

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

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-2019-7742-TOC / Transit Oriented Communities

LEAD CITY AGENCY
City of Los Angeles (Department of City Planning)

CASE NUMBER
ENV-2019-7743-CE

PROJECT TITLE
1517-1523 West 8th Street

COUNCIL DISTRICT
1

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)
1517-1523 West 8th Street, Los Angeles, CA

Map attached.

PROJECT DESCRIPTION:
Demolition of the two (2) existing residential structures, and the construction, use, and maintenance of a new (7) seven-story, 82 feet in height, mixed-use building with 60 dwelling units over approximately 1,150 square feet of ground floor commercial space, with two (2) levels of parking containing 32 automobile parking stalls.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:
Shahin Simon Neman, Apartments on 8th Street I LLC

CONTACT PERSON (If different from Applicant/Owner above)
Gary Benjamin, Alchemy Planning + Land Use

(AREA CODE) TELEPHONE NUMBER | EXT.
(213)-479-7521

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) 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

In-fill development meeting the conditions described in this section. (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. (e) The site can be adequately served by all required utilities and public services.

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
Trevor Martin

STAFF TITLE
Planning Assistant

ENTITLEMENTS APPROVED
TOC / Transit Oriented Communities

FEE:
\$5,774

RECEIPT NO.
0110135534

REC'D. BY (DCP DSC STAFF NAME)
Rina Lara

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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April 28, 2020

Shahin Simon Neman (A)(O)
Apartments on 8th I LLC
200 South San Pedro Street, Suite #500
Los Angeles, CA 90012

Gary Benjamin (R)
Alchemy Planning + Land Use
4470 West Sunset Boulevard, Suite #547
Los Angeles, CA 90027

RE: Case No. DIR-2019-7742-TOC
Address: 1517-1523 West 8th Street
Planning Area: Westlake
Zone : C2-2D
D. M. : 1305A205
C. D. : 1
CEQA : ENV-2019-7743-CE

RE: ENV-2019-7743-CE (Categorical Exemption - Class 32)

The project site is a relatively level, irregular-shaped parcel of land consisting of two legal contiguous lots encompassing a total lot area of approximately 12,889 square feet (approximately 0.30 acres). The subject site has a street frontage of approximately 120 feet along the northern side of 8th Street and has 120 feet of frontage along the alley to the rear. The subject site is zoned C2-2D and is located within the Westlake Community Plan Area with a land use designation of Highway Oriented Commercial.

The subject property is located within the Transit Priority Area in the City of Los Angeles (ZI-2452), a Los Angeles State Enterprise Zone (ZI-2374), and the Westlake Recovery Redevelopment Project Area (ZI-2488). The property is not within the boundaries of or subject to any Specific Plan, Community Design Overlay, or Interim Control Ordinance. The subject property has a D-Limitation that limits the project's floor area ratio (FAR) to 3:1.

Based upon the existing mobility and circulation networks near the proposed project, the creation of 58 net new units will not result in significant traffic impacts in the community. Per the Los Angeles Department of Transportation (LADOT) determination dated October 29, 2019, a Traffic Study is not required as the project is beneath LADOT thresholds of significance. There is no VMT analysis required and thus, the project does not need to be referred further to LADOT.

The project site is located within 0.476 kilometers from the nearest fault (Puente Hills Blind Thrust Fault). The project does not fall within the Alquist-Priolo Fault Zone, Preliminary Fault Rupture Area, liquefaction, or landslide area. Additionally there is no significant grading involved with the proposed project. As such, the proposed project does not require a Geological Study or Soils Report.

The subject property is currently developed with two residential structures: a two-story, 1,933 square-foot, single-family dwelling, and a two-story, 2,393 square-foot single-family dwelling. The Housing and Community Investment Department (HCID) SB 330 Determination Letter identified the residential structures as two (2) single-family dwellings with a total of six (6) guest rooms, all of which are subject to the Rent Stabilization Ordinance (RSO). The guest rooms however, are not considered Residential Dwelling Units, and thus, are not subject to SB 330 affordable replacement. The HCID SB 330 Determination Letter identified the two (2) single-family dwelling units on the subject property as “protected units” under AB 1482 and are subject to replacement. The lot making up the eastern half of the project site is developed with a surface parking lot containing two (2) billboard signs. Additionally, the project site contains a total of three (3) non-protected trees; one (1) tree on site, and two (2) trees located within the public right-of-way. The on-site tree will be removed as part of the project, while the other two (2) trees located within the public right-of-way will remain in place.

