

RESOLUTION NO. 6683

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND MAKING CEQA FINDINGS RELATING TO THE NORMANDIE CROSSING SPECIFIC PLAN AND RELATED ENTITLEMENTS FOR THE 5.25 ACRE PROPERTY 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 AVENUE 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, Vesting Tentative 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 ## 6106-030-011, 6106-030-015, 6106-030-016 - 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 Vesting Tentative Tract Map 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, on April 2, 2024, the Planning Commission adopted PC Resolution No. 4-24, recommending that the City Council certify the Environmental Impact Report (“EIR”), but did not recommend approval of the Project; and

WHEREAS, after the Planning Commission’s actions, Developer attended a community meeting where the project was discussed; and

WHEREAS, on September 30, 2024, Developer submitted revised plans to the City for a new alternative to be considered which consists of 70 fewer units in the apartment building and a reduction in height level from ground floor from seven stories to five stories, with one underground level of parking (hereafter the “Community Input Alternative;” and

WHEREAS, on December 3, 2024, the Planning Commission held a duly noticed public hearing on the Project, including revisions to the Final EIR to address the new Community Input Alternative submitted by the Developer; and

WHEREAS, at the close of the public hearing the Planning Commission recommended that the City Council certify the Revised and Updated Final EIR, make CEQA findings regarding mitigation measures and alternatives, and adopt a statement of overriding considerations; and

WHEREAS, on January 14, 2025, the City Council held a duly noticed public hearing on the Project, at which time it also considered the EIR prepared for the Project;

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

SECTION 1. CEQA Procedures. The City Council 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. The City entered into a number of other amendments to the consultant agreement and reimbursement agreement required of the Developer throughout the process.

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 8, 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 were incorporated into that document entitled Final EIR and dated March 2024. The Final EIR consisted of the Draft EIR and all Appendices thereto, incorporating the written comments and responses thereto, as well as the changes to the DEIR.

H. Prior to releasing the Final EIR dated March 2024, the applicant submitted changes to the previous 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 necessitated 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 Developer submitted plans for the Community Input Alternative, the City’s Consultant provided an analysis of this alternative. The analysis showed that there

would be no new significant impacts, no increase in the severity of any identified significant impacts, and no new mitigation measures that would be required.

L. City, through its Consultant, prepared a Revised and Updated Final EIR dated November 2024. This document amended the previous Final EIR in part by including a thorough analysis of the Community Input Alternative and responding to all comments that had been received after the close of the public comment period on the DEIR.

M. Although not required by law, the Revised and Updated Final EIR was sent to public agencies who responded to the DEIR on November 22, 2024.

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

O. After the Planning Commission hearing, the City received a number of additional comment letters. None of the comments raised any new issues or provided any new information and there was no need for further revisions to the Revised and Updated Final EIR.

P. In certifying the Revised and Updated Final EIR, adopting the Findings and a Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Reporting Program, the City Council has exercised its independent judgement and analysis. The City Council has reviewed and considered the Revised and Updated 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 interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (see Impact 4.7-2).

C. The City Council 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 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 Brighton Avenue 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 3. Alternatives.

A. In accordance with CEQA, the EIR examined four alternatives to the Project. Three of the Alternatives are discussed in detail in Chapter 6 of the EIR and summarized in Section ES.6. The fourth alternative was analyzed in the Revised and Updated Final EIR.

B. 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 borders 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.

4. The Community Input Alternative would also still develop the 75 townhomes along the western and southern borders of the Project site, but there is now increased guest parking that has been added and the driveway access along 170th Street has been realigned so as to avoid any problem with lights shining into the homes across 170th Street. Additionally, the number of apartment buildings has been reduced by 70 units and the height of the project was reduced by 20 feet to a maximum of 70 feet. The overall density is reduced from 77 units per acre to 63 units per acre. This alternative will include seven moderate units for the apartment building. While the number of units is reduced by 70 units, the number of parking spaces is only reduced by 12 spaces and 29 guest parking spaces have been added. There will still be significant and unavoidable construction noise impacts.

