

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-2020-5590-TOC-HCA

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-5591-CE

PROJECT TITLE

Dewey Apartment

COUNCIL DISTRICT

10 – Ridley-Thomas

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

944-952½ Dewey Avenue (Cross Street of Dewey Avenue and San Marino Street)

☐ Map attached.

PROJECT DESCRIPTION:

Demolition of the existing multifamily residential structures, detached garage and 5 nonprotected trees, and construction of a 5-story, 63-foot 2-inch multifamily development with 51 dwelling units, of which 6 units are restricted to Extremely Low Income Households, with 31 automobile parking spaces, 48 total bicycle parking spaces, 3,900 square feet of open space and thirteen 24-inch box trees. Approximately 3,915 cubic yards of earth will be exported.

☐ Additional page(s) attached.

NAME OF APPLICANT / OWNER:

RKC Dewey LLC

CONTACT PERSON (If different from Applicant/Owner above)

Heagi Kang, Andmore Partners

(AREA CODE) TELEPHONE NUMBER

(213) 788-1175

EXT.

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

## STATE CEQA STATUTE &amp; 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 15332 Class 32 (Urban In-Fill Development)☐ 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

Class 32 – (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. (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

Jim Harris

STAFF TITLE

Associate City Planner

ENTITLEMENTS APPROVED

TOC Affordable Housing Incentive Program Review – See Case # DIR-2020-5590-TOC-HCA

FEE:

\$5,774,00 + surcharges

RECEIPT NO.

290920A43-FDB1BD18-A639-4C1F-8C57-C6C282682496

REC'D. BY (DCP DSC STAFF NAME)

Terri Osborne

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

I hereby certify and attest this to be a true and correct  
copy of the official record on file in the office of the  
Department of City Planning of the City of Los Angeles  
designated as ENV 2020 5591 CE

  
\_\_\_\_\_  
Department Representative

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN  
PRESIDENT

VAHID KHORSAND  
VICE-PRESIDENT

DAVID H. J. AMBROZ

CAROLINE CHOE

HELEN LEUNG

KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS

DANA M. PERLMAN

**CITY OF LOS ANGELES  
CALIFORNIA**



ERIC GARCETTI  
MAYOR

**EXECUTIVE OFFICES**

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

VINCENT P. BERTONI, AICP  
DIRECTOR

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER

SHANA M.M. BONSTIN  
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP  
DEPUTY DIRECTOR

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR

VACANT  
DEPUTY DIRECTOR

## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2020-5591-CE

---

The Director of Planning has determined that based on the whole of the administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 In-Fill Development Projects, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 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;
- 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 demolition of all structures and the five (5) nonprotected trees, and for the construction, use and maintenance of a five-story, multifamily residential building containing 51 dwelling units, including six (6) units restricted to Extremely Low Income Households. The building will be a maximum height of 63 feet 2 inches, as measured from Grade to the top of parapet, and contain 28,925 square feet of floor area with a floor area ratio (FAR) of 3.59:1. The unit mix will be comprised of 36 studio units, 12 one-bedroom units and three (3) two-bedroom units. The project is only required to provide 26 automobile parking spaces; however, the project is proposing to provide 31 stalls. In addition, the project is providing 43 long-term bicycle parking stalls in the subterranean parking garage level, and five (5) short-term bicycle parking stalls located in the front yard. The project will provide a total of 3,910 square feet of open space, and 13 trees on-site and in the adjacent public-right-of-way. The project is not required to provide a fault study since the site is not located within the Alquist-Priolo Fault Zone; however the applicant did receive a Soils Report Approval Letter from the Grading Division of the Los Angeles Department of Building and Safety on June 11, 2020, Log Number 113407. The project anticipates approximately 3,915 cubic yards of earth to be exported. The 20-foot shared-use, community driveway easement located on the southern edge of the project site will be maintained and utilized by the project for access to the automobile parking located on the first floor; covenant and agreement 88-780831 as recorded with the Los Angeles County Recorder's Office date stamped on May 16, 1988.

The project site consists of two (2) contiguous, rectangular parcels with 92 feet of total street frontage along the east side of Dewey Avenue and a uniform depth of approximately 128 feet, for a total lot size of approximately 11,812 square feet. The project site is located within the Wilshire Community Plan, the R4-1 Zone, and designated for High Medium Residential land uses. The site is located within the boundaries of the Wilshire Center-Koreatown Redevelopment Project Area. The site is located within the City of Los Angeles Transit Priority Area, Qualified Historically Underutilized Business Zone (HUBZone) until December 31, 2021, the Los Angeles State Enterprise Zone, Los Angeles Promise Zone, and Urban Agriculture Incentive Zone. The project site also lies within the Puente Hills Blind Thrust fault zone. There are no schools within 500 feet of the project site.

