RESOLUTION NO. 2024-R079

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, (1) CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT SCH NO. 2023080709; (2) ADOPTING FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND (3) ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, IN COMPLIANCE WITH CEQA, FOR THE 5700 HANNUM MIXED USE COMPREHENSIVE PLAN.

(Environmental Impact Report, P2023-0218-EIR)

WHEREAS, on October 9, 2023, 5700 Hannum Owner, LLC c/o Lincoln Property Company, (the "Applicant") filed applications for a General Plan Map Amendment, Zoning Code Map Amendment, Comprehensive Plan, Density and Other Bonus Incentives, and Extended Construction Hours to construct a 6-story, up to 78-foot high, mixed use residential and commercial development on a 2.23-acre site (the "Project"). The Project is more specifically described by Los Angeles County Assessor Parcel Number 4134-005-015 in the City of Culver City, County of Los Angeles, State of California at 5700 Hannum Avenue in Culver City, California, 90230; and,

WHEREAS, The Project is a new 6-story (up to 78-foot high) mixed-use residential and commercial development with two semi-subterranean levels, 309 residential units (including 27 very low-income units) and 5,600 square feet of retail space. There is a total of 7,507 square feet of publicly accessible open space, 19,526 square feet of private open space, and 27,123 square feet of residential common open space. There are 428 vehicle parking spaces (399 residential, 6 guest, and 23 commercial) in two semi-subterranean vehicle parking levels with additional at grade parking on the first floor, and two vehicle access points: residential only on Buckingham Parkway and commercial and residential on Hannum Avenue. The Project also contains 92 bicycle spaces: 11 short-term and 81 long-term. The City of Culver City is the lead agency for the CEQA environmental review process.

Currently, the Project Site is occupied by a 30,672 square foot two-story office building constructed in the late 1970s and surface parking with landscaping. The sidewalks adjoining the Project Site to the north, east, and south are landscaped with street trees. The office building and surface

parking uses are on relatively flat graded land, however, Buckingham Parkway slopes downward from north to south, with the northernmost elevation (at its intersection with Hannum Avenue) at approximately 128 feet (measured from sea level) and the southernmost elevation (near Windsor Way) at approximately 103 feet. The topographical street elevation decreases by approximately 25 feet from north to south. There is a fire lane/access road on the west side shared by the Project Site and the property at 5750 Hannum Avenue. The fire lane/access road will remain accessible by both properties after construction of the Project.

WHEREAS, to implement the proposed Project, approval of the following applications is required:

1. General Plan Map Amendment P2023-0218-GPMA: to change the existing Regional Center land use designation to Mixed Use High, to ensure the Project Site's land use designation allows residential uses; and

2. Zoning Code Map Amendment P2023-0218-ZCMA: to change the existing Commercial Regional Business Park (CRB) zoning designation to Planned Development (PD), to ensure the proper rezoning of the property and maintain consistency with the General Plan designation; and

3. Comprehensive Plan P2023-0218-CP: to ensure the Project is in compliance with all required standards and City ordinances, establishes standards and uses, and establishes all onsite and offsite conditions of approval to reflect the site features and compatibility of the proposed Project with the uses on adjoining properties; and

4. Density and Other Bonus Incentives P2023-0218-DOBI: to ensure implementation of State law density bonuses and other bonus incentives requirements, pursuant to California Government Code § 65915, or as may be amended, and the goals and policies of the City's General Plan Housing Element; and

5. Extended Construction Hours Request: a land use entitlement allowing additional hours of construction in the morning increasing the allowed construction time between 7:00 am and 8:00 pm, Monday through Friday; and 7:00 am and 7:00 pm, Saturdays and Sundays, to allow for specific

constructive activity including crane installation and dismantling, pouring concrete, grading, and excavation; and

WHEREAS, the California Environmental Quality Act of 1970, as amended (California Public Resources Code 21000, et.seq.; and California Code of Regulations, Title 14, Ch. 3 15000, et.seq.; collectively, "CEQA"), gives to the lead agency the responsibility for considering the effects of a project, both individual and collective, of all physical development activities involved when action is taken by a lead agency to approve a Project; and

WHEREAS, the City prepared an Initial Environmental Study (Initial Study) for the Project, which determined that the Project may have a significant effect on the environment and that an Environmental Impact Report must be prepared. The Initial Study determined that the following areas must be addressed in the Project EIR: aesthetics, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, land use and planning, noise, population/housing, public services, recreation, transportation, tribal cultural resources, utilities, and service systems; and mandatory findings of significance; and

WHEREAS, the City prepared a Notice of Preparation ("NOP") of the Draft EIR, which was circulated to the affected agencies and the public, pursuant to CEQA for 30 days beginning on August 29, 2023, and numerous comments from agencies and the public were received in response. The City held a public scoping meeting on September 12, 2023, to obtain information from the public as to issues that should be addressed in the Draft EIR; and

WHEREAS, the City in accordance with provisions of CEQA Guidelines Sections 15085(a) and 15087(a), the City, serving as the Lead Agency: (1) prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse; (2) published a Notice of Availability (NOA) of a Draft EIR which indicated that the Draft EIR was available for public review at the City's Current Planning Division; (3) provided copies of the NOA and Draft EIR to the Culver City Julian Dixon Library; (4) posted the NOA and the Draft EIR on the City's Planning Division website:

https://www.culvercity.org/Active-Projects/5700-Hannum-Ave-Proposed-Project ;

(5) sent an NOA to all property owners and occupants within 500 feet of the Project Site and extended to end of city block; (6) sent an NOA to the last known name and address of all organizations and individuals who previously requested such notice in writing or attended public meetings about the Project; and (7) filed the NOA with the County Clerk. The public review period commenced on April 4, 2024, and ended on May 20, 2024, for a total of 47 days. The City conducted a virtual Community Meeting focused on the Project and a Public Meeting focused on the Draft EIR on April 30, 2024; and

WHEREAS, the City received numerous written and oral comments to the Draft EIR, prepared responses to those comments and determined no revisions to the Draft EIR are necessary. The proposed written responses to comments from public agencies received during the 47-day review period were provided to such agencies and the Final EIR was made available on June 19, 2024; and

WHEREAS, the Final Environmental Impact Report (EIR), dated June 2024, includes the Draft EIR, dated April 2024, responses to written comments on the Draft EIR, responses to public testimony regarding the Draft EIR, issues raised during the public comment period, and the Mitigation Monitoring and Reporting Program (MMRP). The Final EIR was prepared and circulated in compliance with CEQA; and

WHEREAS, on July 10, 2024, the Planning Commission held a duly noticed public meeting to receive public comment on the Final EIR and consider the proposed Final EIR. During the course of the public hearing, the Planning Commission considered staff and consultant presentations, written comments received from public agencies and the public, staff reports, Applicant presentations, information presented to the Planning Commission to assist its understanding of the Project, the Final EIR, CEQA Findings of Fact and Statement of Overriding Considerations and public comments and testimony on the Project. In addition, the Planning Commission considered the Final EIR prepared for the Project, including information provided in staff reports, information presented from experts and in public testimony, including letters submitted to the Planning Commission following the close of the public hearing before the Planning Commission, and other matters in the public record; and

WHEREAS, following conclusion of the public discussion and thorough deliberation of the subject matter, the Planning Commission, by a vote of 3 to 0, adopted Resolution 2024-P004 recommending to the City Council (1) certification of the Final Impact Report SCH No. 2023080709; (2) adoption of CEQA findings and a mitigation monitoring and reporting program; and (3) adoption of a statement of overriding considerations based on an assessment of Project benefits against the Project's significant and unavoidable impacts, in compliance with the California Environmental Quality Act, for Comprehensive Plan, Density and Other Bonus Incentives, Zoning Code Map Amendment, and General Plan Map Amendment, P2023-0218-CP; -DOBI; -ZCMA; -GPMA, for the Project; and

WHEREAS, the Draft EIR reviewed the Project that included construction hours beginning at 7:00 am instead of 8:00 am on weekdays, 9:00 am on Saturdays, and 10:00 am on Sundays and determined noise construction occurring outside the permitted construction hours will create significant and unavoidable impacts, and that this impact is reduced to less than significant if construction occurs during permitted hours; and

WHEREAS, after the Planning Commission decision, staff determined that a statement of overriding considerations is not needed because construction will only occur during permitted hours, whether those hours are limited to the Culver City Municipal Code allowed construction hours, or include the City Council approved extended hours; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. GENERAL FINDINGS. Pursuant to the foregoing recitations, the following findings are hereby made:

1. Based on the findings contained in the Initial Study prepared by the City, it was determined that the proposed Project may have a significant effect on the environment and an EIR is required.
2. The Draft and Final EIRs, including the technical appendices and responses to comments, were prepared, circulated, and completed in compliance with CEQA.

3. Revisions to the Draft EIR were not necessary and responses to comments, and other documents related to the Draft EIR have been made a part of or incorporated into the Final EIR.

4. Because there were no revisions made to the Draft EIR and no incorporation of revisions into the Final EIR, recirculation of the Draft EIR is not required based on the following:

   a. No significant new information has been added that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the project, a feasible way to mitigate or avoid such an impact that the Applicant has declined to implement, or a feasible project alternative;

   b. The comment period did not result in new information that would have required corrections, changes, and/or clarification to points and information included in the Draft EIR;

   c. There are no significant new environmental impacts resulting from the Project from a new mitigation measure proposed to be implemented;

   d. There is no substantial increase in the severity of an environmental impact that has not been mitigated to a level of insignificance;

   e. The Applicant has not declined to adopt any feasible project alternatives or mitigation measures, considerably different from others previously analyzed, that clearly lessen the environmental impacts of the Project; and

   f. The Draft EIR is not fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment precluded.

5. The Final EIR accurately describes the Project and identifies the discretionary approvals necessary for the project as listed in the recitations above.

6. The Final EIR adequately analyzes all of the potentially significant environmental impacts of approval of the Project, mitigation measures, environmental impacts and cumulative

impacts which have been mitigated to a less than significant level, alternatives to the Project on the Project site, short-term and long-term impacts, and growth inducing impacts.

SECTION 2. CERTIFICATION FINDINGS. Based upon the above recitals and the entire record, including, without limitation, the 5700 Hannum Mixed Use Comprehensive Plan Project Draft and Final EIR, oral and written testimony and other evidence received, at the public hearings held on the Project and the Final EIR, the City Council further finds:

1. That the EIR for the Project is adequate, complete, and has been prepared in accordance with the California Environmental Quality Act (CEQA).
2. That the City Council has independently reviewed and considered the EIR in reaching its conclusions.
3. The City Council has reviewed and considered in the EIR as well as the whole of the administrative record and the evidence and testimony presented in this matter, prior to making its recommendation on the Project.
4. The City Council finds that the Final EIR reflects the decision-maker's independent judgment and analysis.
5. The City Council finds that a mitigation monitoring and reporting program (MMRP) has been prepared and is adopted to enforce the mitigation measures required by the Final EIR and Project approvals (Exhibit B).
6. The City Council does not adopt a statement of overriding considerations based on staff's assessment that construction during permitted hours, whether extended beyond code allowed limits pursuant to an approved extended construction hours request or within code allowed limits pursuant to CCMC Section 9.07.035, will not result in significant and unavoidable impacts.

SECTION 3. Pursuant to the foregoing recitations and findings, the City Council of the City of Culver City, California, hereby (1) certifies the Final Impact Report SCH No. 2023080709; and (2) adopts CEQA findings and a mitigation monitoring and reporting program, subject to Exhibits A and B

of this Resolution, referenced herein and made a part of, and in compliance with the California Environmental Quality Act, for Comprehensive Plan, Density and Other Bonus Incentives, Zoning Code Map Amendment, and General Plan Map Amendment, P2023-0218-CP; -DOBI; -ZCMA; -GPMA, for the Project.

APPROVED and ADOPTED this 11th day of November 2024.

DAN O'BRIEN, Vice Mayor
City of Culver City, California

ATTESTED BY:

JEREMY BOCCHINO, City Clerk

APPROVED AS TO FORM:

HEATHER BAKER, City Attorney

FINDINGS OF FACT (CEQA)

I. INTRODUCTION

The Environmental Impact Report (EIR), consisting of the Draft EIR and the Final EIR, is intended to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the 5700 Hannum Project (Project), a mixed-use residential and commercial project on an approximately 2.23-acre (97,264-square-foot [sf]) site (Project Site) located at 5700 Hannum Avenue within the Fox Hills neighborhood of the City of Culver City (City). The Project Site is bounded by Hannum Avenue to the north, Buckingham Parkway to the east, and existing commercial uses to the west and south. The Project Site is currently developed with an existing two-story office building in the northern portion of the Project Site and associated surface parking. The Project would develop a new six-story (up to a height of 78-feet) mixed-use building with two semi-subterranean levels, consisting of 309 residential units (including 27 Very Low Income units) and 5,600 sf of retail space. The Project would provide a total of 54,156 sf of open space consisting of 7,507 sf of publicly accessible open space, 19,526 sf of private open space, and 27,123 sf of common open space (for residents). The publicly available open space would include the Hannum Plaza, and the common open space available to residents only would include a centrally located courtyard, a community room on the second floor, a gym, an amenity deck, and a community room on the sixth floor. The building would be constructed atop two levels of semi-subterranean vehicular parking, with parking also provided on the first floor of the building. The Project would include a total of 428 vehicular parking spaces (399 residential, 6 guest and 23 commercial) within the three parking levels. Two points of vehicular access would be provided to the Project Site, including a residential-only driveway along Buckingham Parkway and a commercial and residential driveway along Hannum Avenue. The Project would also provide a total of 92 bicycle spaces, consisting of 11 short-term and 81 long-term bicycle parking spaces in compliance with Culver City Municipal Code (CCMC) requirements.

The City, as Lead Agency, has evaluated the environmental impacts of implementation of the Project by preparing an EIR (Case Number P2023-0218-EIR/State Clearinghouse No. 2023080709). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code (PRC) Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the CEQA Guidelines). The findings discussed in this document are made relative to the conclusions of the EIR.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic,

social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (*See* PRC Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final EIR for the Project, as fully set forth therein. Although CEQA Guidelines Section 15091 does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant," these findings nevertheless fully account for all such effects identified in the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

- Description of Significant Effects – A description of the environmental effects identified in the EIR.
- Project Design Features – A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures – A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Findings – One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Findings – A summary of the rationale for the finding(s).
- Reference – A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations (SOC) setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects.

While the Planning Commission, in their review of the EIR, determined an SOC was appropriate because of significant and unavoidable impacts due to construction noise, staff, after further review, determined an SOC is not necessary. The Draft EIR reviewed the Project that included construction hours beginning at 7:00 am instead of 8:00 am on weekdays, 9:00 am on Saturdays, and 10:00 am on Sundays. The SOC states that noise construction occurring outside the permitted construction hours will create significant and unavoidable impacts. However the Draft EIR also states that this impact is reduced to less than significant if construction occurs during permitted hours.

The Applicant is requesting extended construction hours as part of the Entitlements and if the City Council approves an extended construction hours request, as recommended, the proposed hours are permitted hours and impacts from construction noise are less than significant. If the extended construction hours request is not granted, then construction outside of the normal construction hours is not allowed and will not occur. Accordingly, there will be no significant and unavoidable impacts due to construction noise occurring outside of permitted hours and no SOC is necessary for the Project.

(CEQA Guidelines Section 15093, 15043[b]; *see also* PRC Section 21081[b].)

II. ENVIRONMENTAL REVIEW PROCESS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents:

Initial Study. The Project was reviewed by the Current Planning Division of Culver City (serving as Lead Agency) in accordance with the requirements of CEQA (PRC Section 21000, et seq.). The City prepared an Initial Study in accordance with CEQA Guidelines Section 15063(a).

Notice of Preparation. Pursuant to CEQA Guidelines Section 15082, the City then circulated a Notice of Preparation (NOP) to State, regional and local agencies, and members of the public for a 30-day comment period commencing on August 29, 2023, and ending on September 28, 2023. The purpose of the NOP was to formally inform the public that the City was preparing a Draft EIR for the Project, and to solicit input regarding the scope and content of the environmental information to be included in the Draft EIR. In addition, a virtual Community Meeting and an EIR Scoping Meeting were held regarding the Project on September 12, 2023. Comment letters responding to the NOP

were submitted to the City by ten commenters, including public agencies, interested organizations and individuals. The NOP, Initial Study, and comment letters are included in Appendix A of the Draft EIR.

Draft EIR. The Draft EIR evaluated in detail the potential effects of the Project. It also analyzed the effects of a reasonable range of three alternatives to the Project, including a "No Project" alternative. The Draft EIR for the Project (State Clearinghouse No. 2023080709), incorporated herein by reference in full, was prepared pursuant to CEQA and the CEQA Guidelines. The Draft EIR was circulated for a 47-day public comment period beginning on April 4, 2024, and ending on May 20, 2024. Copies of the written comments received are provided in the Final EIR. Pursuant to CEQA Guidelines Section 15088, the City, as Lead Agency, reviewed all comments received during the review period for the Draft EIR and responded to each comment in Final EIR Chapter 2, Comments and Responses.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse for distribution to State Agencies on April 3, 2024, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. The City published a Final EIR for the Project on June 17, 2024, which is hereby incorporated by reference in full. The Final EIR is intended to serve as an informational document for public agency decision-makers and the general public regarding objectives and components of the Project. The Final EIR addresses the environmental effects associated with implementation of the Project, identifies feasible mitigation measures and alternatives that may be adopted to reduce or eliminate these impacts, and includes written responses to all comments received on the Draft EIR during the public review period. Responses were sent to all public agencies that made comments on the Draft EIR at least 10 days prior to certification of the Final EIR pursuant to CEQA Guidelines Section 15088(b). In addition, all individuals that commented on the Draft EIR also received a copy of the Final EIR. The Final EIR was also made available for review on the City's website. Notices regarding availability of the Final EIR were sent to those owners within a 500-foot radius of the Project Site, as well as individuals who commented on the Draft EIR, provided comments during the NOP comment period, or requested notice.