C. 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.

D. 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 4. CEQA Section 15091 Findings.

CEQA Section 15091 provides that the City shall not approve a project when there are significant environmental effects unless certain findings are made. In accordance with Section 15091, the City Council makes the following findings:

A. The applicant has incorporated Project Design Features into the Project which will help avoid impacts relating to air quality, energy, greenhouse gas emissions, and transportation.

B. Mitigation Measures will be imposed on the Project which will reduce the impacts to cultural resources, geology, soils, and paleontological resources, hazardous materials and wastes, noise impacts relating to groundborne vibration, tribal cultural resources to less than significant levels.

C. Mitigation Measures will be imposed to reduce construction noise impacts, but the impact will still remain significant. There is no alternative that would both eliminate the significant construction noise impact and achieve the objectives of the Project.

D. The Reduced Density alternative would achieve most of the objectives, but would still have significant construction noise and would eliminate 20 affordable units for lower income families that the project will provide. Social and economic justifications lead the City Council to reject this alternative.

1. The Reduced Density alternative would reduce the amount of housing available in the City. The City received a final Regional Housing Needs Allocation from SCAG for a total of 5,735 housing units for the period of 2021 – 2029; the City's previous allocation was 397 units. The allocation was broken down as follows: above-moderate units -2,595; moderate units – 894; low income units – 761; and very low income units – 1,485. The Reduced Density alternative will cause a loss of 136 units, including 20 units for lower income households. Although only a portion of the Project Site was identified as a Housing Inventory Site, the entire Project of 403 was included in the Housing Element as a credit against future needs.

2. The Reduced Density alternative would not bring the same level of economic benefits to the City. A reduction in size would reduce the both the one-time economic impacts as construction time would be reduced and would also reduce the recurring economic impacts from the Project as proposed.

E. The two No Project alternatives would not achieve any of the project objectives or provide the housing and economic benefits of the Project.

F. The Community Input Alternative responds to the objections raised by the community regarding parking, height and density and provides seven moderate income units; this is a housing income-category that has not previously been provided for anywhere in the City.

SECTION 5. CEQA Section 15093 Findings. Statement of Overriding Considerations.

CEQA requires decisionmakers to balance the benefits of a proposed project against its unavoidable environmental impacts. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable" by adopting a Statement of Overriding Considerations. This statement sets forth the project benefits or reasons why the City Council is in favor of approving the Project, and weighs these benefits against the Project's environmental impacts that cannot be mitigated to a level less than significant as identified in the Revised and Updated Final EIR. In adopting this Statement of Overriding Considerations, the City Council finds that while all of these benefits are important, each benefit on its own supports a sufficient reason why the benefits outweigh the significant impacts, of which only one cannot be mitigated below a level of significance and that impact is temporary in nature (construction noise).

A. As identified above, the City's final RHNA allocation for the 6th Cycle of the Housing Element is 5,735 units, with 2,595 units being allocated to the above-moderate income level and 2,246 units allocated to lower income units. This Community Input Alternative Project will satisfy approximately 10 percent of the City's above-moderate allocation and provide seven moderate income units.

B. The Project will help revitalize a site that does not meet current development standards and whose buildings are in a deteriorated condition.

