

## VETERANS VILLAGE SEIR Findings of Fact

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The City Council hereby finds that the certified 2016 EIR, the certified 2018 Plaza Mexico SEIR, and the Project SEIR identify and disclose project-specific impacts and cumulative project impacts. Environmental impacts identified in the certified 2016 EIR and SEIR for the LTASP, findings, and facts in support of findings are herein incorporated as Findings Required by CEQA, and are as follows:

The certified 2016 EIR, certified 2018 Plaza Mexico SEIR, and/or the LTASP/Veterans Village Project Supplemental EIR identify Project-level impacts determined to be significant and mitigable to a less than significant level. They include:

### A. Aesthetics

*Significant Impact:* New significant impacts related to Aesthetics have been identified for the Project Site, as compared to the 2016 LTASP and the 2018 amended LTASP; therefore, additional mitigation is required.

The Project vicinity has an urban character and high nighttime light levels from streetlights, lighting in nearby parking lots, and light fixtures attached to exterior building facades. Vehicle headlights from autos traversing Imperial Highway, Fernwood Avenue, and Alameda Avenue adjacent to the Project Site also contribute to nighttime light. Although glare is primarily a daytime phenomenon caused by sunlight reflecting from structures, roadways, and vehicles, glare can also be created at night by vehicle headlights. Residential uses in the Project vicinity would be most sensitive to night lighting and glare. Project development and operation may contribute to an increase in light and glare visible to residents near the Project Site and would expose them to light and glare impacts from the developed vicinity and from vehicular traffic and light fixtures along Imperial Highway, Fernwood Avenue, and Alameda Avenue.

Project development would increase the overall development intensity and introduce related new sources of light. Potential sources of new nighttime light include spillover from windows of residences, outdoor security lighting, and building-mounted lighting. Development of a multi-story building could produce glare from sunlight reflecting off windows and from motor vehicles or vehicle headlights shining at night. However, the new sources of light and glare would not substantially increase nighttime lighting or glare in the urbanized Project vicinity. In addition, compliance with Chapter 25 of the Lynwood Municipal Code lighting standards for commercial and residential uses will assist in minimizing light and glare impact.

*Finding:* Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in or incorporated into the Project that avoid or substantially lessen the significant environmental effect to Aesthetics as identified in the Final SEIR.

*Facts in Support of Finding:* Implementation of the Final SEIR Mitigation Measure MM-AE-1 would ensure Project development and operation would not result in any significant impacts to Aesthetics related to creation of new sources of light and glare.

#### B. Hazards and Hazardous Materials

*Significant Impact:* New significant impacts related to Hazards and Hazardous Materials have been identified for the Project, compared to the 2016 LTASP and the 2018 amended LTASP; therefore, additional Mitigation is required. Previous hazardous materials investigations on the Alameda Triangle and State/Imperial Project areas identified chemical impacts in soil and groundwater, including Total Petroleum Hydrocarbons (gasoline, diesel and motor oil range organics), chlorinated and non-chlorinated Volatile Organic Compounds, heavy metals such as lead and arsenic, polychlorinated biphenyls, and light non-aqueous phase liquid.

A Remedial Action Plan for the Alameda Triangle & State/Imperial Project Areas was prepared in 2013 per the Environmental Oversight Agreement between the former City of Lynwood Redevelopment Agency (which has been succeeded by the City) and the California Environmental Protection Agency Department of Toxic Substances Control (DTSC). The DTSC agreed to provide regulatory oversight of the assessment and remediation activities at the Project site. The Remedial Action Plan identifies preferred remedial actions that meet proposed remedial action objectives that include the following: protection of human health and the environment; compliance with regulatory requirements; cost-effective implementation; and, selection of a permanent remedy that is consistent with the planned future land uses as part of the redevelopment process. Preferred remedial action alternatives were developed and evaluated in general accordance with applicable provisions of the National Oil and Hazardous Substances Pollution Contingency Plan promulgated under the Comprehensive Environmental Response, Compensation, and Liability Act. All Remedial Actions developed in 2013 were done so under the assumption “that the Site will be developed for commercial use only.”