Public Hearing. A duly noticed public hearing for the Project was held by the Current Planning Division on July 10, 2024.

III. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes, but is not limited to, the following documents and other materials that constitute the administrative record upon which the City approved the Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials, including supportive technical reports;
- The Draft EIR and Appendices, Final EIR and Appendices, and all documents relied upon or incorporated therein by reference;
- The Mitigation Monitoring Program (MMP) prepared for the Project;
- The Culver City General Plan and related EIR;
- The Southern California Association of Governments (SCAG)'s 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS);
- The Culver City Municipal Code, including, but not limited, to the Zoning Ordinance;
- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;
- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and
- Any and all other materials required for the record of proceedings by PRC Section 21167.6(e).

Pursuant to PRC Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the Record of Proceedings upon which the City has based its decision are located in and may be obtained from the Current Planning Division, as the custodian of such documents and other materials that constitute the record of proceedings, located at Culver City Hall, 9770 Culver Boulevard, 2nd Floor, Culver City, CA 90232.

In addition, copies of the Draft EIR and Final EIR are available on the City's Current Planning Division website at: https://www.culvercity.org/Active-Projects/5700-Hannum-Ave-Proposed-Project. Copies were also available for in-person review at the Culver City Julian Dixon Library and the Baldwin Hills Branch Library.

IV. DESCRIPTION OF THE PROJECT

The Project Site, which is located at 5700 Hannum Avenue, is bounded by Hannum Avenue to the north, Buckingham Parkway to the east, and existing commercial uses to the west and south. The Project Site is currently developed with an existing two-story office building in the northern portion of the Project Site and associated surface parking. The Project would develop a new six-story (up to a height of 78-feet) mixed-use building with two semi-subterranean levels, consisting of 309 residential units (including 27 Very Low Income units) and 5,600 sf of retail space. The Project's 356,996 sf of residential

floor area plus the 5,600 sf of commercial floor area equates to a floor area ratio (FAR) of 3.73:1. The Project would provide a total of 54,156 sf of open space, consisting of 7,507 sf of publicly accessible open space, 19,526 sf of private open space, and 27,123 sf of common open space (for residents). The publicly available open space would include the Hannum Plaza, and the common open space available to residents only would include a centrally located courtyard, a community room on the second floor, a gym, an amenity deck, and a community room on the sixth floor. The building would be constructed atop two levels of semi-subterranean vehicular parking, with parking also provided on the first floor of the building. The Project would include a total of 428 vehicular parking spaces (399 residential, 6 guest and 23 commercial) within the three parking levels. Two points of vehicular access would be provided to the Project Site, including a residential only driveway along Buckingham Parkway and a commercial and residential driveway along Hannum Avenue. The Project would also provide a total of 92 bicycle spaces, consisting of 11 short-term and 81 long-term bicycle parking spaces in compliance with CCMC requirements.

1. Project Site Zoning

The General Plan Land Use designation for the Project Site is Regional Center, which allows large-scale commercial uses and is intended to support existing and anticipated regional-serving commercial developments. The Regional Center land use designation does not support residential and/or residential mixed-use projects. Per the Zoning Code, the Project Site is zoned Commercial Regional Business Park (CRB). The CRB Zoning District identifies areas appropriate for large-scale office and business park developments with shared parking, including specific light industrial uses, and does not permit residential uses. The City adopted a 2021-2029 Housing Element on January 24, 2022. Pursuant to the adopted Housing Element, the Property's preferred land use designation is Mixed-Use High, which would allow for high-density residential uses including mixed-use developments. The 2022 Housing Element's preferred Mixed-Use High designation permits a residential density of 100 dwelling units per acre. In addition, the draft Land Use Element under consideration as part of Culver City's General Plan 2045 Update includes the draft Land Use Map and Land Use designations with appropriate draft densities. The Project Site's draft land use designation and density is Mixed-Use High and 100 dwelling units per acre, consistent with the Housing Element's preferred designation and density.

The Project is proposing to change the Project Site's zoning designation to Planned Development (PD) with adoption of a Comprehensive Plan that would create zoning and development standards for the Project Site. Per the Zoning Code, a Comprehensive Plan is appropriate for large-scale development as it allows flexibility in the application of zoning code standards to encourage innovation in site planning and design and to support more effective responses to the settings of such properties and other environmental considerations. (CCMC Section 17.560.) To permit this, a Comprehensive Plan regulates permitted uses, development standards, and permit requirements for a Project Site. To achieve the Project's proposed density and mix of uses, a General Plan Map Amendment would be needed to designate the Project Site as General Corridor. More units than

permitted under the Housing Element's preferred and draft Land Use density are proposed. The Applicant proposes a Density and Other Bonus Incentives density increase in return for reservation of a certain number of units as affordable for very low to moderate income households for a period of 55 years. The Project's unit count is consistent with the recently-adopted October 2021-2029 Housing Element's preferred Mixed-Use High Designation, the Draft General Plan 2045 update, and state density bonus law.

V. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT, LESS THAN SIGNIFICANT WITHOUT MITIGATION, OR LESS THAN SIGNIFICANT WITH MITIGATION IN THE INITIAL STUDY

The Current Planning Division prepared an Initial Study dated November 2, 2021, which is located in Appendix A of the Draft EIR. The Initial Study found the following environmental impacts not to be significant, less than significant without mitigation, or less than significant with mitigation:

I. Aesthetics

a. Scenic Vista

b. Scenic Resources

c. Light or Glare

II. Agricultural and Forest Resources

a. Farmland

b. Existing Zoning for Agricultural Use

c. Forest Land or Timberland Zoning

d. Loss or Conversion of Forest Land

e. Other Changes in the Existing Environment

III. Air Quality

d. Objectionable Odors

IV. Biological Resources

a. Special Status Species

b. Riparian Habitat and Wetlands

c. Wetlands

d. Movement of any native resident or migratory fish or wildlife species

Less than significant with implementation of MM-BIO-1:

MM-BIO-1: The Applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Either:

1) Vegetation removal and/or construction-related activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds. This would ensure that no active nests are disturbed; or

2) If avoidance of the avian breeding season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) is not feasible, then:

a. A qualified biologist shall conduct a preconstruction nesting bird survey within 15 days and again within 72 hours prior to any ground disturbing activities (staging, grading, vegetation removal or clearing, grubbing, etc.). The survey shall be conducted to ensure that impacts to birds, including raptors, protected by the MBTA and/or the California Fish and Game Code are avoided. Survey areas shall include suitable nesting habitat within 200 feet (or up to 300 feet, depending on topography or other factors, and 500 feet for raptors) of construction site boundaries. This two tiered survey method is intended to provide the Applicant with time to understand the potential issue and evaluate solutions if nests are present, prior to mobilizing resources. If active nests are not identified, no further action is necessary.

b. If active nests are identified during pre-construction surveys, an avoidance buffer shall be demarcated for avoidance using flagging, staking, fencing, or another appropriate barrier to delineate construction avoidance until the nest is determined to no longer be active by a qualified biologist (i.e., young have fledged or no longer alive within the nest). An active nest is defined as a structure or site under construction or preparation, constructed or prepared, or being used by a bird for the purpose of incubating eggs or rearing young. Perching sites and screening vegetation are not part of the nest. Given the high disturbance level, general avoidance buffers include a minimum 100-foot avoidance (for smaller birds more tolerant of human disturbance) to a 250-foot avoidance buffer for passerine and a 500-foot avoidance

buffer from active raptor nests, or reduced buffer distances determined at the discretion of a qualified biologist familiar with local nesting birds and breeding bird behavior within the Project area.

Construction personnel shall be informed of the active nest and avoidance requirements. A biological monitor shall review the site, at a minimum of one-week intervals, during all construction activities occurring near active nests to ensure that no inadvertent impacts to active nests occur. Pre-construction nesting bird surveys and monitoring results shall be submitted to the Culver City Planning Division via email or memorandum upon completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. In addition, preconstruction surveys and/or construction monitoring shall also be submitted to the California Department of Fish and Wildlife (CDFW) within two months of the completion of the monitoring activities.

e. Local Preservation Policies

f. Habitat Conservation Plans

V. Cultural Resources

a. Historical Resource Significance

c. Human remains

VII. Geological Resources

a.i. Earthquake Fault

a.ii. Seismic Ground Shaking

a.iii. Seismic-Related Ground Failure

a.iv. Landslide

b. Soil Erosion

c. Unstable Soil

d. Expansive Soil

e. Septic Tanks

IX. Hazards and Hazardous Materials

a. Transport, Use, or Disposal

b. Release

c. School Proximity

d. Hazardous Materials Sites

e. Airport Land Use Plans

f. Emergency Response Plans

g. Wildland Fires

X. Hydrology and Water Quality

a. Ground Water Quality Standards

b. Groundwater Supplies

c.i. Erosion

c.ii. Surface Runoff

c.iii. Stormwater Drainage Capacity

c.iv. Flood Flows

d. Flood Hazard, Tsunami, Seiche

e. Water Quality Control or Groundwater Management Plans

XI. Land Use and Planning

a. Divide an Established Community

XII. Mineral Resources

a. Loss of Known Mineral Resources

b. Loss of Mineral Resources Recovery Site

XIII. Noise

c. Airport Land Use Plans and Private Airstrips

XIV. Population and Housing

b. Displacement of Existing Residents

XV. Public Services

a.v. Other Public Services

XIX. Utilities and Service Systems

c. Wastewater Treatment Capacity

d. Solid Waste Generation

e. Solid Waste Regulations

XX. Wildfire

a. Emergency Response Plan

b. Exacerbate Wildfire Risk

c. Emergency Infrastructure

d. Post-fire Risk

The City has reviewed the record and agrees with the conclusion that the above environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Initial Study.

VI. ENVIRONMENTAL IMPACTS FOUND NOT TO BE SIGNIFICANT OR LESS THAN SIGNIFICANT PRIOR TO MITIGATION IN THE DRAFT EIR

Impacts of the Project that were determined to have no impact or be less than significant in the Draft EIR (including having a less than significant impact as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by the Project and, therefore, no additional findings are needed. The following information does not repeat the full discussions of environmental impacts contained in the Draft EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Draft EIR.

1. Aesthetics

(A) Regulations Governing Scenic Quality

As detailed in Draft EIR Section 4.1, Aesthetics, the Project would not conflict with applicable zoning and other regulations governing scenic quality. The Project is located in an urbanized area, with a mix of office, business park, and residential uses in the nearby vicinity. The Project Site is not located in a scenic vista or area with protected views designated by the City. The Project Site is not located in the vicinity of a City of

Culver City or State-designated scenic highway. In addition, the Project Site does not contain any unique or locally recognized, natural (i.e., rock outcroppings and trees), features or designated historic buildings which qualify as a scenic resources within a state scenic highway. The Project does not conflict with applicable Genera Plan Land Use Objectives, the City's Urban Forest Master Plan, the City's Residential Parkways Standards and Guidelines, or the CCMC. The Project aligns with applicable goals, including creating visual open space and using high quality architectural and site design. Moreover, the Project will comply with the CCMC, such as by screening utilities and providing visual artwork.

The Project also will not result in any significantly adverse shading effects. The adjacent Fox Hills Parkette and nearby multi-family residential uses are shadow-sensitive uses that could be potentially affected by the Project. However, the Project would add limited incremental shadows to the Fox Hills Parkette during the winter season in the afternoon hours and would not shade any portion of the residential uses across Buckingham Parkway year around. Thus, given the Project's limited shading of off-site routinely usable outdoor spaces, shading would not be an adverse effect of the Project's implementation.

Therefore, aesthetic impacts would be less than significant and no mitigation measures are required.

(B) Cumulative Impact

As detailed in Draft EIR Section 4.1, Aesthetics, the related projects contribute to a variety of local urban settings with varied aesthetic characteristics. The majority of the related projects are located in different viewsheds from the Project when viewed at the pedestrian level within the flatter, urban area, and thus do not allow for panoramic views of the area. From more distant locations at higher elevations, the related projects and Project would contribute cumulatively to visual changes in the area's urban composition, but this would not substantially change the urbanized nature of the view together with the Project and its surroundings. Since related projects, as with the Project, are expected to comply with regulations governing scenic quality, the Project and related projects would not cumulatively conflict with policies and regulations governing scenic quality. Therefore, cumulative impacts with respect to regulations governing scenic quality would be less than significant.

2. Energy

(A) Wasteful, Inefficient, or Unnecessary Consumption of Energy

a. Energy Use Efficiencies

i. Construction

As detailed in Draft EIR Section 4.4, Energy, construction activities, including the construction of new buildings and facilities, electricity, natural gas, and transportation related energy impacts would be less than significant. Electricity use from construction

would be short-term, limited to working hours, used for necessary construction-related activities, and represent a small fraction of the Project's net annual operational electricity. Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Energy, construction would utilize energy only for necessary on-site activities and to transport construction materials, excavated fill, and demolition debris to and from the Project Site. During Project construction, on- and off-road vehicles would consume an estimated annual average of gasoline and diesel equal to approximately 0.001 percent of the 2022 annual onroad gasoline-related energy consumption and 0.14 percent of the 2022 annual diesel-related energy consumption in Los Angeles County. Construction of the Project would utilize fuel-efficient equipment consistent with State and federal regulations, and idling restrictions and the use of cleaner, energy-efficient equipment would result in less fuel combustion and energy consumption and, thus, reduce the Project's construction-related energy use. Therefore, the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy, and impacts associated with electricity, natural gas, and transportation fuels for construction would be less than significant.

ii. Operations

As detailed in Draft EIR Section 4.4, Energy, operation of the Project would not result in the wasteful, inefficient, or unnecessary consumption of electricity, natural gas, or transportation fuels. The Project's net increase in the on-site annual demand for electricity would equate to approximately 0.002 percent of SCE's total energy sales. Additionally, the Project would include energy-saving measures, including energy conservation, water conservation, transportation demand management (TDM) and mobility measures, and pedestrian- and bicycle-friendly site design. Moreover, the Project will utilize only electricity and no natural gas in all land uses except for limited natural gas in the retail space. As shown in Draft EIR Table 4.4-5, Summary of Annual Net New Energy Use During Project Operation, the Project's estimated annual net increase in petroleum-based fuel usage equates to approximately 0.003 percent of the County's 2022 gasoline consumption and approximately 0.004 percent of the County's 2022 diesel consumption. The Project would support Statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. The Project represents an infill development at a location served by several local and regional bus lines and is located 0.6 miles east of the Culver City Transit Center. Moreover, the Project would provide 92 bicycle parking spaces. Thus, the Project would minimize operational transportation fuel demand consistent with State, regional, and City goals, and as such the operation of the Project would not result in the wasteful, inefficient, and unnecessary consumption of energy.

b. Local and Regional Energy Supplies

i. Construction

As detailed in Draft EIR Section 4.4, Energy, existing off-site infrastructure would not have to be expanded or newly developed to provide electrical, natural gas, or transportation

fuel service to the Project Site during construction or demolition. Natural gas would not be supplied to support Project construction activities. Construction transportation energy would be provided by existing retail service stations and from existing mobile fuel services that are typically needed to deliver fuel to a construction site to refuel the off-road construction equipment at the Project Site, and, as such, no new facilities would be required. Electricity demand during Project construction would be 1.9 percent of the Project's net annual operational electricity consumption and would be 8.3 percent of the existing site's electricity demand, which would be within the supply and infrastructure capabilities of SCE and, thus, would not result in an increase in demand for electricity, natural gas, or transportation fuels that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new facilities or expansion of existing facilities. Energy consumption during construction would be temporary and short term, and energy supplies of the existing providers would be sufficient to serve the Project in addition to existing commitments. As such, the Project would not affect the local and/or regional energy supplies and would not require additional capacity.

ii. Operations

As detailed in Draft EIR Section 4.4, Energy, As energy consumption during operation would be relatively negligible and within existing and planned supplies, the Project would not affect the local and/or regional energy supplies and would not require additional capacity for electricity, natural gas, or transportation. The Project-related increase in annual electricity consumption is estimated to be 1,794 MWh/year, which represents 0.002 percent of SCE's projected system sales for 2027. Energy consumption would be consistent with SCE anticipated regional demand from population or economic growth. Based on these factors, it is anticipated that SCE's existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project's electricity demand. The Project would result in an annual net decrease in demand for natural gas. Therefore, SoCalGas' existing and planned natural gas capacity, supplies and infrastructure would be sufficient to serve the Project's demand. Operational transportation energy would be provided by existing retail service stations, and, as such, no new retail service stations would be required. In addition, the Project would provide electric vehicle (EV) charging stations, which would serve to incentivize the use of hybrid or full EVs, thereby reducing the reliance on transportation fuels.

c. Electricity Demands

As detailed in Draft EIR Section 4.4, Energy, electricity demand during construction and operation of the Project would have a negligible effect on the overall capacity of SCE's power grid and base load conditions and would be consistent with expected levels of electricity demand. Under peak conditions, the Project would consume a net increase of 1,794 MWh on an annual basis, which would represent 0.002 percent of the SCE base peak load and, therefore, would not create any new peak demand impacts that are

inconsistent with SCE demand projections. Therefore, the Project's electrical consumption during operational activities would have a negligible effect on peak load conditions of the power grid and is within existing and planned demand.

d. Energy Resources

Electricity: As detailed in Draft EIR Section 4.4, Energy, SCE, the electricity provider for the Project, generates its electricity from a mix of non-renewable and renewable sources, such as coal, natural gas, solar, geothermal wind and hydropower. SCE is subject to regulations regarding increasing its amount of electricity derived from renewable sources, and it is on track to meet its goals. Moreover, the Project would meet the applicable requirements of the CALGreen Building Code and will either install a solar photovoltaic system or pay an in-lieu fee is accordance with Section 117.2 of the California Building Code.

