

DIR-2019-277-TOC-DRB-SPP-1A

EXHIBIT C

Environmental Clearance

ENV-2019-278-CE

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

DIR-2019-277-TOC-DRB-SPP / Transit Oriented Communities, Design Review and Specific Plan Project Permit

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-278-CE

PROJECT TITLE

1427 – 1433 Greenfield

COUNCIL DISTRICT

5

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

1427 – 1433 South Greenfield Avenue (Greenfield Avenue and Ohio Avenue)☐ Map attached.

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

The project, located at 1427-1433 Greenfield Avenue, is for the demolition of two apartment buildings and garages and the construction of a new 6-story, maximum 66.5-feet in height, twenty-nine (29) unit multi-family apartment building over two levels of subterranean parking containing 47 automobile stalls, in conjunction with the export of 14,000 cubic yards of dirt.

NAME OF APPLICANT / OWNER:

Greenfield Ohio LLC

CONTACT PERSON (If different from Applicant/Owner above)

Tony Russo, Crest Real Estate

(AREA CODE) TELEPHONE NUMBER

(408) 655-0998

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

☐ STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

☒ CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)CEQA Guideline Section(s) / Class(es) **Section 14332 Class 32**☐ OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

☒ Additional page(s) attached**SEE ATTACHED**☒ None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.☐ The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

DYLAN SITTIG

Dylan Sittig

STAFF TITLE

CITY PLANNING ASSOCIATE

ENTITLEMENTS APPROVED

Transit Oriented Communities, Design Review and Specific Plan Project Permit

FEE:

\$5,774.00

RECEIPT NO.

0103990117

REC'D. BY (DCP DSC STAFF NAME)

ERIC CLAROS

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2019-278-CE

On September 24, 2020, the Planning Department determined that based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section, 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The project, located at 1427-1433 Greenfield Avenue, is for the demolition of two apartment buildings and garages and the construction of a new 6-story, maximum 66.5-feet in height, twenty-nine (29) unit multi-family apartment building over two levels of subterranean parking containing 47 automobile stalls, in conjunction with the export of 14,000 cubic yards of dirt. The project is an in-fill development and qualifies for the Class 32 Categorical Exemption.

CEQA Determination – Class 32 Categorical Exemption Applies

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.**

The site is zoned [Q]R3-1-O and has a General Plan Land Use Designation of Medium Residential. The Q condition on the project site was enacted through Ordinance 163,186 and requires that all projects with two or more units in Sub Area 1 (the subject property is located in Sub Area 1) shall be subject to review by the Westwood Community Design Review Board. The "O" suffix in the [Q]R3-1-O zone is a supplemental use district which indicates an Oil Drilling District where the drilling of oil wells or the production from the wells of oil, gases or other hydrocarbon substances is permitted. The project site is located in the Westwood Community Plan, the Westwood Community Multi-Family Specific Plan, and the West Los Angeles Transportation Improvement and Mitigation Specific Plan (WLA TIMP). The Project is subject to the Department of Transportation clearance of WLA TIMP. The Westwood Community Design Review Board is required to review projects and make recommendations to the Director of Planning for projects within their jurisdiction. In addition, the site is eligible as a Tier 3 development in the Transit Oriented Communities Affordable Housing Incentive Program Guidelines, as indicated on the Updated TOC Referral Form dated July 30, 2020. Pursuant to LAMC Section 12.22 A.31 and the TOC Guidelines, the applicant requests a Transit Oriented Community Compliance Review.

The project proposes the demolition of two apartment buildings and garages and the construction of a new 6-story, maximum 66.5-feet in height, twenty-nine (29) unit multi-family apartment building over two levels of subterranean parking containing 47 automobile stalls, in conjunction with the export of 14,000 cubic yards of dirt. The project site occupies two lots that are each 50 feet wide, consistent with the lot width requirements of the R3 Zone. The project site is located within a Liquefaction Zone, a Methane Zone, and a Special Grading Area (BOE Basic Grid Map A-13372). The project site is not located in a Very High Fire Severity Zone or Landslide Zone. The project site is located within a Fault Zone (Santa Monica Fault) but is not within an Alquist-Priolo Fault Zone.