*Finding:* Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in or incorporated into the Project that avoid or substantially lessen the significant environmental effects to Hazards and Hazardous Materials related to emission of hazardous emissions or hazardous materials, substances or wastes within one-quarter mile of a school and Project location on a hazardous materials site.

*Facts in Support of Finding:* Implementation of the Final SEIR Mitigation Measures MM-HH-1 and MM-HH-2 as well as compliance with recommended procedures specified in the 2013 Remedial Action Plan for the Alameda Triangle & State/Imperial Project Areas would ensure Project development and operation would not result in any significant impacts to Hazards and Hazardous Materials related to emission of hazardous emissions or hazardous materials, substances or wastes within one-quarter mile of a school and Project location on a hazardous materials site.

### C. Recreation

*Significant Impact:* Significant impacts related to Recreation have been identified for the Project, as compared to the 2016 LTASP and the 2018 amended LTASP; therefore, additional mitigation is required.

The Project would increase the total number of allowable dwelling units in the Lynwood Transit Area Specific Plan area (by 632) to 4,132, which would result in population growth more substantial than that noted in the 2016 LTASP EIR. The average household size in Lynwood is 4.69 persons per owner-occupied unit and 4.55 persons per renter-occupied unit. Using the average household sizes and assuming a 100 percent occupancy rate, the Veterans Village component of the Project would result in a population growth of 525 persons in market rate townhomes and 2,330 persons in renter-occupied units – a total anticipated population growth of 2,855 persons, which is an approximate 4 percent increase in the number of dwelling units in Lynwood. The Veterans Village component of the Project would lead to an increased park requirement of 8.57 acres while decreasing the Open Space acreage within the LTASP area. To assist in ameliorating existing and future impacts to recreational facilities and parks, the City has established a public facilities development impact fee (Municipal Code Section 11-19) that is imposed on all new development or development projects for which a development permit is issued. Following payment of in-lieu fees and/or dedication of additional park land facilities, as noted in Mitigation Measures MM-REC-1 and MM-REC-2, resultant impacts would remain significant and unavoidable. Furthermore, the Veterans Village component of the Project will be required (as part of Site Plan Review) to provide recreation amenities within the Project for residents of the Veterans Village component of the Project.

*Finding:* Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in or incorporated into the Project that avoid or substantially lessen the significant environmental effects to Recreation related to Project-caused increase in use of existing neighborhood parks such that substantial physical deterioration of the facility would occur or be accelerated. The resultant level of impact is significant and unavoidable.

*Facts in Support of Finding:* Implementation of the Final SEIR Mitigation Measures MM-PS-1 and MM-RE-1 would require payment of in-lieu park fees to the City, Project development and operation would result in significant impacts to Recreation related to Project-caused increase in use of existing neighborhood parks such that substantial physical deterioration of the facility would occur or be accelerated.

### D. Tribal Cultural Resources

*Significant Impact:* Development of the Veterans Village component of the Project might result in new or significant impacts related to Tribal Cultural Resources that were not discussed in the certified 2016 LTASP EIR as the certified 2018 Plaza Mexico

SEIR. On September 11, 2018, City consulting staff met with representatives of the Gabrieleno Band of Mission Indians–Kizh Nation in compliance with State law and the request of the Kizh Nation for tribal consultation. The tribal representatives indicated the Veterans Village component of the Project was “located within and around a sacred village, a sacred water body, and a major traditional trade route” and, as a result, “there is a high potential to impact Tribal Cultural Resources still present within the soil from the thousands of years of prehistoric activities that occurred within and around these Tribal Cultural landscapes.” Thereby, the tribal representatives requested Mitigation Measures be included in the SEIR “to avoid impacting or destroying Tribal Cultural Resources that may be inadvertently unearthed during the project’s ground disturbing activities.”

*Finding:* Pursuant to CEQA Section 15091(a)(1), changes or alterations have been required in or incorporated into the Project that avoid or substantially lessen the significant environmental effects to Tribal Cultural Resources related to potential disturbance of important tribal cultural resources during Project grading and construction activities.