Natural Gas: As detailed in Draft EIR Section 4.4, Energy, the Project would comply with energy efficiency standards for natural gas, and therefore Project construction and operation activities would have a negligible effect on natural gas supply.

Transportation: As detailed in Draft EIR Section 4.4, Energy, since crude oil production is projected to be sufficient to meet over 50 years of worldwide consumption, the Project construction and operation activities would have a negligible effect on the transportation fuel supply.

Overall, the Project would minimize construction and operational energy and transportation fuel demand to the extent feasible and would not substantially impact energy resources. Therefore, construction and operation of the Project would not have a significant impact on energy resources.

e. Transportation Energy Use

As detailed in Draft EIR Section 4.4, Energy, the Project would not conflict with Connect SoCal goals and benefits intended to improve mobility and access to diverse destinations, provide better "placemaking," provide more transportation choices, and reduce vehicular demand and associated emissions. The Project represents an infill development at a location served by several local and regional bus lines, and the Project Site is located 0.6 miles east of the Culver City Transit Center. Additionally, the Project would provide 92 bicycle parking spaces. Thus, the Project would provide residents, visitors, and employees with the ability to access nearby public transit and opportunities for walking and biking, which would facilitate a reduction in vehicle miles traveled (VMT) and related vehicular fuel consumption.

Overall, impacts regarding wasteful, inefficient, or unnecessary consumption of energy resources were determined to be less than significant.

(B) Consistency with Energy Plans

a. Construction

As detailed in Draft EIR Section 4.4, Energy, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and the Project would comply with all relevant Federal and State regulations and energy conservation plans Therefore, Project construction activities would not conflict with energy conservation plans and impacts would be less than significant.

b. Operation

As detailed in Draft EIR Section 4.4, Energy, the Project is designed in a manner that is consistent with and not in conflict with relevant energy conservation plans that are intended to encourage development that results in the efficient use of energy resources. The Project would comply with applicable regulatory requirements for the design of new buildings, including Title 24 standards and the California Green Building Standards (CALGreen) Building Code. In addition, the Project would achieve Leadership in Energy and Environmental Design (LEED) Certified performance level or higher and would include various efficient features such as water-efficient landscape design, rainwater management systems, high-efficiency plumbing fixtures and weather-based controller and drip irrigation systems, EV charging, EV capable and EV ready spaces, bicycle facilities, Energy Star–labeled appliances, energy-efficient and water conserving HVAC systems, and active circulation. The Project would also be consistent with and not conflict with regional planning strategies, such as Connect SoCal, that address energy conservation. With respect to operational transportation-related fuel usage, the Project would support statewide efforts to improve transportation energy efficiency and reduce transportation energy consumption with respect to private automobiles. Therefore, the Project would not conflict with energy conservation plans, and impacts would be less than significant.

(C) Cumulative Impacts

a. Wasteful, Inefficient, or Unnecessary Consumption of Energy

i. Electricity

As detailed in Draft EIR Section 4.4, Energy, although Project development would result in the use of renewable and non-renewable electricity resources during construction and operation, which could affect future availability, the Project's use of such resources would be on a relatively small scale and would be reduced by measures rendering the Project more energy efficient. The Project would also incorporate additional energy efficiency measures, including LEED certification equivalent. Related projects, as with the Project, would be required to evaluate energy impacts during construction and operation related to the wasteful, inefficient or unnecessary use of electricity, incorporate energy conservation features, comply with applicable regulations, and incorporate mitigation measures as necessary under CEQA. Related projects, as with the Project, would also be required to evaluate potential impacts related to local and regional supplies or capacity

based on regional growth plans. Each of the related projects would be reviewed by the local utility provider to identify necessary electricity service connections to meet the needs of their respective projects, and the local utility provider would provide service letters (which take into account all current uses and projected future development projects) for each related project confirming availability of adequate electricity supplies and infrastructure as part of the total load growth of the regional power system. As such, the Project's impact, when considered together with related projects, would not be cumulatively considerable and would not result in cumulatively significant impacts related to wasteful, inefficient, or unnecessary use of electricity.

ii. Natural Gas

As detailed in Draft EIR Section 4.4, Energy, the Project would result in a net decrease in natural gas consumption, and the Project's growth and development would not conflict with SoCalGas' estimates for natural gas consumption. Additionally, as with the Project, each of the related projects would be reviewed by SoCalGas to identify necessary natural gas service connections to meet the needs of their respective projects. The Project's limited and reduced use of natural gas would be consistent with regional and local growth expectations for SoCalGas' service area, and would not result in the need to construct new or expand existing natural gas facilities or distribution lines. Related projects, as with the Project, would be required to evaluate natural gas impacts during construction and operation related to the wasteful, inefficient or unnecessary use of natural gas, incorporate energy conservation features, comply with applicable regulations, and incorporate mitigation measures as necessary under CEQA. As with the Project, related projects would also be required to obtain evidence of service to ensure that natural gas service would be available and provided to meet related project demands. As such, the Project's contribution to cumulative impacts due to wasteful, inefficient and unnecessary use of natural gas would not be cumulatively considerable, and, thus, cumulative impacts would be less than significant.

iii. Transportation

As detailed in Draft EIR Section 4.4, Energy, buildout of the Project, related projects, and additional forecasted growth would cumulatively increase the demand for transportation-related fuel in the state and region. The Project's estimated net increased consumption of gasoline and diesel would represent between 0.003 percent of the 2022 annual on-road gasoline- and 0.004 percent of the annual on-road diesel-related energy consumption in Los Angeles County. Construction of the Project and related projects would utilize fuel-efficient equipment consistent with State and federal regulations, and the Project and related projects would indirectly comply with regulatory measures to reduce the inefficient, wasteful, and unnecessary consumption of energy, such as petroleum-based transportation fuels. The Project Site is an infill location close to jobs, off-site housing, shopping, and entertainment uses and in close proximity to existing public transit stops, which would result in reduced VMT. Therefore, operation of the Project would provide visitors and employees with transportation options that would limit

VMT and transportation fuel consumption, and would not result wasteful and unnecessary consumption of energy, such as petroleum-based transportation fuels. Moreover, related projects would be required to evaluate if their respective developments would conflict with the energy efficiency policies emphasized by and would also be expected to reduce VMT by encouraging the use of alternative modes of transportation and other design features that promote VMT reductions. As such, the Project's contribution to cumulative impacts due to wasteful, inefficient or unnecessary use of transportation fuel would not be cumulatively considerable, and, thus, cumulative impacts would be less than significant.

b. Consistency with State or Local Plan

As detailed in Draft EIR Section 4.4, Energy, the Project would incorporate energy efficiency measures, result in reduced use of natural gas, and would not conflict with regional energy efficiency policies including Connect SoCal. Related projects, as with the Project, would be required to evaluate potential impacts related to consistency with the state and local plans. As such, the Project's contribution to cumulative impacts due to conflicting with or obstruction of a state or local plan for renewable energy or energy efficiency would not be cumulatively considerable, and, thus, cumulative impacts would be less than significant.

3. Greenhouse Gas Emissions

The significance of the Project's GHG emissions is evaluated consistent with CEQA Guidelines Section 15064.4(b) by considering whether the Project complies with applicable plans, policies, regulations, and requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. For this Project, as a land use development project, the most directly applicable adopted regulatory plan to reduce GHG emissions is Connect SoCal, which is designed to achieve regional GHG reductions from the land use and transportation sectors as required by SB 375 and the State's long-term climate goals. The analysis also considers consistency with regulations or requirements including CARB's Climate Change Scoping Plan, Connect SoCal, and City of Culver City's plans, programs, and policies including Culver City's Green Building Program established for the purpose of increasing energy efficiency and reducing GHG emissions for new developments.

As detailed in Draft EIR Section 4.6, Greenhouse Gas Emissions, overall, the Project would not conflict with Connect SoCal goals and benefits intended to improve mobility and access to diverse destinations, provide better "placemaking," provide more transportation choices, and reduce vehicular demand and associated emissions

The Project proposes a required TDM Program (as described in Project Design Feature TRAF-PDF-2) which includes TDM measures to reduce peak hour vehicular traffic and air emissions to and from the Project Site and a comprehensive program of measures, design features, transportation services, education programs, and incentives intended to

reduce the effect of Project traffic from residents, employees, and visitors to the Project Site during the most congested time periods of the day. Thus, the Project would implement strategies and action plans in compliance with the requirements set forth in CCMC Section 07.05.015 to reduce single occupancy vehicle trips while promoting the use of alternative transportation modes, thereby reducing Project VMT.

The Project would implement the City's Complete Streets policy through encouraging pedestrian-oriented design and the Project would occupy a location that is highly accessible by existing transit options, and the Project would include 92 bicycle parking spaces (11 short-term and 81 long-term spaces). In addition, a bike lane is provided on both sides of Hannum Avenue, and one is planned for Buckingham Parkway. Where the bicycle lanes intersect with driveways on the Project, the driveways would be designed to provide for maximum visibility. Therefore, the Project complies with Complete Street policies.

The Project would comply with the Culver City Green Building Program and applicable Climate Change Scoping Plan strategies and regulations to reduce GHG emissions.. The Project would meet or exceed electricity requirements in the 2022 Building Efficiency Standards. The Project would also directly support building electrification since the Project will utilize only electricity and no natural gas in all land uses except for the retail space, thereby reducing the use of a fossil fuel and the associated GHG emissions (i.e., natural gas combustion). The Project would also comply with applicable solar installation regulatory requirements. As the Project would not conflict with CARB's Climate Change Scoping Plan, there would be an anticipated decline in Project emissions once fully constructed and operational, thus, the Project's post-2030 trajectory is expected to follow a declining trend and would not conflict with the State's GHG reduction targets for 2030, 2045, and 2050.

As determined in Draft EIR Section 4.6, Greenhouse Gas Emissions, given that the Project would generate GHG emissions consistent with applicable reduction plans and policies and given that GHG emission impacts are cumulative in nature, the Project's incremental contribution to cumulatively significant GHG emissions would not be cumulatively considerable, and impacts would be less than significant.

(A) Greenhouse Gas Emissions – Project Design Feature

The City finds that Project Design Feature GHG-PDF-1 incorporated into the Project, reduces the greenhouse gas impacts of the Project. The project design features were considered in the analysis of potential impacts.

4. Land Use and Planning

As discussed in Draft EIR section 4.7, the Project would not conflict with or impede implementation of applicable land use plans, policies, or regulations of an agency with jurisdiction over the Project. The Project would not conflict with policies and strategies adopted to avoid or mitigate an environmental effect and, as such, impacts with respect

to Connect SoCal would be less than significant. The Project would also not conflict with the City's General Plan, Bicycle & Pedestrian Action Plan, Urban Forest Master Plan, or Municipal Code. As a result, impacts to land use and planning were determined to be less than significant.

As detailed in Draft EIR Section 4.7, Land Use and Planning, related projects are subject to CEQA review and review by City regulatory agencies. Most notably, related projects are subject to review by the City for consistency with plan provisions and other City requirements. The related projects represent infill development and as such are consistent with local and regional policies to concentrate development near public transit and encourage alternative transportation. Based on this and based on the determination that the Project would be consistent with the adopted land use plans and zoning, cumulative impacts regarding land use and planning would be less than significant.

5. Population and Housing

As detailed in Draft EIR Section 4.9, Population and Housing, the Project would generate an estimated population of 733 residents. In addition, the Project would include approximately 5,600 sf of retail use, which would generate an estimated increase of approximately 20 employees on the Project Site, which would equate to a net decrease of 127 employees. The Project's estimated 733 person increase in population would fall within SCAG's growth forecast for the City for the period running from 2020 to 2045. In addition, the Project would support and not conflict with relevant goals, objectives, and policies in the City's General Plan including the Housing Element.

The Project also support Connect SoCal's goals as the Project, which is infill development, would contribute to a growth pattern that is encouraged in SCAG policies for development that reduces reliance on individual automobiles, with associated environmental benefits, such as improving mobility, accessibility, reliability, and travel safety for people and goods..

Additionally, the Project would link with and tie into existing infrastructure in the Project area. While new infrastructure for public service and utility systems would be required, modifications represent improvements that would not induce substantial population growth indirectly through the extension of roads or other infrastructure into undeveloped areas.

Based on the above, the Project would not induce substantial population growth in the area, either directly or indirectly that cannot be reasonably accommodated, and impacts would be less than significant.

Moreover, the cumulative impacts are less than significant. As shown in Draft EIR Tables 4.9-4 and 4.9-5, the projected cumulative population and household growth are consistent with the City's Housing Element and 6th Cycle RHNA allocations. Thus, the Project and related projects would not induce substantial unplanned population growth in an area, and cumulative impacts from related projects are considered less than significant.

6. Public Services – Fire Protection

As detailed in Draft EIR Section 4.10.1, Fire Protection, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services. Therefore, impacts to fire protection services during Project construction, operation, and in the cumulative condition would be less than significant.

7. Public Services – Police Protection

As detailed in Draft EIR Section 4.10.2, Police Protection, Project Design Feature POL-PDF-1, during construction of the Project, the Project Site would be fenced and gated with surveillance cameras to monitor the site during off hours, thereby reducing the potential need for police protection services during the building construction phase. Additionally, the various safety and control features that would be implemented during Project construction would reduce the potential for incidents that would require police responses. Operation of the Project and cumulative impacts are not anticipated to generate a demand for additional police protection services that could exceed the CCPD's capacity to serve the Project Site. Thus, Project construction, operation, and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically-altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection. Therefore, impacts to police protection would be less than significant.

(A) Police Protection – Project Design Feature

The City finds that Project Design Features POL-PDF-1 and POL-PDF-2 incorporated into the Project, reduces the potential police protection impacts of the Project. The project design features were considered in the analysis of potential impacts.

8. Public Services – Schools

As detailed in Draft EIR Section 4.10.3, Schools, Project construction, operation and cumulative impacts would not result in substantial adverse physical impacts associated with the provision of new or physically altered schools, the construction of which would cause significant environmental impacts. The Project could generate an estimated 87 elementary school students, 25 middle school students, and 50 high school students for a total net increase of approximately 162 school students. However, pursuant to SB 50, the Project Applicant would be required to pay development fees for schools to CCUSD prior to issuance of building permits. Under Government Code section 65995 and 65996, the payment of these fees is considered full and complete mitigation of Project-related school impacts including any school-related consideration relating to a school district's

ability to accommodate enrollment. Therefore, under state law, payment of the applicable development school fees to CCUSD would offset the potential impact of additional student enrollment at schools serving the Project Site. All related projects would be required to pay developer fees under the provisions of SB 50 to address the impacts of new developments on school facilities. Therefore, impacts on schools during construction, operation, and in the cumulative condition would be less than significant.

9. Public Services – Parks and Recreation

As detailed in Draft EIR Section 4.10.4, Parks and Recreation, Project construction, operation and cumulative impacts would not: (1) result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks; (2) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; and (3) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The increased employment of construction workers on the Project Site would not result in an increase in the residential population of the area surrounding the Project Site.

Given the Project's open space and recreational amenities, the Project's recreational demand would be at least partially accommodated on the Project Site. Additionally, the Project would be subject to CCMC requirements intended to offset increased demand for parks and recreational facilities created by residential development projects, including payment of in-lieu fees for parks and recreation. The Project would not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, impacts on parks and recreation during construction, operation, and in the cumulative condition would be less than significant.

10. Transportation

(A) Programs, Plans, Ordinances, and Policies

As shown in Draft EIR Table 4.11-1, Consistency of the Project with Applicable Policies of the Circulation Element, the Project would not conflict with any of the applicable policies of the General Plan Circulation Element. Moreover, the Project would not conflict with the implementation of the City's Short Range Transit Plan (SRTP), the applicable actions required under the Culver City Bicycle and Pedestrian Action Plan, any of the applicable policies and programs of the City's Complete Streets Policy, the Culver City Residential Parkway Guidelines (2016), the Fox Hills Neighborhood Traffic Management Program (NTMP) or any measures therein, the improvements planned under the City's Local Roadway Safety Plan, or with Vision Zero. Thus, since the Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit,

roadway, bicycle and pedestrian facilities, the Project's impacts would be less than significant.

(B) CEQA Guidelines Section 15064.3, subdivision (b)

As detailed in Draft EIR Section 4.11, Transportation, the daily household VMT per capita for the Project is estimated at 6.8, which is below the citywide household VMT threshold of 7.1 per capita. Moreover, this figure does not account for the project design feature (TRAF-PDF-2) that the Project would implement as part of its comprehensive TDM program to thereby reducing Project VMT. Thus, Project-level impacts related to VMT were determined to be less than significant.

(C) Hazardous Design

As detailed in Draft EIR Section 4.11, Transportation, no unusual or new obstacles are presented in the Project design that would be considered hazardous to motorized vehicles, non-motorized vehicles, or pedestrians. Access to the Project would be consolidated to two driveways in order to minimize potential hazards to pedestrians, bicyclists, and motorists along Buckingham Parkway and Hannum Avenue. All driveways will be subject to review by the City. There would be adequate lines of sight for vehicles, pedestrians, and bicycles at both driveways. Additionally, the Project would be compatible with the surrounding residential uses and no elements of the Project's uses or design would be considered incompatible. Therefore, the Project would have a less than significant impact regarding hazards due to geometric design features or incompatible uses.

