

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act 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). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY City of Los Angeles Department of City Planning	COUNCIL DISTRICT 14
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PROJECT TITLE ZA-2017-4610-CU-MCUP-SPR	LOG REFERENCE ENV-2017-3933-CE
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PROJECT LOCATION 949 South Hope Street

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: New 27-story, 274-foot tall, 236-unit residential tower on top of a 17-foot tall podium with retail and restaurant uses on the ground floor.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY: Forest City Southpark Two, LLC
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CONTACT PERSON Andrew Brady, DLA Piper LLP	AREA CODE 213	TELEPHONE NUMBER 694-3108	EXT.
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EXEMPT STATUS: (Check One)			
	STATE CEQA GUIDELINES	CITY CEQA GUIDELINES	
☐ MINISTERIAL	Sec. 15268	Art. II, Sec. 2b	
☐ DECLARED EMERGENCY	Sec. 15269	Art. II, Sec. 2a (1)	
☐ EMERGENCY PROJECT	Sec. 15269 (b) & (c)	Art. II, Sec. 2a (2) & (3)	
☒ CATEGORICAL EXEMPTION	Sec. 15300 <i>et seq.</i>	Art. III, Sec. 1	
Class <u>32</u> Category _____ (City CEQA Guidelines)			
☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.)			

JUSTIFICATION FOR PROJECT EXEMPTION:

PROJECT DESCRIPTION

The proposed project includes the demolition of an existing three-story office building and the construction, use, and maintenance of a 251,222 square-foot, 27-story, residential tower with 236 residential apartment units and 6,645 square feet of commercial floor area. The proposed project includes 180 automobile parking spaces, 138 long-term bicycle parking spaces, and 30 short-term bicycle parking spaces. The project proposes a total of 251,222 square feet of floor area throughout the entire project site. According to a Tree Report dated September 27, 2017, the proposed project will result in the removal of a five (5) trees. There are a total of 96 existing trees on the subject site; 91 of these trees will be preserved and retained in place. All 21 existing street trees will be preserved and retained in place. There are no protected trees located on the property.

Properties to the north across West 9th Street are zoned C2-4D and are improved with mixed-use commercial and residential uses. Properties to the west across South Flower Street are zoned C2-4D-SN and [Q]R5-4D-SN and are improved with multi-family residential and mixed-use commercial and residential uses. Properties to the south abutting the subject property are zoned [Q]R5-4D and are improved with the Standard Oil Company Building, Los Angeles Historic-Cultural Monument No. 340. Properties to the south across West Olympic Boulevard are zoned [Q]R5-4D-O and are improved with multi-family residential uses and surface parking lots. Properties to the east across South Hope Street are

zoned [Q]R5-4D and OS-4D and a neighborhood improved with mixed-use commercial and institutional uses, Grand Hope Park, and the Fashion Institute of Design and Merchandising (FIDM).

The project site is located in the Central City Community Plan with a High Density Residential general plan land use designation. The site is zoned [Q]R5-4D. The site is also located in a Los Angeles State Enterprise Zone, the Downtown Design Guide Project Area, the Greater Downtown Housing Incentive Area, an MTA Project area, and a Los Angeles Transit Priority Area.

The project involves a Conditional Use to allow a transient occupancy residential structure in the R5 Zone, a 20% reduction in parking requirements, a Master Conditional Use Permit (MCUP) to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with one (1) proposed restaurant and to allow for the sale and dispensing of beer and wine only for on-site consumption in conjunction with two (2) proposed restaurants, for a total of three (3) restaurants. All restaurants seeking to utilize the requested MCUP would have maximum hours of operation from 7:00 a.m. to 2:00 a.m., daily, with a combined floor area of 10,010 square feet consisting of 6,699 square feet indoors and 3,311 square feet outdoors, and a Site Plan Review for a development project resulting in a net increase of 50 or more residential units.

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 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.

- (a) The proposed project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations. The Central City Community Plan Map designates the property for High Density Residential land uses with a corresponding zone of R5. The property is zoned [Q]R5. The [Q] Condition allows commercial uses provided the floor area of all commercial uses does not exceed 2:1 F.A.R. As such, the proposed construction of a 236-unit multi-family residential building would be permitted by the Zone and is located on property currently designated for such development in the General Plan.

The Central City Community Plan establishes the following Goals, Objectives, and Policies that relate to the proposed project:

- Objective 1-1: To promote development of residential units in South Park.
- Policy 1-1.1: Maintain zoning standards that clearly promote housing and limit ancillary commercial to that which meets the needs of neighborhood residents or is compatible with residential uses.
- Objective 1-2: To increase the range of housing choices available to Downtown employees and residents.
- Objective 2-1: To improve Central City's competitiveness as a location for offices, business, retail, and industry.