The project proposes the demolition of the two (2) existing residential structures, and the construction, use, and maintenance of a new seven-story, 82 feet in height, mixed-use building with 60 dwelling units over approximately 1,150 square feet of ground floor commercial space, with two (2) levels of parking containing 32 automobile parking stalls. The proposed building will encompass approximately 45,960 square feet in total building area, resulting in a Floor Area Ratio (FAR) of approximately 3.57:1. Of the 60 units proposed, 25 will be studio units, and 35 will be one-bedroom units. In addition to the 32 automobile parking spaces, the project will provide 50 long-term bicycle parking spaces and six (6) short-term bicycle parking spaces. The project will include approximately 4,669 square feet of open space, provided by a combination of balconies, a roof deck, a court yard, and a recreation room/fitness center. The project will maintain a 6-inch front yard, and (5) five-foot rear yard as permitted by the underlying C2-2D Zone for Mixed Use Projects pursuant to LAMC Section 13.09-B.3 and LAMC Section 12.22-A.18(c). The project will maintain a (5) five-foot setback for the side yards, in accordance with the RAS3 Zone.

The project is requesting the following discretionary actions:

1. Pursuant to the Transit Oriented Communities Affordable Housing Incentive Program Guidelines (TOC Guidelines), the project is eligible for Base Incentives and up to three (3) Additional Incentives. As Base Incentives, the project is eligible to (1) increase the maximum allowable number of dwelling units permitted by 70 percent, (2) increase the maximum allowable FAR by 50 percent or to 3.75:1 if the maximum percentage increase results in a FAR of less than 3.75:1 for a project in a commercial zone, and (3) provide automobile parking at a ratio of 0.5 spaces per unit. As Additional Incentives, the project is requesting (1) utilization of the side yard setback requirements of the RAS3 Zone for a project in a commercial zone, and (2) a maximum reduction of 25 percent in the required amount of open space; and
2. Any additional actions as deemed necessary or desirable, including but not limited to demolition, tree removal, and building permits.

The proposed project would not have a significant effect on the environment. A “significant effect on the environment” is defined as “a substantial, or potentially substantial, adverse change in the environment” (CEQA Guidelines, Public Resources Code Section 21068). The proposed project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines, which establish guidelines and thresholds of significant impact, and provide the methods for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed project has been determined that it is Categorically Exempt from environmental review pursuant to Article 19, Section 15332 of the CEQA Guidelines (Class 32) and there is no substantial evidence demonstrating that an exception to a categorical

exemption pursuant to CEQA Guidelines, Section 15300.2 applies. On April 28, 2020, the subject project was issued a Notice of Exemption for a Class 32 Categorical Exemption.

CLASS 32 CATEGORICAL EXEMPTION

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects." A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following five applicable conditions: (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.

As previously stated, the project proposes the demolition of the two (2) existing residential structures and the construction, use, and maintenance of a new seven-story mixed-use building, 82 feet in height, consisting of 60 residential dwelling units. The project reserves six (6) dwelling units for Extremely Low Income Households. The subject property contains a total of three (3) non-protected trees; one (1) tree on site, and two (2) trees located within the public right-of-way. The on-site tree will be removed as part of the project, while the other two (2) trees located within in the public right-of-way will remain in place. The project involves minimal grading for site preparation, but does not involve the export of earth from the site. Roof and site drainage as well as sewer availability are required to comply with Bureau of Engineering and Bureau of Sanitation standards, Hydrants, Fire Department Access, and Fire Safety also require review and approval by the Los Angeles Fire Department before permits can be issued. Furthermore, the project must comply with all City Regulatory Compliance Measures (RCMs) that apply.

