



# NOTICE OF COMPLETION AND AVAILABILITY

## OF RECIRCULATED PORTION OF DRAFT ENVIRONMENTAL IMPACT REPORT

**September 16, 2021**

<b>ENVIRONMENTAL CASE NO.:</b>	ENV-2016-3991-EIR
<b>STATE CLEARINGHOUSE NO.:</b>	2017051068
<b>PROJECT NAME:</b>	Southern California Flower Market
<b>PROJECT APPLICANT:</b>	Southern California Flower Growers, Inc.
<b>PROJECT ADDRESS:</b>	709-765 S. Wall St., 306-326 E. 7th St., and 750-752 S. Maple Ave, Los Angeles, CA 90014
<b>COMMUNITY PLAN AREA:</b>	Central City
<b>COUNCIL DISTRICT:</b>	14
<b>PUBLIC COMMENT PERIOD:</b>	<b>September 16, 2021 – November 1, 2021</b>

In accordance with the California Environmental Quality Act (CEQA), the City of Los Angeles (City), as Lead Agency, has prepared a Partially Recirculated Draft Environmental Impact Report (PR-DEIR) for the proposed Southern California Flower Market Project (Project). Two sections of the Draft Environmental Impact Report (DEIR) previously prepared by the City, for the Project have been revised to address two deficiencies determined by the Los Angeles Superior Court (Court) in an order issued in April 2021 (April 2021 Court Order) in the lawsuit entitled *AIDS Healthcare Foundation v. City of Los Angeles, et al.*, (Los Angeles Superior Court, Case No. 19STCP05445) (Lawsuit). Except for those two deficiencies, the Final Environmental Impact Report (EIR) previously prepared and certified by the City under the CEQA was upheld by the Court as to all other issues. The two sections of the EIR that have been revised (hereinafter called the Recirculated EIR Sections) concern the clarification of the Project's noise-related mitigation measure (MM I-2) and the further evaluation of potential impacts associated with the emission of greenhouse gases (GHG).

This notice provides the public, nearby residents and property owners, and other interested parties with a summary of the Project, conclusions of the PR-DEIR, information regarding the availability of the PR-DEIR for public review, and the timeframe for submitting comments on the PR-DEIR. As the recirculation is limited to the two revised sections only, pursuant to CEQA Guidelines Section 15088.5, subdivision (c), the rest of the Draft EIR is not being recirculated for public review and comment and will not be considered. Comments must be submitted in writing according to the directions below. The City requests that reviewers not make new comments on matters not included in the PR-DEIR. Pursuant to CEQA Guidelines Section 15088.5, subdivision (f)(2)(ii), written responses will be prepared only to comments received regarding the Recirculated EIR Sections. Responses to all comments received during the review period regarding the environmental analysis in this PR-DEIR will be provided in a separate document.

## **I. BACKGROUND**

### **A. The Project's EIR**

On November 12, 2019, the Los Angeles City Council (City Council) certified the EIR. At that time, the EIR consisted of the Draft EIR and Appendices (September 2018), Final EIR and Appendices (April 2019), Erratum No. 1 (July 26, 2019), Erratum No. 2 (August 7, 2019), and Erratum No. 3 (October 2019).

### **B. The Project**

The Project Site is currently improved with two buildings (the north and south building). The Project will maintain and renovate the Project Site's north building, but will demolish the south building and construct a new building in its place. The Project would include a new mixed-use development consisting of wholesale trade, retail, restaurant, office, and residential uses. The Project would include 323 residential units (including 10% of units set aside as affordable units for moderate income families), approximately 4,385 square feet of retail space, 64,363 square feet of office space, 63,785 square feet of wholesale space and storage, 13,420 square feet of restaurant space, and 21,295 square feet of event space. The existing north building would continue to operate as the Flower Market with offices on the second floor and an event space and terrace on the fourth floor. The new south building would include the new residential uses, as well as restaurants, a public paseo, retail uses, and additional wholesale flower space.

The Court in the Lawsuit found no deficiencies in the description of the Project in the EIR. In connection with this Revised DEIR, the Project applicant is not proposing any changes to the Project.

### **C. Project Entitlements**

In connection with its certification of the EIR on November 12, 2019, the City Council approved the following entitlements and approvals for the Project: (i) General Plan Amendment from "Light Manufacturing" to "Community Commercial" to allow for the mixed-uses on the Project Site; (ii) Vesting Zone Change from M2-2D (manufacturing) to C2-2 Zone (commercial); (iii) Site Plan Review; (iv) Conditional Use Permit for on-site sales and consumption of alcoholic beverages; (v) Vesting Tentative Tract Map; and (vi) a Zone Variance related to the provision of on-site trees (collectively referred to as the "Project Entitlements"). The Court in the Lawsuit found no deficiencies in the Project Entitlements. In connection with its consideration of the Revised EIR Sections, the City Council, through its Planning, Land Use and Management Committee ("PLUM"), will hold a public hearing to consider reinstating the Project Entitlements.