(D) Emergency Access

As detailed in Draft EIR Section 4.11, Transportation, there would be adequate emergency access at the Project Site. The Project Site is located within an urbanized area with a fully developed roadway system. Direct emergency access is provided by Hannum Avenue, Buckingham Parkway, and the emergency fire lane. Construction of the Project is not anticipated to require road closures in the public right-of-way, but if necessary the Project's contractor would implement construction traffic management measures to ensure that access for all road users is maintained near the Project Site and limit potential conflicts with traffic on local streets. In addition, emergency vehicle access to the Project Site and neighboring land uses would be maintained, and worker and construction equipment delivery would be scheduled to avoid peak traffic hours. Thus, the Project would not result in inadequate emergency access during construction. Regarding Project operation, CCFD would review and approve plans for the building, fire lanes, fire hydrant locations, and associated equipment, to ensure adequate access to and within the Project Site for emergency vehicles. Accordingly, emergency access would be maintained during operation of the Project, and therefore, Project operation would result in a less than significant impact in this regard.

(E) Cumulative Impacts

As detailed in Draft EIR Section 4.11, Transportation, cumulative impacts for the above threshold factors would not be significant. Regarding potential conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, which have been adopted to protect the environment and reduce VMT, each of the related projects would be separately reviewed and approved by the City, including a check for their consistency with applicable policies. Collectively, the Project and the related projects would add development and density in an area with robust transit accessibility and high levels of pedestrian activity. As with the Project, related projects would be expected to support, include and/or enhance pedestrian, bicycle, and/or other alternative transportation facilities, thus increasing access to the City's multi-modal transportation network. Each related project would also be reviewed by the City to ensure compliance with the City's requirements relative to the provision of safe access for vehicles, pedestrian, and bicyclists, which would incorporate standards for adequate sight distance, sidewalks, crosswalks, and pedestrian movement controls to protect pedestrian and enhance bicycle safety. Similar to the Project, related projects would likely also implement a Construction Management Plan to ensure adequate emergency access is maintained in and around the related project sites throughout all construction activities, and coordination of these plans would ensure construction activities of the concurrent related projects and associated hauling activities are managed in collaboration with one another and the Project. Furthermore, each of the related projects would be required to coordinate with CCFD and CCPD for site plan reviews and to ensure that emergency access is maintained at all times. Thus, overall, cumulative impacts on transportation would be less than significant.

(F) Project Design Features

The City finds that Project Design Feature TRAF-PDF-1 and TRAF-PDF-2, which are incorporated into the Project and incorporated into these findings as fully set forth herein, reduces the potential transportation impacts of the Project. These project design features were considered in the analysis of potential impacts.

11. Utilities and Service Systems – Water Supply

As detailed in Draft EIR Section 4.13.1, Utilities and Service Systems – Water Supply, the Project, either during construction, operation, or cumulative condition, would not require or result in the construction of new water facilities or expansion or expansion of existing facilities, the construction of which could cause significant environmental effects. In addition, sufficient water supply is available to serve the Project construction, Project operation, and in the cumulative condition. The estimated construction water use would be less than the existing domestic water use for the Project Site. During operation, water service to the Project Site would continue to be provided by Golden State Water Company (GSWC). The existing GSWC water infrastructure has adequate capacity to serve the Project's demands. With respect to cumulative impacts, each related project would be subject to city review, as applicable, to ensure that the existing public utility facilities would be adequate to meet the domestic and fire water demands of each project. Additionally,

it is anticipated that GSWC would be able to meet the water demands of the Project and future growth within its service area through at least 2045. As such, impacts related to water infrastructure and to water supply would be less than significant.

(A) Utilities and Service Systems – Water Supply– Project Design Feature

The City finds that Project Design Feature WATER-PDF-1 incorporated into the Project, reduces the water supply impacts of the Project. The project design features were considered in the analysis of potential impacts.

12. Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Facilities

As detailed in Draft EIR Section 4.13.2, Utilities and Service Systems – Electric Power, Natural Gas, and Telecommunications Facilities, Project construction and operation, including in the cumulative condition, would not require or result in an increase in demand for electricity, natural gas or telecommunications facilities that exceeds available supply or distribution infrastructure capabilities that could result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant effects. Therefore, Project impacts to utilities and service systems, during construction, operation, and in the cumulative condition, would be less than significant.

VII. ENVIRONMENTAL IMPACTS FOUND TO BE LESS THAN SIGNIFICANT AFTER MITIGATION IN THE DRAFT EIR

The following impact areas were concluded by the Draft EIR to be less than significant with the implementation of mitigation measures. Based on that analysis and other evidence in the administrative record relating to the project, the City finds and determines that mitigation measures described in the Final EIR reduce the potentially significant impacts identified for the following environmental impact categories to below the level of significance. Pursuant to PRC Section 21081, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid each of the following significant effects on the environment.

1. Air Quality

(A) Impact Summary

Construction and Operation of the Project would not increase the frequency or severity of an existing violation or cause or contribute to new violations for ozone or other criteria pollutants. Impacts regarding the timely attainment of air quality standards or interim emission reductions specified in the AQMP and impacts would be less than significant. Construction and Operation of the Project would not conflict with the criteria identified in SCAQMD's CEQA Air Quality Handbook and would not conflict with or obstruct the implementation of both the 2022 AQMP. Further, the Project would not conflict with

applicable goals, objectives, and policies of the City of Culver City General Plan and the Culver City Mandatory Green Building Program pertaining to air quality, and impacts would be less than significant.

Project-specific impacts relating to construction and operational regional air quality impacts were determined to be less than significant. As shown in Tables 4.2-6, and 4.2-7 construction-related and operation-related daily emissions would not exceed the SCAQMD thresholds of significance.

As shown in Draft EIR Tables 4.2-8 and 4.2-9, Estimated Maximum Unmitigated Localized Construction and Operational Emissions (pounds per day) for the Project's maximum localized operational emissions would be below the localized significance thresholds, and localized construction and operational emissions impacts to existing sensitive receptors would be less than significant.

The Project would not cause or contribute considerably to the formation of CO hotspots and that CO concentrations at Project-impacted intersections would remain well below the threshold one-hour and eight-hour ambient air quality standards of 20 or 9.0 parts per million (ppm), respectively within one-quarter mile of a sensitive receptor. Moreover, CO levels in the Project area are substantially below the federal and the State standards. The Project does not trigger a need for a detailed CO hotspots model and would not cause any new or exacerbate any existing CO hotspots. The Project off-site operational activities, including the highest average daily trips, would not expose sensitive receptors to substantial CO concentrations. As a result, impacts related to localized mobile-source CO emissions are considered less than significant.

With respect to toxic air contaminants (TAC), Project operational impacts would be less than significant. However, as described below impacts during construction would require mitigation. As detailed in Draft EIR Section 4.2, Air Quality, the Project does not entail any land uses that would be expected to be a substantial source of operational diesel particulate matter (DPM), such as truck stops or warehouse distribution facilities. Moreover, the expected residential and retail uses of consumer products and architectural coasts will be minimal. Project operations would only result in minimal emissions of toxic air contaminants (TAC) from maintenance or other ongoing activities, such as from the maintenance and use of architectural coatings and other products. Based on the uses expected on the Project Site, potential long-term operational impacts associated with the release of TACs would be minimal, regulated, and controlled. Therefore, operation of the Project would not expose sensitive and commercial receptors to substantial TAC concentrations, and operational impacts would be less than significant.

With respect to cumulative impacts, the Project would be consistent with and would not conflict with or obstruct implementation of the applicable AQMP. Accordingly, Project air quality impacts are not cumulatively considerable and cumulative impacts are less than significant. The potential for the Project to result in cumulative impacts from regional emissions is assessed based on the SCAQMD thresholds. Cumulative impacts regarding regional and localized construction air pollutant emissions were determined to be less

than significant. Therefore, no mitigation measures are required. Refer to Mitigation Measure AQ-1, which would reduce cumulative health risk impacts during construction. No additional mitigation measures are required. Cumulative impacts regarding regional and localized operational air pollutant emissions were determined to be less than significant.

a. Toxic Air Contaminants - Construction

As shown in Draft EIR Table 4.2-10, Maximum Unmitigated Health Risk Impacts for Off-Site Sensitive and Commercial Receptors, the Health Risk Assessment (HRA) cancer risk for commercial land uses does not exceed the SCAQMD significance threshold of 10 per million Hazard index values for all receptor types were below the SCAQMD significance threshold of 1.0, and therefore, chronic impacts would be less than significant. However, unmitigated results of the HRA cancer risk for residential land uses exceed the SCAQMD significance threshold of 10 per million; therefore, this impact is potentially significant, and mitigation would be required (see below).

(B) Project Design Features

No specific project design features are proposed with regard to air quality.

(C) Mitigation

MM-AQ-1: Construction Equipment. The Applicant shall implement the following requirements for construction equipment operating at each Project site. These requirements shall be included in applicable bid documents and contractor(s) must demonstrate the ability to supply such equipment. Construction equipment shall include the following:

- The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the CARB and USEPA Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater during Project construction where available within the Air Basin. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit at the time of mobilization of each applicable unit of equipment shall be provided.

- The Project shall use electrified tower cranes in place of diesel-fueled equipment.

With the implementation of the above mitigation measure, the maximum cancer risk and hazard index for sensitive receptors would be below the SCAQMD significance thresholds. Therefore, the impact related to health risks and construction-related health impacts, and cumulative air quality impacts, would be less than significant with mitigation.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding toxic air contaminants during construction.

(E) Rationale for Finding

As shown in Draft EIR Table 4.2-11, Maximum Mitigated Health Risk Impacts for Off-Site Sensitive and Commercial Receptors, implementation of Mitigation Measure MM-AQ-1 described above would serve to reduce the maximum cancer risk and hazard index for sensitive receptors to below the SCAQMD significance thresholds.

(F) Reference

Draft EIR Section 4.2, Air Quality, and Appendix C (Air Quality and Greenhouse Gas Emissions Calculations).

2. Cultural Resources – Archaeological Resources

(A) Impact Summary

As discussed in the Initial Study, which is included as Appendix A of the Draft EIR, the Project would result in less than significant impacts related to cultural resources, with the exception of archaeological resources. As detailed in Draft EIR Section 4.3, Cultural Resources, the potential to encounter historic-period archaeological resources within the Project Site is considered low. However, Project excavations, which are anticipated to reach depths of 27 feet bgs, have potential for encountering buried prehistoric archaeological resources. Therefore, construction activities associated with the Project could potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 and impacts would be potentially significant.

Operation of the new facilities and uses on the Project Site would not result in any further ground disturbing activities such as grading or excavation; therefore, there is no potential to encounter, alter, or disturb archaeological resources. No operational impacts would occur.

(B) Project Design Features

No specific project design features are proposed with regard to archaeological resources.

(C) Mitigation Measures

ARCH-1: Prior to the issuance of a demolition permit, the Applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology (Qualified

Archaeologist) to oversee an archaeological monitor who shall be present during initial Project construction work such as site demolition (e.g., building footings/foundations, subsurface utilities, surface parking lots, sidewalks, etc.), clearing/grubbing, grading, trenching, or related moving of soils within the Project Site (collectively, ground disturbing activities); provided, however, that ground disturbing activities shall not include any moving of soils after they have been initially disturbed or displaced by Project-related construction. The Qualified Archaeologist shall determine the frequency of monitoring based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. The frequency of monitoring can be reduced to parttime inspections or ceased entirely if determined appropriate by the Qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological and Cultural Resources Sensitivity Training shall be given for construction personnel. The training session shall be carried out by the Qualified Archaeologist and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

ARCH-2: In the event that historic or prehistoric archaeological resources (e.g., bottles, foundations, refuse dumps, etc.) are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. After consulting with the Applicant, the Qualified Archeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where construction activities shall not be allowed to continue. Work within the buffer area shall only be allowed to continue after the evaluation and recovery efforts are completed. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If the Qualified Archaeologist determines the find to constitute a "historical resource" pursuant to CEQA Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources and that provides for or the adequate recovery of the scientifically consequential information contained in the resources along with subsequent laboratory processing, analysis, evaluation, and reporting. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public

Resources Code Sections 21083.2(b) for unique archaeological resources. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the resources, they may be donated to a local school or historical society in the area (such as the Culver City Historical Society) for educational purposes.

ARCH-3: The Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.

With implementation of Mitigation Measures ARCH-1 to ARCH-3, potentially significant impacts to archaeological resources during construction activities would be reduced to a less-than significant level.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding archaeological resources.

(E) Rationale for Finding

As set forth in Mitigation Measures ARCH-1 through ARCH-3, a qualified archaeologist shall be retained to perform periodic inspections of excavation and grading activities of the Project Site. Impacts related to archaeological resources during Project construction would be reduced to less than significant with implementation of the above mitigation measures. Monitoring of the Project Site during ground disturbing activities by a professional archaeologist would result in the identification and assessment of significant or unique archaeological resources, as well as the implementation of appropriate measures in accordance with CEQA.

(F) Reference

Draft EIR Section 4.3, Cultural Resources, and Appendix D (Archeological Resources Report).

3. Geology and Soils – Paleontological Resources

(A) Impact Summary

As detailed in Draft EIR Section 4.5, Geology and Soils – Paleontological Resources, the Project is in an urban developed location and there are no unique geologic features. The Project Site is completely developed with surface parking and a two-story office building with no visible soil/sediment or rock outcrops to examine for paleontological resources or fossiliferous geological formations. Although the Project Site has been previously developed, geologic mapping indicates that the surface of the Project Site is possibly underlain with Pleistocene-age or older alluvium and Baldwin Hills Paleosol, which have a high potential to produce a significant number of marine invertebrate fossils, and thus it is probable that these same deposits will produce significant paleontological resources fossils on the Project Site. Since excavations at the Project Site are estimated to reach depths deeper than previous excavations on the Project Site, they have the potential to impact older alluvium and possibly the Baldwin Paleosol, which have a high sensitivity for retaining paleontological resources. Therefore, impacts on paleontological resources due to grading and excavation during construction are considered potentially significant and are thus subject to the below mitigation measures.

Operation of the new facilities on the Project Site would not result in any further ground disturbing activities such as grading or excavation; therefore, there is no potential to encounter, alter, or disturb paleontological resources after construction is complete. Thus, no operational impacts would occur.

(B) Project Design Features

No specific project design features are proposed with regard to paleontological resources.

(C) Mitigation Measures

GEO-1: Prior to the issuance of grading permits, the Applicant shall retain a Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting, and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe grading and excavation activities.

GEO-2: Paleontological monitoring shall be conducted during construction excavations into undisturbed older alluvial sediments and undisturbed Baldwin Hills Paleosol. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting and wet screening sediment samples of promising horizons for smaller fossil remains. If significant vertebrate fossils are found by screening, it will be necessary to collect a 6,000-pound sample for screening from each producing geologic unit, per SVP Guidelines (2010). The sample(s) can be collected by construction machinery and stockpiled

and processed in a safe location on site, or transported to another site for processing. The frequency of monitoring inspections shall be determined by the Qualified Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Paleontologist. If a potential fossil is found, the Qualified Paleontologist and the monitor shall have authority to temporarily stop excavation activity or to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If preservation in place is not feasible, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location.

GEO-3: If the older Quaternary alluvium produces any mollusk fossils, a specimen shall be submitted for radiocarbon dating. If the Fox Hills Paleosol produces any pedogenic calcium carbonate, a sample shall be submitted for radiocarbon dating.

GEO-4: Any significant fossils recovered during Project-related excavations shall be prepared to the point of identification. The residue form sediment samples shall be dried and sorted with a binocular dissecting microscope. Both macrofossils and vertebrate microfossils shall be prepared to the point of identification, identified, and curated into an accredited repository. The Qualified Paleontologist shall prepare a final report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall accompany the specimens to the accredited repository. The report shall also be submitted by the Applicant to the City to signify the satisfactory completion of the Project and required mitigation measures.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding paleontological resources.

(E) Rationale for Finding

Implementation of Mitigation Measures GEO-1 through GEO-4 would require retention of

a Qualified Paleontologist meeting the SVP Standards in order to provide technical and compliance oversight, construction worker paleontological resources sensitivity training, and paleontological resources monitoring. Construction impacts and cumulative impacts related to paleontological resources during Project construction would be reduced to less than significant with implementation of the above mitigation measures.

(F) Reference

Draft EIR Section 4.5, Geology, and Appendix F (Paleontological Resources Report).

4. Tribal Cultural Resources

(A) Impact Analysis

As detailed in Draft EIR Section 4.12, Tribal Cultural Resources, no known prehistoric archaeological resources were identified within or immediately adjacent to the Project Site. However, a total of six prehistoric archaeological resources have been found in a 0.5-mile radius of the immediate vicinity. Per Kirkman's 1938 map, the Project Site in the vicinity of old/ancient roads south of Baldwin Hills; however, no Native American villages are observed as located within the Project Site. Therefore, no known tribal cultural resources or resources determined by the City in its discretion and supported by substantial evidence to be significant have been identified within the Project Site as a result of tribal consultation, or as a result of the Sacred Lands File (SLF) search. However, due to the Project Site being located in the vicinity of old/ancient roads (that could have been possibly used as prehistoric trade routes) and Ballona Creek, recent discoveries during other construction projects in the vicinity, and the tribal consultation efforts, the Project Site appears to have a moderate to high potential for encountering previously unknown tribal cultural resources during construction. As a result, there is potential that the Project could cause a substantial adverse change in the significance of a tribal cultural resource as described in PRC Section 21084.2. Accordingly, impacts on tribal cultural resources are considered potentially significant.

(B) Project Design Features

No specific project design features are proposed with regard to tribal cultural resources.

(C) Mitigation Measures

TCR-MM-1: Prior to the issuance of a demolition permit for the Project, the Applicant shall retain a Native American Monitor from the Gabrieliño Band of Mission Indians – Kizh Nation (Kizh Nation or Tribe). The Native American Monitor shall be present during the following construction activities that have the potential for encountering tribal cultural resources: demolition, pavement removal, clearing/grubbing, drilling/augering, potholing, grading, trenching, excavation, tree removal or other ground disturbing activity associated with the Project, whether on the Project Site or in connection with Project off-site improvements (collectively, "ground disturbing activities"). Notwithstanding the foregoing, Native American

monitoring shall not be required for any moving of soils that have been monitored or observed prior to their disturbance and subsequently disturbed or displaced by Project-related construction. The Applicant shall prepare a monitoring agreement with the Kizh Nation that outlines the roles and responsibilities of the Native American Monitor and shall submit this agreement to the City prior to the issuance of demolition permit for the Project.

