



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: September 13, 2018
Time: After 8:30 A.M.*
Place: Los Angeles City Hall
Council Chambers, 3rd Floor
200 North Spring Street
Los Angeles, CA 90012

Public Hearing: June 19, 2018
Appeal Status: Density Bonus on-menu incentive is appealable to City Council by abutting owners. Density Bonus waiver or modification of development standards not on the menu is not further appealable. Waiver of Dedication and Improvements is appealable to City Council by the applicant.
Expiration Date: September 14, 2018
Multiple Approval: Yes

Case No.: CPC-2018-465-DB-WDI
CEQA No.: ENV-2018-466-CE
Incidental Cases: N/A
Related Cases: N/A
Council No.: 14 - Huizar
Plan Area: Boyle Heights
General Plan Land Use: Medium Residential
Specific Plan: None
Certified NC: Boyle Heights
Existing Zone: R3-1-RIO-CUGU

Applicant: Arturo Becerra,
Toledo Capital
Development
Representative: Gary Benjamin,
Alchemy Planning and
Land Use

PROJECT

LOCATION: 731 – 733 ½ South Boyle Avenue

PROPOSED PROJECT:

The maintenance of an existing two-story, four unit apartment building and the construction of a five-unit, 1,792 square-foot, 56 foot tall, three-story over basement apartment building. The project will set aside one unit (11 percent of the base density) for Very-Low Income Households.

REQUESTED ACTION:

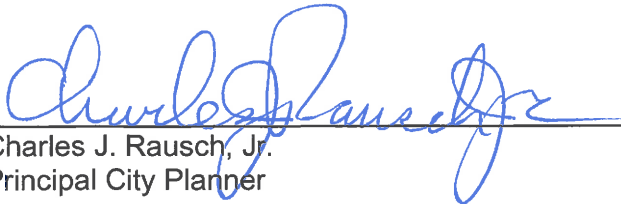
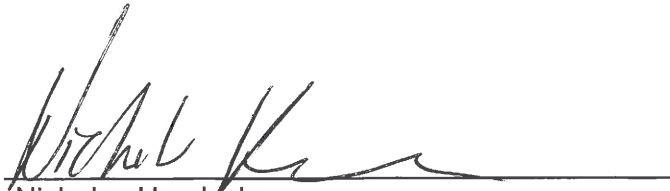


- 1) Pursuant to CEQA Guidelines Section 15332, Article 19, an Exemption from CEQA (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
- 2) Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22-A,25(g)(2) and (3), a set aside of 11 percent (one unit) reserved for Very-Low Income Households, to permit the construction of a maximum of five residential dwelling units and permit one On-Menu Incentive and one waiver and six modifications of development standards as listed below:
 - a. an On-Menu Incentive for a maximum height of 56 feet in lieu of the permitted 45 feet;
 - b. a Modification of a Development Standard to permit a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback;
 - c. a Modification of a Development Standard to permit a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback;
 - d. a Modification of a Development Standard to permit a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback;
 - e. a Modification of a Development Standard to permit a building separation of 10 feet in lieu of the required 26-foot building separation;

- f. a Modification of a Development Standard to permit a passageway of 10 feet in lieu of the required 14-foot passageway;
 - g. a Waiver of a Development Standard to waive the requirement for five (5) on-site parking spaces; and
- 3) Pursuant to Los Angeles Municipal Code (LAMC) Section 12.37-I,3, a Waiver of Dedication and Improvements to waive a three-foot (3') dedication along Boyle Avenue for additional roadway.

RECOMMENDED ACTIONS:

- 1) **Determine**, that based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines Section Article 19, 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
- 2) **Approve** one (1) On-Menu Incentive, one (1) Waiver and five (5) Modifications of Development Standards in conjunction with a set aside of 11 percent of the base density for Very-Low Income Households:
 - a. pursuant to LAMC Section 12.22-A,25(f)(5), an On-Menu Incentive for a maximum height of 56 feet in lieu of the permitted 45 feet;
 - b. pursuant to LAMC Section 12.22-A,25(g)(3), a Waiver to permit a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback;
 - c. pursuant to LAMC Section 12.22-A,25(g)(3), a Waiver to permit a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback;
 - d. pursuant to LAMC Section 12.22-A,25(g)(3), a Waiver to permit a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback;
 - e. pursuant to LAMC Section 12.22-A,25(g)(3), a Waiver to permit a building separation of 10 feet in lieu of the required 26-foot building separation;
 - f. pursuant to LAMC Section 12.22-A,25(g)(3), a Waiver to permit a passageway of 10 feet in lieu of the required 14-foot passageway; and
 - g. pursuant to LAMC Section 12.22-A,25(g)(3), an Off-Menu Incentive to excuse the requirement for five (5) on-site parking spaces.
- 3) **Approve** a Waiver of Dedication and Improvements to waive a three-foot (3') dedication along Boyle Avenue, pursuant to Los Angeles Municipal Code (LAMC) Section 12.37-I,3.
- 4) **Adopt** the attached Conditions of Approval; and
- 5) **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP
Director of Planning


Charles J. Rausch, Jr.
Principal City Planner
Nicholas Hendricks
Senior City Planner
Jenna Monterrosa
City Planner
Nicholas Ayars
City Planning Associate (Hearing Officer)

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 272, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1295.

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PROJECT ANALYSIS

Project Summary

In conjunction with the maintenance of an existing two-story, four-unit apartment building, the project proposes the construction of a new five-unit, 1,792 square-foot, 56-foot tall, three-story over basement apartment building. The proposed building will be located on an approximately 8,800 square-foot lot, consisting of two lot-tied parcels, that is currently developed with a four-unit residential apartment building. This existing building will be retained and will not be demolished or modified as a result of the proposed project. The proposed five-unit building will be located on the previously undeveloped northern portion of the subject property. The project will set aside one unit out of a total of nine units (four existing and five proposed) or 11 percent of the base density for Very-Low Income Households. The current tenants of the existing building will not be displaced or relocated as a result of the proposed project.



Figure 1 Rendering of facade facing Boyle Avenue

As designed, the proposed project will be constructed with prefabricated concrete boxes that will be trucked to the subject property and craned into place where they will be assembled and finished. According to the applicant, this construction technique will allow them to minimize both construction impacts and development costs. The building will be oriented towards Boyle Avenue, with three of the units facing towards Boyle Avenue and two units facing west, towards the Interstate-5 Freeway (I-5) and Downtown Los Angeles.

Individual units will range in size from 312 to 390 square feet. Each unit includes one bedroom, a kitchen, and a living room. Unit 1 is located on the ground floor/basement level of the building and can be directly accessed via the sidewalk along Boyle Avenue. Unit 2, located on the first floor, includes a 136 square-foot eastern facing uncovered terrace. Unit 3, located on the second floor, includes a 45 square-foot western facing uncovered terrace. Units 4 and 5 are two-story units located on the third and fourth floors. Both units 4 and 5 include a private 45 square-foot uncovered mezzanine located on the roof/fourth floor. The upper units are accessed via staircase which runs from the sidewalk along Boyle up the northern side of the building before wrapping along the rear of the building and continuing up the southern side of the building.

The street-facing façade of the new building will feature articulation and material variation to avoid the appearance of a flat surface. Furthermore, the proposed elevations, as shown on Sheet A2.1

of the attached Exhibit A, demonstrate that the exterior shape of the building is designed to be irregular and undulating on the front and rear facades to give the building texture, movement, and provide the units with outdoor space.

