

APPROVED
JUL 09 2014

REPORT OF GENERAL MANAGER

NO. 14-193

DATE July 9, 2014

BOARD OF RECREATION
& PARK COMMISSIONERS

C.D. 3

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: 50 PARKS INITIATIVE – OLD FIRE STATION 84 POCKET PARK – NEW PARK DEVELOPMENT (PRJ20546) PROJECT – FINAL PLANS FOR THE CONSTRUCTION OF THE PARK AND DEMOLITION OF EXISTING SITE STRUCTURES; CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT; AND AUTHORIZATION OF FUNDS FOR PARK CONSTRUCTION

R. Adams	_____	V. Israel	_____
<i>for</i> K. Barajas	<i>CSD</i>	K. Regan	_____
H. Fujita	_____	N. Williams	_____

[Signature]

 General Manager

Approved as amended Disapproved _____ Withdrawn _____

RECOMMENDATIONS:

That the Board:

- Review, consider, and certify the Final Environmental Impact Report (FEIR) for the proposed Old Fire Station 84 Pocket Park (PRJ20546) project, substantially in the form on file in the Board Office, (State Clearinghouse No. 2014031041 and City Document No. EIR-14-011-RP) and posted on the Department of Recreation and Parks (RAP) website at, <http://www.laparks.org/environmental/environmental.htm>, finding that all potentially significant environmental effects of the project have been properly disclosed and evaluated in compliance with the California Environmental Quality Act (CEQA) and the State and City CEQA Guidelines, that the information contained in the Final EIR was reviewed and considered prior to approving the project, and the documents constituting the record of proceedings in this matter are located in the files of the RAP's Planning, Construction and Maintenance Branch, and that the FEIR reflects RAP's independent judgment and analysis;
- Adopt the Findings of Fact and Statement of Overriding Consideration set forth in Exhibit A;

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3. Adopt the Mitigation Monitoring and Reporting Plan set forth in Section 4 of the Final EIR;
4. Direct Environmental Management staff to file a Notice of Determination with the Los Angeles City Clerk and County Clerk within 5 business days of the certification of the Final EIR;
5. Approve the demolition and removal of the existing structures and site elements necessary for development of a pocket park by Bureau of Engineering;
6. Approve the final plans for the construction of the Old Fire Station 84 Pocket Park – New Park Development (PRJ20546) project, substantially in the form on file in the Board Office;
- ~~7. Approve the demolition and removal of the existing structures and site elements necessary for development of a pocket park by Bureau of Engineering;~~
8. Authorize the Department's Chief Accounting Employee to transfer \$1,000,000.00 in RAP Special Funds from Capital Park Development B Account No. 89270K-CG to the 5340 Canoga Avenue Account No. 89460K-ET; and,
9. Approve the allocation of a total of \$1,000,000.00 in RAP Special Funds, from the 5340 Canoga Avenue Account No. 89460K-ET, for the Old Fire Station 84 Pocket Park – New Park Development (PRJ20546) project, as described in the Summary of this Report.

SUMMARY:

In 2012, Councilmember Dennis Zine introduced a motion at City Council requesting RAP to accept the transfer of jurisdiction and control, at no cost to RAP, of a City-owned property parcel with the street address 5340 Canoga Avenue, Los Angeles, California 91364 (APN: 2167-002-900). The 15,250 square-foot site (0.35 acres) is owned by the City of Los Angeles and was originally acquired to house Fire Station 84, but, the old fire station was vacated when the new Fire Station 84 was built at 21050 Burbank Boulevard in 2007. The property was then placed under the jurisdiction of the Department of General Services (GSD).

On May 30, 2013, the Information Technology and General Services Committee of the City Council approved the motion by Councilmember Zine; and the City Council adopted the actions to transfer jurisdiction and control of the parcel on June 21, 2013 (Council file No. 13-353). The Council action recommended that the best and future use of this parcel was to develop it into a park for community use. On March 19, 2014, the Board accepted the transfer of property and

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dedicated it as a park in perpetuity (Board Report No. 14-067). The park will be known as Old Fire Station 84 Pocket Park until formally named.