### **D. The Lawsuit**

On December 2019, the AIDS Healthcare Foundation (Plaintiff) filed the Lawsuit challenging the sufficiency of the EIR and the Project Entitlements under CEQA and other state and local laws. Except for the two deficiencies discussed herein, the Court denied all other claims alleged by the Plaintiff in its Complaint.

The Court held that the EIR was deficient under CEQA as to the following two items:

1. The conclusion stated in the EIR that the Project will be consistent with the goal of reducing GHGs by a certain amount by the year 2030 as set forth in a State law known as "SB 32" (codified at California Health and Safety Code sections 38566 et seq.) was not supported by substantial evidence. (April 2021 Court Order, pp. 6-9.)
2. A measure identified in the EIR to mitigate noise impacts attributable to the construction of the Project was insufficiently worded so as to be vague as to the nature of that mitigation measure (MM I-2). (April 2021 Court Order, pp. 19-21.)

## **II. NATURE AND SCOPE OF RECIRCULATED EIR SECTIONS**

CEQA requires recirculation of an EIR only when "significant new information" is added to the 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). CEQA Guidelines Section 15088.5 defines “significant new information” as (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 significant 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. CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR [...]”

The information added pursuant to the Recirculated EIR Sections, specifically to the Noise and GHG sections of the EIR (Sections 4.F and 4.I), does not disclose a (1) new significant environmental impact that would result from the Project's additional GHG analysis or from the modified noise mitigation measure or (2) substantial increase in the severity of an environmental impact in either of the impact categories for noise and GHG. Instead, the information provided in this Recirculated EIR Sections clarifies and refines the EIR and provides additional information to the City's decision-makers and the public. Notwithstanding that the information provided does not require recirculation of the sections in the EIR relating to GHG impacts and construction noise impacts, the City is nonetheless recirculating these two sections for public review and comment in order to provide full disclosure and transparency and receive additional public input.

#### **ANTICIPATED SIGNIFICANT ENVIRONMENTAL EFFECTS:**

Based on the analysis included in the Revised EIR Sections, the Project would not result in any significant and unavoidable noise or GHG impacts.

#### **FILE REVIEW AND COMMENTS:**

##### Coronavirus (COVID-19) Update

The Department of City Planning recognizes the unprecedented nature of COVID-19, and having been identified as an essential City service, continues to work and respond to all inquiries pertaining to our ongoing efforts to process entitlement applications and study updates to our community plans and citywide policies. As a result of the Mayor's Safer at Home Order issued March 19, 2020, some of the previous means to access materials at libraries are no longer available to all residents or interested parties. To that end, the Department of City Planning will ensure that interested parties seeking information about the Project will have access.

The PR-DEIR is available online at the Department of City Planning's website at [Planning4la.org/development-services/eir](http://Planning4la.org/development-services/eir). The PR-DEIR can also be purchased on CD-ROM for \$5.00 per copy by contacting the planning staff listed below.

If you are unable to access digital copies of the PR-DEIR, the Department will attempt to make reasonable arrangements to mail and supply the materials. In addition, a physical copy of the PR-DEIR and case file can still be viewed at City offices. The Department has implemented additional measures to ensure the safety of the public viewing physical case files, necessitating appointments.

The PR-DEIR and the documents referenced in the PR-DEIR are available for public review, by appointment only, at City Planning offices located at 221 N Figueroa Street, Suite 1350, Los Angeles, CA 90012. Please contact the Staff Planner listed below to schedule an appointment.

The DEIR is also available for public review at the following libraries:

- 1) Los Angeles Central Library, 630 West Fifth Street, Los Angeles, CA 90071
- 2) Little Tokyo Branch Library, 203 South Los Angeles Street, Los Angeles, CA 90012
- 3) Benjamin Franklin Branch Library, 2200 East 1<sup>st</sup> Street, Los Angeles, CA 90033

If you wish to submit comments on the PR-DEIR, please reference the Environmental Case No. ENV-2016-3991-EIR, and submit them in writing by **November 1, 2021 no later than 4:00 p.m.**

Please direct your comments to:

**Mail:** Attn: Erin Strelch  
City of Los Angeles, Department of City Planning  
221 N. Figueroa Street, Suite 1350  
Los Angeles, CA 90012

**E-mail:** Erin.Strelch@lacity.org

VINCENT P. BERTONI, AICP  
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***Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300.***