

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-2020-4249-TOC-SPP-VHCA

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-4250-CE

PROJECT TITLE

DIR-2020-4249-TOC-SPP-VHCA

COUNCIL DISTRICT

13 – O'Farrell

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

4750 West Santa Monica Boulevard (4750-4760 W. Santa Monica, 1033-1039 N. New Hampshire Avenue)

Map attached.

PROJECT DESCRIPTION:

The demolition of one (1) commercial building, one (1) storage building, one (1) two-story single-family dwelling and accessory buildings for the construction, use and maintenance of an eight-story, with at-grade and subterranean parking levels, mixed-use building with 76,719 square feet of total floor area consisting of 85 dwelling units and 1,137 square feet of commercial floor area. The project proposes to grade and export approximately 14,000 cubic yards of earth and remove 9 street trees.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Jared Brenner-Goldstein (Applicant) / Pedro Davila (Owner)

CONTACT PERSON (If different from Applicant/Owner above)

Matthew Hayden

(AREA CODE) TELEPHONE NUMBER

(310) 614-2964

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) 15332/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

In-fill development meeting the conditions described in CEQA Guidelines 15332: (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

Danalynn Dominguez

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Transit Oriented Communities (TOC), Project Permit Compliance Review (SPP)

FEE:

\$5,774 + surcharges

RECEIPT NO.

2020205001-66-1

REC'D. BY (DCP DSC STAFF NAME)

Maxfield Vermey

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

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EXECUTIVE OFFICES

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

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VACANT
DEPUTY DIRECTOR

JUSTIFICATION FOR CATEGORICAL EXEMPTION CASE NO. ENV-2020-4250-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 Section 15332 (Class 32), Case No. ENV-2020-4250-CE.

The proposed project is for demolition of the existing one (1) commercial building, one (1) storage building, one (1) two-story single-family dwelling, and accessory buildings, and the construction, use and maintenance of an eight-story, mixed-use building, with two (2) levels of subterranean parking, 76,650 square feet of floor area, consisting of 85 dwelling units and 1,137 square feet of commercial floor area, measuring 97 feet in height. The project consists of 3,980 square feet of common open space, 13 parking spaces at grade, and 59 parking spaces within two (2) subterranean levels. The project is setting aside 11 percent of the total 85 units and more than seven (7) percent of the base 47 units, respectively, for Extremely Low Income Households. The building will contain 76,650 square feet of floor area with a 4.09:1 FAR. The unit mix will be comprised of 21 studios, 57 one-bedroom units, 2 two-bedroom units, and 5 four-bedroom units. There will be 72 residential automobile parking spaces, 2 commercial automobile parking spaces, 48 residential bicycle parking spaces, four (4) commercial bicycle parking spaces, and 6,930 square feet of usable open space. The number of units and size is not unusual for the vicinity of the subject site and is similar in scope to other existing multi-family dwellings in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

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

The project is located at 4750 West Santa Monica Boulevard (4750, 4760 W. Santa Monica Boulevard; 1033, 1037, 1039. N. New Hampshire Avenue) within the Hollywood Community Plan. There are currently 17 projects dating back to January 29, 2015, which are either currently filed with the Department of City Planning or have received a Letter of Determination from the Department of City Planning, but have yet to receive a Certificate of Occupancy from the Los Angeles Department of Building and Safety (LADBS). As such, there are projects within 1,500 feet of the same type and in the same place as the subject project at the time of filing, July 17, 2020, which is the CEQA baseline.

PROJECTS WITHIN A QUARTER-MILE FROM THE SUBJECT SITE (filed or filed and approved prior to the CEQA baseline, July 17, 2020)			
Address	Case Number	Date Filed	Scope of Work
1245 N. New Hampshire Avenue	DIR-2016-3002-SPP	08/15/2016	New 9-unit residential project
1227 N. Berendo Street	DIR-2020-2780-TOC-SPP-HCA	04/24/2020	New 17-unit residential project
1225 N. Vermont Avenue	DIR-2019-909-TOC-SPP	02/13/2019	New 58-unit mixed-use building
1223 N. Edgemont Street	DIR-2017-2402-DB-SPP	06/15/2017	New 13-unit residential project
4647 W. Lexington Avenue	DIR-2017-3139-SPP	08/07/2017	New 5-unit residential project
4651 W. Lexington Avenue	DIR-2017-3138-SPP	08/07/2017	New 5-unit residential project
1200 N. Vermont Avenue	DIR-2019-1254-TOC-SPP	03/04/2019	New 29-unit mixed-use building
1179 N. Heliotrope Drive	DIR-2015-435-SPP	01/29/2015	New 2-unit residential project
1148 N. Berendo Street	DIR-2020-1371-TOC-SPP-HCA	03/02/2020	New 8-unit residential project
1114 N. Vermont Avenue	DIR-2016-1282-SPP	04/12/2016	New 9,321 square-foot commercial building
1119 N. Berendo Street	DIR-2017-1989-SPP-SPPA	05/18/2017	New 4-unit residential project
1111 N. Kenmore Avenue	DIR-2017-2254-DB	06/07/2017	New 24-unit residential project
4575 W. Santa Monica Boulevard	DIR-2018-347-TOC-SPP-SPPA	01/19/2018	New 16-unit residential project