On Sunday, November 17, 2013, a community meeting facilitated by Council District 3 and RAP staff was held on the project site. This meeting identified the community desires as to the design of their new park. RAP staff then proceeded to develop a concept plan based on the community wishes. The Council District then met again with the community to further refine the park concept for the preparation of final plans. When the final plans were developed, RAP staff requested BOE for the development and execution of the final plans. The final plans included the demolition and removal of the existing structures and site elements necessary for the construction of the park. The final plans for development of the park site include the construction of a community area, an open green space area, a fire station themed children's play area, picnic area, shade structures, game tables, perimeter fencing, lighting, a smart irrigation system, Southern California-friendly landscaping, and various standard park amenities. The final plans for the design of the park are on file with the Board Office.

The Board has approved the allocation of a total of \$85,000.00 in Quimby Fees for the Old Fire Station 84 Pocket Park – New Park Development (PRJ20546) project (Board Reports No. 11-156 and 12-238). The scope of work previously approved by the Board was for due diligence requirements, preliminary environmental site assessments, and environmental investigation work including a field survey and a soil report. Supplemental funding is now needed in order to implement the development of the site.

On September 5, 2012, the Board authorized the use of \$7,500,000.00 in Capital Park Development B funds for parks being developed as a part of the 50 Parks Initiative, subject to Board approval of each allocation from that account on a project by project basis (Board Report No. 12-241). Pursuant to that instruction, staff is requesting Board approval to allocate \$1,000,000.00 from the Capital Park Development B Account for the Old Fire Station 84 Pocket Park – New Park Development (PRJ20546) project.

Upon approval of this report, \$1,000,000.00 in RAP Special Funds can be transferred from Capital Park Development B Account No. 89270K-CG to the 5340 Canoga Avenue Account No. 89460K-ET, and allocated for the Old Fire Station 84 Pocket Park – New Park Development (PRJ20546) project. The total funding allocation for the project, including the previously allocated Quimby Fees, would be \$1,085,000.00. Staff anticipates that these funds are sufficient to complete the project scope.

The Draft EIR was circulated to all interested parties and responsible agencies for a forty-five (45) day review and comment period from May 22 through July 6, 2014. During this public review and comment period, only one (1) comment letter was received concerning the impact of construction trucks on State highways. All comments that were received and City responses to

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significant environmental issues raised were incorporated into the FEIR. A Mitigation Monitoring and Reporting Plan (MMRP) has been prepared that specifies all of the feasible mitigation measures identified in the FEIR, which will either reduce or eliminate the potentially significant environmental impacts of the project in accordance with Section 15097 of the State CEQA Guidelines. However, as described above, the project would result in unavoidable, significant adverse impacts to cultural resources, and as such, requires that the Board adopt the Findings of Fact (Findings) and the Statement of Overriding Considerations prior to taking action to approve the project. The Findings is a written statement made by the decision-making body of the lead agency that explains how it dealt with each significant impact and alternative in the EIR. The Statement of Overriding Considerations explains in detail why the social, economic, legal, technical or other beneficial aspects of the project outweigh the unavoidable, adverse environmental impacts, and why the City, as lead agency is willing to accept such impacts.

FISCAL IMPACT STATEMENT:

The approval and execution of the final plans for the project will not have any impact on the RAP's General Fund.

The estimated costs for the design, development, and construction of the proposed park improvements are anticipated to be funded by funding sources other than the RAP's General Fund.

At this time, there is no fiscal impact to RAP for the maintenance of the subject project. Once the project is completed, operational maintenance cost will be determined. Upon project completion, a request for funding will be submitted in future RAP annual budget requests.

This report was prepared by Craig Raines, Landscape Architectural Associate III, Darryl Ford, Management Analyst II, and Paul Davis, Environmental Specialist III of the Planning, Construction, and Maintenance Branch.

EXHIBIT A

ENVIRONMENTAL FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATION

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

I. ENVIRONMENTAL DOCUMENTATION BACKGROUND

On March 13, 2014, a Notice of Preparation (NOP) was issued by the Los Angeles Department of Recreation and Parks (LADRAP) for the preparation of an Environmental Impact Report (EIR) for the construction of an approximately 0.35-acre neighborhood pocket park, starting a 30-day public review period. Subsequent to the NOP public review period, a Draft EIR was prepared. The Draft EIR for the proposed project (SCH No. 2014031041), incorporated herein by reference in full, was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 *et seq.*) and the CEQA Guidelines (Title 14 California Code of Regulations [CCR] Section 15000 *et seq.*). In compliance with the CEQA Guidelines sections 15085 and 15087, a Notice of Availability was circulated from May 22, 2014 to July 6, 2014. During the same period, the Draft EIR was circulated and made available for public review and comment, in accordance with Section 15087 of the Guidelines. All of the written comments received during the Draft EIR public review period were addressed in the Final EIR.

