riverside Avenue. The temporary sound barrier shall be designed to provide a minimum 10 dBA noise reduction at the ground level.
- Along the southern property line of the Project Site between the construction area and residences on the Stansbury Avenue, Hortense Street, and Valleyheart Drive (which has direct line-of-sight to the Project construction areas). The temporary sound barrier shall be designed to provide minimum 10 dBA noise reduction at the ground level.

IV.H.4. Public Services—Parks and Recreation

Volume 2, Section IV.H.4, Public Services—Parks and Recreation, page IV.H.4-11, revise the second row of Table IV.H.4-1 as follows:

1	Van Nuys Sherman Oaks War Memorial Park 14201 W. Huston Street	0.21 mile North	Recreation Center	65.18	Auditorium, baseball diamond (lighted/unlighted), basketball courts (lighted/unlighted/outdoor), children play area, football field (lighted), indoor gym (without weights), picnic tables, soccer field (lighted), tennis courts (lighted), volleyball courts (lighted), pool, <u>jogging path, and kitchen</u>
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IV.I. Transportation/Traffic

Volume 2, Section IV.I, Transportation/Traffic, page IV.I-54 to page IV.I-55, revise Mitigation Measure I-2 as follows:

Mitigation Measure I-2: The Project Applicant shall develop and implement a Transportation Demand Management Program that includes strategies to promote non-auto travel and reduce the use of single-occupant vehicle trips. The Transportation Demand Management Program shall include design features, transportation services, education programs, and incentive programs intended to reduce the amount of single-occupant vehicles during commute hours. The TDM shall implement measures able to achieve a 10-percent reduction in daily trips related to proposed uses. The Transportation Demand Management Program shall be subject to review and approval by the Department of City Planning and LADOT. The Transportation Demand Management Program would include annual monitoring and a reduction in leasable square footage or potential change of use in the event the trip cap of the Project is exceeded. The Transportation Demand Management Program shall include, but is not limited to, the following:

- Establish an on-site Transportation Management Office as part of the management office to assist residents and employees find alternate travel modes and strategies.
- Provide a visible on-site kiosk with options for ridesharing, bus routes, and information on bike routes

in a prominent area(s) for residents, employees, and patrons of the commercial components;

- Provide car sharing service for residents and/or commercial employees that rideshare;
- Encourage alternative work arrangements for employees and residents;
- Transit Amenities:
 - Improve the existing bus stop on the east and west side of Hazeltine Avenue south of Riverside with a covered bench;
 - Improve the existing bus stop on the east and west side of Hazeltine Avenue south of Riverside with an electronic sign displaying the estimated arrival time for the next bus;
 - Provide access and transit pass reductions for residents and employees of the commercial venues;
- Provide carpool and vanpool matching and preferential parking for carpools/vanpools that register with the Transportation Management Office;
- Provide secure bicycle facilities and bicycle sharing service for use by residents and/or commercial employees;
- Provide improved site design that provides pedestrian oriented congregating areas and open passageways, onsite pick-up and drop-off areas and access to the Los Angeles River Parkway.
- Provide transit and ridesharing incentives such as points or coupons for merchandise or transit passes.
- Provide guaranteed rides home for employees that use alternative modes of transportation or rideshare in the event of an emergency.
- Incentives for employees of the office building to live on-site.

Volume 2, Section IV.I, Transportation/Traffic, page IV.I-55, revise Mitigation Measure I-3 as follows:

Mitigation Measure I-3: Intersection 6: Hazeltine Avenue and Riverside Drive—The Project Applicant shall coordinate

with LADOT to fund and implement the widening of the south side of Riverside Drive west of Hazeltine Avenue to provide an eastbound dedicated right-turn lane to southbound Hazeltine Avenue. The Project shall install protective permissive left-turn phasing in the northbound, eastbound, and westbound directions at Hazeltine Avenue and Riverside Drive. A dedicated eastbound bicycle lane along the north side of the right-turn lane shall also be installed. Traffic signals shall be upgraded to accommodate this safety improvement.

Volume 2, Section IV.I, Transportation/Traffic, page IV.I-55, delete Mitigation Measure I-4 as follows:

~~**Mitigation Measure I-4:** Intersection 10: Riverside Drive and Woodman Avenue The Project Applicant shall coordinate with LADOT to fund and implement an operational right-turn lane for eastbound Riverside Drive to southbound Woodman Avenue by relocating the existing Metro bus stop located on the south side of Woodman Avenue, west of Riverside Drive.~~

VI. Other CEQA Considerations

Volume 2, Section VI, Other CEQA Considerations, page VI-14, revise first full paragraph as follows:

Several alternatives to the Project were considered in Section V, Alternatives, of this Draft EIR. Among those alternatives, no feasible alternative was identified that would eliminate all of the Project's significant and unavoidable impacts with the exception of the No Project Alternative. Although the No Project Alternative would avoid the Project's significant and unavoidable cumulative impacts related to on- and off-site noise during construction; off-site vibration (pursuant to the threshold for human annoyance) during construction; and intersection levels of service during operation, the No Project Alternative would result in greater surface water quality and groundwater quality impacts ~~and create a significant unavoidable land use impact~~. In addition, while the No Project Alternative would avoid all of the Project's significant environmental impacts, the No Project Alternative would not meet the underlying purpose of the Project or any of the Project objectives, and is not considered a feasible development alternative. As discussed in Section V, Alternatives, of this Draft EIR, the Project, as proposed, satisfies the Project objectives to a substantially greater degree

than any of the proposed alternatives. This Draft EIR also includes numerous mitigation measures that reduce the potential impacts associated with the Project to the extent feasible. Overall, the Project presents several benefits that counterbalance the limited adverse effects it may have on the environment.

