

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)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 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-2022-2825-TOC-SPR-HCA

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

ENV-2022-2826-CE

PROJECT TITLE

3363 Olympic Boulevard

COUNCIL DISTRICT

5

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

Map attached.

**3363, 3365, 3355 Olympic Boulevard, 989 Saint Andrews Place; 3377 West Olympic Boulevard; 998, 996, 986, 984, 980, 974 Gramercy Drive**

PROJECT DESCRIPTION:

Additional page(s) attached.

Mixed-used, 7-story development with 174,415 square feet of floor rear with an FAR of 3.41:1. Project includes 4,800 square feet of commercial space as well as 153 dwelling units.

NAME OF APPLICANT / OWNER:

**Dong Chul Shin**

CONTACT PERSON (If different from Applicant/Owner above)

**Hyeung Seok Kang**

(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 & 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) Class 32 (Urban Infill)

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

Project meets the requirements for a Class 32 Urban Infill Exemption and no exceptions to a categorical exemption apply to the project. Additional information is available with ENV-2022-2826-CE.

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

RICARDO VAZQUEZ

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Transit Oriented Communities Incentives; Site Plan Review

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

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## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2022-2826-CE

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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 includes the demolition of a 6,625 square foot commercial buildings and a 2,760 square foot auto service center, as well as an after-the-fact demolition of a 3,442 square foot nursery school building, and the construction, use, and maintenance of a seven-story mixed-use development containing 174,415 square feet of floor area, with a maximum floor area ratio (FAR) of 3.75:1. The project proposes 4,800 square feet of commercial uses and a total of 153 dwelling units, 137 of which will be market-rate and 16 will be restricted to Extremely Low-Income (ELI) Households. The building will have a maximum of 85 feet, as measured from grade to the highest point of the roof structure. The unit mix will be comprised of 114 one-bedroom units, 32 two-bedroom units, six (6) three-bedroom units and one (1) four-bedroom unit.

The project will provide 200 residential automobile parking spaces, of which 136 will be standard parking spaces, 40 will be EV, 20 will be EVSE and four (4) will be ADA accessible. Additionally, the project will provide seven (7) commercial parking spaces, of which three (3) will be standard parking spaces, two (2) will be EV, one (1) will be EVSE and one (1) will be ADA accessible. The project will also provide 102 long-term bicycle parking spaces and 11 short-term bicycle parking spaces for residential use along with three (3) long-term bicycle parking spaces and three (3) short-term bicycle parking spaces for commercial use. The parking facilities will be located along the ground floor and in two levels of subterranean parking.

A total of 12,540 square feet of usable open space, consisting of 8,140 common open spaces and 4,400 square feet of private open space, will be provided. The project will also be required to improve the pedestrian public right of way including removing a non-ADA compliant sidewalk along Olympic Boulevard, Saint Andrews Place and Gramercy Drive with new sidewalk to achieve ADA compliance. The project proposes grading and exporting of 57,525 cubic yards of earth.

The site is currently developed with a vacant commercial structure and an auto-repair facility. The site was also previously developed with a nursery. However, there was a fire at the nursery school building on 989 Saint Andrews Place on November 11, 2022, that resulted in substantial damage to the building, requiring its demolition due to safety concerns. On January 20, 2023, the project was issued a permit to allow the demolition of the structure (#23019-10000-00306). The demolition of the structure occurred during May 1 through May 9, 2023. For the purposes of this CEQA analysis there are no environmental issues or questions as to the historical value of the nursery that would have prohibited the demolition of said structure. On February 7, 2023, the Office of Historic Resources confirmed via email that none of the structures on the subject property are historical resources. As such, while demolition of structures on project sites undergoing a discretionary entitlement is generally not allowed, the need to address the public safety issue caused by the November 11, 2022 fire and the lack of environmental or historical resources issues related to these properties, the demolition of the nursery did not cause a negative environmental impact to an eligible historic resource.

On September 27, 2022, the applicant submitted a permit application to Los Angeles Department of Building and Safety (LADBS) for a new 7-story, 153-unit (16 ELI), mixed use building with five (5) residential levels over a two (2) story subterranean parking structure (Permit 22010-10000-04192).

The project is requesting the following Base and Additional Incentives of the Transit Oriented Communities (TOC) Affordable Housing Incentive Program per Case No. DIR-2021-4251-TOC:

- Base Incentives:
  - A 70 percent increase in density to allow 153 units in lieu of 90 base units.
  - A reduction in the automobile parking requirement to allow a minimum of 77 spaces for residential uses and 7 for commercial uses to be provided.
  - A Floor Area Ratio (FAR) increase to permit a maximum of 3.75:1 to allow 174,414 square feet.
  