Prior to commencement of ground disturbing activities, a Tribal Cultural Resources Sensitivity Training session shall be held for those construction personnel who will be directly involved in the ground disturbing activities. The training session shall be carried out by the Native American Monitor and shall focus on how to identify tribal cultural resources that may be encountered during ground disturbing activities and the procedures to be followed in such an event. If the Native American Monitor is not present at the Project Site on any given workday, the ground disturbing activities may continue if the workers involved in such activities attended the training session.

Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the Native American Monitor in the event there appears to be little to no potential for impacting tribal cultural resources. Native American monitoring shall conclude no later than conclusion of ground disturbing activities.

TCR-MM-2: The Native American Monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Applicant and the City upon written request to the Tribe. The Applicant shall not be deemed to be out of compliance with this measure if the Native American Monitor fails to complete or submit any such monitoring logs.

TCR-MM-3: In the event of a discovery of potential tribal cultural resources at the Project Site, the Qualified Archaeologist identified in Mitigation Measure CUL-MM-1 (after consultation with the Native American Monitor) shall have the authority to temporarily divert, redirect, or halt ground-disturbance activities to allow identification, evaluation, and potential recovery of such potential resources. After consulting with the Native American Monitor and the Applicant, the Qualified Archaeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an

evaluation and potential recovery of the discovery. This buffer area shall be established around the find where ground-disturbing activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area.

Within three (3) business days of such discovery, a meeting shall take place between the Applicant, the Qualified Archaeologist, the Tribe, and the City to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the Tribe, the Applicant, and the Qualified Archaeologist, the City determines, based on substantial evidence, that the resource is in fact a tribal cultural resource, the Qualified Archaeologist shall develop a reasonable and feasible treatment plan, with input from the Tribe as necessary, and with the concurrence of the City's Planning Director. The treatment measures in the treatment plan shall be in compliance with any applicable federal, State, or local laws, rules or regulations. The treatment plan shall also include measures regarding the curation of the recovered resources.

If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist (including, but not limited to, the size of the buffer set forth above), the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the Archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant shall pay all costs and fees associated with the mediator.

The Applicant may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in the above paragraphs.

The recovered Native American resources may be placed in the custody of the Tribe, who may choose to use them for their educational purposes, or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Tribe nor an institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes.

Notwithstanding the above paragraph, any information determined to be

confidential in nature by the City Attorney's office, shall be excluded from submission to the South Central Coastal Information Center (SCCIC) or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code Section 6254(r).

With implementation of the above mitigation measures, potentially significant impacts on tribal cultural resources, including potential cumulative impacts, would be reduced to a less than significant level.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding tribal cultural resources.

(E) Rationale for Finding

In the event unknown tribal cultural resources are unearthed during construction of the Project, with implementation of Mitigation Measures TRC-MM-1 through TRC-MM-3, potentially significant impacts on tribal cultural resources would be reduced to a less than significant level. Cumulative impacts regarding tribal cultural resources were determined to be less than significant with mitigation.

(F) Reference

Draft EIR Section 4.12, Tribal Cultural Resources, and Appendix D (Archeological Resources Report).

VIII. NO ENVIRONMENTAL IMPACTS FOUND TO BE SIGNIFICANT EVEN AFTER MITIGATION IN THE DRAFT EIR

The following impact areas were concluded by the Draft EIR to remain significant and unavoidable following implementation of all feasible mitigation measures described in the Final EIR. However, upon further review it is determined that no environmental impacts remain significant and unavoidable following implementation of all feasible mitigation measures.

1. Noise

For clarity and context, this subsection describes all potential noise impacts. Impact Analysis

a. On-Site Construction Noise

As shown in Draft EIR Table 4.8-7, Estimated Construction Noise Levels at Existing Off-Site Sensitive Receptors, exterior construction noise levels are estimated to exceed morning and daytime noise thresholds and be potentially significant before implementation of mitigation measures. If construction occurs outside of CCMC permitted

hours without approval from the City, a significant impact would occur because of the noncompliance with existing regulations.

While the Planning Commission, in their review of the EIR, determined an SOC was appropriate because of significant and unavoidable impacts due to construction noise, staff, after further review, determined an SOC is not necessary. The Draft EIR reviewed the Project that included construction hours beginning at 7:00 am instead of 8:00 am on weekdays, 9:00 am on Saturdays, and 10:00 am on Sundays. The SOC states that noise construction occurring outside the permitted construction hours will create significant and unavoidable impacts. However the Draft EIR also states that this impact is reduced to less than significant if construction occurs during permitted hours.

The Applicant is requesting extended construction hours as part of the Entitlements and if the City Council approves an extended construction hours request, as recommended, the proposed hours are permitted hours and impacts from construction noise are less than significant. If the extended construction hours request is not granted, then construction outside of the normal construction hours is not allowed and will not occur. Accordingly, there will be no significant and unavoidable impacts due to construction noise occurring outside of permitted hours and no SOC is necessary for the Project.

b. Off-Site Construction Noise

As shown in Draft EIR Table 4.8-9, Estimate of Off-Site Construction Traffic Noise Levels, the addition of 190 haul truck trips, 26 vendor truck trips, and 60 worker trips per day (24 truck trips, 4 vendor trips, and 30 worker trips per peak hour) during the grading/excavation phase would result in a less than perceptible 3 dBA noise level increase along affected roadway segments in the project vicinity and would not increase noise levels by a "clearly noticeable" increase of 5 dBA over the ambient condition. As the existing noise levels along the expected truck routes are within the "normally acceptable" and "conditionally acceptable" categories, the anticipated increase does not represent an exceedance of the significance threshold to or within the "normally unacceptable" or "clearly unacceptable" categories. Therefore, noise impacts from off-site construction traffic would be less than significant.

c. Operational Noise

As discussed in Draft EIR section 4.8, operational noise relating to fixed mechanical equipment, parking structures, loading areas, refuse collection, open space, off-site operational traffic, composite noise, and commercial operational noise would be less than significant. As such, the Project operations would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of applicable standards established by the City or of other agencies. Operational noise would be less than significant.

d. Groundborne Vibration or Groundborne Noise Levels

i. Construction

As shown in Draft EIR Table 4.8-19, Vibration Source Levels for Construction Equipment, the vibration velocities from construction equipment for the Project would not generate vibration levels that would cause structural damage to the nearest off-site buildings. Thus, impacts would be less than significant. Project construction would not create on-going and continuous groundborne vibration and noise, and thus groundborne noise impacts would be less than significant.

ii. Operation

As detailed in Draft EIR Section 4.8, Noise, the potential vibration levels from all Project operational sources at the closest existing sensitive receptor locations would be less than the significance threshold or potential residential building damage. Post-construction on-site activities would be limited to residential uses, commercial retail uses, and associated mechanical equipment such HVAC units that would not be anticipated to generate excessive groundborne noise or vibration. As such, groundborne vibration and noise impact to human annoyance associated with the long-term operation of project would be less than significant.

e. Cumulative Noise and Vibration

i. Construction

Two of the related projects (Related Project Nos. 1 and 6) are located within approximately 1,000 feet of the Project Site. Construction of Related Project No. 1 has already been completed. Related Project No. 6 is approximately 1,000 feet from the Project Site and involves the conversion of an office building into a school and would likely require little to no demolition and less intensive construction activities than a traditional new project buildout. Intervening buildings would further attenuate on-site construction noise. For these reasons, cumulative on-site construction noise would be less than significant. Based on considerations related to off-site construction noise including vehicle trips, roadway segments, number of trucks, and construction management plans, cumulative off-site construction traffic noise would be less than significant. In addition, construction of the Project, when considered together with the related projects, would not result in a cumulatively considerable contribution and would have a less-than-significant cumulative impact with regard to on-site or off-site groundborne vibration.

ii. Operation

The City's provisions limiting stationary-source noise combined with noise attenuation and localized impacts of a Related Project would limit contributions to cumulative operational noise impacts at or adjacent to the Project Site. As the Project's composite stationary-source impacts would be less than significant, the Project's cumulative on-site stationary-source noise impacts would be less than significant. The Project-related noise increases contribution to the cumulative off-site operational traffic noise impacts would be

less than significant. In addition, due to the rapid attenuation characteristics of groundborne vibration and distance from each of the related projects to the Project Site, there is no potential for cumulative operational impacts with respect to groundborne vibration.

(B) Project Design Features

The City finds that Project Design Features NOI-PDF-1 through NOI-PDF-6, which are incorporated into the Project and are incorporated into these Findings as though fully set forth herein, would reduce the potential noise impacts of the Project. These Project Design Features were considered in the analysis of potential impacts.

(C) Mitigation Measures

MM-NOI-1: Temporary noise barriers shall be installed along the southern and eastern Project boundary to shield the sensitive receptors from construction noise. The barrier shall have a minimum height of 6 to 15 feet (from south to north, with the top of the barrier at least 15 feet above the ground surface of the residences to the east along Buckingham Parkway) that is made of sound blanket, plywood or other solid material capable of reducing on-site construction noise levels by 17 to 19 dBA.

MM-NOI-2: Since construction equipment operates intermittently, and the types of equipment change with the stage of construction, noise emitted during construction would be mobile and highly variable. The following features shall be implemented during Project construction to reduce noise levels:

- Maintain all construction tools and equipment in good operating order according to manufacturers' specifications.
- To the extent practicable, schedule construction activity during normal working hours between 8 a.m. and 5 p.m. on weekdays when higher sound levels are typically present and are found acceptable.
- Equip internal combustion engines with properly operating mufflers that are free from rust, holes, and leaks.
- For construction equipment that utilizes internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible.

With implementation of mitigation measures MM-NOI-1 and MM-NOI-2, impacts from on-site construction noise would be less than significant if an extended hours construction permit is obtained.

(D) Finding

Pursuant to PRC Section 21081(a)(1), the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid potential significant effects on the environment regarding Project-Level On-Site Construction Noise.

(E) Rationale for Finding

As shown in Draft EIR Table 4.8-18, On-Site Construction Noise Impacts – With Mitigation, with the implementation of mitigation measures MM-NOI-1 and MM-NOI-2, impacts from on-site construction noise would be less than significant with approval of an extended hours construction permit.

(F) Reference

Draft EIR Section 4.8, Noise, and Appendix G (Noise Calculations).

IX. ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (PRC Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location, which are capable of avoiding or substantially reducing any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The Draft EIR evaluated a reasonable range of three alternatives to the Project in detail, which include the (1) No Project/No Build Alternative; (2) Existing Zoning Alternative; and (3) Reduced Project Alternative. In accordance with CEQA requirements, the alternatives to the Project include a "No Project" alternative and alternatives capable of eliminating the significant adverse impacts of the project. These alternatives and their impacts, which are summarized below, are more fully described in Draft EIR Chapter 5, Alternatives.

1. Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15096(g)(2), that no feasible alternative or mitigation measure will substantially lessen any significant effect of the project, reduce the significant unavoidable impacts of the project to a level that is less than significant, or avoid any significant effect the project would have on the environment.

2. Project Objectives

An important consideration in the analysis of alternatives to the Project is the degree to which such alternatives would achieve the objectives of the Project. As more thoroughly

described in Draft EIR Chapter 2, Project Description, pages 2-5 – 2-6, both the City and Applicant have established specific objectives concerning the Project, which are incorporated by reference herein and discussed further below.

3. Project Alternatives Analyzed

(A) Alternative 1 – No Project/No Build Alternative

a. Description of Alternative

In accordance with the CEQA Guidelines, the No Project/No Build Alternative (Alternative 1) for a development project on an identifiable property consists of the circumstance under which the project does not proceed. CEQA Guidelines Section 15126.6(e)(3)(B) states that, "in certain instances, Alternative 1 means 'no build' wherein the existing environmental setting is maintained." Accordingly, for purposes of this analysis, Alternative 1 assumes that no new development would occur within the Project Site. The Project Site is currently improved with an approximately 30,672 square foot, two-story office building built in the late 1970s. Under this alternative, the Project Site would continue to operate as an office building under existing conditions.

b. Environmental Impacts

Impacts associated with the No Project/No Build Alternative would be less than those of the Project.

c. Finding

Alternative 1 would not meet the Project's underlying purpose, or achieve any of the Project objectives. The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the No Project/No Build Alternative, as described in the Draft EIR.

d. Rationale for Findings

Alternative 1 assumes that no new development would occur on the Project Site. The Project Site would continue to operate as an office building as under existing conditions. Alternative 1 would avoid the Project's significant and unavoidable environmental impacts. Alternative 1 does not propose redevelopment of the Project Site and would not meet any of the Project objectives.

e. Reference

Draft EIR Chapter 5, Alternatives.

(B) Alternative 2 – Existing Zoning Alternative

a. Description of Alternative

With development under the Existing Zoning Alternative (Alternative 2), the Project Site would be developed in accordance with the existing General Plan Land Use designation of Regional Center and existing zoning designation of CRB for the Project Site. Under this Alternative, the existing 30,672 sf two-story office building would be replaced with a modern 190,000 sf four-story (56 feet) office building. There would be 380 parking spaces. The amount and extent of excavation required for subterranean parking would be generally similar to the Project. This Alternative would provide no retail uses or public open space as compared to the Project.

As with the Project, Alternative 2 would require the demolition of the existing office building and associated paved surface parking areas on the Project Site. Although demolition and excavation would be largely similar to the Project, with an approximate 47 percent reduction in overall building square footage (362,596 sf vs. 190,000 sf) proposed under Alternative 2, the overall duration of the building construction phase would be reduced by approximately 50 percent from 17 months to 9 months. Thus, overall construction under Alternative 2 would be approximately 22 months, as opposed to 30 months under the Project.

b. Impact Summary

Alternative 2 would involve less development compared to the Project. Alternative 2 would have a greater impact on the following categories: (1) Air Quality - Cumulatively Considerable Increase of Criteria Pollutants in Nonattainment Area, Operation; (2) Energy - Wasteful, Inefficient, and Unnecessary Consumption of Energy Resources; (3) Greenhouse Gas Emissions; and (4) Transportation – Consistency with CEQA.

c. Finding

While Alternative 2 would meet one of the Project objectives, it would meet other objectives to a lesser extent than the Project. Further, Alternative 2 would not meet seven Project objectives. The City finds, pursuant to PRC Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 2, as described in the Draft EIR.

d. Rationale for Finding

Alternative 2 would involve less development compared to the Project. Alternative 2 would have a greater impact on the following categories: (1) Air Quality - Cumulatively Considerable Increase of Criteria Pollutants in Nonattainment Area, Operation; (2) Energy - Wasteful, Inefficient, and Unnecessary Consumption of Energy Resources; (3) Greenhouse Gas Emissions; and (4) Transportation – Consistency with CEQA. All other impacts would be less than or similar to those of the Project.

Alternative 2 is considered consistent with the following objective:

- Create a development with high quality design that supports environmental sustainability through energy efficiency, water conservation, and the reduction of

greenhouse gas emissions through such features as electric vehicle charging stations, energy-efficient appliances, water efficient plumbing fixtures and fittings, and water-efficient landscaping.

Alternative 2 would partially meet the below Project Objective, but to a lesser extent than the Project since it would provide less landscape features and less active ground floor uses with open space amenities.

- Provide a development that complements and improves the visual character of the area by connecting with the surrounding urban environment through a high level of architectural design, including a building form with vertical and horizontal breaks, generous setbacks, light materiality, landscape features, and active ground floor uses with open space amenities.

Alternative 2 would not meet the following Project objectives:

- Develop new, high-quality infill housing with a diverse mix of residential dwelling types, containing both market-rate and affordable units.
- Fulfill the City's housing goals by improving access to quality housing for all members of the community through the provision of affordable housing in proximity to open space and public transportation, while maintaining access to a wide range of services and goods.
- Provide open space amenities that will enhance existing site conditions through publicly accessible open space (Hannum Plaza), as well as a unified landscape design with common open space areas for Project residents.
- Provide for a mix of commercial and residential uses to promote pedestrian activity, reduce vehicle trips and vehicle miles traveled, and encourage active transportation while maintaining appropriate levels of vehicle parking.
- Activate the Hannum Avenue and Buckingham Parkway frontages by providing street-oriented retail and residential uses, and a landscaping program that further enhances the pedestrian experience.
- Utilize the state's Density Bonus laws to increase the permitted density at the Project Site in order to provide housing at a variety of income levels that will assist the City in meeting its Regional Housing Needs goals.

e. Reference

Draft EIR Chapter 5, Alternatives.

(C) Alternative 3 – Reduced Project Alternative

a. Description of Alternative

Under the Reduced Project Alternative (Alternative 3) and similar to the Project, the Project Site would be redeveloped under the PD zone with an aesthetically succinct and unified development. Alternative 3 contemplates a 28 percent reduction in residential units (density) by reducing the Project's 309 units to 223 units. With this reduction, Alternative 3 would include a total of 222,000 sf of residential square footage, compared to the Project's 356,996 sf of residential space. Under Alternative 3, there would be no affordable units provided and as such, the Project's Density Bonus incentives related to additional units and building height would not be applicable to Alternative 3.

Alternative 3 would include the same 5,600 sf of retail floor space as the Project. The building height would be five stories (over one level of subterranean parking), or 56 feet. There would be 312 parking spaces compared to the Project's 428 spaces, which would eliminate one of the Project's two subterranean parking levels, thereby reducing the amount of required soil excavation. Proposed vehicle circulation and loading area locations would be similar. Publicly accessible open space would be reduced from 7,507 sf to 2,500 sf.