The project includes the demolition of an existing three-story office building and the construction, use, and maintenance of a 251,222 square-foot, 27-story, residential tower with 236 residential apartment units and 10,010 square feet of ground floor commercial space (6,699 square feet indoors and 3,311 square feet outdoors). The project proposes an increase in residential units in the Central City Community Plan. The project is proposed in an area that is zoned for and developed with similar uses. The proposed project is also located within one half mile of the Pico Metro Blue and Expo Line station and is within less than 500 feet of a variety of Metro Bus lines. As the project is consistent with the General Plan and the applicable zoning regulations; the project complies with subsection a.

- (b) The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses. The proposed development is wholly within the City of Los Angeles and is on a 1.68 acre site (i.e., less than five acres). The project site is surrounded by urban uses, as it is infill construction within a mixed-use urban area; and not located in a farmland or agricultural designated area. The neighborhood is fully built out with a variety of development including mixed-use, residential, and institutional uses and this proposed project will be consistent with the developments in the area, in compliance with subsection b.

- (c) The project site has no value as habitat for endangered species, rare, or threatened species. The project is located in the South Park neighborhood of the Central City Community Plan area, which is a developed mixed-use neighborhood

adjacent to several major employment centers in the urban core of Los Angeles. Further, no protected trees are proposed for removal from the project site.

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

In regards to 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 demolition of an existing three-story office building and the construction, use, and maintenance of a 251,222 square-foot, 27-story, residential tower with 236 residential apartment units and 10,010 square feet of ground floor commercial space (6,699 square feet indoors and 3,311 square feet outdoors). Proposed projects that exceed daily peak morning/evening trip count thresholds established by the Los Angeles Department of Transportation require a traffic analysis or study. According to a Transportation Impact Study prepared by Gibson Transportation Consulting dated December 2017, the proposed project is expected to result in a net increase of 791 new trips per day, including approximately 53 net trips during the A.M. peak hour and 50 net trips during the P.M. peak hour. In addition, according to a Department of Transportation Traffic Assessment dated May 9, 2018, "based on DOT's traffic impact criteria, the proposed development will not result in any significant traffic impact at the thirteen intersections that were identified for detailed analysis. The results of the traffic analysis adequately evaluated the project's traffic impacts on the surrounding community." Therefore, no mitigation would be necessary and the project would not result in any significant impacts related to traffic.

In regards to noise, construction activities can generate varying degrees of noise and vibration, depending on the construction procedures and the type of construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Unless heavy construction activities are conducted extremely close (within a few feet) to the neighboring structures, vibrations from construction activities rarely reach the levels that damage structures. In addition, the project would be required to comply with LAMC Section 41.40, which requires limitations imposed on construction activities. Additionally, new stationary sources of noise, such as mechanical HVAC equipment, would be installed on the proposed development. The design of the equipment will be required to comply with LAMC Section 112.02 and 112.05, which prohibit noise from air conditioning, refrigeration, heating, pumping, and filtering equipment from exceeding the ambient noise level on the premises of other occupied properties by more than five dBA. With implementation of the regulations that address construction activities and mechanical equipment, the project would result in a less than significant impact related to construction and operational vibration and noise. In addition, the project would be required to comply with LAMC Section 41.40, which requires limitations imposed on construction activities. Further, the applicant's consultant Environmental Science Associates (ESA) prepared a Noise Analysis, dated March 28, 2018, reviewing the potential impacts of construction noise, operational noise, construction vibration, and operational, vibration from the proposed project on the surrounding environment. According to the Noise Analysis, "Project construction demolition activities would not result in any significant noise impacts." In addition, the proposed project includes several project design features that will reduce the quantity of noise emitted from the project site. According to the Noise Analysis, operation of the project would not result in an incremental increase in noise originating from traffic, fixed-mechanical equipment, loading docks, refuse collection areas, parking structure, or open space. In addition, according to the Noise Analysis, vibration structural damage impacts and vibration human annoyance impacts would be less than significant. With implementation of the regulations that address construction activities and mechanical equipment, the project would result in a less than significant impact related to construction and operational vibration and noise.

In regards to air quality, 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. 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. The proposed project is not expected to conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The proposed project is also subject to the City's Green Building Program Ordinance (Ord. No. 179,890), which was adopted to reduce the use of natural resources, create healthier living environments, and minimize the negative impacts of development on local, regional and global ecosystems. Further, according to an Air Quality Analysis prepared by Environmental Science Associates (ESA), the proposed project is not expected to exceed SCAQMD regional significance thresholds for construction of air quality. In addition, according to the same report, the proposed project is not expected to exceed SCAQMD localized significance thresholds for construction or operations. Therefore, the project would not result in any significant impacts to air quality.