- Additional Incentives
  - Height increase of 22 feet to a maximum of 67 feet in lieu of the 45 foot maximum in the R3-1 Zone to per LAMC Section 12.21.1.
  - Open Space. A 25 percent reduction in the usable open space requirement to allow a minimum of 12,469 square feet in lieu of the minimum 16,625 square feet, as otherwise required by LAMC Section 12.21 G.2;
  - Averaging of Density, Floor Area Ratio (FAR), Parking, Open Space and Vehicular Access. An averaging of floor area and density over the project site and permit vehicular access from a less restrictive zone to a more restrictive zone.

The project site is zoned C2-1 and R3-1 and designated as a site within the State Enterprise Zone: Los Angeles, Housing Element Inventory of Sites, Local Emergency Temporary Regulations - Time Limits and Parking Relief - LAMC 16.02.1, and Transit Priority Area in the City of Los Angeles. The site is not located in a historic district and is not identified as a historic resource. In an email dated

February 7, 2023, the Office of Historic Resources verified that the vacant nursery building, which was built in 1922, was not a historical resource.

The site is located approximately 1 kilometers from the Puente Hills Blind Thrust. The project site is approximately 51,124 square feet in size, which would permit a base density of 90 dwelling units. The project proposes the construction of 153 dwelling units, which exceeds the maximum density. In addition, the proposed height, total useable open space and the averaging of density, FAR, Parking Spaces, Vehicular Access are beyond that which is required by the Municipal Code. However, through the approval of the Director's Determination for the Base and Additional Incentives under the TOC Affordable Housing Incentive Program, the project would be consistent with the goals, objectives, and policies of the Community Plan and with the applicable zoning regulations.

The subject site is approximately 1.17 acres and is located wholly within the City of Los Angeles. Properties in the immediate surrounding area are zoned C2-1 and R3-1 and developed with a mix of single and multifamily residential structures as well as commercial developments. The surrounding properties are developed with urban uses. Properties to the south, across Olympic Boulevard, are zoned C2-1, designated for General Commercial, and improved with a three-story commercial building housing a community bank and a parking lot. To the west across Grammercy Drive and along Olympic there is a five-story hotel on a lot that is zoned C2-1, designated General Commercial. To the north of the hotel, along Gramerncy Drive, properties are zoned R3-1, designated Medium Residential and are improved with one and two story multifamily and single-family structures. Adjoining the subject property to the north along Grammercy Drive the lot is zoned R3-1, designated Medium Residential and improved with a 19-unit three story multifamily structure. The adjoining property to the north along Saint Andrew's Place the site is zoned R3-1, designated Medium Residential and improved with two to three story multifamily buildings. To the east of the subject project on Olympic the property is zoned C2-1, designated General Commercial and is improved with a one-story commercial structure that is currently used by automotive repair facilities. To the east of the subject project along Saint Andrews Place, north of the automotive repair facilities, the property is zoned R3-1, designated Medium Residential and improved with a two-story duplex. The subject site is located within a fully developed urban area. As such, the site does not contain or have value as a habitat for endangered, rare or threatened species, and is not located adjacent to any habitat for endangered, rare or threatened species.

The project proposes to remove four (4) street trees as the applicant will be required to improve the right-of-way under LAMC Section 12.37. Prior to any work on the right-of-way, the applicant will be required to obtain approved plans from the Department of Public Works. As there currently is no approved right-of-way improvement plan and for purposes of conservative analysis and the requirements of CEQA, Planning has analyzed the worst-case potential for removal of all street trees. Note, no street tree may be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. At the time of preparation of this CE, no approvals have been given for any tree removals in the right-of-way by BPW. Based on the above, Planning has required a Tree Report to identify all trees on the project site and in the right-of-way that could be impacted by the Project and to consider the potential removal of four (4) street trees and one (1) protected tree. As identified in the Tree Report prepared by Greg Applegate Certified Arborist (RCA #365) on December 15, 2022, there are 20 non-protected trees and one (1) protected tree on site, and 5 Street Trees. The project proposes the removal of 10 on-site non-protected trees, four (4) street trees in the public right-of-way, and one (1) protected tree a *Quercus lobata* (Valley Oak). Additionally, the applicant proposes to plant sixty-nine 24-inch box trees on-site. The replacement of the four (4) street trees and the one (1) protected trees will be to the satisfaction of the Urban Forestry Division and the Board of Public Works.

According to the Department of Transportation (LADOT) Referral Form signed and dated January 12, 2022, the project is not located within a Transportation Specific Plan Area and a traffic study is required for the proposed mixed-use development, with 4,800 square feet of commercial uses and

a total of 153 dwelling units. The Traffic Assessment, prepared by Overland Consultants and dated February 2022, concluded that the project will not have any significant impacts to traffic. LADOT reviewed the Assessment and concurred with its findings as shown in its communication dated March 23, 2022. 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 increases in noise levels as specified in the ordinance. During the 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. Additionally, the Noise Study prepared by Impact Sciences, Inc., dated December 2021 concluded the project will not result in impacts to noise during its operational phase.

