

RESOLUTION NO. PC 4-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THE CITY COUNCIL CERTIFY AN ENVIRONMENTAL IMPACT REPORT FOR THE NORMANDIE CROSSING SPECIFIC PLAN PROJECT LOCATED AT 16829, 16835, AND 16907 SOUTH NORMANDIE AVENUE AND LAND USE AND ZONING CHANGES FOR THE 0.11 ACRE PROPERTY LOCATED AT 16964 BRIGHTON AVE AND THE 0.43 ACRE PROPERTY LOCATED TO THE EAST OF THE PROJECT SITE

WHEREAS, on December 22, 2021, 16911 Normandie Associates, LLC (“Developer”), filed an application for a General Plan Amendment to the Land Use Plan (the “General Plan Amendment”), Specific Plan, Zone Change, Zoning Code Amendment, Tract Map, and Site Plan Review to develop a 273 unit apartment building and 76 townhome style units on a total of 5.25 acres located at 16829, 16835, and 16907 South Normandie Avenue (APN ## 6106-030-008, 6106-030-011, 6106-030-015 - 6106-030-017) (the “Property”); and

WHEREAS, on December 22, 2022, Developer amended its project to develop a 328 unit apartment building and 75 townhomes on the Property; and

WHEREAS, the City determined that in addition to the residential development and needed entitlements proposed by Developer, the project should also include revisions to the General Plan land use designations and zoning for two adjacent properties on the same block as the Project to match the actual uses of the properties. Specifically, for the property located at 16964 Brighton Avenue (APN # 6106-030-008), change the General Plan Amendment from Industrial to Single Family Residential and change the zoning from General Industrial (M-2) to Single Family Residential (R-1); and for the property just to the east of the Project site owned by the Southern Pacific Railroad (APN # 6106-030-800), change the General Plan land use designation from Industrial to Public/Institutional and change the zoning from General Industrial (M-2) to Official (O); and

WHEREAS, the General Plan Amendments, Specific Plan, Zone Changes, Zoning Code Amendment, Development Agreement, Site Plan Review, and Lot Line Adjustment are collectively referred to as the Project; and

WHEREAS, on March 19, 2024, the Planning Commission of the City of Gardena held a duly, noticed public hearing on the Project at which time it considered all evidence presented, both written and oral; and

WHEREAS, at the close of the public hearing the Planning Commission discussed the project and provided staff to come back with resolutions regarding the EIR, the General Plan Amendment and the Project;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. CEQA Procedures. The Planning Commission of the City of Gardena does hereby find as follows:

A. In December 2021, the City entered into a consultant agreement with Kimley-Horn and Associates to prepare an EIR for the Project.

B. On June 23, 2022, a First Amendment to the consultant agreement was entered into to account for the change in the project description submitted by the applicant.

C. A Notice of Preparation (“NOP”) for the Draft EIR and the Initial Study (“IS”) was timely distributed and the public comment period on the NOP was from May 10, 2023 through June 9, 2023.

D. On May 18, 2023, the City held a scoping meeting in accordance with Public Resources Code § 21083.9 and CEQA Guidelines § 15082(c).

E. The Draft EIR was made available for a 45-day public review period from December 4, 2023, through January 20, 2024. The Notice of Availability (“NOA”) was sent to a list of interested persons, agencies and organizations, adjacent property owners, and to anyone who had requested notice. The Notice of Completion was filed with the State Clearinghouse in Sacramento for distribution to public agencies. The DEIR and all the appendices were made available on the City’s website with directions to contact staff if help was needed in accessing the document.

F. Prior to the release of the DEIR and in accordance with SB 18 and AB 52, the City sent notices to the list of Native American Tribes provided by the Native American Heritage Council. Only one tribe requested consultation: the Gabrieleno Band of Mission Indians – Kizh Nation. The City engaged in consultation and mitigation measures have been included in the EIR as a result of the consultation.

