

**DEPARTMENT OF
CITY PLANNING**

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(213) 978-1300

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**CITY OF LOS ANGELES
CALIFORNIA**



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MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2020-6553-CE

The Planning Department determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15332, Class 32.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- c) The project site has no value as habitat for endangered, rare or threatened species;
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e) The site can be adequately served by all required utilities and public services.

The proposed project is for the construction, use, and maintenance of a six-story residential structure over one (1) ground level and two (2) levels of a subterranean parking garage, containing 100 dwelling units, including ten (10) units reserved for Extremely Low Income Households and 90 market-rate units, three (3) of which are reserved for market rate RSO units. The building will be approximately 82 feet in height, as measured from grade, and will contain approximately 77,022 square feet of floor area with a floor area ratio (FAR) of 4.5:1. The unit mix will be comprised of one (1) studio unit, 79 one-bedroom units, and 20 two-bedroom units. The project will provide a total of 143 vehicular parking spaces of which 78 are standard and 64 are compact/tandem automobile parking spaces. The project will provide 40 vehicular parking spaces at ground level, 58 at subterranean level 1, and 44 at subterranean level 2. The project will also provide 82 long-term and seven (7) short-term bicycle parking spaces. The project will provide a total of 8,104 square feet of open space, including a 1,497 square feet pool deck on the level 2 area and a 3,488 square feet roof deck. The project will provide a total of 1,969 square foot indoor amenities including 586 square feet cowork/recreation space and 883 square feet fitness area on ground level. The project involves grading and will exporting up to 21,000 cubic yards of earth. The project proposes to remove two (2) street trees in the public right-of-way.

There are no non-protected and protected trees on the site as identified in the Tree Report prepared by Harmony Gardens on March 15, 2021, and revised on December 15, 2021. The project application proposes to remove two (2) non-protected trees from the right-of-way. However, as explained in the project description, the applicant will be required to improve the right-of-way. Prior to any work on the right-of-way, the applicant will be required to obtain approved plans from the

Department of Public Works. As there currently is no approved right-of-way improvement plan and for purposes of conservative analysis and the requirements of CEQA, Planning has analyzed the worst-case potential for removal of all street trees. Note, no street tree or protected tree may be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. At the time of preparation of this CE, no approvals have been given for any tree removals in the right-of-way by BPW. Based on the above, Planning has required a Tree Report to identify all trees in the right-of-way that could be impacted by the Project and to consider the potential removal of two (2) street trees.

The project site was previously improved with four (4) separate residential buildings. These buildings were demolished or relocated in mid-2020 per Building Permit Numbers 19019-10000-03147, 19019-10000-03149, 18019-30000-04983, and 18019-30000-06084, before the case filing on October 30, 2020.

The project is granted the following Base and Additional Incentives of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program per Case No. DIR-2020-6553-TOC:

- Base Incentives:
 - A 70-percent increase in the maximum density to allow a total of 100 dwelling units in lieu of 59 units.
 - A 50-percent increase in the FAR to permit a maximum of 4.5 in lieu of 3:1.
 - A 17-percent reduction in the automobile parking requirement to allow a minimum of required 143 spaces for a 100-unit residential development.
- Additional Incentives
 - Yard Setbacks. Front yard reduction to permit a minimum of 7.5 feet in lieu of the minimum 15 feet, average of the front yards of adjoining buildings along the same street frontage, as otherwise required by LAMC Section 12.11 C.1; A 30-percent side yards setbacks reduction to permit a minimum of 6.3 feet in lieu of the minimum nine (9) feet as otherwise required by LAMC Section 12.11 C.2; and A 30-percent rear yard setback reduction to permit a minimum of 12.6 feet in lieu of the minimum 18 feet as otherwise required by LAMC Section 12.11 C.3.
 - Open Space. A 25-percent reduction in the usable open space requirement to allow a minimum of 7,875 square feet in lieu of the minimum 10,500 square feet, as otherwise required by LAMC Section 12.21 G.2.

The project site is zoned R4-1 and designated for High Medium Residential land uses. The site is located within the City of Los Angeles Transit Priority Area, Los Angeles State Enterprise Zone, Local Emergency Temporary Regulations-Time Limits and Parking Relief-LAMC 16.02.1, Urban Agriculture Incentive Zone Area, and the) Wilshire Center/Koreatown Redevelopment area which does not regulate residential density. The project site is not located within the boundaries of or subject to any specific plan, community design overlay, or "Q" Qualified Conditions or "D" Development Limitation ordinance. The site is located approximately 0.13 kilometers from the Puente Hills Blind Thrust Fault.

The project site is comprised of four (4) legal lots totaling approximately 23,626 square feet in size, which would permit a base density of 60 dwelling units by right. The project proposes the construction of 100 dwelling units, which exceeds the maximum density. In addition, the proposed front, sides, and rear yard setbacks and total usable open space are less than the minimum required by the Municipal Code. However, through the approval of the Director's Determination for the Base and

Additional Incentives under the TOC Affordable Housing Incentive Program, the project would be consistent with the goals, objectives, and policies of the Community Plan and with the applicable zoning regulations.