The project site is improved with two (2) single-story and one (1) two-story multifamily residential structure, one (1) detached garage, and five (5) nonprotected trees on site with no trees in the public right-of-way. The original structures were constructed in 1918 and 1921. Per the October 13, 2020 communication from the Los Angeles Office of Historic Resources, these structures are not eligible as historic resources. A shared-use, community driveway easement is located at the southern side of the project site; covenant and agreement 88-780831 as recorded with the Los Angeles County Recorder's Office date stamped on May 16, 1988. The driveway is 20 feet in width, with 5 feet of the drive located on the southern portion of the project site.

Surrounding properties are all within the R4-1 Zone, designated for High Medium Residential land uses, and generally developed with one- to three-story multifamily residential buildings. The adjoining property to the north is improved with a three-story multifamily residential building, and the adjoining property to the south is improved with a single-story multifamily residential building. The adjoining properties to the east at the rear of the site, are improved with two- and three-story residential buildings. The neighboring properties across Dewey Avenue to the west, are improved with a two-story multi-family residential building and a surface parking lot for the Johrei Fellowship Temple.

The project is granted the following Base and Additional Incentives of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program per Case No. DIR-2019-6879-TOC:

- Base Incentives:
  - A 70-percent increase in density to allow a total of 51 units in lieu of 30 base units.
  - A 20-percent increase in the floor area ratio to allow 3.59:1 in lieu of 3:1.
  - A minimum of 26 automobile parking spaces for a 51-unit residential development.
- Additional Incentives
  - A 30-percent reduction in the required side yard setbacks to allow a minimum of 5.6 feet for both side yards in lieu of the minimum 8 feet as otherwise required by LAMC Section 12.11 C.2.
  - A 2-foot reduction in the rear yard setback to allow a minimum of 15 feet for the rear yard in lieu of the minimum 17 feet as otherwise required by LAMC Section 12.11 C.3.
  - A 1,275 square-foot reduction in the usable open space to require a minimum of 3,900 square feet in lieu of the minimum 5,175 square feet as otherwise required by LAMC Section 12.21 G.2.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance, pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs regulate impacts related to air quality, construction and operational noise and will ensure the project will not have significant impacts on air quality, noise and water.

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 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 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 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 project does not exceed the threshold criteria established by LADOT for preparing a traffic study per the email from LADOT dated July 21, 2020, and no haul route is required per an email from LADOT dated October 15, 2020. Therefore, the project will not have any significant impacts to traffic. 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.

The project site will be adequately served by all public utilities and services given that the construction of a multi-family building will be on a site which has been previously developed. The site is currently 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.

There are six (6) known approved projects of the same multi-family residential development type within 500 feet of the subject site:

- DIR-2015-4172-DB – Approval of a six-story, 19 unit multifamily residence with three (3) units reserved for Low Income Households, utilizing Density Bonus incentives, located at 954 South Catalina Street.
- DIR-2016-4209-DB – Approval of a six-story, 69 unit multifamily residence with three (3) units reserved for Very Low Income Households and eight (8) units reserved for Low Income Households, utilizing Density Bonus incentives, located at 923 South Kenmore Avenue.
- DIR-2016-4309-DB – Approval of a seven-story, 21 unit multifamily residence with two (2) units reserved for Very Low Income Households and two (2) units reserved for Low Income Households, utilizing Density Bonus incentives, located at 2974 West San Marino Street.
- DIR-2017-3720-TOC – Approval of a six-story, 50 unit multifamily residence with five (5) units restricted to Extremely Low Income Households, utilizing the Transit Oriented Communities Affordable Housing Incentive Program incentives, located at 966-974 South Kenmore Avenue.
- DIR-2018-3005-TOC – Approval of a six-story, 30 unit multifamily residence with three (3) units reserved for Extremely Low Income Households, utilizing the Transit Oriented Communities Affordable Housing Incentive Program incentives, located at 924-926½ South Catalina Street.
- DIR-2019-3502-TOC – Approval of a six-story, 75 unit multifamily residence with two (2) units reserved for Extremely Low Income Households, two (2) units reserved for Very Low Income

Households, and 70 units reserved for Low Income Households, utilizing the Transit Oriented Communities Affordable Housing Incentive Program incentives, located at 923-937 South Kenmore Avenue.

The proposed project as well as the six (6) approved projects may create environmental impacts on the surrounding area. However, both of these projects are 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. As such, the proposed project is not expected to result in cumulative impacts.

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 16 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. The project is located in the Puente Hills Blind Thrust fault zone, however a fault study is not required since the site is not located within the Alquist-Priolo Fault Zone. A Soils Report Approval Letter was received from the Grading Division of the Los Angeles Department of Building and Safety on June 11, 2020. The project 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. In addition, the existing structures located at 944-952½ Dewey Avenue were not identified in SurveyLA and in an email dated October 13, 2020, the Los Angeles Office of Historic Resources confirmed that property is not an historical resource for CEQA purposes. 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.