The Final EIR was created to serve as an informational document for public agency decision-makers and the general public regarding the objectives and components of the proposed project pursuant to CEQA and the CEQA Guidelines. The Final EIR includes corrections and additions to the Draft EIR and comments and responses required by the CEQA Guidelines. Draft comments on the Final EIR were sent to all public agencies and members of the public that made comments on the Draft EIR, at least ten days prior to scheduled certification of the Final EIR pursuant to CEQA Guidelines Section 15088, subd. (b).

The Final EIR is the primary reference document for the formulation and implementation of a Mitigation Monitoring and Reporting Program (MMRP) (see Attachment A) for the proposed project. Environmental impacts cannot always be mitigated to a level that is considered less than significant. In accordance with the CEQA Guidelines, if a lead agency approves a project that has significant impacts that are not substantially mitigated (i.e., resulting in unavoidable significant impacts), the agency shall state in writing the specific reasons for approving the project based on the final CEQA documents and any other information in the public record for the project (see CEQA Guidelines Section 15093, subd. [b]). This is called a “statement of overriding considerations.” These findings, as well as the accompanying statement of overriding considerations are shown below.

II. ORGANIZATION

The Findings of Fact and Statement of Overriding Considerations (SOC) are organized by the following sections:

- Section III: Contains the legal requirements for the determination of findings of fact.
- Section IV: Contains a brief description of the project goals, and objectives.
- Section V: Identifies the project’s significant environmental effects.
- Section VI: Describes the alternatives analyzed in the evaluation of the project.
- Sections VII: Contains a discussion of other CEQA considerations.
- Section VIII: Contains the Statement of Overriding Considerations.
- Section IX: Contains a discussion of the Mitigation, Monitoring, and Reporting Program.

III. FINDINGS REQUIRED UNDER CEQA

PRC 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.” 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.” This is accomplished by adopting a SOC.

PRC Section 21002 is implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required (See PRC Section 21081, subd. (a); CEQA Guidelines, Section 15091, subd. [a]).

PRC Section 21081 and CEQA Guidelines Section 15091 require a public agency (LADRAP), prior to approving a proposed project, to identify significant impacts of the proposed project and make one or more of three allowable findings for each of the significant impacts.

- The first allowable finding is that “changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR” (CEQA Guidelines Section 15091, subd. [a][1]).
- The second allowable finding is that “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 adopted by such other agency or can and should be adopted by such other agency” (CEQA Guidelines Section 15091, subd. [a][2]).
- The third allowable finding is that “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the Final EIR” (CEQA Guidelines Section 15091, subd. [a][3]).

The CEQA Guidelines do not define the difference between “avoiding” a significant environmental effect and merely “substantially lessening” such an effect. The LADRAP must therefore interpret the meaning of these terms from the other contexts in which the terms are used. PRC Section 21081, on which CEQA Guidelines Section 15091 is based, uses the term “mitigate” rather than “substantially lessen.” For purposes of these findings, the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less-than-significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less-than-significant level.¹

Although CEQA Guidelines Section 15091 requires only that approving agencies specify that a particular significant effect is “avoid[ed] or substantially lessen[ed],” these findings, for purposes of clarity, in each case will specify whether the effect in question would be reduced to a less-than-significant level, or would simply be substantially lessened but would remain significant upon implementation of the recommended mitigation.

¹ *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 519-521.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility for modifying the project lies with some other agency.²

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects."³

These findings constitute the LADRAP's best efforts to set forth the evidentiary and policy basis for its decision to approve the project in a manner consistent with the requirements of CEQA. To the extent that these findings conclude that various mitigation measures outlined in the Final EIR are feasible and are within the LADRAP's jurisdiction and responsibility, and to the extent these mitigation measures have not been modified, superseded or withdrawn, the LADRAP hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the LADRAP adopts a resolution approving the project.

To the extent there is any ambiguity regarding mitigation measures set forth in the EIR, the adopted Mitigation Monitoring and Reporting Program (MMRP), the July 2014 staff report, or these findings, the LADRAP hereby commits itself to implement whichever version of the mitigation measure is most stringent.

The documents and other materials that constitute the whole record of proceedings on which the CEQA findings are based are located at the LADRAP in Los Angeles, California.