As with the Project, Alternative 3 would require the demolition of the existing office building and associated paved surface parking areas on the Project Site. Although demolition and excavation would be largely similar to the Project, with an approximate 37 percent reduction in overall building square footage (362,593 sf vs. 227,600 sf) and removal of one of the subterranean parking levels proposed under Alternative 3, the duration of the Project's excavation phase would be reduced from 4 months to 2.5 months and the building construction phase would be reduced by approximately 1.5 months from 17 months to 15.5 months. Thus, overall construction under Alternative 3 would be approximately 27 months, as opposed to 30 months under the Project.

b. Impact Summary

Alternative 3 would involve less development compared to the Project. Alternative 3 would result in two (2) "greater" impacts (Land Use and Transportation-VMT). All other impacts would be less than or similar to those of the Project.

c. Finding

Alternative 3 would involve less development compared to the Project. Alternative 3 would result in two (2) "greater" impacts (Land Use and Transportation-VMT). All other impacts would be less than or similar to those of the Project. Alternative 3 would meet one of the Project objectives. It would meet four other Project objectives partially, or to a lesser extent than the Project. Alternative 3 would not meet two Project alternatives. The City finds, pursuant to PRC Code Section 21081(a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible Alternative 3, as described in the Draft EIR.

d. Rationale for Finding

Alternative 3 would involve less development compared to the Project. Alternative 3 would result in two (2) "greater" impacts (Land Use and Transportation-VMT). All other impacts would be less than or similar to those of the Project. As described above, Alternative 3 would develop similar uses as the Project but contemplates a 28 percent reduction in residential units (density). Alternative 3 would include a total of 222,000 sf of residential square footage, compared to the Project's 356,996 square feet of residential space. It would include 223 units compared to the Project's 309 units and would not provide affordable units. Alternative 3 would include the same 5,600 square feet of retail floor space as the Project.

Alternative 3 would fully meet the following Project Objectives:

- Create a development with high quality design that supports environmental sustainability through energy efficiency, water conservation, and the reduction of greenhouse gas emissions through such features as electric vehicle charging stations, energy-efficient appliances, water efficient plumbing fixtures and fittings, and water-efficient landscaping.

Alternative 3 would meet the below Project Objectives, but to a lesser extent than the Project:

- Provide open space amenities that will enhance existing site conditions through publicly accessible open space (Hannum Plaza), as well as a unified landscape design with common open space areas for Project residents.

- Provide for a mix of commercial and residential uses to promote pedestrian activity, reduce vehicle trips and vehicle miles traveled, and encourage active transportation while maintaining appropriate levels of vehicle parking.

- Activate the Hannum Avenue and Buckingham Parkway frontages by providing street-oriented retail and residential uses, and a landscaping program that further enhances the pedestrian experience.

- Provide a development that complements and improves the visual character of the area by connecting with the surrounding urban environment through a high level of architectural design, including a building form with vertical and horizontal breaks, generous setbacks, light materiality, landscape features, and active ground floor uses with open space amenities.

Alternative 3 would partially meet the following Project Objectives:

- Develop new, high-quality infill housing with a diverse mix of residential dwelling types, containing both market-rate and affordable units.

Alternative 3 would not meet the following objectives:

- Fulfill the City's housing goals by improving access to quality housing for all

members of the community through the provision of affordable housing in proximity to open space and public transportation, while maintaining access to a wide range of services and goods.

- Utilize the state's Density Bonus laws to increase the permitted density at the Project Site in order to provide housing at a variety of income levels that will assist the City in meeting its Regional Housing Needs goals.

e. Reference

Draft EIR Chapter 5, Alternatives.

4. Project Alternatives Considered and Rejected

As set forth in CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis, but rejected as infeasible, and briefly explain the reasons for their rejection. According to the CEQA Guidelines, among the factors that may be used to eliminate an alternative from detailed consideration are the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that were considered and rejected as infeasible include the following:

(A) Alternative Off-Site Location

CEQA does not require that analysis of alternative sites always be included in an EIR. However, if all the surrounding circumstances make it reasonable to consider an alternative site, then an alternative location should be considered and analyzed in the EIR. Per CEQA Guidelines Section 15126.6(f)(2), in making the decision to include or exclude analysis of an alternative site, the "key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR." If no feasible alternative locations exist, the EIR must disclose the reasons for this conclusion. According to CEQA Guidelines Sections 15126.6(f)(1) and (f)(2), among the factors that may be considered when addressing the feasibility of an alternative site are general suitability, economic viability, availability of infrastructure, general plan consistency, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. The above is in light of the fact that, per CEQA Section 15126.6(a), "An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project."

Moving the location of the Project to another site would not necessarily reduce the nature and extent of construction related impacts as such temporary activity would be similar in

nature at the alternate location, as compared to the Project site. Accordingly, evaluation of an alternate location was not pursued as it would be likely to shift these impacts to another location rather than helping to avoid or substantially lessen the significant effects of the Project.

In addition, the Applicant does not have ownership or control of any other suitable site within the City designated for mixed-use development by the City's adopted 2021-2029 Housing Element and Land Use Element, which would permit and support the Project's proposed mix of uses. Therefore, the flexibility to develop a similar project on the same or similar scale at another location is not feasible.

For the reasons stated above, an off-site location alternative is not expected to meaningfully reduce impacts of the Project, would likely not meet key Project objectives related to providing housing at a variety of income levels that will assist the City in meeting its Regional Housing Needs goals, and a feasible alternate location for the Project has not been identified. Accordingly, an off-site alternative has not been carried forward for further analysis.

(B) Alternatives to Further Reduce or Avoid Significant Noise Impacts during Construction

Alternatives, including those that would reduce construction duration or Project scale/intensity, were considered to further reduce impacts. Based on the thresholds upon which the construction noise analysis is based, a substantial reduction in the intensity and duration of the peak daily construction activities would be necessary to further reduce construction-related impacts. Thus, significant construction noise impacts within the Project Site would be expected to occur with most reduced development scenarios because construction activities are inherently disturbing, and the peak construction activity would be similar as the Project during the requested extended construction working hours, assuming similar extended construction hours would occur. The Project's proposed extended hours would allow for a 7:00 a.m. daily start Monday through Saturday during the earthwork shoring/excavation, concrete pours (mat foundation and deck pours) and tower crane erection/disassembly phases of construction. The extended construction hours are being requested over the course of approximately four months during construction. The other construction phases would occur per the standard CCMC-permitted construction hours. Should the extended hours not be granted, any reduction in the intensity and duration of daily construction activities would increase the overall duration of the construction period. Also, the early start time for the listed construction activities will reduce the impacts of traffic during peak hours from heavy trucking.

Furthermore, a large contributor to the need for extended construction hours is related to

the concrete trucks needed for building foundations. To construct portions of a building foundation, concrete must be continuously poured in a strategic manner over a short period of time considering its drying time and need to properly cure without cracking and provide proper building support. Breaking up the concrete pours for specific sections over multiple days in a given area is not a feasible option to properly construct a building foundation, as such breaks in the concrete pours would not provide a stable foundation built to applicable building code and regulatory requirements. Thus, reducing or eliminating the number of concrete trucks in a given construction phase is not a feasible alternative to avoid the need for extended construction hours.

Therefore, additional alternatives to further reduce or avoid the Project's short-term noise impacts during construction were rejected as infeasible based on the inability to avoid significant environmental impacts under a reasonable construction schedule.

5. Environmentally Superior Alternative

CEQA Guidelines Section 15126.6(e)(2) indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that if the "no project" alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives. Selection of an environmentally superior alternative is based on comparison of the alternatives to determine which among the alternatives would reduce or eliminate the impacts associated with the Project to the greatest degree. The comparative impacts of the Project and the Project alternatives are summarized in Draft EIR Table 5-5, Comparison of the Impacts of the Project and Alternatives. In addition, Draft EIR Table 5-6, Ability of Alternatives to Meet Project Objectives, shows a comparison of the ability of the analyzed alternatives to meet Project Objectives.

Of the alternatives analyzed in the Draft EIR, Alternative 1, the No Project/No Build Alternative, would be considered the environmentally superior alternative because it would not involve new development and assumes the on-site office use would continue to operate similar to existing conditions. Alternative 1 would not meet any of the Project Objectives and would avoid all of the Project's potentially significant impacts and would have less impacts compared to the Project. However, because Alternative 1 has been identified as the environmentally superior alternative, identification of another environmentally superior alternative is required.

Alternative 2, the Existing Zoning Alternative, and Alternative 3, the Reduced Project Alternative, would both involve less development compared to the Project. As shown in Draft EIR Table 5-5, Comparison of Impacts Associated with the Alternatives and the Project, Alternative 2 would result in four "greater" impacts (Operational regional emissions, Consumption of Energy Resources, GHG, and Transportation-VMT) for the issue areas analyzed compared to the Project, and 16 "less" impacts compared to the Project. Alternative 3 would result in two "greater" impacts (Land Use and Transportation-

VMT) for the issue areas analyzed compared to the Project, and 21 "less" impacts compared to the Project. Alternative 3 is considered the environmentally superior alternative, as it would reduce the magnitude of overall impacts compared to the Project to a greater extent than Alternative 2 since it would require less building construction and result in reduced residential occupancy at the Project Site.

However, because Alternative 3 would develop a smaller mixed-use development, the number housing units would be reduced and no affordable units would be provided. As such, Alternative 3 would not meet or meet to a lesser extent than the Project most of the Project Objectives related to: providing housing, including affordable housing, in accordance with the City's Regional Housing Needs goals; provision of publicly available open space; and promoting an active, landscaped pedestrian environment.

X. Irreversible Environmental Changes

CEQA Guidelines Section 15126.2(c) indicates that an EIR should evaluate any significant irreversible environmental changes that would occur should the proposed project be implemented.

The Project would necessarily consume limited, slowly renewable and non-renewable resources. This consumption would occur during the construction phase of the Project and would continue throughout its operational lifetime. Project development would require a commitment of resources that would include: (1) building materials, (2) fuel and operational materials/resources, and (3) the transportation of goods and people to and from the Project Site. Project construction would require the consumption of resources that are non-replenishable or may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: certain types of lumber and other forest products; aggregate materials used in concrete and asphalt such as sand, gravel and stone; metals such as steel, copper, and lead; petrochemical construction materials such as plastics; and water. Furthermore, nonrenewable fossil fuels such as gasoline and diesel would also be consumed in the use of construction vehicles and equipment, as well as the transportation of goods and people to and from the Project Site. As stated in Draft EIR Section 4.4, Energy, Project construction would utilize energy for necessary on-site activities and to transport construction materials, excavated fill, and demolition debris to and from the Project Site. Project construction would implement idling restrictions and the use of cleaner, energy-efficient equipment would result in less fuel combustion and energy consumption and thus reduce the Project's construction-related energy use.

Project operation would continue to expend nonrenewable resources that are currently consumed within the City. These include energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water. Fossil fuels would represent the primary energy source associated with both construction and ongoing operation of the Project, and the existing, finite supplies of these natural resources would be incrementally reduced. As discussed in Draft EIR Section 4.4, Energy, buildout of the Project would result in an increase in on-site demand for electricity,

natural gas, and transportation energy (e.g., petroleum-based fuels related to vehicular travel). Electricity and natural gas usage during Project operations would be minimized through incorporation of applicable Title 24 standards, applicable CALGreen Building Code requirements, and Culver City's Green Building Code. Furthermore, as noted above, the Project incorporates energy-conservation measures that would achieve LEED rating system at a "certified" performance level or higher and would include all-electric development for all land uses except retail (refer to Project Design Feature GHG-PDF-1). The Project would implement photovoltaic solar in compliance with the City's Green Building Program which, at a minimum requires 1 kW of solar for every 10,000 sf. The Project would include, but would not be limited to, water-efficient landscape design, rainwater management systems, high-efficiency plumbing fixtures and weather-based controller and drip irrigation systems to promote a reduction of indoor and outdoor water use; EV charging, EV capable and EV ready spaces; bicycle facilities that would meet or exceed the respective City codes; Energy Star–labeled appliances, where possible; energy-efficient and water conserving HVAC systems; and active circulation. Additionally, in accordance with CCMC Chapter 17.320.035, the City requires at least 20 percent EV-capable parking spaces, 10 percent EV-ready parking spaces, and 10 percent EV charging stations for both new residential and retail developments. The Project would be required to and would provide a minimum of 86 EV-capable spaces, 44 EV-ready spaces, and 44 spaces which would have full EV chargers and stations. Therefore, while the Project would result in a net increase in energy demand, the Project would be consistent with energy efficiency policies from the City, region, and State, and would also incorporate its own energy conservation measures to reduce energy usage.

Also, as analyzed in Draft EIR Section 4.3, Energy, the Project would result in less-than-significant energy impacts due to wasteful, inefficient, and unnecessary consumption of energy resources during construction or operation. The Project's energy requirements would not significantly affect local and regional supplies or capacity. The Project's electricity and natural gas usage would be consistent with future usage projections for the region. Electricity generation capacity and supplies of natural gas as well as transportation fuels would be sufficient to meet the needs of the Project construction and operational activities. Construction of the Project would utilize fuel-efficient trucks and equipment consistent with federal and State regulations, such as fuel efficiency regulations in accordance with CARB's Pavley Phase I and II standards (at a minimum through the model year 2020 standards depending on the outcome of the SAFE Vehicles Rule court challenge), the anti-idling regulation in accordance with CCR, Title 13, Section 2485, and fuel requirements in accordance with CCR, Title 17, Section 93115, as well as the In-Use Off-Road Diesel-Fueled Fleets regulation. The Project would also comply with Title 24 standards and applicable CALGreen Building Code requirements.

In addition, the Project would be consistent with the State's Assembly Bill (AB) 32 GHG reduction target and would result in a less-than-significant impact with respect to consistency with applicable plans, policies, or regulations to reduce GHG emissions (see Draft EIR Section 4.6, Greenhouse Gas Emissions). The Project would not conflict with applicable strategies outlined in CARB's Climate Change Scoping Plan, SCAG's 2020–

2045 RTP/SCS, and Culver City's Green Building Program.

Continued use of such non-renewable resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area, as well as State and local goals for reductions in the consumption of such resources. Furthermore, the Project would not affect access to existing resources, nor interfere with the production or delivery of such resources. The Project Site is currently developed and contains no known energy resources that would be precluded from future use through Project implementation. Based on the above, the Project's irreversible changes to the environment related to the consumption of nonrenewable resources would not be significant.

XI. Growth Inducing Impacts

CEQA Guidelines Section 15126.2(d) requires an EIR to discuss the ways a proposed project could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, pursuant to CEQA, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

The Project is located on land currently developed with office uses in a highly urbanized area that is well served by existing infrastructure. The Project would demolish the existing office uses (30,672 sf) on the Project Site and develop 309 residential units and 5,600 sf of retail space, resulting in an increase of 497,767 sf in developed floor area on the Project Site. As discussed in Draft EIR Section 4.9, Population and Housing, the Project would result in 733 new residents and 20 new employees and its contribution to population, housing, and employment compared to the growth projections for the City in SCAG's 6th Cycle RHNA and the 2020-2045 RTP/SCS for both the Project's fully operational year (2027) and the 2020-2045 RTP/SCS horizon year (2045), would not result insubstantial induced population growth in the area directly through new housing and employment. The Project's residential development would represent a portion of the City's housing share of the RHNA approved by SCAG for the period through 2021 and 2029. Therefore, the Project would not generate growth beyond the range of development anticipated within the established SCAG regional forecast for the City. Rather than being unplanned, the Project's growth in population, housing, and employment would align with infill development priorities near available transit options consistent with State, regional, and local policies. As such, the potential for physical impacts on the environment due to unplanned population, housing, and employment growth would be less than significant.

The Project would develop residential and commercial uses, located in proximity to existing public transit, including proximity to the Culver City Transit Center (approximately 0.6 miles east) which serves Los Angeles County Metro Bus Lines 108 and 110, as well as Culver City Bus Line 6. Other transit operations in the vicinity of the site include Culver City Bus Line 5C2 – Overland/Fox Hills, which includes Stop 306 Hannum

Ave/Buckingham Parkway, approximately 210 feet west of the Project Site. Therefore, the Project would concentrate employment growth in an area well-served by regional and local bus lines. As such, the Project would be consistent with SCAG's 2020-2045 RTP/SCS policies for the concentration of growth in proximity to transit.

The Project would not have indirect effects on growth through such mechanisms as the extension of roads and infrastructure, since the infill Project is located in an urbanized area that is served by current infrastructure (e.g., roads and utilities), and community service facilities. As further described in Draft EIR Section 4.11, Transportation, and Initial Study Section 4.13.1, Utilities and Service Systems – Water Supply, the Project's off-site infrastructure improvements would consist of tie-ins to or local upgrades of the existing utility mainlines already serving the Project area. Therefore, the Project would not include the construction of off-site infrastructure that would induce substantial growth and development in new areas. In addition, as further described in Draft EIR Sections 4.10.1 through 4.10.4, the Project would not require the construction of new public services facilities that would impact the environment.

The Project's contribution to growth would also not be cumulatively considerable. As further evaluated in Draft EIR Section 4.9, Population and Housing, related projects considered in association with the Project also represent infill development that would be served by available infrastructure and would result in growth falling within projected growth forecasts for the City and the region.

Overall, based on the above, as the Project would represent infill development and growth within the range of development anticipated in regional and local plans, and as the Project Site is well served by existing infrastructure, it would not remove obstacles to growth or induce unplanned growth beyond that associated with the Project that would require development and construction of new service facilities that would significantly affect the environment individually or cumulatively.