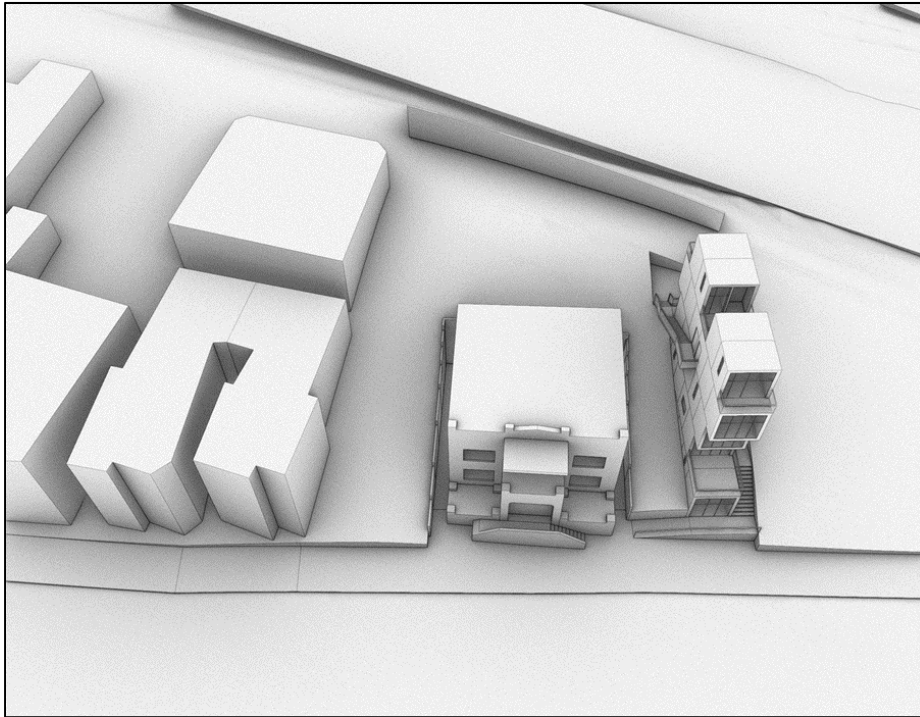


Figure 2 Rendering showing the existing unit four unit building to the left of the proposed five unit building

Common open space will be provided at the rear of the proposed building, while balconies will provide private open space for four of the units. Additional landscaping will be provided along the side and rear of the project site on the second level walkway. Neither the existing four-unit building nor the proposed five-unit building have driveway access or on-site parking. The proposed project is requesting zero parking in order to be able to retain the existing building. Five long-term bicycle parking spaces will be provided on-site and will be located in a new passageway between the existing building and the proposed building. Short-term bicycle parking spaces will be located along the sidewalk in front of the proposed building.

Background

Project Site and Existing Conditions

The project site is located within the Boyle Heights Community Plan area, on the western side of Boyle Avenue, between 6th Street and Whittier Boulevard. The project site totals approximately 8,800 square feet of lot area and is comprised two, irregular-shaped, lot-tied parcels. As shown in Figure 3, the existing four-unit building straddles the lot line, thus tying the two lots by use. The site has 110 feet of street frontage with a variable lot depth ranging from 70 to 106 feet. The project site slopes up from Boyle Avenue to west, with a grade change of approximately 16 feet. The project site is developed with an existing four-unit residential apartment building that was constructed in 1916 and totals approximately 3,200 square feet of floor area. The existing four-unit building was constructed in 1916, prior to any required parking standards for new construction¹, thus no parking spaces currently exist on-site.

¹ The City of Los Angeles began requiring parking for residential units containing two or more units in 1935.



Figure 3 ZIMAS Aerial Showing Existing Building Straddling Lot Line

The four-unit apartment building is currently occupied and is subject to the city's Rent Stabilization Ordinance (RSO). The building has not been identified by SurveyLA as having potential historic significance and is not located within an existing or potential historic district. As previously described, this structure will be retained on-site and will not be demolished or modified as a result of the proposed project. The proposed new five-unit structure will be located on an undeveloped portion of the subject property, immediately north of the existing building, constructed over approximately 20% of the site's lot area.

