

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-2022-5869-TOC-SPP-VHCA / Transit Oriented Communities

LEAD CITY AGENCY
City of Los Angeles (Department of City Planning)

CASE NUMBER
ENV-2022-5870-CE

PROJECT TITLE
1540 W. 6th Street

COUNCIL DISTRICT
13 – Eunisses- Hernandez

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) Map attached.
1540 W 6th Street, Los Angeles, CA 90017

PROJECT DESCRIPTION:

The project includes the demolition of an existing one-story, 17,088 square foot retail/furniture store for the construction, use, and maintenance of a new, five-story 38-unit mixed-use apartment building with 339 square feet of ground-floor retail on an approximately 8,547.8 square-foot lot. The project will have a total area of 18,589 square feet and rise to a height of 70 feet. The project will include a total of 28 vehicular parking spaces provided in one subterranean parking level, in addition to 34 long-term and 4 short-term bicycle parking spaces for residential use, 2 long-term and 2 short-term bicycle parking spaces for commercial use. There will be 2,902 square feet of open space, comprised of 100 square feet of private open space provided as balconies, and 2,892 square feet provided as common open space including a 1,190-square-foot deck on the fifth floor and a 1,612 square foot roof deck. In conjunction with the construction of the apartment building, the project will require an application for a haul route for the export of 2,824 cubic yards of earth. The subject property contains no protected trees on-site or in the right-of-way; however, there is one non-protected tree in the right-of-way would be retained, as stated in the Tree Disclosure Statement dated August 16, 2022, and the Arborist Certification Letter prepared by William R. McKinley Certified Arborist #WE-4578A and dated June 15, 2022. The project will provide 38 trees on-site, of which each will be a minimum of 12 feet in height and three inches in caliper at the time of planting, in addition to one (1) street tree.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:
Pooya Bakhtiari, PGB Holdings LLC

CONTACT PERSON (If different from Applicant/Owner above) (AREA CODE) TELEPHONE NUMBER | EXT.
Daniel Ahadian, nur Development & Consulting (310) 339-7344

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
See attached CE Justification

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 *Marie Pichay* STAFF TITLE
Marie Pichay City Planning Associate

ENTITLEMENTS APPROVED
Transit Oriented Communities & Project Compliance Review

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

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**CITY OF LOS ANGELES
CALIFORNIA**



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DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2022-5870-CE

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 that none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 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 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 project includes the demolition of an existing one-story, 17,088 square foot retail/furniture store for the construction, use, and maintenance of a new, five-story 38-unit mixed-use apartment building with 339 square feet of ground-floor retail on an approximately 8,547.8 square-foot lot. The project will have a total area of 18,589 square feet and rise to a height of 70 feet. The project will include a total of 28 vehicular parking spaces provided in one subterranean parking level, in addition to 34 long-term and 4 short-term bicycle parking spaces for residential use, 2 long-term and 2 short-term bicycle parking spaces for commercial use. There will be 2,902 square feet of open space, comprised of 100 square feet of private open space provided as balconies, and 2,892 square feet provided as common open space including a 1,190-square-foot deck on the fifth floor and a 1,612 square foot roof deck. In conjunction with the construction of the apartment building, the project will require an application for a haul route for the export of 2,824 cubic yards of earth. The subject property contains no protected trees on-site or in the right-of-way; however, there is one non-protected tree in the right-of-way would be retained, as stated in the Tree Disclosure Statement dated August 16, 2022, and the Arborist Certification Letter prepared by William R. McKinley Certified Arborist #WE-4578A and dated June 15, 2022. The project will provide 38 trees on-site, of which each will be a minimum of 12 feet in height and three inches in caliper at the time of planting, in addition to one (1) street tree.

The project site is located within the Central City West Specific Plan (CCWSP), within the South Subarea's Wilshire Corridor District. It is zoned C2(CW)-U/1.5 with a General Plan Designation of Highway Oriented Commercial. Per the Westlake Community Plan, the corresponding zones for Highway Oriented Commercial land uses are C2, C1, CR, and P. The zoning of the project site is consistent with the General Plan Designation. Additionally, the site is located within a Transit Priority Area (ZI-2452), State Enterprise Zone (ZA-2374), Urban Agriculture Incentive Zone, Methane Zone, Special Grading Area (BOE Basic Grids Map A-13372) and is located approximately 0.98 kilometers from the Puente Hills Blind Thrust Fault.

Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.31, the applicant is requesting to utilize the Transit Oriented Communities (TOC) Affordable Housing Incentive Program (Tier 3) in order to qualify for base incentives for an increase in density (up to 70 percent) and an increase in floor area (up to 45 percent), and three (3) additional incentives to reduce the required yards/setbacks to RAS3 requirements, reduce LAMC required Open Space (up to 25%), and reduce CCWSP required Open Space (up to 25%). With the TOC base incentives, the proposed project will comply with the density and FAR allowed on the site. As discussed above and as it is shown in the case file, the project is consistent with the applicable Westlake Community Plan and CCWSP designation and policies and all applicable zoning designations and regulations.

The subject property is wholly within the City of Los Angeles, on a site that is approximately 0.196 acres (8,548 square feet) which is less than 5 acres. Lots adjacent to the subject property are predominantly developed with one- and two-story commercial buildings. Lots to the north of the site, across 6th Street, are outside the boundaries of the CCWSP and are zoned C2-2. Lots to the east of the site are also zoned C2(CW)-U/1.5. Lots abutting the site to the south are zoned C2(CW)-U/3. Lots to the west of the site, across Union Drive, are outside the boundaries of the CCWSP are zoned C2-4. The property to the north is developed with a market, dental office, income tax service, and pawn shop. The property to the east is developed with a Goodwill Store. The property to the south is developed with a spa and nail salon. The property to the west is developed with a church and a dry cleaner.

The subject property is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The subject property contains no protected trees on-site or off-site; however, there is one non-protected tree in the right-of-way that is proposed to be retained, as stated in the Tree Disclosure Statement dated November 8, 2022, and supported by the Arborist Certification Letter prepared by William R. McKinley Certified Arborist #WE-4578A and dated June 15, 2022. The project will provide 38 trees on-site, of which each will be a minimum of 12 feet in height and three inches in caliper at the time of planting.

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. A Noise Technical Report (Attachment A), dated August 2022 and prepared by DKA Planning, was prepared to evaluate noise impacts from construction and operation of the proposed project. Based on the findings of the report, the project would not result in any significant effects relating to noise. Furthermore, a Vehicle Miles Traveled (VMT) calculator analysis shows that the project generates 139 daily vehicle trips and does not exceed the threshold criteria established by the Los Angeles Department of Transportation (LADOT) of 250 daily vehicle trips for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. An Air Quality Technical Report (Attachment B), dated August 2022 and prepared by DKA Planning, was conducted to evaluate the impact generated by the construction and operation of the proposed project. Based on the findings of the report, the project would not result in any significant effects relating to air quality with incorporation of the Regulatory Compliance Measures (RCMs). The subject property

will be adequately served by all public utilities and services given that the construction of a 38-unit, five-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 the Criteria for the Class 32.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the proposed project. As mentioned, the project includes the demolition of an existing one-story, 17,088 square foot retail/furniture store for the construction, use, and maintenance of a new, five-story 38-unit apartment building with 339 square feet of ground-floor retail in an area zoned and designated for such development. All adjacent lots are developed with commercial and residential uses, and the subject site is of a similar size and slope to nearby properties. The project utilizes a Floor Area Ratio (FAR) of 2.175:1 on a site that is permitted to have a maximum FAR of 2.175:1 per the Transit Oriented Communities Program. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

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. The site is approximately 25 miles east from State Route 27. Therefore, the subject site will not create any impacts within a designated as a state scenic highway.

Furthermore, the project site was not identified as a Hazardous Waste Site, according to Envirostor, the State of California's database of Hazardous Waste Sites. The project site is also located within the Los Angeles City Methane Zone, which indicates that naturally occurring methane may be present in the subsurface at the site. Regulatory Compliance Measures during permitting will address any potential impacts from the project's location in the Methane Zone. Therefore, no issues that are considered likely to have a materially significant impact on the site. the project will not create any hazardous impact and this exception does not apply.

The lot abutting the site to the north, located at 1500 West 6th Street, is developed with a store that is identified in Historic Places LA as a California Office of Historic Preservation Resource Attribute, with a 5S3 Status Code. In an email correspondence dated July 21, 2022, the Office of Historic Resources confirmed that the proposed project did not appear to impact the adjacent resource and no further historical analysis would be required. 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. As such, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.