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS (SOC)

While the Planning Commission, in their review of the EIR, determined an SOC was appropriate because of significant and unavoidable impacts due to construction noise, staff, after further review, determined an SOC is not necessary. The Draft EIR reviewed the Project that included construction hours beginning at 7:00 am instead of 8:00 am on weekdays, 9:00 am on Saturdays, and 10:00 am on Sundays. The SOC states that noise construction occurring outside the permitted construction hours will create significant and unavoidable impacts. However the Draft EIR also states that this impact is reduced to less than significant if construction occurs during permitted hours.

The Applicant is requesting extended construction hours as part of the Entitlements and if the City Council approves an extended construction hours request, as recommended, the proposed hours are permitted hours and impacts from construction noise are less than significant. If the extended construction hours request is not granted, then construction outside of the normal construction hours is not allowed and will not occur.

Accordingly, there will be no significant and unavoidable impacts due to construction noise occurring outside of permitted hours and no SOC is necessary for the Project.

XII. GENERAL FINDINGS

1. The City, acting through the Current Planning Division, is the "Lead Agency" for the Project that is evaluated in the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR, which was circulated for public review, reflected its independent judgment, and that the Final EIR reflects the independent judgment of the City.

2. The Draft EIR evaluated the following potential project and cumulative environmental impacts: Aesthetics; Air Quality; Cultural Resources; Energy; Geology and Soils; Greenhouse Gas Emissions; Land Use and Planning; Noise; Population and Housing; Public Services; Transportation; Tribal Cultural Resources; and Utilities and Services Systems. Additionally, the Draft EIR considered Growth-Inducing Impacts and Irreversible Environmental Changes. The significant environmental impacts of the Project and the alternatives were identified in the Draft EIR.

3. The City finds that the EIR provides objective information to assist the decision- makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review period.

4. Textual refinements were compiled and presented to the decision-makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with Project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated to describe refinements suggested as part of the public participation process.

5. The Current Planning Division evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the Current Planning Division prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Current Planning Division reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts to the Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed

in the EIR.

6. The Final EIR documents provides changes to the Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR. Having reviewed the information contained in the Draft EIR and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings, or other criteria under CEQA that would require recirculation of the Draft EIR, or preparation of a supplemental or subsequent EIR.

7. The Responses to Comments contained in the Final EIR fully considered and responded to comments claiming that the Project would have significant impacts or more severe impacts not disclosed in the Draft EIR and included substantial evidence that none of these comments provided substantial evidence that the Project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR. Specifically, the City finds that:

a. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR, as it relates to the Project, to determine whether, under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption, and the City has determined that recirculation of the EIR is not required.

b. None of the information submitted after publication of the Final EIR, including testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

c. The mitigation measures identified for the Project were included in the Draft and Final EIRs. As revised, the final mitigation measures for the Project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the Project. The City finds that the impacts of the Project have been mitigated to less than significance by the feasible mitigation measures identified in the MMP.

8. CEQA requires the Lead Agency approving a project to adopt an MMP or the changes to the project which it has adopted or made a condition of project approval to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City serve that function. The MMP includes all the mitigation measures and project design features adopted by the City in connection with the approval of the Project and has been designed to ensure

compliance with such measures during implementation of the Project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts the MMP.

9. In accordance with the requirements of PRC Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the Project.

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the Current Planning Division, located at Culver City Hall, 9770 Culver Boulevard, 2nd Floor, Culver City, CA 90232.

11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the Project.

13. The EIR is a project EIR for purposes of environmental analysis of the Project. A project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.

Mitigation Monitoring Program

This Mitigation Monitoring Program (MMP), which is provided in **Table 4-1**, *Mitigation Monitoring Program*, below, has been prepared pursuant to Public Resources Code (PRC) Section 21081.6 and CEQA Guidelines Section 15097 (Title 14 of the California Code of Regulations), which require adoption of an MMP for projects where the Lead Agency has adopted mitigation to avoid significant environmental effects. The City of Culver City (City) is the Lead Agency for the 5700 Hannum Avenue Mixed-Use Residential and Commercial Project (Project). The decision-makers must define specific reporting and/or monitoring requirements to be enforced during Project implementation prior to final approval of the Project. The primary purpose of the MMP is to ensure that the mitigation measures identified in the Initial Study (for Biological Resources), Draft EIR, and Final EIR (designated by the respective environmental issue within Chapter 4, *Environmental Impact Analysis,* of the Draft EIR) are implemented, thereby minimizing identified environmental effects.

The MMP also includes project design features identified throughout Chapter 4 of the Draft EIR. Because project design features have been incorporated into the Project, they do not constitute mitigation measures. However, project design features are included in this MMP to ensure their implementation as a part of the Project.

Final clearance shall require all applicable verification as indicated in Table 4-1. The project design features and mitigation measures are identified by the impact category and numbered to correspond with the Initial Study, in the case of Biological Resources, and the Draft EIR.

TABLE 4-1
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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Aesthetics				
AES-PDF-1: Screening of Utilities. Mechanical, electrical, and roof top equipment (including Heating, Ventilation, and Air Conditioning [HVAC] systems), as well as building appurtenances (such as rooftop elevator stops), will be integrated into the Project's architectural design (e.g., placed behind parapet walls) and will be screened from view from public rights-of-way.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Public Works, Engineering, and Planning Division
Air Quality				
MM-AQ-1: Construction Equipment. The Applicant shall implement the following requirements for construction equipment operating at each Project site. These requirements shall be included in applicable bid documents and contractor(s) must demonstrate the ability to supply such equipment. Construction equipment shall include the following: • The Project shall utilize off-road diesel-powered construction equipment that meets or exceeds the California Air Resources Board (CARB) and United States Environmental Protection Agency (USEPA) Tier 4 Final off-road emissions standards or equivalent for equipment rated at 25 horsepower (hp) or greater during Project construction where available within the Air Basin. Such equipment shall be outfitted with Best Available Control Technology (BACT) which means a CARB certified Level 3 Diesel Particulate Filter or equivalent. A copy of each unit's certified tier specification, BACT documentation, and CARB or Southern California Air Quality Management District (SCAQMD) operating permit at the time of mobilization of each applicable unit of equipment shall be provided. • Use electrified tower cranes in place of diesel-fueled equipment.	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Demolition Permit, Grading Permit, and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
Biological Resources				
MM-BIO-1: The Applicant shall be responsible for the implementation of mitigation to reduce impacts to migratory and/or nesting bird species to below a level of significance through one of two ways. Either: 1) Vegetation removal and/or construction-related activities shall be scheduled outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds. This would ensure that no active nests are disturbed; or	Condition of Approval	Plan Check Notes, Reports, Surveys, and Field Inspections	Prior to issuance of a Demolition Permit, Grading Permit, and Building Permit.	Culver City Planning Division

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MITIGATION MONITORING PROGRAM

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
2) If avoidance of the avian breeding season (February 15 to August 31 for songbirds; January 15 to August 31 for raptors) is not feasible, then: a. A qualified biologist shall conduct a preconstruction nesting bird survey within 15 days and again within 72 hours prior to any ground disturbing activities (staging, grading, vegetation removal or clearing, grubbing, etc.). The survey shall be conducted to ensure that impacts to birds, including raptors, protected by the MBTA and/or the California Fish and Game Code are avoided. Survey areas shall include suitable nesting habitat within 200 feet (or up to 300 feet, depending on topography or other factors, and 500 feet for raptors) of construction site boundaries. This two-tiered survey method is intended to provide the Applicant with time to understand the potential issue and evaluate solutions if nests are present, prior to mobilizing resources. If active nests are not identified, no further action is necessary. b. If active nests are identified during pre-construction surveys, an avoidance buffer shall be demarcated for avoidance using flagging, staking, fencing, or another appropriate barrier to delineate construction avoidance until the nest is determined to no longer be active by a qualified biologist (i.e., young have fledged or no longer alive within the nest). An active nest is defined as a structure or site under construction or preparation, constructed or prepared, or being used by a bird for the purpose of incubating eggs or rearing young. Perching sites and screening vegetation are not part of the nest. Given the high disturbance level, general avoidance buffers include a minimum 100-foot avoidance (for smaller birds more tolerant of human disturbance) to a 250-foot avoidance buffer for passerine and a 500-foot avoidance buffer from active raptor nests, or reduced buffer distances determined at the discretion of a qualified biologist familiar with local nesting birds and breeding bird behavior within the Project area. Construction personnel shall be informed of the active nest and avoidance requirements. A biological monitor shall review the site, at a minimum of one-week intervals, during all construction activities occurring near active nests to ensure that no inadvertent impacts to active nests occur. Pre-construction nesting bird surveys and monitoring results shall be submitted to the Culver City Planning Division via email or memorandum upon completion of the pre-construction surveys and/or construction monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds. In addition, pre-construction surveys and/or construction monitoring shall also be submitted to the California Department of Fish and Wildlife (CDFW) within two months of the completion of the monitoring activities.				

TABLE 4-1
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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Cultural Resources				
MM-ARCH-1: Prior to the issuance of a demolition permit, the Applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during initial Project construction work such as site demolition (e.g., building footings/foundations, subsurface utilities, surface parking lots, sidewalks, etc.), clearing/grubbing, grading, trenching, or related moving of soils within the Project Site (collectively, ground disturbing activities); provided, however, that ground disturbing activities shall not include any moving of soils after they have been initially disturbed or displaced by Project-related construction. The Qualified Archaeologist shall determine the frequency of monitoring based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (younger alluvium vs. older alluvium), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. The frequency of monitoring can be reduced to part-time inspections or ceased entirely if determined appropriate by the Qualified Archaeologist. Prior to commencement of excavation activities, an Archaeological and Cultural Resources Sensitivity Training shall be given for construction personnel. The training session shall be carried out by the Qualified Archaeologist and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuance of Demolition Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
MM-ARCH-2: In the event that historic or prehistoric archaeological resources (e.g., bottles, foundations, refuse dumps, etc.) are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. After consulting with the Applicant, the Qualified Archeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where construction activities shall not be allowed to continue. Work within the buffer area shall only be allowed to continue after the evaluation and recovery efforts are completed. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If the Qualified Archaeologist determines the find to constitute a "historical resource" pursuant to CEQA	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division

TABLE 4-1
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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Guidelines Section 15064.5(a) or a "unique archaeological resource" pursuant to Public Resources Code Section 21083.2(g), the Qualified Archaeologist shall coordinate with the Applicant and the City of Culver City (City) to develop a formal treatment plan that would serve to reduce impacts to the resources and that provides for or the adequate recovery of the scientifically consequential information contained in the resources along with subsequent laboratory processing, analysis, evaluation, and reporting. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. The treatment plan shall include measures regarding the curation of the recovered resources that may include curation at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the resources, they may be donated to a local school or historical society in the area (such as the Culver City Historical Society) for educational purposes.				
MM-ARCH-3: The Qualified Archaeologist shall prepare a final report and appropriate California Department of Parks and Recreation Site Forms at the conclusion of archaeological monitoring. The report shall include a description of resources unearthed, if any, treatment of the resources, results of the artifact processing, analysis, and research, and evaluation of the resources with respect to the California Register of Historical Resources and CEQA. The report and the Site Forms shall be submitted by the Applicant to the City, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the Project and required mitigation measures.	Condition of Approval	Report	Prior to issuance of a Certificate of Occupancy	Culver City Planning Division
Geology and Soils				
MM-GEO-1: Prior to the issuance of grading permits, the Applicant shall retain a Qualified Paleontologist meeting the Society of Vertebrate Paleontology (SVP) Standards. The Qualified Paleontologist shall provide technical and compliance oversight of all work as it relates to paleontological resources, shall attend the Project kick-off meeting, and shall be responsible for monitoring and overseeing paleontological monitors (meeting SVP standards) that will observe grading and excavation activities.	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuance of Grading Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
MM-GEO-2: Paleontological monitoring shall be conducted during construction excavations into undisturbed older alluvial sediments and undisturbed Baldwin Hills Paleosol. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting and wet screening sediment samples of promising	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuant of Demolition Permit, Grading Permit and Building Permit and	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division

TABLE 4-1
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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
horizons for smaller fossil remains. If significant vertebrate fossils are found by screening, it will be necessary to collect a 6,000-pound sample for screening from each producing geologic unit, per SVP Guidelines (2010). The sample(s) can be collected by construction machinery and stockpiled and processed in a safe location on site, or transported to another site for processing. The frequency of monitoring inspections shall be determined by the Qualified Paleontologist and shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered. Full-time monitoring can be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Paleontologist. If a potential fossil is found, the Qualified Paleontologist and the monitor shall have authority to temporarily stop excavation activity or to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation of the discovery. An appropriate buffer area shall be established by the Qualified Paleontologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. At the Qualified Paleontologist's discretion, and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock/sediment samples for initial processing and evaluation. If preservation in place is not feasible, the Qualified Paleontologist shall implement a paleontological salvage program to remove the resources from their location.			Ongoing during Construction	
MM-GEO-3: If the older Quaternary alluvium produces any mollusk fossils, a specimen shall be submitted for radiocarbon dating. If the Fox Hills Paleosol produces any pedogenic calcium carbonate, a sample shall be submitted for radiocarbon dating.	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Public Works, Engineering and Planning Division
MM-GEO-4: Any significant fossils recovered during Project-related excavations shall be prepared to the point of identification. The residue form sediment samples shall be dried and sorted with a binocular dissecting microscope. Both macrofossils and vertebrate microfossils shall be prepared to the point of identification, identified, and curated into an accredited repository. The Qualified Paleontologist shall prepare a final report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall accompany the specimens to the accredited repository. The report shall also be submitted by the Applicant to the City of Culver City to signify the satisfactory completion of the Project and required mitigation measures.	Condition of Approval	Report	Prior to issuance of a Certificate of Occupancy	Culver City Planning Division

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Greenhouse Gas Emissions				
GHG-PDF-1: Green Building Features. The Project will include the following green building features: • The Project buildings will be designed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certified performance level or higher and will be designed and operated to meet or exceed the applicable requirements of the State of California Green Building Standards Code and Culver City's Green Building Program Requirements. • The Project will include installation of a solar photovoltaic system with 1 kW solar photovoltaic panels per 10,000 sf consistent with CCMC Chapter 15.02.1005 in order to achieve compliance with the City of Culver City's solar photovoltaic requirement, per the City's Green Building Ordinance and CALGreen standards. • The Project will provide EV parking and charging for residential and commercial use. A total of 86 parking spaces (81 residential + 5 commercial) would be electric vehicle (EV) capable. Forty-four (44) total spaces (41 residential + 3 commercial) would be EV ready. Forty-four (44) total spaces (41 residential + 3 commercial) would have EV charging stations. • The Project will include LED lighting throughout the Project Site and would install ENERGY STAR-rated appliances. • The Project will incorporate efficient water management through low flow faucets and water-efficient landscape design with weather-based controllers and drip irrigation systems. • The Project will utilize only electricity and no natural gas in all land uses except for the retail space.	Condition of Approval	Plan Check Notes	Prior to issuance of a Building Permit	Culver City Building Safety Division, Planning Division
Noise				
NOI-PDF-1 : Project Construction Schedule. Prior to issuance of a building permit, notice of the Project construction schedule will be provided to adjacent property owners and occupants. Evidence of such notification will be provided to the City of Culver City Public Works Department. The notice will identify the commencement date and proposed timing for all construction phases (demolition, grading, excavation/shoring, foundation, rough frame, plumbing, roofing, mechanical and electrical, and exterior finish).	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
NOI-PDF-2: Use of Impact Pile Driver. The Project will not require or allow the use of impact pile drivers. Lower noise- and vibration-generating shoring piles to be drilled will be used.	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
NOI-PDF-3: Construction Rules Sign. During all phases of construction, a "Construction Rules Sign" that includes contact names and telephone numbers, with 24-hour availability, of the Applicant, Property Owner, construction contractor(s) will be posted on the Property in a location that is visible to the public. In addition, appropriate staff person at the City of Culver City will be notified for such incidences. These names and telephone numbers will also be made available to adjacent property owners and occupants to the satisfaction of the appropriate department (Planning Manager and/or Building Official) of Culver City.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Building Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
NOI-PDF-4: Neighborhood Streets. No construction haul trucks, including concrete trucks, will be allowed to travel through neighborhood streets that are primarily residential uses.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Grading Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-5: Mechanical Equipment Noise. All building mechanical equipment and/or ventilation systems not fully enclosed will be designed to not exceed sound level limits of the noise level requirements of the City of Culver City General Plan Noise Element Regulation of Stationary Noise Sources through the use of quiet fans, duct silencers, parapets, or similar noise attenuation methods.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of Mechanical Permit for subject mechanical equipment	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning
NOI-PDF-6: Noise Control – Amplified Sound Systems. If the Project installs permanent outdoor amplified sound systems, the systems will be located in discrete areas of the outdoor common opens space areas courtyard such that the sound would be mostly blocked by the proposed on-site building or walls from off-site residential receivers. Section 9.07.055(B) of the CCMC prohibits the operation of a loud speaker or sound amplifying equipment for the purposes of transmitting messages, giving instructions or providing entertainment which is audible at a distance of fifty (50) feet or beyond the subject's property line without first filing an application and obtaining a permit as set forth in Chapter 9.07, Noise Regulations, of the CCMC. The systems	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division; Los Angeles Departments of Building and Safety and City Planning

