

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-2014-4758-DB

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2018-5764-CE

PROJECT TITLE

2361 – 2363 South Fox Hills Drive, 10302 West Almayo Avenue, Los Angeles, CA 90064

COUNCIL DISTRICT

5 - Koretz

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

2361 – 2363 South Fox Hills Drive, 10302 West Almayo Avenue, Los Angeles, CA 90064

☐ Map attached.

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

The demolition of three buildings containing five units and the construction of a new five-story, 27,498 square-foot, 18-unit multi-family dwelling with a two-level subterranean garage. The project requires a haul route for the export of 6,217 cubic yards of earth and density bonus case for 18 units with two (2) Very Low Income affordable housing units. The project includes related Case No. DIR-2014-4758-DB, which approved for two incentives to allow a Floor Area Ratio of 4.05:1 in lieu of the normally required 3:1 Floor Area Ratio; and for an 11-foot increase in height to 56 feet in lieu of 45 feet. Per the Tree Report completed on October 2, 2024, by Thrifty Tree Service, Inc., the project proposes to remove two (2) Queen Palm street trees and one (1) Southern Magnolia street tree and will provide a total of six (6) new trees to be planted on the parkway.

NAME OF APPLICANT / OWNER:

Chris J. Parker, Pacific Crest Consultants

CONTACT PERSON (If different from Applicant/Owner above)

Chris J. Parker

(AREA CODE) TELEPHONE NUMBER

818 591-9309

EXT.

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

## STATE CEQA STATUTE &amp; 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 153332, 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☒ 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

Isaiah Ross

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Density Bonus

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

I hereby certify and attest this to be a true and correct copy of the original record on file in the office of the Department of City Planning of the City of Los Angeles designated as

Isaiah Ross DIR-2014-4758-DB

Department Representative

ENV-2016-5769-CE

**DEPARTMENT OF  
CITY PLANNING**

COMMISSION OFFICE  
(213) 978-1300

**CITY PLANNING COMMISSION**

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MAYOR

**EXECUTIVE OFFICES**

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# JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2018-5764-CE

## **Project Description**

The Project includes the demolition of a three-unit apartment building and duplex on two contiguous rectangular lots, for the construction of a new five-story, 27,498 square-foot, 18-unit, multi-family residential building with a two-level subterranean garage. The subject property was approved for a Density Bonus on September 14, 2016 under Case No. DIR-2014-4758-DB for two incentives to allow a Floor Area Ratio of 4.05:1 in lieu of the normally required 3:1 Floor Area Ratio; and for an 11-foot increase in height to 56 feet in lieu of 45 feet. The project requires a haul route for the export of 6,217 cubic yards of earth. As a multi-family residential building developed on an infill site, the project qualifies for the Class 32 Categorical Exemption.

## **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 project site involves the demolition of a three-unit apartment building and duplex on two contiguous rectangular lots: 2361-2363 Fox Hills Drive developed with five units total. The Site is zoned R3-1-O and has a General Plan Land Use Designation of Medium Residential. The project proposes a 27,498 square-foot, 18-unit, multi-family residential building with a two-level subterranean garage, in an area zoned and designated for such development. The subject property was approved for a Density Bonus on September 14, 2016 under Case No. DIR-2014-4758-DB for two incentives to allow a Floor Area Ratio of 4.05:1 in lieu of the normally required 3:1 Floor Area Ratio; and for an 11-foot increase in height to 56 feet in lieu of 45 feet. Therefore, the project is consistent with the applicable general plan designation, applicable policies, and zoning designations.

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

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copy of the original record on file in the office of the  
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Department Representative

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The subject site is wholly within the City of Los Angeles, on a site consisting of two contiguous lots that total 10,456 square feet, or approximately 0.24 acres. Lots adjacent to the Subject Site to the south and west are developed with residential buildings. Properties across from the street from the subject site to the north and east are also developed with residential buildings.

*(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. According to a tree report dated October 2, 2024, there are 3 existing non-protected trees on the parkway that require removal and a total of 6 new trees will be planted on the parkway. According to the tree report, a total of six (6) *Magnolia grandiflora* trees will be planted on the parkway.

The previous tree report dated April 4, 2016, shows six protected trees off-site and one on-site non-protected tree. The proposed project will preserve the six off-site protected trees and require the removal of one non-protected on-site tree.

*(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 the West Los Angeles Community Plan and is zoned R3-1-O. It is located within a Methane Zone and a Special Grading Area; however, it is not located within a Hillside Area, Fault Zone, Landslide Zone, or Alquist-Priolo liquefaction zone. Approximately 6,217 cubic yards of earth will be exported off-site, so a haul route approval is required. 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 RCMs would apply:

- **Regulatory Compliance Measure RC-GE0-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-GE0-5 (Subsidence Area):** Prior to the issuance of building or grading permits, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety. The geotechnical report shall assess potential consequences of any subsidence and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- **Regulatory Compliance Measure RC-GE0-6 (Expansive Soils Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

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Isaiah Ross DIR-2014-4758-DB

Department Representative ENV-2018-5764-CE

These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment in which the Project is located. In addition, all haul routes applications require the submittal of a Geology and Soils Report to the Department of Building and Safety (DBS). A Geology and Soils Report Approval Letter for the subject property, which details conditions of approval that must be followed, has been issued by DBS on August 29, 2018. In addition, roof and site drainage as well as sewer availability must comply with Bureau of Engineering and Bureau of Sanitation standards; and hydrants, Fire Department Access, and Fire Safety must be reviewed and approved by the Los Angeles Fire Department before permits can be issued.

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. 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.

- (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 an 18-unit apartment building will be on a Site which has been previously developed with five units within three buildings and is surrounded by multi-family residential buildings. Therefore, it can be found that the Project meets the qualifications of the Class 32 Exemption.

*The Project Site will be adequately served by all public utilities and services given that the construction of the new multi-family building will be on a Site which has been previously developed with three buildings on two lots with a total of five units. There will be an increase in population due to the net increase of thirteen units. However, these thirteen units do not represent a substantial increase in population. Therefore, it can be found that the Project meets the qualifications of the Class 32 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 three [2] other haul routes approvals and one [1] haul route application being processed in conjunction with the construction of the new five-story, 27,498 square-foot, 18-unit, multi-family residential building with a two-level subterranean garage, within 500 feet of the Subject Site. The approved haul routes are for the following properties and during the following timeframes: 2230-2250 South Fox Hills Drive; Monday through Friday from September 18, 2014 through March 18, 2017; and 9760 West Pico Boulevard, Monday through Friday from July 23, 2015 to January 23, 2018. The pending haul route is for a project located at 2321 South Fox Hills Drive.

In addition, the haul route approval will be subject to recommended conditions prepared by LADOT to be considered by the Board of Building and Safety Commissioners that will reduce the impacts of construction

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related hauling activity, monitor the traffic effects of hauling, and reduce haul trips in response to congestion. Furthermore, 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 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 construction of a new five-story, 27,498 square-foot, 18-unit, multi-family residential building with a two-level subterranean garage, in an area zoned and designated for such development. Properties along Fox Hills Drive are developed with multi-family residential buildings that range from two to five stories. The proposed project includes a Density Bonus approved on September 14, 2016 under Case No. DIR-2014-4758-DB for two incentives to allow a Floor Area Ratio of 4.05:1 in lieu of the normally required 3:1 Floor Area Ratio; and for an 11-foot increase in height to 56 feet in lieu of 45 feet. The project size 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, which is approximately 11 linear miles away. 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. Thus, 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. Despite the original construction dates of 1929 and 1939, none of the buildings were found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. 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.

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