As a new 60-unit mixed-use building developed on an infill site, this project qualifies for the Categorical Exemption. The project can be characterized as infill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed below.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.**

The proposed project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations. The subject property is located within the Westlake Community Plan Area which is one of the 35 Community Plans that make up the Land Use Element of the General Plan. The Westlake Community Plan Area Map designates the subject property with a land use designation of Highway Oriented Commercial, corresponding to the C2, C1, CR, RAS3, RAS4, and P Zones. The subject property is zoned C2-2D and is thus consistent with the General Plan's land use designation for the site. The subject property is also within a Transit Priority Area in the City of Los Angeles (ZI-2452), a Los Angeles State Enterprise Zone (ZI-2374), and the Westlake Recovery Redevelopment Project Area (ZI-2488). The property is not within the boundaries of or subject to any Specific Plan, Community Design Overlay, or Interim Control Ordinance. The subject property has a D-Limitation that limits the project's floor area ratio (FAR) to 3:1.

The proposed project is consistent with, and meets the goals, objectives, and policies of the Westlake Community Plan. The proposed 60-unit mixed-use development will result

in a net increase of 58 dwelling units on the subject property, adding new desirable multi-family housing to the region and contribute to the City's affordable housing stock. The project meets the intent of the following objectives and policies of the Westlake Community Plan:

RESIDENTIAL

- Objective 1:* To designate a supply of residential land adequate to provide housing of the types, sizes, and densities required to satisfy the varying needs and desires of all segments of the community's population.
- Objective 2:* To conserve and improve existing viable housing for persons desiring to live in Westlake, especially low and moderate income families.
- Objective 3:* To sequence housing development so as to provide a workable, efficient, and adequate balance between land use, circulation, and service system facilities at all times.
- Policy 2:* That medium density housing be located near commercial corridors where access to public transportation and shopping services is convenient and where a buffer from or a transition between low density housing can be achieved.
- Policy 4:* That the City shall support continued affordability of units subject to termination of Federal mortgage or rent subsidies and expiring bond projects.

COMMERCIAL

- Objective 1:* To provide a range of commercial facilities at various locations to accommodate the shopping needs of residents and to provide increased employment opportunities within the community.
- Objective 2:* To improve the compatibility between commercial and residential uses.
- Policy 1:* That commercial facilities be located on existing traffic arteries and commercial corridors.

The proposed 60-unit mixed-use residential development will result in a net increase of 58 dwelling units at the subject property. The project makes a both practical and efficient use of the subject property by locating new, higher density residential development near transit lines and neighborhood services. The resulting development will thus be located in a manner that has the potential to reduce vehicular trips. The project will also provide a mix of market rate and affordable units, thereby promoting the provision of adequate housing for all persons relative to income. The project meets all applicable design guidelines and standards, and is a mixed-use residential development with an appropriate, context-sensitive scale. The project has been conditioned and designed to contribute towards a pedestrian-friendly environment that is safe for all modes of transportation. Furthermore, the project features a neighborhood-serving commercial use on the ground floor and is

located within close proximity to public transit stops, including Metro and DASH bus stops on 8th Street, and the Metro Rail Station with Metro Purple and Red Lines at the Westlake/MacArthur Park Station. The provision of well-designed multi-family housing, which includes restricted affordable units, ensures a project that will complement the existing neighborhood while also providing valuable housing stock to current and future residents. Therefore, the proposed project is consistent with the General Plan policies and zoning regulations within the City of Los Angeles.

(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 property is located wholly within the Westlake Community Plan Area within the City of Los Angeles. The subject site consists of two contiguous lots that total approximately 12,889 square feet, or approximately 0.30 acres, in size. The project site is substantially surrounded by urban uses and is not located near any areas designated for farmland or agricultural uses. The neighborhood is fully built-out with a variety of multi-family and commercial uses that are consistent with their General Plan land use designations and zoning.