IV. DESCRIPTION OF THE PROPOSED PROJECT

The proposed project is part of the LADRAP 50 Park Initiative, which attempts to increase the number of parks and facilities available in the City of Los Angeles in densely populated neighborhoods and communities that lack sufficient open space and recreational services. The goal of the proposed project is to provide outdoor park and green space with a fire station themed play area, a fitness zone with equipment, turf areas, picnic tables, benches, and shade structures in a park-poor, urban neighborhood.

Specifically, the proposed project includes the demolition of a 2,268-square foot, single-story fire station building and a separate 960-square foot vehicle garage, and the clearing of all apparatus such as a possible underground storage tank and hose racks.⁴

Following the demolition and clearing of all structures and apparatus, the project site would be converted into a small neighborhood pocket park. The proposed park is intended to serve the neighborhoods within walking distance.

Park amenities would include a fire station themed play area intended for 5 to 12 year olds, a fitness zone with equipment, a gaming/Wi-Fi zone, turf areas, picnic tables, benches, and shade structures. Landscaping would be sustainable and consist of trees and shrubbery. The existing pepper tree adjacent to the project site would be maintained. A smart irrigation system would be installed, which include low-

²CEQA Guidelines, Section 15091, subd. (a), (b).

³CEQA Guidelines, Sections 15093 and 15043, subd. (b); see also PRC, Section 21081, subd. (b).

⁴There are three vapor monitoring wells that were installed at the project site in 1990 as part of an underground storage tank (UST) integrity test and soils investigation, which would be removed in accordance with applicable regulations prior to project construction. A drain, potentially connected to a sump, and the sump if present, would also be removed.

volume sprinklers, moisture sensors and automatic controllers to ensure water efficiency. Hardscapes would include concrete and brick walkways. Security fencing would be installed along the perimeter of the entire site, along with security lighting and cameras. The design concept of the pocket park would reflect the former Fire Station and its fire-fighting purpose and would comply with the requirements of the Americans with Disabilities Act.

V. SUMMARY OF ENVIRONMENTAL IMPACTS

Below are the determinations of the LADRAP regarding the environmental effects, significant impacts, and corresponding mitigation measures of the Old Fire Station 84 Pocket Park Project organized by topic area. These determinations or findings address the effects of the proposed project. Each impact is followed by a discussion of mitigation to reduce the environmental effects and a finding.

Cultural Resources

Significance Criteria

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant impact related to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Impact

Demolition of the fire station and associated garage, a designated Historic Cultural Monument (HCM), would result in a substantial adverse change in the significance of a historical resource. Additionally, construction of the proposed project has the potential to result in the substantial adverse change to the historic pepper trees, also designated HCM, located adjacent to the project site along Canoga Avenue. While the proposed project does not include the removal of any adjacent pepper tree, construction activities associated with the proposed project could result in the significant damage or death of these trees.

Reference

Draft EIR Section 4.1, page 4.1-7.

Mitigation Measures

- CR1** During construction of the proposed project, flagging or safety fencing shall be installed around any adjacent pepper trees (Historic-Cultural Monuments [HCM] 93) that are situated near mechanized equipment.
- CR2** Prior to issuance of demolition permits, the City of Los Angeles Department of Recreation and Parks shall ensure that documentation of the buildings and structures proposed for demolition is completed that follows the general guidelines of Historic American Building Survey documentation. The documentation shall include large-format photographic recordation, a historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983). The original archival-quality documentation shall be offered as donated material to where it will be available for current and future generations. Archival copies of the documentation shall also be submitted to the downtown branch of the Los Angeles Public Library, the Los Angeles Fire Department Historical Society and the Woodland Hills Library where it would be available to local researchers.

- CR3** Within one year of the date of completion of the proposed project, the City of Los Angeles Department of Recreation and Parks shall erect an interpretive kiosk or sign detailing the history of the project site, its significance, and its important details and features. The content shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History (NPS 1983).

Finding

Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

LADRAP finds that protection measures included in Mitigation Measure **CR1** would reduce impacts to the adjacent pepper trees along Canoga Avenue to less than significant. While Mitigation Measures **CR2** and **CR3** would reduce the impacts to the Old Fire Station 84 by documenting the prior fire station use, no feasible mitigation measures were identified to reduce the significant impacts to less than significant. Under these circumstances, LADRAP finds that a significant impact would remain.