4632 W. Santa Monica Boulevard	DIR-2019-337-SPP-SPPA-TOC-SPR	01/16/2019	New 177-unit mixed use building
1015 N. Vermont Avenue	DIR-2019-5645-TOC-SPP-SPR	09/23/2019	New 187-unit mixed use building
1040 N. Kenmore Avenue	DIR-2020-667-TOC-SPP-SIP	01/30/2020	New 62-unit residential project
866 N. Edgemont Street	DIR-2019-7479-SPP	12/16/2019	New 2-unit residential project

According to SCAQMD, individual construction projects that do not exceed the SCAQMD's recommended daily thresholds for project-specific impacts would not cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. 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-related daily emissions at the project site would not exceed SCAQMD's regional or localized significance thresholds. Furthermore, an Air Quality Study prepared by Rincon Consultants, Inc. in June 2020, concluded that any cumulative impacts would be less than significant. Therefore, the project's contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. Construction of the project also would have a less-than-significant impact with regard to localized emissions.

As noise is a localized phenomenon and decreases in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed project to result in cumulatively considerable noise impacts. These above noted projects will begin construction and end construction at different timelines, with minor overlap between projects. Furthermore, a Noise Study prepared by Rincon Consultants, Inc. in June 2020, concluded that any cumulative impacts would be less than significant. Thus, the construction of these known projects will be staggered and therefore do not have the potential to cumulatively contribute to air quality, construction traffic, and noise levels.

As mentioned, the project proposes a mixed-use building containing 85 dwelling units in an area zoned and designated for such development, through the use of an 80% density increase through the TOC Affordable Housing Incentive Program in exchange for affordable housing. All surrounding lots are developed with multi-family buildings, mixed-use, and commercial buildings. The project proposes a FAR of 4.09:1 which is within the maximum 4.35:1 FAR otherwise permitted by Subarea C of the SNAP in conjunction with a 45 percent increase permitted per the TOC Affordable Housing Incentive Program in exchange for affordable housing. The proposed building will be eight-stories, with at-grade parking and two levels of subterranean parking levels, in an area that is currently developed with buildings that range in height from one- to two-stories. In conjunction with the TOC Affordable Housing Incentive Program, the proposed building will not be unusual for the vicinity of the subject site, and will be similar in scope to future mixed use or residential buildings in the area that use the TOC Affordable Housing Incentive Program in exchange for affordable housing. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

As it relates to development along a 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. State Route 27 is located approximately 17 miles to the west of the subject property. Therefore, the subject site will not create any impacts within a designated state scenic highway. In regards to Hazardous Waste sites, 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 such, the project would not be developed on a site identified as a hazardous site pursuant to Section 65962.5 of the Government Code.

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. Furthermore, a Historic Resource Assessment Report prepared by Rincon Consultants, Inc. on June 2020, concluded that the existing mixed-use building, storage building, and two-story single-family dwelling are not historic resources for purposes of CEQA. The Department of City Planning, Office of Historic Resources confirmed that the existing mixed-use building, storage building, and two-story single-family dwelling are not considered historic for the purposes of CEQA per an email dated January 17, 2020. 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.

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 a 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.

Lots 18 and 19 are zoned C2-1D and Lot 20 is zoned R4-1D and have a General Plan Land Use Designation of Highway Oriented Commercial. As shown in the case file, the project is consistent with the applicable Hollywood Community Plan designation and policies and all applicable zoning designations and regulations in conjunction with the TOC Affordable Housing Incentive Program. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.43 acres. The surrounding area is characterized by level topography, improved streets and residential development. Properties to the north, west and east are zoned C2-1D and R4-1D, developed with commercial and residential uses, and located within Subarea C (Community Center) of the SNAP. The property to the south is zoned RD1.5-1XL and is developed with residential uses and located within Subarea C (Community Center) of the SNAP.

The site previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. Moreover, a Tree Report prepared on January 19, 2020 by Leonard Markowitz, Certified Arborist #WE0342, concluded that there are no protected trees on-site and nine (9) existing nonsignificant trees in the public right of way. The nine (9) street trees are proposed to be removed from the public right-of-way. 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 will ensure the project will not have significant impacts on noise and water. Furthermore, the City of Los Angeles Vehicle Miles Traveled (VMT) Calculator resulted in the proposed project having a net increase of 232 daily vehicle trips and a net increase of 1,336 daily VMT. Based on the VMT Calculator, the project is not required to perform VMT analysis under the VMT standards. The project provided a Trip

Generation Analysis prepared by Crain and Associates, dated May 26, 2020 to the City of Los Angeles Department of Transportation (LADOT). On July 17, 2020, LADOT confirmed that a traffic study is not required for this project. Therefore, no foreseeable cumulative impacts are expected. 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 mixed-use building will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32. As the project has been found to be categorically exempt from CEQA, the project is not anticipated to have a negative effect on the environment and no mitigation measures are required.