Appendix A: Initial Study

Volume 3, Appendix A, Initial Study/NOP/NOP Comment Letters, page B-9. The Initial Study prepared for the Project identified 163 trees on the Project Site, including two Valley Oak trees located on the southwestern corner of the Project Site. The two Valley Oak trees are considered protected by the City of Los Angeles Protected Tree Ordinance. Subsequent to the preparation of the Initial Study, further inspection of the Valley Oak trees revealed that the two trees were actually one tree with two trunks. In addition, due to the rot found at the base of the trunk of the Valley Oak tree, the tree eventually failed and was removed on December 3, 2014 by Urban Tree Care. Therefore, the Project Site does not currently contain any protected trees and would not require implementation of Mitigation Measure BIO-1 provided on page B-9 of the Initial Study. Mitigation Measure BIO-2 also included on page B-9 of the Initial Study would continue to be implemented and has been renumbered as Mitigation Measure BIO-1 in the Mitigation Monitoring Program provided in Section IV, Mitigation Monitoring Program, of this Final EIR.

Appendix B-2: Health Risk Assessment

Volume 5, Appendix B-2 Health Risk Assessment,³ page 1, combine and revise the second and third paragraphs and add a paragraph below the combined paragraph as follows:

The Los Angeles City Planning Commission (Commission) has also drafted an advisory notice regarding siting sensitive land uses near freeways. The Commission reports that freeways are a major source of air pollution and their impact on public health has been and continues to be subject to public health research. Further, the Commission notes that this research traditionally

³ *As discussed in detail in Topical Response No. 1 included in Section II, Responses to Comments, of this Final EIR, in response to comments on the Draft EIR and input from the community, a Reduced Alternative 5 is presented in this Final EIR. As part of the Reduced Alternative 5, the proposed residential uses would be provided in only two buildings (Building A and Building B). Building C proposed by the Project along Calhoun Avenue would be removed by the Reduced Alternative 5. Therefore, under the Reduced Alternative 5, the residential uses previously located closest to the freeway in Building C have been removed. Thus, the health risks of the Reduced Alternative 5 would be reduced as compared to the Project.*

focused on impacts to communities within 500 feet of freeways; however, recent studies have established strong links to negative health outcomes affecting sensitive populations up to and beyond 1,000 feet. The Commission believes that 1,000 feet is a conservative distance to evaluate proposed projects that house populations considered to be more at-risk from the negative effects of air pollution. The Commission advises that applicants of projects requiring discretionary approval, located in proximity of a freeway, and contemplating residential units and other sensitive uses, perform a health risk assessment (HRA).—~~It is believed that the HRA will serve to identify potential health risks and enable applicants to make informed decisions about site planning and project design.~~

In addition, the South Coast Air Quality Management District (SCAQMD) has commented on the limited effectiveness of air filters to remove gaseous emissions as well as the need to address outdoor exposures while individuals frequent amenities such as courtyards and related common areas. An assessment of both toxic and criteria pollutants would therefore be required to address these concerns.

Volume 5, Appendix B-2 Health Risk Assessment, page 8, revise the second paragraph as follows:

For chronic, annual and 24-hour exposures, concentration estimates for residential receptors are considered static whereby exposures are assumed to be continuous based upon the averaging time under consideration. This approach is most conservative (i.e., health protective) as it assumes that an individual would remain in their residence for the entire exposure duration (e.g., continuous for 30 years). Short duration exposures (i.e., 1 and 8-hour) apply to all receptor locations including recreational areas since it is reasonable to assume that an individual could be present for periods of one to eight hours.

Volume 5, Appendix B-2 Health Risk Assessment, page 14, revise the first paragraph as follows:

Please note, short duration exposures associated with both toxic and criteria pollutants are within acceptable limits. As such, no impacts are anticipated to individuals who utilize amenities such as the swimming pool and those that access adjoining courtyards, planting areas and landscaped plazas. Exceedance of the identified significance thresholds are associated with particulate exposures from diesel exhaust and the reentrainment of

paved roadway dust for residents located on floors 1 through 5. As a result, mitigation of particulate impacts may be accomplished by reducing pollutant concentrations within these building structures. By restricting the rate of infiltration, exposures can be controlled to reduce particulate concentrations, thereby reducing both carcinogenic risks and criteria pollutant exposures below SCAQMD's significance thresholds.