*Facts in Support of Finding:* Implementation of the Final SEIR Mitigation Measures MM-TCR-1 through MM-TRC-9 would ensure Project development and operation would not result in any significant impacts to Tribal Cultural Resources related to Project-caused potential disturbance of important tribal cultural resources during Project grading and construction activities.

### **Section 3.** Alternatives Analysis

Based upon the testimony and other evidence received, and upon studies and investigation made by the City Council, the City Council further finds that the 2016 certified Final EIR analyzed a reasonable range of project alternatives. In addition, because the LTASP Amendment does not significantly change the adopted LTASP, the alternatives to the project have not changed and therefore this Supplemental EIR does not require a supplemental analysis of project alternatives. The alternatives in the Final 2016 certified EIR are as follows:

A. No Project/No Development – This alternative assumes that the LTASP is not adopted and that the Project Site would retain its existing land use designations according to the existing City of Lynwood General Plan. The existing growth assumptions for the Project Site would continue to apply. Since the adoption of the City of Lynwood General Plan, little growth has occurred in the Plan Area. Therefore, this alternative assumes that this pattern would continue and no future growth beyond mere the replacement of existing commercial, residential, and industrial uses would occur in the Project Site area. This alternative would fail to meet any of the Project Applicant’s stated objectives.

*Objective 1: Promote Transit-Oriented Development Near the Metro Green Line Station - Expand on the accessibility of the Green Line Station and the energy at Plaza*

*Mexico by creating a dynamic transit district with a distinctive identity - an active and attractive hub where people come to live, shop, work and play.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, limited transit-oriented development would take place within the plan area; it would remain a mix of uncoordinated commercial, residential and industrial development with minimal infrastructure improvements supporting transit services.

*Objective 2: Allow for Flexibility in Land Uses - Provide a framework for approval of incremental development projects on a single concept plan that offers defined ranges of flexibility to accommodate market changes.*

The “No Project/No Development” alternative would not meet this objective. Future development within the plan area would remain subject to the City’s current zoning ordinance, which does not provide an efficient framework for review of mixed-use transit oriented communities.

*Objective 3: Consolidate Uses and Create New Development Sites - Identify sites most suitable for assembly and revitalization.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, catalytic development sites would not be identified and the desired development standards promoting transit-oriented communities would not be established, which would limit future opportunities for revitalization.

*Objective 4: Enhance Pedestrian Comfort and Safety - Increase facilities, add connections, and multiply opportunities to safely and conveniently get around the area on “complete” streets by foot, bike, and public transit.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, the desired development standards promoting transit-oriented communities, multi-modal transportation strategies, and pedestrian/bicycle and recreation improvement strategies would not be established.

*Objective 5: Enhance Recreational Opportunities- Increase landscaped areas, parks, open space, and trails that are supportive of the public life of the community. Facilitate security and well-being for the Specific Plan Area’s residents, employees, and visitors through increased activity, better walkability, controls on cars and drivers, and better design and wayfinding.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, the desired development standards promoting transit-oriented communities, the expansion of open space and recreational uses, pedestrian and bicycle network improvements, and multi-modal transportation strategies would not be established.

*Objective 6: Improve and Facilitate Additional Housing - A variety of housing types should be provided which are compatible with existing housing types and neighborhoods within the community. A diverse mix of ownership and rental housing, and market rate, affordable, and workforce housing should be maintained.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, the desired development standards promoting transit-oriented communities and residential development compatible with the surrounding residential neighborhoods would not be established.

*Objective 7: Create a Sustainable Community - Ensure public health, safety and welfare by providing and maintaining sustainable facilities to ensure a balance between development and the environment. Continue to make certain that public services and facilities adequately support new development.*

The “No Project/No Development” alternative would not meet this objective. Under this alternative, the desired development standards promoting transit-oriented communities, multi-modal transportation strategies designed to reduce GHG emissions, and low impact development strategies for stormwater and drainage improvements would not be established.

