

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-2020-5017-TOC-HCA / Transit Oriented Communities

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-5018-CE

PROJECT TITLE

1537 S Hayworth Apartments

COUNCIL DISTRICT

10 - Hutt

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

1537-1541 South Hayworth Avenue

Map attached.

PROJECT DESCRIPTION:

Demolition of two single family dwelling units and two detached garages and the construction, use, and maintenance of a new five (5)-story, 38,499 square-foot, 30-unit apartment building measuring approximately 57 feet in height. The project will provide 3,054 square-feet of usable open space, along with 55 vehicle parking spaces in two (2) levels of subterranean parking. The project will also provide a total of 31 bicycle parking spaces, including 28 long-term and three (3) short-term spaces. The project proposes the removal of 11 on-site non-protected trees and proposes to keep three (3) Street Trees located in the public right-of-way. For purposes of CEQA, this analysis assumes a worst-case scenario of three (3) Street Tree removals.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Dan Daneshrad

CONTACT PERSON (If different from Applicant/Owner above)

Gary Benjamin

(AREA CODE) TELEPHONE NUMBER

(213) 479-7521

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

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

Dylan Lawrence

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

See Case No. DIR-2020-5017-TOC-HCA

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021



JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2020-5018-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 Categorical Exempt under Article 19, Section 15332, Class 32, Case No. ENV-2020-5018-CE.

Project Description

The Applicant proposes the demolition of two (2) existing single-family dwellings and two (2) detached garages and the construction, use and maintenance of a five (5)-story multifamily residential building containing 30 dwelling units, including three (3) units restricted to Extremely Low Income Households. The project site is located at 1537-1541 South Hayworth Avenue within the Wilshire Community Plan. It comprises 38,499 square feet of floor area with a Floor Area Ratio (FAR) of 4.05:1, which is less than the maximum 4.5:1 FAR permitted by the TOC Guidelines. The proposed building will be 57 feet in height as measured from grade to the top of the roof parapet with two (2) levels of subterranean parking. The unit mix will comprise six (6) one-bedroom units, 18 two-bedroom units, and six (6) three-bedroom units. The project is providing 55 vehicular parking spaces and 28 long term bicycle parking spaces in the subterranean parking garage, and three (3) short term bicycle parking spaces in the front yard setback along Hayworth Avenue. The project will provide a total of 3,054 square feet of open space that complies with regulations pursuant to LAMC Section 12.21 G.2. The open space will be located in the rear yard, a 1st floor recreation room, and private balconies. 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.

The project proposes the cut and export of 19,554 cubic yards of soil and the fill of 151 cubic yards. No import of soil is proposed. The project proposes the removal of eleven (11) existing on-site trees and the planting of ten (10) trees, consisting of 10 ground floor on-site trees. The project proposes to retain all three (3) Street Trees in the public right-of-way. This environmental analysis does not authorize the removal of any street trees without prior approval of Urban Forestry, in compliance with LAMC Sections 62.169 and 62.170 and their applicable findings. 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 or protected tree may be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. As a Transit Oriented Community development, and a project which is characterized as in-fill development, the project qualifies for the 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 to 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. There are five (5) Exceptions which must be considered in order to find a project exempt under Section 15332: (a) Cumulative Impacts; (b) Significant Effect; (C) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

*(a) **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.*

The project is located at 1537-1541 South Hayworth Avenue in the Wilshire Community Plan. There are currently 13 projects dating back to July 31, 2019, 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 a quarter-mile of the same type and in the same place as the subject project.

PROJECTS WITHIN A QUARTER-MILE OF THE SUBJECT SITE			
Address	Case Number	Date Filed	Scope of Work
1500 S Hi Point St	DIR-2020-1870-TOC-HCA	3/17/2020 (approved)	Construction of a new 5-story, 58-unit multi-family building
1420 S Point View St	DIR-2022-2855-TOC-HCA	4/25/2022	Construction of a new 5-story, 23-unit multi-family building
1551 S Hi Point St	DIR-2023-7360-TOC-HCA	11/2/2023 (approved)	Construction of a new 6-story, 38-unit multi-family building
5879 W Pico Blvd	ZA-2022-7716-ZAI and DIR-2021-9863-TOC-HCA	10/21/2022	Construction of a 7-story mixed use building with 50 units and 3,125 square feet of commercial floor area
5903 W Pico Blvd	DIR-2023-4877-TOC-SPR-HCA	7/17/2023	Construction of a 8-story, 122-unit multi-family building
1540 S Orange Grove Ave	DIR-2022-12-TOC-HCA	1/3/2022 (approved)	Construction of a 5-story, 16-unit multi-family building