Volume 5, Appendix B-2 Health Risk Assessment, page 14, add the following paragraph after Table 9:

For carcinogenic risks, gaseous emissions are not controlled with the above referenced MERV filtration. Therefore, organic gases are considered uncontrolled and weighted against the diesel concentration estimates to produce an overall risk estimate for a given occupancy. The risk calculation worksheets presented in Appendix A depict diesel particulate concentration reductions commensurate with the identified MERV filter design. The mitigated carcinogenic risk estimates are presented in Table 10.

Appendix G-3: Traffic Impact Analysis

The Traffic Impact Analysis included in Appendix G-3 of the Draft EIR has been replaced with the correct Traffic Impact Analysis. The incorrect version was erroneously included in the Draft EIR. The correct version of the Traffic Impact Analysis included an additional related project (Related Project No. 13, the Chase Knolls project) consistent with that presented in the related projects list included in Section III, Environmental Setting, of the Draft EIR, and evaluated throughout the Draft EIR. In particular, it is noted that the transportation analysis included in Section IV.I, Transportation/Traffic, of the Draft EIR, is based on this correct Traffic Impact Analysis appended to this Final EIR, and not the Traffic Impact Analysis included as part of the Draft EIR.

C. Effect of Revisions, Corrections, and Additions

CEQA Guidelines Section 15088.5 requires that an EIR which has been made available for public review, but not yet certified, be recirculated whenever significant new information has been added to the EIR. The entire document need not be circulated if revisions are limited to specific portions of the document.

The relevant portions of CEQA Guidelines section 15088.5 read as follows:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the

availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
 - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
 - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.*
 - (4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043)*
- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.*

The information contained in this section clarifies, amplifies, or makes insignificant changes to the Draft EIR. In addition, the information added to the Draft EIR is not significant because the Draft EIR is not changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project. The modifications suggested by the comments received on the Draft EIR and input from the community, as reflected in the Reduced Alternative 5 would reduce the overall impacts in comparison to the Project since the Reduced Alternative 5 would reflect a development that is reduced in scale and density. Specifically, as part of the Reduced Alternative 5, the proposed residential uses would be provided in only two buildings

(Building A and Building B). Building C proposed by the Project along Calhoun Avenue would be removed by the Reduced Alternative 5. Therefore, under the Reduced Alternative 5, the residential uses previously located closest to the freeway in Building C have been removed. Thus, the health risks of the Reduced Alternative 5 would be reduced as compared to the Project. Accordingly, as provided above, the installation of inoperable windows facing the freeway and the placement of actively and passively utilized outdoor areas as far away from the roadway as possible is no longer required as part of Mitigation Measure B-3. As such, Mitigation Measure B-3 has been revised to instead ensure that particulate air filters are routinely replaced. Furthermore, the revisions to Appendix B-2, Health Risk Assessment, clarify the effectiveness of the air filters, the assumptions, the analysis results, and the location of the worksheets for the analysis. Additionally, while Mitigation Measure I-4 has been removed, the Draft EIR previously assumed the Project's potentially significant and unavoidable impacts without implementation of Mitigation Measure I-4 since it was not known at the time of preparation of the Draft EIR if LADOT and Metro would agree to a proposed bus stop relocation.

As evaluated in Section II, Responses to Comments, Topical Response No. 1, of this Final EIR, the Reduced Alternative 5 would not avoid the Project's significant and unavoidable impacts related to on-site noise and vibration (pursuant to the threshold for human annoyance) during construction and off-site vibration (pursuant to the threshold for human annoyance) during construction. In addition, the Reduced Alternative 5 would not avoid the Project's significant and unavoidable cumulative impacts related to on- and off-site noise during construction and off-site vibration (pursuant to the threshold for human annoyance) during construction. However, such impacts would be reduced under the Reduced Alternative 5 as the construction schedule would be reduced and the overall duration of such impacts would be reduced. In addition, the Reduced Alternative 5 would reduce the Project's impacts to intersection levels of service. Specifically, the Project's previously identified significant and unavoidable impact at Intersection 6: Hazeltine Avenue and Riverside Drive during the A.M. peak period under Future with Project Conditions would be eliminated by the Reduced Alternative 5. However, intersection level of service impacts would remain significant and unavoidable for the impact at Intersection 10: Riverside Drive and Woodman Avenue. All other impacts would be similar or less under the Reduced Alternative 5 when compared with the Project due to reduced construction, excavation, density and massing.

Based on the above, the revisions, clarifications, and corrections included herein do not result in any new significant impacts or a substantial increase in an impact already identified in the Draft EIR. In addition, the revisions, clarifications, and corrections to the Draft EIR clarify, amplify or make insignificant refinements to the Draft EIR. Thus, none of the conditions in Section 15088.5 of the CEQA Guidelines are met and recirculation of the Draft EIR is not required. Also refer to Topical Response No. 1 in Section II, Responses to Comments, of this Final EIR, for a detailed analysis of the Reduced Alternative 5.