The project is utilizing Base and Additional Incentives under the Transit Oriented Communities Ordinance. Under the TOC Guidelines, the applicant can utilize a Base Incentive for a maximum 70% density increase. The R3 Zone allows for a maximum

density of one dwelling unit per 800 square feet of lot area. The project site consists of two (2) lots totaling approximately 13,500.2 square feet. The Los Angeles Municipal Code allows 16 units by-right, however, the TOC Guidelines round base density up to the next whole number, 17. The maximum allowed density for the subject site under the Tier 3 Density Incentive would be 29 units. The project is proposing 29 units, consistent with the TOC Guidelines and Zoning regulations.

Tier 3 also allows a base incentive for FAR and reduced parking. The FAR Incentive allows for a percentage increase in FAR up to 50 percent. Los Angeles Municipal Code provides for a maximum FAR of 3:1 in the R3-1 Zone. The applicant is utilizing the 50% TOC FAR increase to 4.5:1. The project has a by-right floor area of 28,368 sf. The TOC Guidelines allow a maximum floor area of 42,552 sf and the project is proposing 37,567 sf, which is consistent with the TOC Guidelines and Zoning regulations. The project is required to provide 15 spaces under the TOC and is providing 47 spaces (two levels of subterranean parking), consistent with the requirements of Los Angeles Municipal Code 12.22-A.31

Pursuant to the TOC Guidelines, the project is eligible for, and has been granted three Tier 3 Additional Incentives. In Tier 3 areas, the TOC incentive for open space allows a 25% reduction in the LAMC Code required open space from 5,800 sf to 4,350 sf of required open space. The project is providing 4,447 sf of open space, consistent with the TOC Guidelines and Zoning regulations.

The TOC Guidelines allow for a maximum height of 67 feet and the project is 67' in height and 6-stories. The project is consistent with the TOC Guideline's Height Incentive and Exception requirements.

The current project is in an urbanized area and characterized as in-fill development, which qualifies for the Class 32 Categorical Exemption. As shown in the case file, the project is consistent with the applicable Westwood Community Plan designation and policies and all applicable zoning designations 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.**

The subject site is wholly within the City of Los Angeles, on a site that is approximately .31 acres (13,500.2 square feet) acres. Lots adjacent to the subject site are developed with the following urban uses: multi-family residential consistent with the [Q]R3-1 zone and Medium Residential Land Use designation. Two properties to the southeast and immediately abutting the property are zone [Q]R3-1-O but developed with single-family residences.

- (c) **The project site has no value as habitat for endangered, rare or threatened species.**

The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. A Tree Report was prepared by *The Tree Resource*, dated January 14, 2019 and updated August 20, 2020. There are zero (0) protected trees on the site. One (1) City of Los Angeles Street Tree, located in the parkway perimeter of the site, will be impacted by construction and removed and replaced at a ratio of 2:1. There are thirteen (13) Non-Protected Significant Trees with a DBH (Diameter at Breast Height) of 8 inches or greater. These trees will be

impacted by construction and are recommended for removal and replacement to the satisfaction of the City of Los Angeles Urban Forestry Division at a 1:1 ratio.

- (d) **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, storm water mitigations; and Best Management Practices for storm water runoff. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1(Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
 - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
 - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
 - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
 - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- **Regulatory Compliance Measure RC-GEO-4 (Liquefaction Area):** The project shall comply with the Uniform Building Code Chapter 18. Division1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of

Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:

- ground stabilization
- selection of appropriate foundation type and depths
- selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