1524 S Fairfax Ave	DIR-2023-5840-TOC-HCA	8/24/2023 (approved)	Construction of a 6- story, 16-unit multi- family building
1447 S Hi Point St	DIR-2020-2067-TOC	3/25/2020 (approved)	Construction of a 5- story, 20-unit multi- family building
1563 S Fairfax Ave	DIR-2019-5736-DB	9/25/2019 (approved)	Construction of a 4- story, 10-unit multi- family building
1541 S Hayworth Ave	DIR-2021-1769-TOC-HCA	3/4/2021 (approved)	Construction of a 4- story, 10-unit multi- family building
1459 S Hi Point St	DIR-2023-4996-TOC-HCA	7/21/23 (approved)	Construction of a 5- story, 20-unit multi- family building
1557 S Orange Grove Ave	DIR-2020-4062-TOC-HCA	7/8/2020 (approved)	Construction of a 6- story, 30-unit multi- family building
1550 S Fairfax Ave	DIR-2020-4192-TOC-HCA	7/14/2020 (approved)	Construction of a 6- story, 30-unit multi- family building

Per the table above, there are 13 projects filed or filed and approved with the Department of City Planning within the quarter-mile radius. Of the 13 cases listed, 10 cases were previously approved, and three (3) cases are pending. The 10 cases which were previously approved are unlikely to result in a cumulative impact with the subject site, as only one (1) of them is located on the same street; this project, at 1541 South Hayworth Avenue, represents a prior application filed at the proposed project site, so it would not have an impact on the proposed 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. 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. The applicant retained a consultant to prepare a noise and vibration study for the site. The study, prepared by DKA Planning, in January 2024, details methods that will be used to comply with the City of Los

Angeles Noise Ordinance. Therefore, the project would not result in significant impacts related to noise.

- (b) **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.*

As mentioned, the project proposes the construction, use, and maintenance of a new five (5)-story, 38,499-square-foot, 30-unit apartment building measuring approximately 57 feet in height. The project site is located in an area zoned and designated for such development and the project proposes the use of a 70-percent density increase through the TOC Affordable Housing Incentive Program in exchange for affordable housing. All surrounding lots are developed with single- and multi-family buildings. The project proposes a FAR of 4.05:1, which is within the 4.5:1 maximum FAR otherwise permitted by the [Q]R3-1-O Zone in conjunction with a 50-percent increase permitted per the TOC Affordable Housing Incentive Program in exchange for affordable housing. The proposed building will be five (5) stories, with two (2) subterranean parking levels in an area that is currently developed within buildings that range in height from one to four 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 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.

- (c) **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.*

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 12 miles to the west of the subject property. Therefore, the subject site will not create any impacts within a designated state scenic highway.

- (d) **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.*

In regard 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.

- (e) **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 improved with two (2) existing single-family dwellings and two (2) detached garages built in 1925 and 1938. Office of Historic Resources staff confirmed via email on August 6, 2024, that the 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.

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 subject site is located within the Wilshire Community Plan. The site is zoned [Q]R3-1-O and has a General Plan Land Use Designation of Medium Residential. As shown in the case file, the project is consistent with the applicable Wilshire Community Plan designation and policies and all applicable zoning designations and regulations in conjunction with the TOC Affordable Housing Incentive Program.

(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 0.32 acres. The surrounding area is characterized by level topography, improved streets and residential uses. The adjacent property to the north is improved with a two (2)-story, 12-unit multi-family residential structure. The adjacent property to the south is improved with a single-family dwelling and three (3) units in a multi-family building constructed in 1927 and 1954, respectively. The abutting properties to the rear of the site, to the west, are improved with a single-family dwelling constructed in 1938 and a single-family dwelling constructed in 2006. Across Hayworth Avenue to the east is a single-family dwelling constructed in 1940, one (1) recently constructed three (3)-story, eight (8)-unit apartment building, and a vacant lot currently under construction for a three (3)-story, 12-unit multi-family apartment building. All properties within the vicinity of the project site are located within the Wilshire Community Plan.

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

The site is 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 by Shelley Sparks, ISA Certified Arborist #WE-10883A, on April 19, 2023, states that there are 11 non-protected trees, three (3) Street Trees, and no Protected Trees on-site. The 11 non-protected trees are proposed for removal. The three (3) Street Trees on-site are proposed for preservation subject to the discretion of the Urban Forestry Division.

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

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 113 daily vehicle trips and a net increase of 704 daily VMT. Based on the VMT Calculator, the project is not required to perform VMT analysis under the VMT standards. The applicant team submitted a Construction Noise Analysis prepared by DKA Planning in January 2024, which details methods that would be used to ensure compliance with the City of Los Angeles Noise Ordinance. 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. Therefore, the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

(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 residential building will be located on a site that has been previously developed with a single-family home and that 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.