B. Buildout Under the Long Beach Boulevard Specific Plan – This alternative would include future buildout previously envisioned as part of the Long Beach Boulevard Specific Plan (LBBSP), and considers the buildout potential of only those portions of the LBBSP currently located in the proposed LTASP. Under this scenario, future development within Plaza Mexico and the Long Beach Boulevard Corridor from Norton Avenue to Josephine Street would occur within an area totaling approximately 75 acres. This alternative would include development of up to 575 total residential units in the LBBSP Area compared to 3,500 units with the LTASP, and 1,580,000 square feet of non-residential development compared to 1,200,000 square feet under the LTASP.

This alternative was evaluated for the same impact categories as the proposed project and was found to have similar impacts to the proposed project, but incrementally greater impacts to land use and planning concerns. This alternative would meet some of the project’s stated objectives; however, it would be to a lesser extent than the proposed project.

*Objective 1: Promote Transit-Oriented Development Near the Metro Green Line Station - Expand on the accessibility of the Green Line Station and the energy at Plaza Mexico by creating a dynamic transit district with a distinctive identity - an active and attractive hub where people come to live, shop, work and play.*

Under the LBBSP alternative, more limited opportunities for transit-oriented residential development would take place within the plan area, particularly within the Plaza Mexico area. Moreover, future revitalization opportunities within the properties

fronting Alameda Street and fronting Imperial Highway would not be available under the LBBSP. The open space, mobility and parking/transportation demand management strategies would also not be available under the LBBSP alternative.

*Objective 2: Allow for Flexibility in Land Uses - Provide a framework for approval of incremental development projects on a single concept plan that offers defined ranges of flexibility to accommodate market changes.*

Under the LBBSP alternative, more limited opportunities for transit-oriented residential development would take place within the plan area, particularly within the Plaza Mexico area. The same level of land use flexibility would also not be provided under the LBBSP alternative.

*Objective 3: Consolidate Uses and Create New Development Sites - Identify sites most suitable for assembly and revitalization.*

Under the LBBSP alternative, a number of catalytic development sites would not be identified and the desired development standards promoting transit-oriented communities would not be established, which would limit future opportunities for revitalization.

*Objective 4: Enhance Pedestrian Comfort and Safety - Increase facilities, add connections, and multiply opportunities to safely and conveniently get around the area on “complete” streets by foot, bike, and public transit.*

Under the LBBSP alternative, the project area is limited to areas immediately adjacent to Long Beach Boulevard and thus it does not provide the desired development standards promoting transit-oriented communities, multi-modal transportation strategies, and pedestrian/bicycle and recreation improvement strategies along key corridors such as Alameda Street, Imperial Highway, Fernwood Avenue, State Street, etc.

*Objective 5: Enhance Recreational Opportunities- Increase landscaped areas, parks, open space, and trails that are supportive of the public life of the community. Facilitate security and well-being for the Specific Plan Area’s residents, employees, and visitors through increased activity, better walkability, controls on cars and drivers, and better design and wayfinding.*

Under the LBBSP alternative, the desired development standards promoting transit-oriented communities, the expansion of open space and recreational uses, pedestrian and bicycle network improvements, and multi-modal transportation strategies would be limited to properties along Long Beach Boulevard and thus opportunities for safety improvements along Alameda Street, Imperial Highway, Fernwood Avenue, and State Street would not materialize.

*Objective 6: Improve and Facilitate Additional Housing - A variety of housing types*

*should be provided which are compatible with existing housing types and neighborhoods within the community. A diverse mix of ownership and rental housing, and market rate, affordable, and workforce housing should be maintained.*

Under the LBBSP alternative, the desired development standards promoting transit-oriented communities and residential development compatible with the surrounding residential neighborhoods would not be established.

*Objective 7: Create a Sustainable Community - Ensure public health, safety and welfare by providing and maintaining sustainable facilities to ensure a balance between development and the environment. Continue to make certain that public services and facilities adequately support new development.*

Under the LBBSP alternative, the desired development standards promoting transit-oriented communities, multi-modal transportation strategies designed to reduce GHG emissions, and low impact development strategies for stormwater and drainage improvements would only be established for properties located adjacent to Long Beach Boulevard.