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

The project site consists of two (2) contiguous lots currently improved with two (2) residential structures, and a surface parking lot with two (2) on-site billboards, all of which will be demolished or removed as part of the project. A tree report, prepared by Harmony Gardens on October 13, 2019, states that there are a total of three (3) non-protected trees on the subject property; one (1) tree on site, and two (2) trees located within the public right-of-way. The on-site tree is to be removed as part of the project, while the other two (2) trees located in the public right-of-way are expected to remain in place. While the existing on-site tree is subject to removal and replacement per the Los Angeles Municipal Code, it is not a protected tree species as defined under LAMC Ordinance No. 177,404, nor is it a habitat for any endangered, rare, or threatened species. Furthermore, the project site is located in a well-established urban area which is fully developed with residential and commercial uses. The project site has no value as habitat for endangered species, 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:

Traffic. A significant impact may occur if the project conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The proposed project involves the construction, use, and maintenance of a new seven-story, 82 feet in height, mixed-use building with 60 dwelling units over approximately 1,150 square feet of ground floor commercial space, with two levels of parking containing 32 automobile parking stalls. Furthermore, based upon the existing mobility and circulation networks near the proposed project, it has been determined by LADOT that the creation of 58 net new dwelling units will not result in significant traffic impacts in the community. Per the LADOT determination dated October 29, 2019 and attached to the subject case file, the proposed project is not required to conduct a vehicle miles traveled (VMT) analysis as the project is beneath LADOT thresholds of significance. Therefore, the project is not expected to result in any significant impact relating to traffic.

Noise. The project must comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 and any subsequent ordinances which prohibit the emission or creation of noise beyond certain levels. The Ordinances cover both operational noise levels (i.e. post-construction), as well as any noise impact during construction. Section 41.40 of the LAMC regulates noise from demolition and construction activities and 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 place 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 Saturdays and holidays; all such activities are also prohibited on Sundays. 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. As the project is required to comply with the above ordinances and regulations, it will not result in any significant noise impacts. All construction-related noise impacts would be less than significant and temporary in nature.

A Noise Technical Report prepared by DKA Planning, in December 2019 and attached to the subject environmental case file, concluded that no significant permanent operational or cumulative noise impacts are expected as a result of the development of the project. Given that the project would be required to comply with all existing and applicable noise regulations, the study concluded that the project would not result in any significant impacts and that no mitigation measures are necessary. Although noise arising from construction is unavoidable, the noise would be temporary and limited to the duration of the construction in any one location. The report states that standard, industry-wide best practices for construction in urban or otherwise noise-sensitive areas would ensure that construction noise does not exceed the noise limit imposed by LAMC Section 112.05. These could include erecting temporary noise barriers around the project's perimeter, using mufflers to dampen noise from internal combustion engines, and warming-up or staging equipment away from sensitive receptors. Complete elimination of construction activity noise is technically infeasible; however, incorporation of the best available noise reduction methods will minimize impacts on the residential uses bordering the project site. Compliance with the various local regulatory measure will further minimize any adverse construction noise impact potential.

As the project is primarily a residential development, the project is not expected to generate significant permanent operational noise impacts. Noise generated through human conversation and activities (particularly in outdoor recreational spaces, such as balconies and patios), landscape maintenance, or trash collection would not exceed the recommended noise compatibility guidelines. Any new stationary sources of noise, such mechanical HVAC equipment, installed on the proposed development will be required to comply with LAMC Sections 112.02 and 112.05 which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level at neighboring occupied properties by more than five dBA. In addition, the project is not expected to generate a substantial number of vehicle trips which could in turn generate additional noise. The proposed project is expected to generate a negligible increase in ambient noise from operation.

Through compliance with all existing regulations governing both construction and operational noise, any noise impacts resulting from the project will be less than significant.

Air Quality. The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources.

SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. As the project will result in the net increase of 58 residential units, it is not expected to conflict with, or obstruct, the implementation of the AQMP and SCAQMD rules. The project is consistent with current zoning regulations and policies within the City of Los Angeles, allowing for the proposed development on the subject site. The project would also comply with the 2017 Los Angeles Green Building Code (LAGBC), which builds upon and sets higher standards than those in the 2016 California Green Building Standards Code. Additionally, the project's infill location would promote the concentration of development in an urban location with extensive infrastructure and access to public transit facilities, thus reducing the vehicle miles traveled for employees, residents, and visitors. Therefore, project impacts related to air quality will be less than significant.

During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by 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.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

By implementing BMPs, all construction-related impacts will be less than significant and temporary in nature. No permanent significant impacts are anticipated to occur from construction.