C. The Project will provide the following one-time economic benefits from the construction:

1. The Project will provide numerous construction jobs amounting to the equivalent of 1,580 total job years. As the Project includes a commitment from the developer to implement a local hiring policy, this will benefit lower income individuals and individuals who live in the City. Additionally, there will be an indirect benefit of additional jobs created because of the construction jobs, amounting to approximately another 414 job years; and

2. Construction is expected to create approximately \$109 million in total labor income, due to direct, indirect, and induced workers associate with the construction. Of that, \$80.9 million is projected to be paid to onsite construction employees, providing individuals with additional income to spend on services and goods in Gardena; and

3. The principles of Developer also own Tasoro, a company which provides quality building materials for apartments and is located in Gardena. Use of these products will provide sales tax revenue to the City. Additionally, the Development Agreement provides for a local buying program for construction goods as well as a local hire program; and

4. Developer will pay in-lieu park fees under the Subdivision Map Act of \$10,000 per unit on the 75 condominium units; and

5. Developer will provide one-time construction-related revenues totaling over \$3 million, including construction fees, development impact fees, and sales tax from construction materials; and

6. Each contractor that does business in the City will be required to obtain and pay for a City business license.

D. The Project will provide the following recurring annual revenues to the City:

1. The creation of approximately 73 jobs per year which includes 47 direct onsite jobs, plus indirect and induced jobs created in the local economy by residential spending; and

2. Economic output associated with operations of approximately \$12.6 million per year in the local economy, of which \$7.1 million is attributable to the value of direct project operations and household spending; and

3. Over \$455,538 in revenues per year, \$444,938 larger than the estimated revenues generated by the current use at the Property. This includes sales tax, property tax, utility tax, and other revenues generated from the new residential units.

E. Adding new residents to the City will create more residential spending in the City from people eating at local restaurants, shopping in Gardena, and using services in Gardena and will therefore help existing businesses and encourage new businesses.

F. The Project will help encourage people to use alternate means of transportation by providing one-month free transit passes to persons who sign a one-year lease.

G. The Project will provide off-site safety improvements by providing sidewalks

along 169th street where there currently are none.

H. The Project will provide safety improvements by upgrading the railway crossing and sidewalks in front of the Project site along Normandie Avenue.

SECTION 6. Certification. Based on the above, the City Council hereby certifies the Final Environmental Impact Report for the Normandie Crossing Specific Plan Project attached hereto has Exhibits A (Draft EIR) and B (Revised Final and Updated EIR) and adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit C.

SECTION 7. Custodian of Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Project. All summaries of information in the findings which precede this section are based on the entire record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact. The documents and materials that constitute the record of proceedings on which these findings and approval are based are located in the Community Development Department at City Hall, 1700 W. 162nd Street, Gardena, California 90247. The Custodian of Records is Greg Tsujiuchi, Community Development Director who can be reached at 310/217-9546 or gtsujiuchi@cityofgardena.org.

SECTION 8. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 9. Certification. The City Clerk shall certify the passage of this resolution.

SECTION 10. Effective Date. This Resolution shall be effective immediately.

Passed, approved, and adopted this 14 day of January, 2025.

Tasha Cerda, Mayor

TASHA CERDA, Mayor

ATTEST:

Normandie Crossing Specific Plan
EA # 20-21; SCH #2023050241

Resolution No. 6683

Mina Semenza

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



CARMEN VASQUEZ, City Attorney

Exhibit A – Draft EIR, dated December 2023

Exhibit B – Revised and Updated Final EIR, dated November 2024

Exhibit C – Mitigation Monitoring and Reporting Program

*Normandie Crossing Specific Plan
EA # 20-21; SCH #2023050241*

Resolution No. 6683

Exhibit A – Draft EIR, dated December 2023
[**CLICK HERE**](#) to view

Exhibit B – Revised and Updated Final EIR,
dated November 2024

[**CLICK HERE**](#) to view

Exhibit C – Mitigation Monitoring and Reporting Program

TATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6683** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **14th day of January 2025**, and that the same was so passed and adopted by the following roll call vote:

AYES: MAYOR CERDA, COUNCIL MEMBER HENDERSON, MAYOR PRO TEM
 TANAKA

NOES: COUNCIL MEMBERS FRANCIS, AND LOVE

ABSENT: NONE

Becky Romero
for _____
City Clerk of the City of Gardena, California

(SEAL)