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
will at a minimum be designed so as not to result in a perceivable increase at the nearest noise sensitive residential receptor. Specifically, daytime outdoor amplified sound systems will not result in an increase of 5 dBA Leq over existing ambient noise conditions at the nearest noise sensitive residential receptor. Nighttime speaker noise, if it occurs, will comply with the exterior noise standards identified in the Regulation of Stationary Noise Sources (City of Culver City General Plan Noise Element, approved by City Council July 22, 1996). A qualified noise consultant will provide written documentation and submitted to appropriate department of City of Culver City that the design of the system(s) complies with the maximum noise levels at the property line of the nearest off-site sensitive receivers.				
MM-NOI-1: Temporary noise barriers shall be installed along the southern and eastern Project boundary to shield the sensitive receptors from construction noise. The barrier shall have a minimum height of 6 to 15 feet (from south to north, with the top of the barrier at least 15 feet above the ground surface of the residences to the east along Buckingham Parkway) that is made of sound blanket, plywood or other solid material capable of reducing on-site construction noise levels by 17 to 19 dBA.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Demolition Permit, Verified at Preconstruction Meeting with City of Culver City and Ongoing during Construction.	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
MM-NOI-2: Since construction equipment operates intermittently, and the types of equipment change with the stage of construction, noise emitted during construction would be mobile and highly variable. The following features shall be implemented during Project construction to reduce noise levels: • Maintain all construction tools and equipment in good operating order according to manufacturers' specifications. • To the extent practicable, schedule construction activity during normal working hours between 8 a.m. and 5 p.m. on weekdays when higher sound levels are typically present and are found acceptable. • Equip internal combustion engines with properly operating mufflers that are free from rust, holes, and leaks. • For construction equipment that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Demolition Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
Public Services				
POL-PDF-1: Project Site Security and Access During Construction. During construction of the Project, the Project Site will be fenced and gated with surveillance cameras to monitor the site during off hours.	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Grading Permit, Building	Culver City Building Safety Division, Building Safety Inspector; Police Department;

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
			Permit, and Ongoing during Construction	Public Works, Engineering and Planning Division
POL-PDF-2: Project Site Security and Access During Operation. During operation of the Project, access to the parking structure will be controlled through gated entries, and the entry areas will be well illuminated. Project Site security would include controlled keycard access to office spaces, security lighting within common areas and entryways, and closed-circuit TV monitoring (CCTV).	Condition of Approval	Plan Check Notes and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Police Department; Public Works, Engineering and Planning Division
Transportation				
TRAF-PDF-1: Construction Management Plan. A Final Construction Management Plan (FCMP) will be prepared by the Project contractor in consultation with the Project's traffic and/or civil engineer. The FCMP will define the scope and scheduling of construction activities covering the entire Project Site as well as the Applicant's proposed construction site management responsibilities in order to ensure that disturbance of nearby land uses or interruption of pedestrian, vehicle, bicycle and public transit are minimized to the extent feasible. The FCMP will be subject to review and approval by appropriate building officials, city traffic engineers, civil engineers, and planning manager for the City of Culver City, as required, prior to issuance of any Project demolition, grading or excavation permit. The FCMP will also be reviewed and approved by the respective fire and police departments. Prior to commencement of construction, the contractor will advise the City's public works inspector and building inspector (inspectors) of the construction schedule. As-needed construction management meetings shall be convened with appropriate Culver City staff and representatives of surrounding developments that may have overlapping construction schedules with the Project, to ensure that concurrent construction projects are managed in collaboration with one another. The FCMP will consider potential project construction disruptions to transportation facilities near the Project Site and provide effective strategies to limit the Project's use of the public right-of-way (streets and sidewalks) during peak traffic periods and will be subject to adjustment by City staff as deemed necessary and appropriate to preserve the general public safety and welfare. Prior to approval of the FCMP and grading permits, the Applicant will conduct one (1) community meeting pursuant to the notification requirements of the City of Culver City community meeting guidelines, to discuss and provide the following information to the surrounding community: 1. Construction schedule and hours.	Condition of Approval	Plan Check Notes, Reports, Surveys, and Field Inspections	Prior to Demolition, Grading and Building Permits, and Ongoing during Construction	Culver City Building Safety, Planning, Public Works, Fire and Police Departments

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
2. Framework for construction phases.				
3. Identify traffic diversion plan by phase and activity.				
4. Potential location of construction parking and office trailers.				
5. Truck hauling routes and material deliveries (i.e., identify the potential routes and restrictions. Discuss the types and number of trucks anticipated and for what construction activity).				
6. Emergency access plan.				
7. Demolition plan.				
8. Staging plan for the concrete pours, material loading and removal.				
9. Crane location(s).				
10. Accessible Applicant and contractor contacts during construction activity and during off hours (relevant email address and phone numbers).				
11. Community notification procedures.				
The FCMP will at a minimum include the following:				
1. The name and telephone number of a contact person who can be reached 24 hours a day via telephone regarding construction or construction traffic complaints or emergency situations.				
2. An up-to-date list of local police, fire, and emergency response organizations and procedures for the coordination of construction activity, potential delays, and any alerts related to unanticipated road conditions or delays, with local police, fire, and emergency response agencies. Maps showing access to and within the site and to adjacent properties will be provided.				
3. Construction plans and procedures to address community concerns the City of Culver City personnel notification of key construction activities; temporary construction fencing and maintenance of construction areas within public view; noise and vibration controls; dust management and control; and worker education on required mitigation measures included in the Project's Mitigation Monitoring Program and best practices to reduce disturbances to adjacent and nearby land uses.				
4. Procedures for the training and certification of flag persons.				
5. To the extent known, identification of the location, times, and estimated duration of any roadway closures; procedures for traffic detours, pedestrian protection, reducing effects on public transit and alternate transportation modes; and plans for use of protective devices, warning signs, and staging or queuing areas.				

TABLE 4-1
MITIGATION MONITORING PROGRAM

Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
6. The location of temporary power, portable toilet and trash and materials storage locations. 7. The timing and duration of any street, sidewalk and/or lane closures will be approved in advance by ethe City of Culver City. As traffic lane, parking lane, and/or sidewalk closures are anticipated, worksite traffic control plan(s), approved by the City of Culver City, will be developed and implemented to route vehicular traffic, bicyclists, and pedestrians around any such closures. As applicable at the time of construction, such notices will be made available in digital format for posting on each City website and distribution via email alerts on electronic platforms such as the County of Los Angeles' "Gov Delivery" system. The FCMP will be updated weekly during the duration of project construction, as determined necessary by the City. The FCMP will require that review and approval of any proposed lane closures include coordination with the Culver City Fire and Police Departments to minimize potential effects on traffic flow and emergency response. 8. Provisions that staging of construction equipment and materials will be accommodated within the Project Site and that construction worker parking will be accommodated on the Project Site and/or at off-site locations to be determined and disclosed, potentially with shuttles to and from the Project Site.				
TRAF-PDF-2: Transportation Demand Management (TDM) Program. The Project will implement TDM measures that include, but are not limited to, those listed below subject to Culver City Transportation Department review and approval prior to issuance of the first Temporary Certificate of Occupancy (TCO) for the Project in order to reduce drive-alone vehicle trips to/from the Project Site by residents, visitors and employees, as well peak hour traffic. The TDM strategies necessary comply with the TDM and trip reduction requirements of City Municipal Code Section 07.05.015, as well as City's design requirements for the Project: **On-Site Enhancements** - The Project design will incorporate mobility features to encourage alternative transportation modes. The features will be designed in accordance with the City Municipal Code requirements and standards. • Pedestrian Connections. The Project will provide exclusive pedestrian access separate from vehicular driveways. The Project will provide internal walkways that connect the pedestrian access points to off-site pedestrian facilities, rideshare, and transit. • Bicycle Parking and Amenities. The Project will provide both short-term and long-term bicycle parking spaces on-site in accordance with the City	Condition of Approval	Approval of Plan	During Plan Check and prior to issuance of a Certificate of Occupancy	Culver City Traffic Engineering, Engineering/Public Works, Transportation Department and Planning Division

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Municipal Code requirements. Short-term bicycle parking, which will include bicycle racks, will be located near the pedestrian entrance. Long-term bicycle parking, which will include bicycle lockers or secure bicycle enclosures, will be placed in an accessible weather protected location. **Electric Vehicle (EV) Parking**. In accordance with City Municipal Code Section 17.320.035.O.3, at least 40% of the onsite parking supply will have EV capability, including EV Capable spaces (20%), EV Ready spaces (10%), and Full EV Charger/Charging Stations (10%). **Off-Site Enhancements** - The Project will improve and contribute toward improvements to off-site mobility facilities to encourage alternative transportation modes. • Mobility Fees. In accordance with City Municipal Code Section 05.06.015, the Project will be subject to contributing its fair share toward funding the City's mobility infrastructure and improvement projects intended to reduce VMT and support housing and job growth. Pursuant to Resolution No. 2021-R055, the total mobility fee for the Project will be based on a rate of $3,394 per multi-family unit and $14.92 per sf of commercial space. **Other TDM Strategies** - The Project will implement TDM strategies to reduce peak hour vehicular traffic and air emissions to and from the Project Site. The following details the minimum TDM strategies necessary to comply with the TDM and trip reduction requirements of City Municipal Code Section 07.05.015, as well as City's design requirements for the Project: • Transportation Information Center (TIC). The Project will provide a TIC, a commuter information center where residents, employees, and visitors can obtain information regarding commute programs and individuals can obtain real-time information for planning travel without using an automobile. A TIC provides information about transit schedules, commute planning, rideshare, telecommuting, bicycle routes and facilities, and facilities and resources for carpoolers, vanpoolers, bicyclists, transit riders, and pedestrians. The TIC can be provided via a bulletin board, display case, or kiosk, as well as virtually, providing every resident, employee, and visitor access to commuter information through a website portal. • Bicycle Parking and Amenities. The Project will support bicycling to work through the provision of bike storage facilities throughout the Project site. Bicycle parking will be provided in accordance with the City Municipal Code requirements for the Project and will include short-term facilities (e.g., bicycle racks) and secure long-term bicycle parking (e.g., fully enclosed rooms or bicycle lockers that protect the bicycle from inclement weather and accessible only to the owner).				

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
• Pedestrian-Friendly Environment. The Project is designed to be pedestrian-friendly and accessible to the local neighborhood. The Project's pedestrian access points will be located separate from vehicular access points. To promote walkability within and around the Project site, internal pedestrian pathways will provide a safe and direct connection to external public pedestrian facilities. Safety measures will also be implemented at the Project driveway to ensure safe crossings to limit potential vehicular-pedestrian conflicts. • Employee Parking. At least 10% of employee parking will be reserved, as signed on the spaces, for use by potential carpool or vanpool vehicles and located as close as practical to employee entrances. This preferential parking will be identified on the site plan accompanying the application for a building permit. Vanpool spaces will have a minimum parking space dimension of nine feet wide by 18 feet in length and provide a minimum interior vertical clearance of eight feet two inches. A safe and convenient zone in which vanpool and carpool vehicles may deliver or board their passengers will also be provided. • Bus Stop Improvements. If deemed necessary by the City, bus stop improvements will be provided to the satisfaction of the City Director of Transportation. **Plan/Program Management** - The Project will take appropriate measures to help future residents and employees manage each TM Plan element and maximize program participation through consolidation of information and proactive engagement. The following will be provided as part of the TDM Plan: • Project Transportation Coordinator. A Transportation Coordinator will be designated for the site and will be responsible for implementing, coordinating, and maintaining the elements of the TDM Plan. The identity and contact information for the Transportation Coordinator will be supplied to the City and kept current. • Transportation Information Packet for New Residents and Employees. Each new resident and employee will receive an information packet summarizing the transit and transportation alternatives available to Project tenants. The packet will emphasize the location of the TIC and include the contact information of the Transportation Coordinator. **Mobility Hub Support and Alternative Transportation** - The Project will incorporate measures and design elements to support first-mile/last-mile service connection for transit users and reduce reliance on personal automobiles. The following will be provided as part of the TDM Plan:				

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
• Bike Repair Station. The Project will provide an on-site bike parking station for use by Project residents and employees that has a space and basic tool set for bike repairs. • Subsidized Shared-Ride/Uber/Lift Service. Employees who arrive to work via a means other than a single-passenger vehicle or utilize the carpool matching service will automatically be registered in a Subsidized Shared-Ride/Uber/Lift Service by which, upon request to the Transportation Coordinator, the employee will be given a voucher to travel home or Uber/Lyft (or similar shared ride service) in case of illness or emergency. The Project will provide up to $750 in total for this program every year. The subsidy will be for two years after Certificate of Occupancy over a two-year period. • Transit Passes. The Project will provide up to $500 per pass per year of subsidies for up to five Transit Access Passes (TAP) cards for a period of three years for employees who opt to take Metro instead of personal vehicles and will not be provided on-site parking accommodations and not receive a car share subsidy.				
Tribal Cultural Resources				
TCR-MM-1: Prior to the issuance of a demolition permit for the Project, the Applicant shall retain a Native American Monitor from the Gabrieliño Band of Mission Indians – Kizh Nation (Kizh Nation or Tribe). The Native American Monitor shall be present during the following construction activities that have the potential for encountering tribal cultural resources: demolition, pavement removal, clearing/grubbing, drilling/augering, potholing, grading, trenching, excavation, tree removal or other ground disturbing activity associated with the Project, whether on the Project Site or in connection with Project off-site improvements (collectively "ground disturbing activities"). Notwithstanding the foregoing, Native American monitoring shall not be required for any moving of soils that have been monitored or observed prior to their disturbance and subsequently disturbed or displaced by Project-related construction. The Applicant shall prepare a monitoring agreement with the Kizh Nation that outlines the roles and responsibilities of the Native American Monitor and shall submit this agreement to the City of Culver City (City) prior to the issuance of demolition permit for the Project. Prior to commencement ground disturbing activities, a Tribal Cultural Resources Sensitivity Training session shall be held for those construction personnel who will be directly involved in the ground disturbing activities. The training session shall be carried out by the Native American Monitor and shall focus on how to identify tribal cultural resources that may be encountered during ground disturbing activities and the procedures to be followed in such	Condition of Approval	Plan Check Notes, Reports, Surveys and Field Inspections	Prior to issuance of Demolition Permit and Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
an event. If the Native American Monitor is not present at the Project Site on any given workday, the ground disturbing activities may continue if the workers involved in such activities attended the training session. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined appropriate by the Native American Monitor in the event there appears to be little to no potential for impacting tribal cultural resources. Native American monitoring shall conclude no later than conclusion of ground disturbing activities.				
TCR-MM-2: The Native American Monitor shall complete daily monitoring logs that provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered tribal cultural resources, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Applicant and the City upon written request to the Tribe. The Applicant shall not be deemed to be out of compliance with this measure if the Native American Monitor fails to complete or submit any such monitoring logs.	Condition of Approval	Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division
TCR-MM-3: In the event of a discovery of potential tribal cultural resources at the Project Site, the Qualified Archaeologist identified in Mitigation Measure CUL-MM-1 (after consultation with the Native American Monitor) shall have the authority to temporarily divert, redirect, or halt ground-disturbance activities to allow identification, evaluation, and potential recovery of such potential resources. After consulting with the Native American Monitor and the Applicant, the Qualified Archaeologist shall establish an appropriate buffer area in accordance with industry standards, reasonable assumptions regarding the potential for additional discoveries in the vicinity, and safety considerations for those making an evaluation and potential recovery of the discovery. This buffer area shall be established around the find where ground-disturbing activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. Within three (3) business days of such discovery, a meeting shall take place between the Applicant, the Qualified Archaeologist, the Tribe, and the City to discuss the significance of the find and whether it qualifies as a tribal cultural resource pursuant to Public Resources Code Section 21074(a). If, as a result of the meeting and after consultation with the Tribe, the Applicant, and the Qualified Archaeologist, the City determines, based on substantial evidence,	Condition of Approval	Field Inspections	Ongoing during Construction	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering and Planning Division

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
that the resource is in fact a tribal cultural resource, the Qualified Archaeologist shall develop a reasonable and feasible treatment plan, with input from the Tribe as necessary, and with the concurrence of the City's Planning Director. The treatment measures in the treatment plan shall be in compliance with any applicable federal, State, or local laws, rules or regulations. The treatment plan shall also include measures regarding the curation of the recovered resources. If the Applicant does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist (including, but not limited to, the size of the buffer set forth above), the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may: (1) require the recommendation be implemented as originally proposed by the Archaeologist; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant shall pay all costs and fees associated with the mediator. The Applicant may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in the above paragraphs. The recovered Native American resources may be placed in the custody of the Tribe, who may choose to use them for their educational purposes or they may be curated at a public, non-profit institution with a research interest in the materials. If neither the Tribe nor an institution accepts the resources, they may be donated to a local school or historical society in the area for educational purposes. Notwithstanding the above paragraph, any information determined to be confidential in nature by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code Section 6254(r).				

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Project Design Feature (PDF) / Mitigation Measure (MM)	Implementing Action, Condition, or Mechanism	Method of Verification	Timing of Verification	Responsible Persons
Utilities and Service Systems				
WATER-PDF-1: Water Conservation. The Project will implement water conservation measures that include, but are not limited to, the following: • Landscape and Irrigation o California Friendly® plants or native plants o Drip/ Subsurface Irrigation (Micro-Irrigation) o Proper Hydro-zoning/Zoned Irrigation (groups plants with similar water requirements together)	Condition of Approval	Plan Check Notes, Reports, and Field Inspections	Prior to issuance of a Certificate of Occupancy	Culver City Building Safety Division, Building Safety Inspector; Public Works, Engineering, and Planning Division

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STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF CULVER CITY)

Certification of Resolution No. 2024-R079

I, Jeremy Bocchino, City Clerk of the City of Culver City, do hereby certify that the foregoing Resolution was duly passed, approved, and adopted at a regular meeting of the City Council, which was held on the 11th day of November 2024, at the Mike Balkman Council Chambers by the following vote:

AYES: Eriksson, Vera, O'Brien

NOES: None

ABSENT: None

ABSTAIN: None

RECUSED: Puza, McMorrin

Certified on this 11th day of November 2024, at the City of Culver City.

Jeremy Bocchino

Jeremy Bocchino, CMC, City Clerk
Ex-Officio Clerk of the City Council
City of Culver City, State of California