G. The City received and reviewed comments on the Draft EIR and prepared responses to those comments which are incorporated into the Final EIR through its consultant. The Final EIR consists of the Draft EIR and all Appendices thereto (Exhibit

A) and that separate document dated March 2024 (Exhibit B), incorporating the written comments and responses thereto, as well as the changes to the DEIR.

H. Prior to releasing the Final EIR, the applicant submitted changes to the Project plans that were primarily required by the Los Angeles County Fire Department and Southern California Edison. The changes do not modify the total number of units or impacts associated with the Project. Instead, the changes primarily have to do with reductions in open space and landscaped area, size of the townhome units, and layout of the amenity space in the townhome area.

I. Responses were sent to the public agencies that commented on the DEIR and the Final EIR was made available for public review on March 13, 2024.

J. None of the comments received or the changes submitted resulted in any changes that would necessitate recirculation of the DEIR. The comments did not disclose any significant information. The changes in the plans did not lead to any new or different impacts. The changes made to the document merely clarify/amplify and make insignificant modifications to the DEIR.

K. After the close of the public review period and preparation of the Final EIR, but before the hearing, additional comments were submitted to the City regarding the Project. The comments did not raise any substantive issues that had not already been addressed in the DEIR and no additional responses were required.

L. The City has complied with all procedural requirements relating to CEQA and other requirements of law. The Final EIR is adequate and complete and complies with all CEQA requirements.

M. In recommending certification of the Final EIR, the Planning Commission has exercised its independent judgement and analysis. The Planning Commission has reviewed and considered the Final EIR, agenda reports, written reports, public testimony, and other information in the record and reviewed this information prior to acting upon the Project.

SECTION 2. CEQA Findings Regarding Impacts.

A. An Initial Study was prepared for the Project which determined that a number of topics were not required to be discussed in the EIR.

B. Despite the findings of the Initial Study, the EIR examined two topics under aesthetics (conflict with applicable zoning and other regulations governing scenic quality

and creation of a new source of light or glare), as well as hydrology and water quality with respect to a decrease in groundwater supplies or interference with groundwater recharge.

C. The Planning Commission finds that the topics listed in Section 7.0 of the EIR of Effects Found Not to Be Significant did not require any further analysis.

D. The impacts that are analyzed in the EIR are discussed in detail in Sections 4.1 through 4.16 and summarized in Section ES.8 of the Draft EIR and identified therein as less than significant, less than significant after mitigation, and significant even after mitigation. Project Design Features (PDFs) were incorporated into the analysis under the topics of Air Quality, Energy, Greenhouse Gas Emissions, and Transportation. The following is a summary of the mitigation measures and impacts which are all fully described in the EIR.

E. The EIR identifies the below topic areas as significant, but to be mitigated below a level of significance.

1. Under Cultural Resources and Tribal Cultural Resources, it was determined that the Project could cause a substantial adverse change in the significance of an archaeological resource and cause a substantial adverse change in the significance of a Tribal Cultural Resource. Mitigation Measures CUL-1, and TCR-1 through TCR-3, will mitigate these impacts to a less than significant level. Additionally, under Cultural Resources it was determined that the Project could disturb human remains, but Mitigation Measure TCR-2 would reduce this impact to less than significant as well.

2. Under Geology, Soils, and Paleontological Resources it was determined that the Project could destroy a unique paleontological resource, site, or unique geologic feature. Standard conditions of approval, along with Mitigation Measure GEO-1, requiring a Paleontological Resources Monitoring and Mitigation Plan, monitoring by a Paleontological Monitor, and assessment by the Paleontologist if fossils are discovered will reduce this impact to a less than significant level.

3. Under Hazardous Materials and Wastes, it was determined that the Project could create a significant hazard through a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Mitigation Measures HAZ 1 requiring a construction management plan plan to be submitted to the City addressing procedures and requirements for responding to disturbances of undocumented contaminated soil will mitigate those impacts below a level of significance and HAZ 2 requiring the installation of an impermeable vapor membrane under the slab areas, along with standard conditions of approval relating to asbestos and lead-based paint, will reduce the impacts to a less than significant level.

