

DIR-2019-2727-CCMP

EXHIBIT C

JUSTIFICATION FOR PROJECT EXEMPTION

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

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE
HELEN LEUNG
KAREN MACK
MARC MITCHELL

VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

TRICIA KEANE
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION

CASE NO. ENV-2019-2728-CE

On September 18, 2019, the Planning Department determined that the State CEQA Guidelines designate the subject project as Categorically Exempt under Section 15300, Class 32, Case No. ENV-2019-2728-CE.

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.

Project

The project involves the demolition of three commercial buildings (approximately 4,920 square feet, 1,937 square feet, and 1,650 square feet) and the construction of a five-story, approximately 65,140 square-foot, 45-unit mixed-use apartment complex with approximately 3,640 square feet of commercial retail space; two levels of subterranean parking for 70 cars (11 for commercial and 59 for residential); parking for 38 bikes; and new landscape and hardscape over three adjacent Non-Contributing lots (1421, 1429 and 1431-1439 W. Adams Blvd.). As a medium density residential building that is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The project site is located on the north side of W. Adams Blvd., near the northwest corner of W. Adams Blvd. and Vermont Avenue. It consists of three developed lots of approximately 7,106 square feet (1421 W. Adams Blvd.), 5,847 square feet (1429 W. Adams Blvd.), and 8,593 square feet (1431-1439 W. Adams Blvd.), all containing commercial buildings. All the lots are designated Non-Contributors to the Adams-Normandie HPOZ. The site is adjacent to commercial, institutional, and multi-family buildings along W. Adams Blvd. and multi-family buildings along W. 25th Street. The zoning and land use designation of the subject parcels are C2-2D-HPOZ-CPIO and Community Commercial, and they are located within the TOD Medium Subarea of the South Los Angeles CPIO District.

The project meets all of the criteria for the Class 32 Categorical Exemption. The 45-unit project is consistent with the C2-2D-HPOZ-CPIO zoning and the Community Commercial land use designation of the South Los Angeles Community Plan. The proposed development consists of an approximately 65,140 square-foot mixed-use residential complex over three lots totaling approximately 21,546 square feet in size. The subject site is wholly within the City of Los Angeles on a site that is less than two acres. Lots adjacent to the subject site are developed with urban residential, commercial, and institutional uses. The site is not, and has no value as, a habitat for endangered, rare or threatened species, as it has been previously disturbed and surrounded by development. No significant ecological areas exist within the South Los Angeles Community Plan area. There are no protected trees on the site. There are currently two existing Magnolia trees within the parkway, with one proposed to be removed to accommodate a new driveway; this tree has been conditioned to be relocated in the parkway, in place of one of the proposed trees, if feasible, as shown in Exhibit A. The project will be subject to Regulatory Compliance Measures (RCMS), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, and stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMS will ensure the project will not have significant impacts on noise and water. The project is beneath the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts on traffic. The project will not result in significant impacts related to air quality because it falls below interim air thresholds established by DCP staff. 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. The project site will be adequately served by all public utilities and services given that the construction of a five-story, 45-unit mixed-use apartment complex will be on a site that has been previously developed, is consistent with the General Plan, and complies with the zoning and land use designation of the South Los Angeles Community Plan.

Exceptions Narrative for Class 32 Categorical Exemption

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32 and 15332: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources. Planning staff evaluated all of the potential exceptions to the use of Categorical Exemptions for the proposed project and determined that none of these exceptions apply as explained below:

a) Cumulative Impact - "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 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.