The building construction phase includes the construction of the proposed building on the subject property, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM2.5 and PM10 emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NOx emissions. The application of architectural coatings would result primarily in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by South Coast Air Quality Management District (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. The Air Quality Study prepared by Impact Sciences, Inc., and dated December 2021 concluded the project will not result in impacts to air quality. The Air Quality Study found "...construction of the Project would not exceed regional VOC, NOx, CO, SOx, PM10, and PM2.5 concentration thresholds. All criteria air pollutants would be below SCAQMD construction thresholds. As such, construction of the Project would not generate any significant environmental impacts associated with air quality compliance." The report goes on to state that the project would not generate significant environmental impacts from its operations, the projects Localized Construction and Operational Emissions would not exceed than localized significance construction and operation thresholds, the projects long-term operational impacted associated with the release of Toxic Air Contaminants would not be likely to exceed SCAQMD thresholds of significance, and that the project "...would not jeopardize the attainment of air quality standards in the AQMP for the South Coast Air Basin and the Los Angeles County portion of the South Coast Air Basin." As such, the project will not result in a significant impact on air quality.

Construction activities would not involve any significant excavation near an identified water source. In addition, the project will be required to comply with various regulatory requirements, which would reduce stormwater flows off-site. The project will comply with Chapter VI Article 4.4 of the LAMC, Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs) to reduce or prevent pollutant discharges. Under the conditions of a building permit for the project, the project applicant will be required to eliminate or reduce non-stormwater

discharges to public waterways, develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Therefore, development of the proposed project would not degrade the quality of stormwater runoff from the site.

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. Therefore, the project meets all of the Criteria for the Class 32 CE.

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.

At the time of the preparation of this report, there are three (3) known discretionary projects of the same multi-family residential development type within 500 feet of the subject site. The project is 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. According to the Department of Transportation Referral Form signed and dated January 12, 2022 the project is not located within a Transportation Specific Plan Area but VMT analysis is required for the proposed mixed-use development, with 4,800 square feet of commercial uses and a total of 153 dwelling units. The Traffic Assessment Memorandum of Understanding, prepared by Overland Consultants, and dated February, 2022, and reviewed by LADOT, and dated March 23, 2022 concluded that the project will not have any significant impacts to traffic.

As mentioned, the project proposes a mixed-use development, with 4,800 square feet of commercial uses and a total of 153 dwelling units that is consistent with the zone and land use designation of the site, utilizing the Base and Additional Incentives under the TOC Affordable Housing Incentive Program. Properties in the immediate surrounding area are zoned C2-1 and R3-1 with General Commercial and Medium Residential Land uses, developed with single-family and multi-family residential structures as well as commercial structures. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. 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 17 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 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. Finally, the City does not choose to treat the site as a historic resource.

Phase I and Phase II Environmental Site Assessments (ESA) were conducted for the properties on the subject site. These reports were triggered due to the automotive uses at 3355 West Olympic Blvd. The site at 3355 West Olympic Boulevard was used as a gasoline station from 1940 through 1968. Since 1968 the site has been used as an automotive repair facility. Phase II ESAs were produced for all the sites involved in the project. The Phase II ESA for 3355 West Olympic Boulevard

found elevated levels of total petroleum hydrocarbons (TPH) at sample site B1 and B2 at a depth of 10 feet. These sites are near the location of hydraulic hoists that were used in the automobile repair facility, which make them the likely cause of the contamination. The report went on to state that VOCs were found "...in the boring locations B1 and B2 at concentrations that did not exceed the LARWQCB Table 4-1 Maximum Soil Screening Levels for sites with clayey silt soil and distance above groundwater between 20' and 150' below ground surface (bgs)." Given that screening levels were not exceeded, and that ground water was not offended by the soil contamination, the LARWQCB would not open a case to address this issue. The report noted that converting the site to a more sensitive use, such as underground parking, would require special handling of the soil to protect the health of workers. The report did not cite any health risks to residents. The project contracted Environ Phase Consulting, which produced a Soil Management Plan (SMP) to address the potential health risk to workers related to handling soil. The project has voluntarily agreed to implement the SMP. The SMP provides clear roles and responsibilities for parties involved in the removal and processing of soil at the site. Additionally, the SMP provides processes for testing and notifying regional and state regulators if environmental issues arise. The SMP provides clear thresholds for reporting issues to the Los Angeles Regional Water Quality Control Board (LARWQCB) and the Department of Toxic Substances Control (DTSC). Given the processes implemented through the SMP and the Regulatory Compliance Measures through LARWQCB and the DTSC, the removal of contaminated soil does not constitute an environmental impact.