In regards 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 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 proposed project has been reviewed by City staff, and can be adequately served by all required utilities and public services. The project site will be adequately served by all required public utilities and services given that 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. 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 construction of a 236-unit residential apartment dwelling units and xyz commercial. Based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

CEQA SECTION 15300.2: EXCEPTIONS TO THE USE OF 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. None of the exceptions are triggered for the following reasons:

- 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 effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized 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.*

The project qualifies for a Class 32 Categorical Exemption. Because the proposed project is not defined as a Class 3, 4, 5, 6 or 11 project, this exception is inapplicable. The project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats. Based on a review of the data reported on the Department of City Planning's ZIMAS for the subject property, the site is not located within an Airport Hazard Area, Coastal Zone, Farmland Area, Flood Area, High Wind Velocity Area, Oil Well Area, Liquefaction Zone, Landslide Zone, Very High Fire Hazard Severity Zone, Special Grading Area, Methane Hazard Site, or Preliminary Fault Rupture Study Area. According to ZIMAS, the project site is not located within the Alquist-Priolo Fault Zone but indicates that the site is located within the Santa Monica Fault Zone. As such, exception (a) does not apply.

- B. **Cumulative Impact.** *The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

Cumulative impacts related to the construction of the proposed project can be assessed by considering the quantity of projects of the same type in the same place. Projects of the same type as the proposed project are limited to the construction of mid-rise multi-family residential structures or other projects of the same scale. South Hope Street is located in the Central City Community Plan and is located in the vicinity of other multi-family apartment buildings and commercial structures. Projects in the same place are limited to projects within 500 feet of the subject site. According to ZIMAS, within the past five (5) years, there have been six (6) proposed projects within 500 feet of the proposed project site. According to the Department of City Planning Planning Case Tracking System (PCTS), the six (6) projects are in varying stages of the Planning process, as of April 25, 2018, as summarized below:

- Project located at 888 South Hope Street. No planning case for project. Project Building Permits were issued on August 23, 2016. Project Status: Under Construction (Late Stages)
- DIR-2016-2297-SPPA-SPP / DIR-2015-97-SPR – Proposed project located at 700 West 9th Street. Project application was approved by the City Planning Commission on February 29, 2016. Project Building Permits were issued on August 4, 2016. Project Status: Under Construction (Late Stages)

- Project located at 900 South Figueroa Street. Project Status: Completed
- CPC-2017-173-TDR-BL-MCUP-SPR – Proposed project located at 913 South Figueroa Street. Project application filed with the Department of City Planning on January 17, 2017. Project Status: Pending Entitlements
- CPC-2015-1158-SN-TDR-MCUP-CUX-SPR – Proposed project located at 1020 South Figueroa Street, 716 West Olympic Boulevard, 607 West 11th Street, and 1041 South Flower Street. Project approved by the City Planning Commission on November 9, 2017. Project Status: Entitlements Approved; No Building Permits issued.
- DIR-2013-2455-SPR – Project located at 1000 South Grand Avenue. Project has been completed as of early 2017.

The proposed project located at 949 South Hope Street may create additional environmental impacts on the surrounding area. However, specific 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. Finally, 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 of the Central City Community Plan. 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, exception (b) does not apply.

- C. **Significant Effect Due To Unusual Circumstances.** *This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

The project proposes to construct a new, 236-unit, mixed-use development in an area zoned and designated for such development. Neighboring properties are developed with mixed-use multi-family, commercial, and institutional structures, and the subject site is of a similar size to nearby properties. The height and density are also permitted by the Zone. There are no special districts or other known circumstances that indicate a special or sensitive surrounding environment. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- D. **Scenic Highways.** *This exception applies when, although the project may otherwise be exempt, there may be 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.*

Based on a review of the California Scenic Highway Mapping System (http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/), subject site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site. Based on this, the proposed project will not result in damage to scenic resources including trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

- E. **Hazardous Waste Sites.** *Projects located on a site or facility listed pursuant to California Government Code 65962.5.*

Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Based on this, the project will not result in a significant effect due hazardous waste and this exception does not apply.

- F. **Historical Resources.** *Projects that may cause a substantial adverse change in the significance of an 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. The proposed project is located adjacent to the Standard Oil Building, located at 601-605 West Olympic Boulevard and 953 South Hope Street. The Standard Oil Building is designated as Los Angeles Historic-Cultural Monument #340, was determined eligible for listing in the National Register of Historic Places, and is listed on the California Register of Historic Resources. A Historical Resource Technical Report was prepared to assess the proposed project's impacts on the Standard Oil Building. According to the Historical Resource Technical Report, prepared by GPA Consulting and dated August 2017, the project would have no direct impacts on historical resources. The report also reviewed potential indirect impacts on the Standard Oil Building, stating that the project would have a less than significant impact under CEQA Guidelines. According to the report, no mitigation measures are required or recommended. 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.

In conclusion, since the project meets all of the requirements of the categorical exemption set forth at CEQA Guidelines, Section 15303 and none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from the requirements of CEQA.

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

SIGNATURE 		TITLE PLANNING ASSISTANT	DATE June 24, 2018
FEE: \$2,280.00	RECEIPT NO. 0103795451	REC'D. BY Maria Martinez Maza	DATE September 28, 2017

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 1-31-06 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE