

Chapter III

Revisions, Clarifications, and Corrections

1. OVERVIEW

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15132(a), this Chapter of the Final Environmental Impact Report (EIR) provides revisions, clarifications, and corrections to the Draft EIR that have been made to clarify, correct, or supplement the information provided in that document. These revisions, clarifications, and corrections are the result of public and agency comments received in response to the Draft EIR, new information that has become available since publication of the Draft EIR, or due to recognition of inadvertent errors or omissions. The revisions, clarifications, and corrections provided in this Chapter do not add significant new information or support a conclusion that the Project would result in new or increased significant environmental impacts as compared to those disclosed in the circulated Draft EIR.

More specifically, CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. The *California Environmental Quality Act (CEQA) Guidelines* Section 15088.5 states:

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice of its availability... “significant new information” requiring recirculation includes, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

- (2) *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.*
- (3) *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.*
- (4) *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*
- (b) *Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in the adequate EIR.*
- (c) *If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.*
- (d) *Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.*
- (e) *A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.*

In response to public comments received, clarifications to text of the Draft EIR, as well as staff-initiated text changes have been made. Additional information has been identified in comments on the Draft EIR and responded to in **Section II, Responses to Comments**, of this Final EIR. These changes made since publication of the Draft EIR do not substantially affect the analysis contained in the Draft EIR, do not result in a substantial increase in the severity of a significant impact identified in the Draft EIR, and do not change the conclusions in any way.

All of the public comments on the Draft EIR, as well as these Revisions, Clarifications, and Corrections to the Draft EIR have been carefully reviewed to determine whether recirculation of the Draft EIR is required. All of the new information in these corrections and additions to the Draft EIR, in the comments, and in the responses to comments merely clarify or amplify or make insignificant modifications to an adequate Draft EIR. Therefore, the Draft EIR need not be recirculated prior to certification.

2. CHANGES TO THE DRAFT EIR

Revisions, clarifications, and corrections to the Draft EIR are indicated below under the respective EIR section heading, page number, and paragraph. Deletions are shown with ~~strikethrough~~ and additions are shown with underline. Existing text to remain unchanged is included as plain text, without strikethrough or underline, to provide context for the revisions, clarifications, and corrections.

II. Project Description

Changes to Page II-27 Text

The text on page II-27 of the Draft EIR, which lists the discretionary entitlements, reviews, and approvals required for implementation of the project has been revised to include a minor street vacation along Barrington Avenue. The correction is minor and does not change the impact analysis or the conclusions of the analysis.

Discretionary entitlements, reviews, and approvals required for implementation of the project would include, but would not necessarily be limited to, the following:

1. A Vesting Zone Change from C2-1VL,R3-1VL and P-1VL to (T)(Q)C2-1VL.
2. A Density Bonus Compliance Review for a Density Bonus Housing Development Project with 180 residential units and a grocery store, setting aside at least 11 percent (20 units) of its by-right units (160 units) as Very Low Income Restricted Affordable Units, and requests for the following two On-Menu Affordable Housing Incentives and one Off-Menu Affordable Housing Incentive: 1) an On-Menu Incentive to increase in the maximum Floor Area Ratio (FAR) to allow a 3:1 FAR in lieu of a 1.5 FAR otherwise permitted in the C2-1VL zone; 2) an On-Menu Incentive to increase the maximum building height to allow a height of 56 feet in lieu of 45 feet otherwise permitted in the C2-1VL zone; and 3) an Off-Menu Affordable Housing Incentive to increase the maximum building height an additional 6 feet to allow a height of up to 62 feet in lieu of 45 feet.

3. A Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption in a grocery store including a restaurant/cafe and wine tasting area.
4. A Conditional Use to permit the installation of nine rooftop-mounted cellular antennas and supporting equipment cabinets, i.e. a 'wireless telecommunications facility'.
5. Site Plan Review to allow construction of a proposed development project which will create an increase of more than 50,000 gross square feet of non-residential floor area and/or more than 50 dwelling units.
6. A Street Vacation to vacate an approximately two-foot wide portion of the northeasterly side of Barrington Avenue right of way for a length of approximately 360 feet, between the northerly intersection with Santa Monica Boulevard and southerly intersection with Idaho Avenue.
- ~~6.~~ 7. Other permits, ministerial or discretionary, may be necessary in order to execute and implement the project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, permits for driveway curb cuts, storm water discharge permits, haul route permits, grading permits, and installation and hookup approvals for public utilities and related permits.

IV.D. Land Use Planning

Changes to Page IV.D-18 Text

The text on page IV.D-18 of the Draft EIR, which lists the discretionary entitlements, reviews, and approvals required for implementation of the project has been revised to include a minor street vacation along Barrington Avenue. The correction is minor and does not change the impact analysis or the conclusions of the analysis.

Requested Discretionary Applications or Actions

The City of Los Angeles Planning Department is the lead agency for the Proposed Project. Discretionary entitlements, reviews, and approvals required for

implementation of the project would include, but would not necessarily be limited to, the following:

- A Vesting Zone Change from C2-1VL, R3-1VL and P-1VL to (T)(Q)C2-1VL.
- A Density Bonus Compliance Review for a Density Bonus Housing Development Project with 180 residential units and a grocery store, setting aside at least 11 percent (20 units) of its by-right units (160 units) as Very Low Income Restricted Affordable Units, and requests for the following two On-Menu Affordable Housing Incentives and one Off-Menu Affordable Housing Incentive: 1) an On-Menu Incentive to increase in the maximum Floor Area Ratio (FAR) to allow a 3:1 FAR in lieu of a 1.5 FAR otherwise permitted in the C2-1VL zone; 2) an On-Menu Incentive to increase the maximum building height to allow a height of 56 feet in lieu of 45 feet otherwise permitted in the C2-1VL zone; and 3) an Off-Menu Affordable Housing Incentive to increase the maximum building height an additional 6 feet to allow a height of up to 62 feet in lieu of 45 feet.
- A Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on- and off-site consumption in a grocery store including a restaurant/cafe and wine tasting area.
- A Conditional Use to permit the installation of nine rooftop-mounted cellular antennas and supporting equipment cabinets, i.e. a 'wireless telecommunications facility'.
- Site Plan Review to allow construction of a proposed development project which will create an increase of more than 50,000 gross square feet of non-residential floor area and/or more than 50 dwelling units.
- A Street Vacation to vacate an approximately two-foot wide portion of the northeasterly side of Barrington Avenue right of way for a length of approximately 360 feet, between the northerly intersection with Santa Monica Boulevard and southerly intersection with Idaho Avenue.

- Other permits, ministerial or discretionary, may be necessary in order to execute and implement the project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, permits for driveway curb cuts, storm water discharge permits, haul route permits, grading permits, and installation and hookup approvals for public utilities and related permits.