

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

Haul Route Application

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2019-7657-CE

PROJECT TITLE

N/A

COUNCIL DISTRICT

13

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

1027, 1029, 1031, 1035, 1035 1/4, 1035 1/2, 1037, 1037 1/2 North Bonnie Brae Street, Los Angeles, CA 90026

Map attached.

PROJECT DESCRIPTION:

Additional page(s) attached.

The demolition of seven (7) multi-family residential structures that contain a total of 33 dwelling units and the construction, use and maintenance of a four-story apartment building with 38 residential dwelling units above one level of subterranean parking. The proposed apartment building will measure 45 feet in height and contain 71,973 square feet of floor area on a site that totals 30,500 square feet of lot area. The project also includes the export of approximately 22,000 cubic yards of earth.

NAME OF APPLICANT / OWNER:

Bonnie Brae Properties, LLC

CONTACT PERSON (If different from Applicant/Owner above)

Steve Nazemi

(AREA CODE) TELEPHONE NUMBER

(714) 665-6569

EXT.

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

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) Section 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

The City of Los Angeles has determined based on the whole of the administrative record, that substantial evidence supports that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15332, Class 32 (Infill Development Project), and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The project was found to be exempt based on the following:

Section 15332, Class 32 - (Infill Development Project) consists of projects characterized as in-fill development meeting the following conditions: (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 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

Monique Acosta

Monique Acosta

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Haul Route

FEE:

\$5,774.00

RECEIPT NO.

0104132822

REC'D. BY (DCP DSC STAFF NAME)

Jason Chan

DEPARTMENT OF
CITY PLANNING
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2019-7657-CE

Project Description

The project is the demolition of seven (7) multi-family residential buildings that contain a total of 33 residential dwelling units and the construction, use and maintenance of a four-story, apartment building with 38 residential dwelling units above one level of subterranean parking that contains 86 vehicle parking spaces and 42 bicycle parking spaces. The new apartment building will measure a maximum 45 feet in height and consist of 71,973 square feet of floor area on a site that totals 30,500 square feet of lot area. The project also includes the export of approximately 22,000 cubic yards of earth. As a new apartment building developed on an infill site, this project qualifies for a Class 32 Categorical Exemption.

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

The City has considered whether the proposed project is subject any of the five (5) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The five (5) exceptions to this Exemption are: (a) Cumulative Impacts (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

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

According to Navigate LA, there are eight (8) haul route approvals, and four (4) haul route applications being processed within 500 feet of the subject site.

The approved haul routes are for the following properties and during the following timeframes:

- 8777 – 8781 W. Hollywood Boulevard – approved from January 8, 2019 to July 8, 2021
- 8765 – 8771 W. Hollywood Boulevard – approved from January 8, 2019 to July 8, 2021
- 1920 – 1922 N. Whitely Avenue – approved from March 19, 2019 to September 19, 2021
- 306 S. Union Place – approved from August 27, 2019 to February 27, 2022
- 955 North Everett Street – approved from December 4, 2019 to June 4, 2022
- 1003 – 1015 North Everett Street – approved from July 9, 2019 to January 9, 2022
- 1346 – 1354 West Court Street – approved from March 27, 2018 to September 27, 2020
- 1269 and 1301 West Colton Street – approved from March 27, 2018 to September 27, 2020

The haul route applications being processed are for the following properties:

- 1700 N. Viewmont Drive
- 1422 North Devlin Drive
- 326-328 South Reno Street
- 1275 West Sunset Boulevard

The Haul Route Questionnaire states that there will be 40 trips per day with a truck capacity of 20 cubic yards for a total of 800 cubic yards exported per day for a total number of 28 days and a total export amount of 22,000 cubic yards of dirt. The haul route approval will be subject to recommended conditions prepared by the Los Angeles Department of Transportation (LADOT) to be considered by the Board of Building and Safety Commissioners that will reduce the impacts of construction related hauling activity, monitor the traffic effects of hauling, and reduce haul trips in response to congestion. Furthermore, the Department of Building and Safety (DBS) staggers the haul route schedules so as to ensure that all of the haul routes do not occur simultaneously. Therefore, in conjunction with citywide Regulatory Control Measures (RCMs) and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

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 demolition of seven (7) multi-family residential buildings that contain a total of 33 residential dwelling units and the construction, use and maintenance of a four-story, 71,973 square-foot, apartment building with 38 residential dwelling units above one level of subterranean parking in an area zoned and designated for such development.

Adjacent lots are developed with single-family and multi-family structures that range in height from one- to five-stories, Echo Park, Angelus Temple, an eight-story office building for Citibank, and low scale commercial development along Sunset Boulevard and Alvarado Street that includes uses like retail, restaurant, gasoline station and car wash. The subject site is of a similar size and slope to nearby properties as it is proposing a four-story apartment building that consists of 71,973 square feet of floor area, a Floor Area Ratio (FAR) of a 2.92, and a building height of a maximum 45 feet. The proposed project complies with the density and FAR allowed in the R3-1VL Zone. The project is not unusual for the vicinity of the subject site, and is similar in scope to other existing residential uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment, and this exception does not apply.

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

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The project site is approximately 23 miles east of this location. Therefore, the project will not result in damage to any scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

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

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

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

The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Additionally, a historic resource assessment report was prepared by Historic Resource Group dated March 17, 2020. The report recommends the subject properties do not warrant further consideration or additional analysis as historical resources as defined by CEQA. The Office of Historic Resources has reviewed the report prepared by Historic Resource Group dated May 15, 2020 and concurs with the recommendation that the subject properties do not appear eligible for listing at the federal state, or local levels and do not warrant further consideration or additional analysis as historical resources. Finally, the City does not choose to treat the site as a historic resource.

Based on this, the project will not result in a substantial adverse change to the significance of a historic resource. 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.

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 conditions as follows: (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 project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations.*

The site is currently developed with seven (7) multi-family residential structures. The site is zoned R3-1VL and has a General Plan Land Use Designation of Medium Residential.

The applicant is utilizing the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (Tier 1) and setting aside restricted affordable units in order to qualify for the base incentives for an increase in density (up to 50 percent), and increase in floor area, and a reduction in parking requirements, pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.31. The site is zoned C1-1VL and is limited to a density that is permitted in the R3 Zone (minimum area of 800 square feet per dwelling unit) and a 1.5:1 FAR. With the TOC base incentives, the proposed project will comply with the density and FAR allowed in the C1-1VL Zone. Therefore, the project is consistent with the applicable Silver Lake – Echo Park – Elysian Valley Community Plan designation and policies and all applicable zoning designations and regulations.

- (b) *The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses.*

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.70 acres (30,500 square feet). The proposed development is substantially surrounded by urban uses. Lots adjacent to the subject site are developed with single-family residential dwellings, multi-family residential dwellings, Echo Park, commercial development that includes retail and restaurant, office, and institutional (Angelus Temple).

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

The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. There are no protected trees on the site, as stated in the Tree Report prepared by Shelly Sparks from Harmony Gardens dated November 18, 2019. The Tree Report states that there are no protected trees on the site or on an adjacent site; however, there are eight (8) non-protected trees on the site that are proposed to be removed. These trees will be replaced at a one-to-one (1:1) ratio.

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

The subject site is located within a Hillside Area and Special Bureau of Engineering (BOE) Grading Area; however, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Specifically the following RCM would apply:

- **Regulatory Compliance Measure RC-GEO-2 (Hillside Grading Area):** The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory

Agency and the Department of Building and Safety's Grading Division. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

As previously mentioned, the project will be subject to Regulatory Compliance Measures (RCMs). These 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 reduce any potential impacts on noise and water to less than significant.

Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. The project will also be governed by an approved haul route under City Code requirements, which will regulate the route hauling trucks will travel, and the times at which they may leave the site, thereby reducing any potential traffic impacts to less than significant. 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.

Interim thresholds were developed by Department of City Planning (DCP) staff based on CalEEMod model runs relying on reasonable assumptions, consulting with South Coast Air Quality Management District (SCAQMD) staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

(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 public utilities and services given that the construction of a 38-unit, four-story, apartment 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.

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY

ATTACHMENT 2

ENVIRONMENTAL REVIEW QUESTIONNAIRE

JOB ADDRESS: 1027/1037 N. Bonnie Brae Ave., Los Angeles, CA 90026

Briefly describe the complete project and include the proposed amount of Import/Export of soil for hauling and the number of residential units, if applicable:

Export of 22,000 C.Y. of soil from the site for 38 residential units.

DEPARTMENT OF CITY PLANNING OR PUBLIC WORKS USE ONLY:

- The Department of City Planning has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has determined it qualifies for a Categorical Exemption (CE) per the attached Notice of Exemption. (Case No. ENV-2019-7657-CE)

The Notice of Exemption references the following amount of import/export of soil to be hauled: 22,000 cubic yards

- The Department of City Planning or Public Works has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has prepared or has had another agency prepare the ATTACHED Mitigated Negative Declaration (MND). (Case No. N/A)

The circulation end date for the above mentioned MND is: N/A

The MND references the following amount of import/export of soil to be hauled: N/A cubic yards

Mitigated measures for hauling are found on the following MND pages: N/A

Check one of the following boxes:

- No Comments were received during the circulation period.
- Yes, Comments were received during the circulation period. These comments and written responses from the agency that prepared the MND are ATTACHED with the MND referenced above.

- The Department of City Planning or Public Works has analyzed this project, which includes the import/export of soil and hauling, and pursuant to State and City Environmental Quality Act (CEQA) Guidelines, has prepared or has had another agency prepare the ATTACHED Environmental Impact Report (EIR). (Case No. N/A)

The circulation end date for the above mentioned EIR: N/A

The EIR references the following amount of import/export of soil to be hauled: N/A cubic yards

Mitigated measures for hauling are found on the following EIR pages: N/A

Check one of the following boxes:

- No Comments were received during the circulation period.
- Yes, Comments were received during the circulation period. These comments and written responses from the agency that prepared the EIR are ATTACHED with the EIR referenced above.

Monique Acosta, City Planning Associate

Monique Acosta

May 28, 2020

(213) 978-1173

Print: Name of Planning/Public Works staff

Signature

Date

Telephone Number