Noise

Significance Criteria

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant impact related to cultural resources if it would:

- Expose persons or generate noise to levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Expose people to or generate excessive vibration or groundborne noise levels;
- Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; and/or
- Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

The proposed project would include significant sources of construction noise and vibration, and the quantitative impact analysis focuses on construction activity. The following significance thresholds have been established to assess construction noise and vibration.

The City of Los Angeles has established the following specific significance thresholds are relevant to the proposed project.

The proposed project would have a significant impact related to construction noise if:

- Construction activities lasting more than one day would exceed existing ambient noise levels by 10 dBA or more at a noise-sensitive use;
- Construction activities lasting more than ten days in a three-month period would exceed existing ambient noise levels by 5 dBA or more at a noise-sensitive use; and/or
- Construction activities would exceed the ambient noise level by 5 dBA at a noise-sensitive use between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or anytime on Sunday.

Impact

Construction of the proposed project would result in temporary increases in ambient noise levels in the project area on an intermittent basis. Ambient noise levels in the community surrounding the project site range from 49.1 to 59.6 dBA Leq (A-weighted scale Equivalent Noise Level). Construction activity would include demolition, site preparation, and construction activities. It is anticipated that the use of

heavy-duty equipment, although limited, would audibly increase ambient noise levels. Construction equipment could generate noise levels up to 90 dBA Leq at 50 feet. Numerous residences and the Halsey Schools Woodland Hills are located within 500 feet of the project site. It is anticipated that equipment noise levels would exceed the 75 dBA Leq at 50 feet standard stated in the LAMC. Therefore, the proposed project would result in significant impact related to construction noise.

Reference

Draft EIR Section 4.2, page 4.2-8.

Mitigation Measures

- N1** All construction equipment shall be properly maintained and equipped with mufflers and other suitable noise attenuation devices.
- N2** Contractors shall endeavor to use rubber-tired equipment rather than tracked equipment. Noisy equipment shall be used only when necessary and shall be switched off when not in use.
- N3** Contractors shall ensure that all stockpiling and vehicle staging areas are located away from noise-sensitive receivers.
- N4** Contractors shall establish a public liaison for project construction that shall be responsible for addressing public concerns about construction activities, including excessive noise. The liaison shall determine the cause of the concern (e.g., starting too early, bad muffler, etc.) and shall work with the City of Los Angeles Department of Recreation and Parks to implement reasonable measures to address the concern.
- N5** Contractors shall develop a construction schedule to ensure that the construction would be completed quickly to minimize the time a sensitive receptor will be exposed to construction noise.
- N6** Construction supervisors shall be informed of project-specific noise requirements, noise issues for sensitive land uses adjacent to the project site, and/or equipment operations.
- N7** Construction equipment shall be electric- and hydraulic-powered rather than diesel- and pneumatic-powered, as feasible.
- N8** Temporary barriers (e.g., noise blankets) shall be utilized, as applicable to site conditions, to shield the line-of-site from equipment to sensitive land uses.
- N9** Truck routes shall be on major arterial roads within non-residential areas. If not feasible, truck routes shall be reviewed and approved by Los Angeles Department of Transportation before the haul route can be located on major arterial roads in residential areas.
- N10** Contractors shall coordinate with the site administrator for the Halsey School to discuss construction activities that generate high noise levels. Coordination between the site administrator and contractors shall continue on an as-needed basis.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Construction-related noise and vibration impacts would be temporary, but result in a significant impact. Mitigation Measure **N1** would reduce equipment engine noise levels by approximately 3 dBA. Mitigation Measures **N2** through **N10**, while difficult to quantify, will contribute to controlling construction noise levels. These mitigation measures would reduce noise levels to the greatest extent feasible. Under these circumstances, LADRAP finds that the impacts related to construction noise would be reduced to less than significant.

VI FINDINGS REGARDING PROJECT ALTERNATIVES

Evaluation of Alternatives

Where a significant impact can be substantially lessened (i.e., mitigated to an “acceptable level”) solely by the adoption of mitigation measures, the lead agency, in drafting its findings, has no obligation to consider the feasibility of alternatives with respect to that impact, even if the alternative would mitigate the impact to a greater degree than the project.⁵ CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Project modification or alternatives are not required, however, where such changes are infeasible or where the responsibility of modifying the project lies with some other agency.⁶

The preceding discussion regarding project impacts discloses that significant Cultural Resources (the pepper trees) and construction noise effects identified in the EIR can be substantially lessened by the adoption of feasible mitigation measures. There are however unavoidable and significant impacts to Cultural Resources, which cannot be substantially lessened.

Thus, the LADRAP, in considering alternatives in these findings, need only determine whether any alternatives are environmentally superior with respect to those impacts not mitigated to a less-than-significant level. If any alternatives are superior with respect to those impacts, the LADRAP is then required to determine whether the alternatives are feasible. If the LADRAP determines that no alternative is both feasible and avoids the unavoidable significant impacts of the proposed project, then the LADRAP may approve the project as mitigated.

These findings address whether the alternatives lessen or avoid the significant unavoidable impacts associated with the project and consider the feasibility of each alternative. Under CEQA, “(f)feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors” (CEQA Guidelines Section 15364). The concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project’s objectives. In addition, the definition of feasibility encompasses desirability to the extent that an agency’s determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors.

The LADRAP finds that the range of alternatives studied in the EIR reflects the various types of alternatives that would potentially be capable of reducing the proposed project’s environmental effects, while accomplishing most but not all of the project objectives. The LADRAP finds that the alternatives analysis is sufficient to inform the LADRAP and the public regarding the tradeoffs between the degree to which alternatives to the project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the petitioners’ ability to achieve its project objectives.

The Draft EIR identified and compared environmental effects of the two alternatives described below with environmental impacts resulting from the proposed project. Based on substantial evidence in the whole record of these proceedings, the LADRAP finds that the two alternatives listed below would reduce the unavoidable and significant impacts of the proposed project but would not meet all of the project objectives. The full analysis of project alternatives, set forth in Chapter 5.0 Project Alternatives of the Draft EIR, is hereby incorporated by reference into this evaluation of alternatives.

⁵PRC Section 21002; *Laurel Hills Homeowners Association, supra*, 83 Cal.App.3d at p. 521; see also *Kings City Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.

⁶CEQA Guidelines Section 15091, subs. (a), (b).

Project Alternatives

Alternative 1: No Project Alternative. Analysis of a No Project Alternative is required by Section 15126.6 (e)(2) of the CEQA Guidelines and assumes that the proposed project would not be implemented. The No Project Alternative allows decision-makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The No Project Alternative includes “what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.”⁷ In the case of the proposed project, the existing fire house and associated garage would remain unoccupied and boarded up. Also, the buildings would continue to deteriorate and the existing vandalism would likely continue.

Cultural Resources. Alternative 1 considers what would reasonably be expected to occur on the project site if no future discretionary actions were to occur. Under this alternative, no development would occur on the site and no other action would be taken by the LADRAP to improve the site. The buildings would remain in their current mothballed state; boarded up and vacant. Leaving the building vacant would increase its susceptibility to vandalism, which could result in damage or a loss of historic integrity, thus ultimately resulting in a significant impact to a historical resource. Therefore, this alternative would result in significant impacts to cultural resources.

Noise. Alternative 1 would not include new sources of construction or operational noise or vibration. There would be no change to the existing ambient environment, and no potential for noise and vibration impacts to the surrounding community. Therefore, Alternative 1 would result in no impact related to noise and vibration. This alternative would have fewer noise impacts than the proposed project.

The No Project Alternative (Alternative 1) would have lesser impacts to cultural resources and noise and vibration in comparison to the demolition of the Old Fire Station 84 and implementation of a pocket park.

Alternative 2: Adaptive Reuse Alternative. The Adaptive Reuse Alternative would include using the existing structures as a community center and game room. The exteriors would be preserved and restored, while the interiors would be modified for recreational programs and current building codes. Specifically, the Fire Station would include a lobby, kitchen, two multipurpose rooms, two offices, and restrooms. The existing garage would be modified to accommodate an art/yoga/dance studio.

Cultural Resources. The Adaptive Reuse Alternative would retain the fire station and associated garage and repurpose the buildings as a community center and game room. The exteriors would be preserved and restored and the interiors would be modified to accommodate new uses for recreational programs and current building codes. All work would be completed under the direction of an architectural historian who meets the Secretary of the Interior’s Professional Qualifications Standards. The remaining open space on the site would be improved to include a 2,250 square foot playground behind the community buildings, picnic area and plaza space. The site would also be improved with security lights and camera, native landscaping and a smart irrigation system. Therefore, Alternative 2 would result in less-than-significant impacts related to cultural resources. This alternative would avoid the significant and unavoidable cultural resource impacts of the proposed project.