Furthermore, an Air Quality Technical Report was prepared by DKA Planning on December of 2019, which is included in the subject case file. The study quantifies the estimated daily construction and operational emissions for various pollutants from the project site using CalEEMod simulations. Based on the simulation results, none of the construction and operational emissions are expected to exceed the South Coast Air Quality Management District (SCAQMD) air quality significance thresholds. Furthermore, the report finds that the project is consistent with all applicable aspects of the City's General Plan Air Quality Element. The study does not recommend any mitigation measures as all construction and operational emissions are expected to be far below the thresholds considered by SCAQMD to be significant under CEQA guidelines. Potential impacts related to air quality from the project will therefore be less than significant.

Water Quality. With regard to water quality, a significant impact would occur if the project would: 1) exceed wastewater treatment requirements of the Los Angeles Regional Water

Quality Control Board (LARWQCB); 2) increase water consumption or wastewater generation to such a degree that the capacity of facilities currently serving the project site would be exceeded; or 3) increase surface water runoff, resulting in the need for expanded off-site storm water drainage facilities. All wastewater from the project would be treated according to requirements of the National Pollutant Discharge Elimination System (NPDES) permit authorized by the LARWQCB. Therefore, the proposed project would result in a less than significant impact related to wastewater treatment requirements.

Additionally, prior to any construction activities, the project applicant would be required to coordinate with the City of Los Angeles Bureau of Sanitation (BOS) to determine the exact wastewater conveyance requirements of the proposed project, and any upgrades to the wastewater lines in the vicinity of the project site that are needed to adequately serve the proposed project would be undertaken as part of the project. Therefore, the proposed project would not result in a significant impact related to water or wastewater infrastructure.

Lastly, development of the proposed project would maintain existing drainage patterns; site generated surface water runoff would continue to flow to the City's storm drain system. The proposed project would not create or contribute runoff water that would exacerbate any existing deficiencies in the storm drain system or provide substantial additional sources of polluted runoff. Therefore, the proposed project would not result in a significant impact related to existing storm drain capacities.

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

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. These utilities and public services have continuously served the neighborhood for the past several decades. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of 8 new dwelling units.

In addition, roof and site drainage as well as sewer availability must comply with Bureau of Engineering and Bureau of Sanitation standards; and hydrants, Fire Department Access, and Fire Safety must be reviewed and approved by the Los Angeles Fire Department before permits can be issued. Furthermore, the project must comply with all City Regulatory Compliance Measures (RCMs) that apply. Therefore, the proposed project can be adequately served by all required utilities and public services.

EXCEPTIONS TO CATEGORICAL EXEMPTIONS

The City has further considered whether the proposed project is subject to any of the six exceptions set forth in State CEQA Guidelines Section 15300.2 that would prohibit the use of any categorical exemption. Planning staff has determined that none of the exceptions apply to the proposed project, as described below.

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore,**

these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

As the proposed project is not defined as a Class 3, 4, 5, 6 or 11 project, this exception is non-applicable. The project site is in an urbanized area in the City of Los Angeles. The project site is not located in a particularly sensitive environment and is not located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

- (b) Cumulative Impact. 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.**

The proposed 60-unit mixed-use residential development on the project site is consistent with the zone and land use as designated by the Westlake Community Plan, and as permitted by the City's TOC Affordable Housing Incentive Program pursuant to LAMC 12.22-A.31. A successive project of the same type and nature would reflect a development that is consistent with the underlying land use designation and the Los Angeles Municipal Code, and thus would be subject to the same regulations and requirements, including development standards and environmental impacts. The impacts of each subsequent project will be mitigated if necessary, and thus will not result in a cumulative impact.

The project would not result in a cumulatively considerable contribution to any impact. The threshold of significance for a cumulatively considerable contribution to a traffic impact is the same as the threshold of significance for a project impact. Therefore, since the project would not exceed that threshold, it would have neither a project-specific significant impact, nor the potential to result in a cumulatively considerable contribution to a significant traffic impact. The same is true for air quality thresholds of significance; the project does not have the potential to result in a project-specific significant air quality impact, and therefore, does not have the potential to result in a cumulatively considerable contribution to a significant air quality impact.

Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate impacts related to Air Quality, Construction Noise/Vibrations, Operational Noise/Vibrations, and Transportation/traffic. Numerous Los Angeles Municipal Code Sections provide requirements for construction activities and ensure impacts from construction related noise, traffic, and parking are less than significant. The Noise Regulation Ordinance, No. 144,331, provides regulatory compliance measures related to construction noise and maximum noise levels for all activities. LAMC Section 62 provides specific regulatory compliance measures related to construction traffic and parking. LAMC Section 41 requires construction site postings listing representative contact information and permitted construction/demolition hours as established by the Department of Building and Safety. Additionally, there is insufficient evidence to conclude that significant impacts will occur based on past project approvals or in progress entitlement applications and that the proposed project will have adverse impacts on the cumulative impacts of construction noise and transportation/traffic in this area. Further, there is insufficient evidence to conclude that the proposed project will be under construction at the same time as projects within the vicinity. Thus, this exception does not apply.

- (c) 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 the construction, use, and maintenance of a new seven-story, mixed-use residential building with 60 dwelling units over approximately 1,150 square feet of ground floor commercial space. The project will have two (2) levels of parking containing 32 automobile parking stalls. The proposed building will have a total building area of approximately 45,960 square feet on a project site comprised of two (2) existing contiguous lots that make up a total of 12,889 square feet of lot area. The project is located in an urbanized area within the City of Los Angeles, and consists of residential and commercial uses and operations that are compatible with the surrounding urban development and consistent with the underlying zoning. The project site is a long-established neighborhood and is surrounded by various residential, commercial, and civic uses. The site does not demonstrate any unusual circumstances, and the project will not generate any significant impacts regarding traffic, noise, air quality, or water quality. There are no special districts or other known circumstances that indicate a sensitive surrounding environment. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- (d) 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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

Based on a review of the California Scenic Highway Mapping System, the subject site is not located along a California State Scenic Highway and will not impact any identified scenic resources, including trees, historic buildings, rock outcroppings, or other similar resources, within a highway officially designated as a State Scenic Highway. Therefore, this exception does not apply.

- (e) Hazardous Waste Sites. 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.**

Based on a review of the California Department of Toxic Substances Control "Envirostor Database," no known hazardous waste sites are located on the project site. There are also no listed sites within the immediate vicinity of the project site. The subject property has been previously developed with residential uses which are not expected to utilize hazardous waste or materials that pose significant constraint on the site. Additionally, the project site is not located within a Methane Zone or Methane Buffer Zone, nor is it located in a Hazardous Waste / Border Zone Property area as designated by the City of Los Angeles. Therefore, this exception for a Class 32 Categorical Exemption does not apply.

- (f) Historical 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, or the Los Angeles Historic-Cultural Monuments Register. In addition, the project site is not located within a Historic Preservation Overlay Zone and thus not subject to historic preservation review. Furthermore, the project site has not been identified as having buildings of architectural or historical significance under the Westlake Recovery Redevelopment Project Area

requirements and designations. For these reasons, construction of the proposed project would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA, therefore, this exception does not apply.

CONCLUSION

The project proposes the construction of a new seven-story, 82 feet in height, mixed-use residential building containing 60 dwelling units over approximately 1,150 square feet of ground floor commercial space. The proposed development will include two (2) levels of parking containing 32 automobile parking stalls. The new building will encompass approximately 45,960 square feet in total building area. The project is consistent with the surrounding developments (which consists of established residential, commercial, and public uses), is permitted by the TOC Guidelines, and is entirely consistent with the existing General Plan designation, zoning, and requirements of the LAMC. The project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, environmental habitat, noise, air quality, or water quality. The project is located in an urbanized and long-developed area, and thus will be adequately served by all required public utilities and services.

In addition, as the project is in an urbanized area, it is not in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern that is designated, precisely mapped, or officially adopted by any federal, state, or local agency. The project will not result in any significant impacts and, therefore, will not make a cumulatively considerable contribution to any significant impacts that are not already accounted for by the General Plan and future environmental clearances. The project is consistent with the surrounding developments, including established residential and commercial uses, does not present any unusual circumstances that would result in a significant impact on the environment, and would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA. Therefore, none of the possible exceptions to Categorical Exemptions, found in Section 15300.2 Exceptions, apply to this project, and as such, the project qualifies for a Class 32 Categorical Exemption.