The subject site is approximately 0.54 acres and located wholly within the City of Los Angeles. Properties in the immediate surrounding area are zoned C2-1, [Q]C2-1, and R4-1 and developed with a retail building, a medical office building and associated parking lot, a two-story residential building, and a parking lot. Properties to the north are zoned C2-1, designated for Community Commercial, and improved with a single-story retail building. Abutting properties to the west, are zoned [Q]C2-1 and R4-1, designated for Community Commercial and High Medium Residential and improved with a medical office building and associated parking lot and a multi-story multi-family structure. Properties to the south are zoned R4-1 designated for High Medium Residential and improved with a two-story residential building. Properties to the east, across Mariposa Avenue, are zoned [Q]C2-1 and R4-1, designated for Community Commercial and High Medium Residential and improved with a parking lot and four (4) separate two-story residential buildings. The site is also located approximately 1200 feet from the Mariposa-Nabi Primary Center Early and approximately 700 feet from Seoul International Park Recreation Center and Playground. The subject site is located within a fully developed urban area. As such, the site does not contain or have value as a habitat for endangered, rare or threatened species, and is not located adjacent to any habitat for endangered, rare or threatened species.

The Department of Transportation reviewed and approved with conditions the Transportation Assessment dated January 27, 2021, for the proposed 100-unit apartment building. The project must comply with the City's Noise Ordinances No. 144,331 and 161,574 and any subsequent ordinances, which limits the emission or creation of noise levels. During the construction of the proposed project, the applicant will be required to comply with the City's Noise Ordinance No. 161,574, which regulates noise from demolition and construction activities. Section 41.40 of the LAMC prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other places of residence, between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturday. All such activities are also prohibited on Sundays and all federal holidays. Section 112.05 of the LAMC also specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. The project would not result in any significant construction noise impacts with the implementation of the City's Noise Ordinances and regulations.

The building construction phase includes the construction of the proposed building on the subject property, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM2.5 and PM10 emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NOx emissions. The application of architectural coatings would result primarily in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by South Coast Air Quality Management District (SCAQMD) Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas.

Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

Construction activities would not involve any significant excavation near an identified water source. In addition, the project will be required to comply with various regulatory requirements, which would reduce stormwater flows off-site. The project will comply with Chapter VI Article 4.4 of the LAMC, Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs) to reduce or prevent pollutant discharges. Under the conditions of a building permit for the project, the project applicant will be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Therefore, the development of the proposed project would not degrade the quality of stormwater runoff from the site.

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. Therefore, the project meets all of the Criteria for the Class 32.

There are five (5) exceptions which the City is required to consider before finding a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

At the preparation of this report, there are 11 known discretionary projects of the same multi-family residential development type within 500 feet of the subject site. The project is subject to Regulatory compliance Measures (RCMs) in the City of Los Angeles that regulate impacts related to air quality and construction and operational noise as previously mentioned. The Department of Transportation reviewed and approved the Transportation Assessment dated January 27, 2021, for the proposed 100-unit apartment building. As such, the proposed project is not expected to result in cumulative impacts.

As mentioned, the project proposes a 100-unit multi-family residential building that is consistent with the zone and land use designation of the site, in conjunction with the approval of Base and Additional Incentives under the TOC Affordable Housing Incentive Program. Properties in the immediate surrounding area are zoned C2-1, [Q]C2-1, and R4-1 and developed with a retail building, a medical office building and associated parking lot, a two-story residential building, and a parking lot. Properties to the north are zoned C2-1, designated for Community Commercial, and improved with a single-story retail building. Abutting properties to the west, are zoned [Q]C2-1 and R4-1, designated for Community Commercial and High Medium Residential and improved with a medical office building and associated parking lot and a multi-story multi-family structure. Properties to the south are zoned R4-1 designated for High Medium Residential and improved with a two-story residential building. Properties to the east, across Mariposa Avenue, are zoned [Q]C2-1 and R4-1, designated for Community Commercial and High Medium Residential and improved with a parking lot and four (4) separate two-story residential buildings. The subject site is located within a fully developed urban area. As such, the site does not contain or have value as a habitat for endangered, rare or threatened species, and is not located adjacent to any habitat for endangered, rare or threatened species. The project proposes to remove two (2) Street Trees located within the public right-of-way along Mariposa Avenue.

The proposed development is not unusual for the vicinity of the subject site and will be compatible with existing uses in the area. Neither the existing use on the site, nor the proposed use demonstrates any unusual circumstances, and the project will not generate significant traffic, air quality, or noise impacts. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. State Route 27 is located approximately 21 miles west of the subject property. Therefore, the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site.

As previously mentioned, the project site is located within the Wilshire Center/ Koreatown Redevelopment area. The Wilshire Center/Koreatown Redevelopment Project Area identifies the project site as not being a historic resource. The Project Site is currently vacant. Previous uses at the Site (4 separate residential buildings) were demolished or relocated in mid-2020. A single-family dwelling that was identified by SurveyLA as a structure eligible for the California Register as an individual property through survey evaluation, with a status code of "3CS," was previously located on the lot at 1025 S. Mariposa Avenue. A Certificate of Appropriateness to relocate this house to another site was approved by the Letter of Determination for Planning Case No. DIR-2019-2102-COA (related case ENV-2019-2103-CE). The house was moved from 1025 S. Mariposa Avenue in April 2020. The other previously removed onsite buildings were not subject to a Historic Preservation Review and not listed in HistoricPlacesLA. According to SurveyLA, the Olympic Boulevard streetlights appear to be eligible for local listing or designation through SurveyLA or other survey evaluations. The Project would not affect the streetlights themselves or views of them as they are not adjacent to the Site, but rather 110 feet north of the Site. The existing site has not been identified as a resource nor has it been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.