The City Council finds that the LBBSP Buildout Alternative will not meet the project objectives to the same extent as the proposed project, and that the preferred alternative provides a more desirable mix of commercial, residential, industrial, and open space uses and a more aesthetically pleasing environment.

C. Lower Growth Alternative SCAG 2040 Buildout – This alternative would accommodate the residential and job growth forecast for the City of Lynwood in SCAG’s 2016 RTP/SCS in the Plan Area. Under this scenario, future development in the Plan Area would include 1,500 residential units and approximately 1,700 new jobs. Utilizing SCAG’s square foot per job estimate of 511 square feet of commercial square footage per employee (SCAG, 2001), the forecast 1,700 new jobs equates to approximately 870,000 square feet of new commercial uses.

This alternative was evaluated for the same impact categories as the proposed project and was found to have similar impacts to the proposed project; however, development would likely occur throughout the entire City of Lynwood and would not be targeted towards properties located near existing transit services and transit-rich corridors. This Alternative would meet the proposed project’s stated objectives; however, it would be to a lesser extent than the proposed project.

*Objective 1: Promote Transit-Oriented Development Near the Metro Green Line Station - Expand on the accessibility of the Green Line Station and the energy at Plaza Mexico by creating a dynamic transit district with a distinctive identity - an active and attractive hub where people come to live, shop, work and play.*

Under the SCAG 2040 Buildout Alternative, more limited opportunities for transit-oriented residential development would take place within the plan area, particularly

within the Plaza Mexico area as future development opportunities would be spread throughout the City instead of targeted near transit services. Future revitalization opportunities within the properties fronting Alameda Street and fronting Imperial Highway would also be limited under the SCAG Alternative.

*Objective 2: Allow for Flexibility in Land Uses - Provide a framework for approval of incremental development projects on a single concept plan that offers defined ranges of flexibility to accommodate market changes.*

Under the SCAG 2040 Buildout Alternative, individual projects would be reviewed pursuant to the existing zoning ordinance and land use standards, which would provide a more limited level of land use flexibility and limited opportunities for mixed-use development near transit services.

*Objective 3: Consolidate Uses and Create New Development Sites - Identify sites most suitable for assembly and revitalization.*

Under the SCAG 2040 Buildout Alternative, a number of catalytic development sites would not be identified and the desired development standards promoting transit-oriented communities would not be established, which would limit future opportunities for revitalization.

*Objective 4: Enhance Pedestrian Comfort and Safety - Increase facilities, add connections, and multiply opportunities to safely and conveniently get around the area on “complete” streets by foot, bike, and public transit.*

Under the SCAG 2040 Buildout Alternative, development would likely occur throughout the City and would not be targeted within transit-rich service areas. In addition, it would not provide the desired development standards promoting transit-oriented communities, multi-modal transportation strategies, and pedestrian/bicycle and recreation improvement strategies along key corridors such as Alameda Street, Imperial Highway, Fernwood Avenue, State Street, etc.

*Objective 5: Enhance Recreational Opportunities- Increase landscaped areas, parks, open space, and trails that are supportive of the public life of the community. Facilitate security and well-being for the Specific Plan Area’s residents, employees, and visitors through increased activity, better walkability, controls on cars and drivers, and better design and wayfinding.*

Under the SCAG 2040 Buildout Alternative, the desired development standards promoting transit-oriented communities, the expansion of open space and recreational uses, pedestrian and bicycle network improvements, and multi-modal transportation strategies would not be available and development would be spread throughout the City instead of within transit-rich service areas.

*Objective 6: Improve and Facilitate Additional Housing - A variety of housing types*

*should be provided which are compatible with existing housing types and neighborhoods within the community. A diverse mix of ownership and rental housing, and market rate, affordable, and workforce housing should be maintained.*

Under the SCAG 2040 Buildout Alternative, the desired development standards promoting transit-oriented communities and residential development compatible with the surrounding residential neighborhoods would not be established. Instead, future growth would occur throughout the City under the City's current zoning ordinance, which does not provide for as diverse a mix of housing.

*Objective 7: Create a Sustainable Community - Ensure public health, safety and welfare by providing and maintaining sustainable facilities to ensure a balance between development and the environment. Continue to make certain that public services and facilities adequately support new development.*

Under the SCAG 2040 Buildout Alternative, the desired development standards promoting transit-oriented communities, multi-modal transportation strategies designed to reduce GHG emissions, and low impact development strategies for storm water and drainage improvements would not be established.

The City Council finds that the SCAG 2040 Buildout Alternative will not meet the project objectives to the same extent as the proposed project, and the proposed project provides a more desirable and lower scale mix of commercial retail uses and a more aesthetically pleasing environment.

D. The Preferred Alternative - This alternative is described in detail throughout the associated staff report and Final EIR as the proposed project. The proposed project does reduce significant impacts through the implementation of mitigation measures and meets the project objectives described above. The Final EIR provides substantial evidence that the proposed project will result in no significant impact to Aesthetics, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use, Fire Protection Services, Sheriff Protection Services, Recreation, Agricultural Resources, Mineral Resources, and Population and Housing. With regard to the remaining environmental subject areas (Air Quality, Public Services, and Utilities), any impacts posed by the proposed project are less than significant with the implementation of mitigation measures. Operational noise impacts were found in the 2016 Lynwood Transit Area Specific Plan EIR and the Supplemental EIR to be significant and unavoidable for the Specific Plan Amendment. However, compliance with standards required in the Lynwood General Plan would reduce roadway noise impacts to the maximum extent feasible although roadway noise impacts would remain significant and unavoidable. Operational noise impacts for the Plaza Mexico Residences were found in the 2018 Modified Project Supplemental EIR to be less than significant. Traffic impacts were found to be significant and unavoidable in the 2016 Lynwood Transit Area Specific Plan EIR and the 2018 Modified Project Supplemental EIR; however, they will be minimized to the extent feasible by Final 2016 LTASP EIR and 2018 Modified Project SEIR through Mitigation Measures T-1(a) through T-1(f)

stipulated in the 2016 Lynwood Transit Area Specific Plan EIR and Mitigation Measure T-2 stipulated in the certified 2018 Modified Project Supplemental EIR.

The City Council finds that the range of alternatives studied in the EIR reflect a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project's significant environmental effects, while accomplishing most of the Project Objectives. The City Council finds that the alternatives analysis in the certified 2016 EIR is sufficient to inform the City Council, agencies, and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the achievement of the Project Objectives.

The City Council finds the Project would satisfy the Project Objectives. The City Council has adopted Mitigation Measures that avoid or reduce to the extent feasible the significant environmental effects of the Project. While these Mitigation Measures will not mitigate all Project impacts to a less-than-significant level, they will mitigate those impacts to a level that the City Council finds is acceptable. The City Council finds the remaining alternatives infeasible for a number of reasons, including that they would not meet most of the Project Objectives and would be inconsistent with City planning policies. Accordingly, the City Council has determined to approve the Project instead of approving one of the remaining alternatives.

#### **Section 4.** General Findings.

Based upon the testimony and other evidence received, and upon studies and investigation conducted for the project, the City Council finds:

- A. The SEIR for the LTASP Amendment No. 2018-03 is adequate, complete, and has been prepared in accordance with CEQA.
- B. The City Council has reviewed and considered the SEIR in reaching its conclusion.
- C. In accordance with CEQA Guidelines Sections 15091 and 15093, the SEIR for the Project includes descriptions of each potentially significant impact and rationale for finding that changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as detailed in Section 2.
- D. In accordance with Public Resources Code Section 21081 and CEQA Guidelines Section 15091, changes and alterations have been required and incorporated into the Project's SEIR, which avoid or substantially lessen the significant environmental effect because feasible mitigation measures included in the MMRP, Exhibit A to this resolution, are made conditions of approval for this project.
- E. The Project's SEIR reflects the City's independent judgment and analysis.