Noise. Alternative 2 would generate similar noise and vibration levels as discussed from the proposed project. Similar to the proposed project, construction noise would result in a significant impact. Mitigation Measure N1 would reduce equipment engine noise levels by approximately 3 dBA. Mitigation Measures N2 through N10, while difficult to quantify, will contribute to controlling construction noise levels. These mitigation measures would reduce noise levels to the greatest extent feasible. Therefore, Alternative 2 would result in less-than-significant impacts related to noise and vibration after

⁷CEQA Section 15126.6 [e][2].

implementation of mitigation. This alternative would have similar impacts as the proposed project's less-than-significant impacts.

Alternative 2 would have reduced impacts to cultural resources compared to the proposed project. However, Alternative 2 would not meet the goals of the project. Since the City has only about 10 percent of the recommended 8-10 acres of parks and open space for every 1,000 residents,⁸ there is a much greater need for pocket parks with outdoor space and playground equipment. In addition, Alternative 2 is likely to be underused since the Woodland Hills Recreation Center, which has a large community center and offers youth and adult classes year round, is located approximately 1.6 miles to the northeast. This facility can accommodate up to 300 people and has hundreds of classes. Also, as has been previously expressed by the surrounding community, there is limited parking on and around the project site. While the driveway could accommodate up to four tandem parking spaces, this alternative would require 11 parking spaces.⁹ Therefore, this alternative would further exasperate the existing lack of available parking.

Environmentally Superior Alternative. The No Project Alternative (Alternative 1) would not have any effect on noise levels and the Adaptive Reuse Alternative (Alternative 2) would have fewer impacts related to cultural resources compared to the proposed project alternative. Of the two alternatives, Alternative 2 would be considered the environmentally superior alternative because it produces the fewest impacts when compared to the proposed project. However, neither Alternative 1 nor Alternative 2 would meet all of the project objectives. Alternative 1 would not meet any of the project objectives. While Alternative 2 would create a small play area with picnic tables, it would not fully achieve the project objectives of providing a pocket park with green space, a fire station themed play area, a fitness zone with equipment, turf areas, picnic tables, benches, and shade structures in a park-poor, urban neighborhood.

VII. FINDINGS REGARDING OTHER CEQA CONSIDERATIONS

1. The LADRAP finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The LADRAP finds that it has independently reviewed and analyzed the EIR for the proposed 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 LADRAP.
2. The LADRAP 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.
3. The LADRAP staff evaluated comments on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the LADRAP staff prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The LADRAP 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 LADRAP has based its actions on full appraisal of all viewpoints, including all

⁸National Recreation and Parks Association. Building Healthy Communities 101: A Primer on Growth and Housing Development for L.A. Neighborhood. accessed from <http://lahd.lacity.org/lahdinternet/Portals/0/Policy/curriculum/gettingfacts/infrastructure/parks.html> on July 8, 2014.

⁹The fire station building is 2,268-square feet and the vehicle garage is 960-square feet. According to the Institute of Transportation Engineers' Parking Generation (4th Edition) the parking requirements for a recreation center is 3.2 spaces per 1,000 square feet. (3.2 * 3,228 = 10.3)

comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

The EIR evaluated the potential project and cumulative impacts to Cultural Resources and Noise and Vibration. The significant environmental impacts of the project and the alternatives were identified in the text and summary of the Draft EIR.

While experts may disagree pursuant to CEQA Guidelines Section 15151, substantial evidence in the record supports the LADRAP's conclusions in the EIR.

The recommended mitigation measures which have been identified for the proposed project were identified in the text and summary of the EIR and Initial Study. The final mitigation measures are described in the MMRP (see Attachment A). Each of the mitigation measures identified in the MMRP, and contained in the Final EIR, have been incorporated into the proposed project, to the extent feasible. The LADRAP finds that the indirect impacts of the proposed project have been mitigated to the extent feasible by the Mitigation Measures identified in the MMRP, and contained in the Final EIR.

The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR.

Having reviewed the information contained in the EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the LADRAP finds that there is no significant new information in the Final EIR such that recirculation of the Draft EIR, pursuant to the requirements outlined in the CEQA Guidelines Section 15088.5, would be required.

CEQA requires the lead agency approving a project to adopt an MMRP (for the changes to the project which it has adopted or made a condition of project approval) in order to ensure compliance with project implementation. The mitigation measures included in the EIR as certified by the LADRAP and included in MMRP as adopted by the LADRAP serves that function. The MMRP includes all of the recommended mitigation measures identified in the Draft EIR. In accordance with the requirements of PRC Section 21081.6, the LADRAP hereby adopts the MMRP.