- **Regulatory Compliance Measure RC-GEO-6 (Expansive Soils Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- **Regulatory Compliance Measure RC-HAZ-2: Explosion/Release (Methane Zone):** As the Project Site is within a methane zone, prior to the issuance of a building permit, the Site shall be independently analyzed by a qualified engineer, as defined in Ordinance No. 175,790 and Section 91.7102 of the LAMC, hired by the Project Applicant. The engineer shall investigate and design a methane mitigation system in compliance with the LADBS Methane Mitigation Standards for the appropriate Site Design Level which will prevent or retard potential methane gas seepage into the building. The Applicant shall implement the engineer's design recommendations subject to DOGGR, LADBS and LAFD plan review and approval.
- **Regulatory Compliance Measure RC-HAZ-3: Explosion/Release (Soil Gases):** During subsurface excavation activities, including borings, trenching and grading, OSHA worker safety measures shall be implemented as required to preclude any exposure of workers to unsafe levels of soil-gases, including, but not limited to, methane.

These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. 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. These RCMs will ensure the project will not have significant impacts on noise, air quality, and water. The Project will also be governed by an approved haul route under City Code requirements, which will regulate the route hauling trucks will travel, and the times at which they may

leave the site, thereby reducing any potential traffic impacts to less than significant. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter (Log #106720) for the proposed project and as it may be subsequently amended or modified. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) **The site can be adequately served by all required utilities and public services.**

The project site will be adequately served by all public utilities and services given that the project site is developed, surrounded by urban uses, served by existing infrastructure, and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions.

There are five (5) Exceptions, which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

(a) **Cumulative Impacts.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes a 29-unit, maximum 67 feet-tall, six-story apartment building with 37,567 square feet of floor area and two levels of subterranean parking in an area zoned and designated for such development. Properties in the vicinity are developed with mostly multi-family residential buildings and the subject site is of a similar size and slope to nearby properties. According to Navigate LA, there are no other haul route approvals, and no other haul route applications being processed within 500 feet of the Subject Site. In addition, the haul route approval will be subject to recommended conditions prepared by LADOT to be considered by the Board of Building and Safety Commissioners that will reduce the impacts of construction related hauling activity, monitor the traffic effects of hauling, and reduce haul trips in response to congestion. The proposed Haul Route will utilize 10 cubic yard haul trucks and haul for a total of 55 days, with 30 trips per day. This equates to a total of 300 cubic yards per day and a total maximum export amount of 14,000 cubic yards. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter (Log #106720) for the proposed project and as it may be subsequently amended or modified. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

(b) **Significant Effect.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The Project proposes to construct a 29-unit multi-family residential building in an area zoned and designated for such development. The Subject Site is of a similar size and slope to nearby properties. The Floor Area, density, and height of the proposed project are consistent with the Zone and Transit Oriented Communities program.

Multi-family housing is not unusual for the vicinity of the Subject Site, and the proposed project is similar in scope to other existing residential uses in the area. The project site is approximately 253 linear from a property owned by the Department of Water and Power and zoned [Q]PF-1XL-O. Greenfield Avenue to the North, dead-ends into a parking lot serving the City of Los Angeles Westwood Park which is zoned OS-1XL and occupies over 17 acres with sports and recreation activities.

The project site is located within a Fault Zone (Santa Monica Fault), a Liquefaction Zone, and a Special Grading Area (BOE Basic Grid Map A-13372). However, Regulatory Compliance Measures include the submittal of a Geology and Soils Report (provided by Geotech Consultants, Inc. dated June 30, 2018) to the Los Angeles Department of Building and Safety (LADBS), and a Geology and Soils Report Approval Letter. The approval letter was granted on January 25, 2019 (Log #106720) and the letter details conditions of approval which must be followed.

There are no known designated historic resources or cultural monuments on the subject site. Thus, there are no unusual circumstances which may lead to a significant effect on the environment, and this exception does not apply.

- (c) **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

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. The project site is located approximately 11.7 miles from State Route 27. Therefore, the Project will not result in damage to any scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

- (d) **Hazardous Waste.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the Subject Site, nor any site in the vicinity, are identified as a hazardous waste site. Furthermore, the building permit history for the Project Site does not indicate the Site may be hazardous or otherwise contaminated and this exception does not apply.

- (e) **Historic Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The project site has not been identified as a historic resource by local or state agencies, and the project site has not 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; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. 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.