4. Under Noise, it was determined that the Project could result in the generation of excessive groundborne vibration or noise levels. Mitigation Measure NOE-3 which requires that large construction equipment be used a minimum of 45 feet away from the house at 16964 169th Street will mitigate this impact to less than significant.

5. Under Tribal Cultural Resources, it was determined that the project could potentially result in significant impacts. The City consulted with the Gabrielino Band of Mission Indians – Kizh Nation and in accordance with such consultation is imposing Mitigation Measure TCR-1 through TCR-3, which will mitigate the impacts to a less than significant level.

6. The construction of the utilities associated with the project would have potentially significant impacts under the impact areas described above, as well as construction noise describe below. The mitigation measures listed above and Mitigation Measures NOI-1 and NOI-2 described below will reduce these impacts to less than significant, except for construction noise.

F. Construction noise, which takes place during the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. to 6:00 p.m. on Saturdays, is exempt from the City's noise standards. Nevertheless, out of an abundance of caution, the EIR identified construction noise as a significant impact. The only impact which cannot be mitigated below a level of significance is the construction noise associated with the Project. Mitigation Measure nOI-1 requires power construction equipment to be equipped with state-of-the-art noise shielding and muffling devices and to be properly maintained. Mitigation Measure NOI-2 requires a temporary and impermeable sound barrier of at least 10 feet that reduces noise by at least 12dB(A). Even with these measures, construction noise could be significant and unavoidable.

SECTION 4. Alternatives.

A. In accordance with CEQA, the EIR examined three alternatives to the Project. The Alternatives are discussed in detail in Chapter 6 of the EIR and summarized in Section ES.6. The purpose of looking at alternatives is to try and avoid or substantially lessen any of the significant effects of the Project while still attaining most of the basic objectives. As discussed in Section 3 above, the only impact of the Project that could not be reduced to a less than significant level is construction noise.

1. The No Project/No Construction Alternative would retain the Project site in its current condition with decades-old buildings on site which does not conform to

current development standards. This alternative does not implement any of the Project's improvements and would not meet any of the Project's objectives.

2. The No Project/Existing Land Use Designation Alternative provides for the site to be redeveloped in accordance with its current General Plan and zoning designation, which is for industrial purposes. This alternative involves the demolition of the existing buildings and construction up to 228,690 square feet of new industrial uses within an industrial business park. Redevelopment of the site in this manner would still cause significant and unavoidable noise impacts and the alternative would not meet any of the Project's objectives.

3. The Reduced Density Alternative would still develop the 75 townhomes along the western and southern border of the project site, but would reduce the number of units in the apartment building from 328 to 192 and reduce the height to five stories. This alternative would still have significant and unavoidable noise impacts and would not provide any affordable housing.

B. An EIR is supposed to identify alternatives that were considered for analysis, but rejected. The only impact that was significant and could not be mitigated was construction noise. As demolition of the existing buildings will create a significant and unavoidable noise impact, the only way to avoid this impact would be to reuse the buildings, which is not feasible for a residential development. An alternative site was considered but rejected because the applicant does not have an interest in any alternative site in the City which is not also the subject of a development application.

C. CEQA requires an identification of the environmentally superior alternative and if that alternative is one of the No Project alternatives, then an identification of the environmentally superior alternative among the remaining alternatives. In this case the No Project/No Construction alternative is the environmentally superior alternative, although it is noted that it will leave the Property in a blighted condition. Among the other alternatives, the reduced density alternative is the environmentally superior alternative. However, while construction noise impacts would be reduced, the impact would still be significant and unavoidable and the developer would not be able to provide any affordable housing.

SECTION 5. The Planning Commission hereby recommends the City Council certify the FEIR.

PASSED, APPROVED, AND ADOPTED this 2nd day of April 2024



DERYL HENDERSON, CHAIR
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:



GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held on the 2nd day of April, 2024, by the following vote:

AYES: Kanhan, Henderson, Sherman

NOES:

ABSENT DUE TO CONFLICT: Langley, Wright-Scherr

Exhibit A – Draft EIR

Exhibit B – Final EIR