The custodian of the documents or other material which constitute the record of proceedings upon which the LADRAP's decision is based is located at Department of Recreation and Parks in Los Angeles, California.

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

The LADRAP 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. It is contemplated that there may be a variety of actions undertaken by other State and local agencies (who might be referred to as "responsible agencies" under CEQA). Because the LADRAP is the lead agency for the project, the EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other State and local agencies to carry out the project.

Growth Inducement

CEQA requires a discussion of the ways in which a project could be growth inducing. CEQA also requires a discussion of ways in which a project may remove obstacles to growth, as well as ways in which a project may set a precedent for future growth. CEQA Guidelines Section 15126.2, subd. (d), identifies a project as growth inducing if it fosters economic or population growth, or the construction of

additional housing, either directly or indirectly, in the surrounding environment. New employees from commercial and industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Examples of development that would indirectly facilitate or accommodate growth include the installation of new roadways or the construction or expansion of water delivery/treatment facilities.

The proposed project would not remove impediments to growth. The area surrounding the project site is developed with commercial, light industrial and residential uses and is served by appropriate infrastructure and public services. No new infrastructure for water or electric would be required for the proposed project. The project would not include restrooms, no connection to the sewers or sanitation system would be required.

Significant Irreversible Environmental Effects

State CEQA Guidelines Section 15126.2, subd. (c) provides the following direction for the discussion of irreversible changes:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

Project development will not directly result in any permanent and irreversible environmental changes based on the minimal and efficient use of non recoverable resources (Draft EIR, Chapter 6.0 subsection 6.4).

VIII. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects, those effects may be considered acceptable (CEQA Guidelines Section 15093 [a]). CEQA requires the agency to support, in writing, the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. Those reasons must be based on substantial evidence in the EIR or elsewhere in the administrative records (CEQA Guidelines Section 15093 [b]). In accordance with the requirements of CEQA and the CEQA Guidelines, the LADRAP finds that the mitigation measures identified in the Draft EIR and the MMRP, when implemented, avoid or substantially lessen virtually all of the significant effects identified in the Draft EIR. Nonetheless, a significant impact from the project is unavoidable even after incorporation of all feasible mitigation measures. This significant unavoidable impact is summarized below.

Impacts related to Cultural Resources. Demolition of the fire station and associated garage, a designated HCM, would result in a significant and unavoidable impact to a historical resource.

While considered a historical resource for purposes of CEQA as a local designated HCM, the Historic Impacts Report prepared for this project concluded that the property is not eligible for listing in the National Register of Historic Places or California Register of Historic Places based on archival research. Although the property retains a high degree of integrity, it is not directly associated with important events or trends important to history. Further, no direct evidence was found to demonstrate an important association with the post-war era

and is not associated with any important individuals. The building and garage are modest examples of Minimal Traditional architecture; while not typically used for institutional properties, they are not particularly notable for their workmanship, design or style. The fire station was designed by a locally noted architect, but he is not considered a master. For these reasons, the property was found to not have the potential to yield information important to history. The LADRAP further specifically finds that, notwithstanding the disclosure of this significant impact, there are specific overriding economic, legal, social, technological, and other reasons for approving this project. The City has a shortage of parks and open space. The City has only about 10 percent of the recommended 8-10 acres of parks and open space for every 1,000 residents.¹⁰ Only a quarter of children in Los Angeles live within a quarter mile of a park. Establishing public open space for recreational and physical activity is central to engaging diverse population groups with broad ranging and long-lasting public health implications. While the provision of cultural amenities is a beneficial component to quality of life, it is outweighed by the need to sustain and improve public health within the City. On balance, the LADRAP finds that there are specific, economic, legal, social, technological, and other considerations associated with the project that serve to override and outweigh the project's significant impact and, thus, the significant impact to cultural resources is considered acceptable.

IX. MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP was prepared for the proposed project, and was approved by the LADRAP by the same resolution that has adopted these findings. The MMRP is located below in Attachment A.

¹⁰National Recreation and Parks Association, *Building Healthy Communities 101: A Primer on Growth and Housing Development for L.A. Neighborhood*, accessed from <http://lahd.lacity.org/lahdinternet/Portals/0/Policy/curriculum/gettingfacts/infrastructure/parks.html> on July 8, 2014.