The Adams-Normandie HPOZ is an urbanized district in the South Los Angeles Community Plan that has been developed with Community Commercial, Neighborhood Commercial, Low Medium I Residential, Low Medium II Residential, Open Space, and Public Facilities land use designations. As mentioned, the project proposes a five-story, 45-unit mixed-use apartment complex in an area zoned and designated for such development. Adjacent lots are developed with single-family, multi-family, institutional, and commercial uses. It is the intent of the Adams-Normandie HPOZ to ensure that proposed projects and new development are compatible in overall scale, size, massing, bulk, setback, and design with the surrounding historic district, thereby protecting the historic resources within the HPOZ. There is not a succession of known projects of the same type and in the same place as the proposed project. Further, the subject site

contains some of the few parcels designated for Community Commercial land uses and as TOD Medium Subareas within the HPOZ, which allows for the highest density and height within the district. As a result, a succession of known projects of the same type and in the same place as the proposed project is unlikely to occur. Because the proposed project does not diminish the integrity of the historic district and the project will be unique to its site, there will be no cumulative impact on the district as the historic resource.

b) Significant Effect - "A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment 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. Examples include projects that may affect scenic or historical resources.

There are no unusual circumstances that would have a significant impact on the environment due to the proposed project. The proposed new construction, which conforms to the design guidelines of the Adams-Normandie HPOZ, is compatible with the historic district and will not have a significant effect on historic resources. Further, the project has been designed with a lower Floor Area Ratio (FAR), height, density, and setbacks than what is permitted on the site. Therefore, there is no significant effect on the environment due to unusual circumstances. Further analysis is included below under "Historical Resources."

c) Scenic Highway - "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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR." This exception applies when a project may result in damage to scenic resources within a duly designated scenic highway.

The subject site is not designated as a state scenic highway, and there are no designated state scenic highways located within the HPOZ or near the project site. While Adams Blvd. is a city-designated highway, the proposed project will not result in the damage of a city-designated scenic highway because it complies with the South Los Angeles Community Plan.

d) Hazardous Waste Site - "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." This exception applies when a project is located on a site or facility listed pursuant to California Government Code 65962.5.

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.

e) Historical 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." This exception applies when a project may cause a substantial adverse change in the significance of an historical resource.

The proposed project would not cause an adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5. For the purposes of this project, the historic resource is the historic district, specifically the Adams-Normandie HPOZ. The proposed project conforms to the Preservation Plan guidelines and the intent of the HPOZ, and is compatible with Contributing Elements throughout the district. Further, the proposed project will be located on three Non-Contributing lots (1421, 1429 and 1431-1439 W. Adams Blvd.), all of

which contain Non-Contributing structures. The 1999 Adams-Normandie Historic Resources Survey designated all parcels as Non-Contributors to the HPOZ on the basis that the structures onsite were built after the HPOZ's historic and architectural periods of significance and have no known overriding significance.

In 2019, a Historic Resources Assessment Report prepared by qualified architectural historians Kaplan Chen Kaplan evaluated the individual eligibility of the existing commercial buildings at 1421, 1429 and 1431-1439 W. Adams Blvd. against local, state, and federal designation criteria. Due to the auto-related uses of the buildings, the report reviewed each structure against the registration criteria outlined in the Los Angeles Citywide Historic Context Statement, "Commercial Development 1850-1980: Commercial Development and the Automobile, 1910-1970, The Car and Car Services." Using this framework, the report concluded that none of the structures are eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, or as City of Los Angeles Historic-Cultural Monuments (HCM); as such, the report maintained the Non-Contributing status of each building within the Adams-Normandie HPOZ.

The same assessment also evaluated potential impacts of the proposed project on the adjacent First African Methodist Episcopal Zion Cathedral and Community Center (First AME Church), which is locally listed as Los Angeles HCM #341 and designated as a Contributor to the Adams-Normandie HPOZ. The assessment found that the bulk of the proposed project will be significantly set back from the historic church sanctuary due to the project's proposed side yard setbacks and the church's current existing setback from the shared property line. Therefore, the assessment concluded that the construction of the proposed project would not impact the site or the historic significance of the First AME Church. Further, the project's proposed rear yard setback and transitional height massing will ensure it does not impact Contributing residential properties to the north of the project site.

Office of Historic Resources staff reviewed the assessment and accepted the findings of the report that the existing structures were not individually eligible for designation or as Contributors to the HPOZ, and that the proposed project would not result in any impacts on the adjacent historic church. Because the project site has been identified as Non-Contributing and the proposed project is in compliance with the Adams-Normandie Preservation Plan, there are no impacts to the significance and integrity of the HPOZ. Therefore, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.