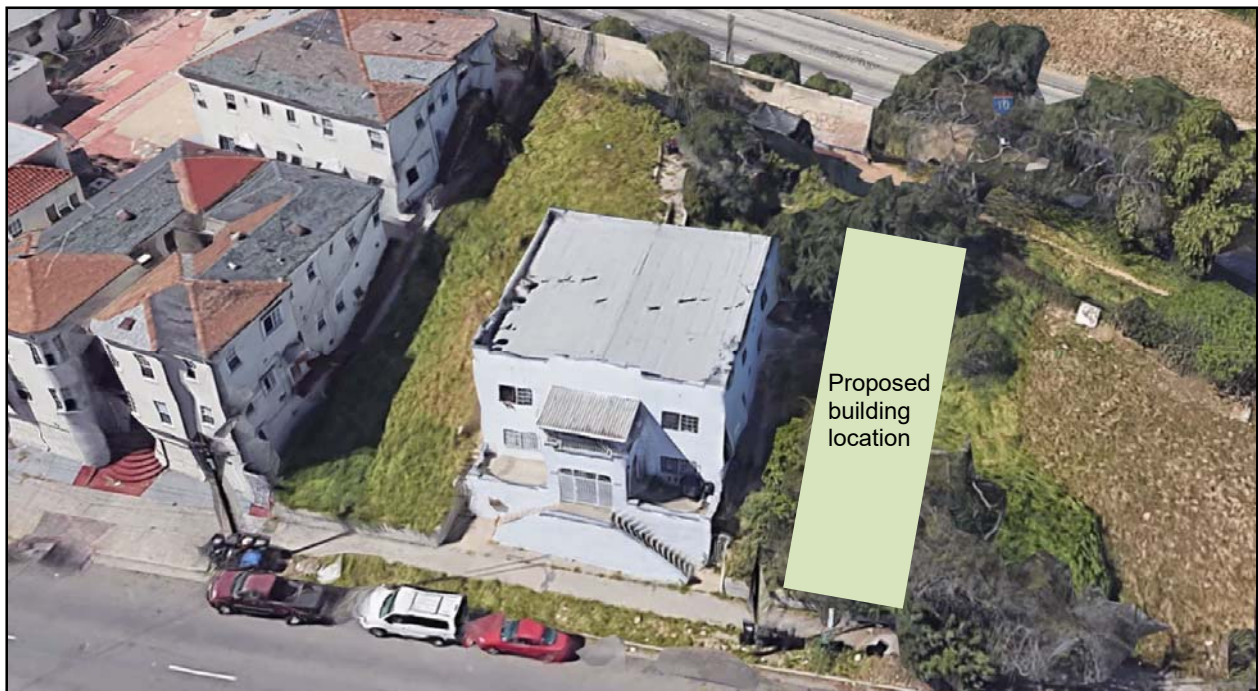


Figure 4 Aerial view of site's existing conditions and proposed building location

Zoning and Land Use Designation

The subject site is located within the Boyle Heights Community Plan and is designated for Medium Residential land uses, which correspond to the R3 Zone. The site is zoned R3-1-RIO-CUGU, and is consistent with the land use designation. The site is located within the River Implementation Overlay District (RIO) and the Clean Up, Green Up Supplemental Use District (CUGU). The project is not subject to the CUGU requirements, however, as it is not adjacent to a Subject Use as defined in LAMC Section 13.18-E,2.² While the project site is located within a Hillside Area, a Preliminary Referral Form for Baseline Hillside Ordinance No. 181,624 and Hillside Ordinance No. 174,652 indicating the project site is not located on a substandard street, was issued by the Department of Building and Safety on November 21, 2017. Therefore, the site is not located on a substandard street in a Hillside area or in a Very High Fire Hazard Severity Zone as established in Section 57.25.01 of the LAMC.

With a lot area totaling approximately 8,800 square feet, the site's existing zoning permits a maximum of 11 dwelling units and 26,400 square feet of floor area by-right. The project proposes the construction of five units totaling 1,792 square feet, in addition to the site's existing four units totaling 3,200 square feet of floor area, for a combined total of nine units and 4,992 square feet of floor area. Height District 1 permits a maximum height of 45 feet. As proposed the new building would have a height of 56 feet, which would be permitted by the requested on-menu incentive.

Surrounding Properties

The abutting property to the north is zoned R3-1-RIO-CUGU and is currently vacant and undeveloped. Properties to the south are zoned R3-1-RIO-CUGU and are developed with multi-family residential buildings. The multi-family buildings to the south of the subject site are all built to the property line, do not have front yards, and are minimally setback from the sidewalk. Four of the buildings include garages at ground level for parking. Properties to the east, across Boyle Avenue, are zoned RD1.5-1-CUGU and developed with single-family residences. The abutting property to the west is zoned PF-1XL-CUGU and is developed with the Interstate 5 (I-5) Freeway.

Streets, Circulation, and Public Transit

Boyle Avenue is a designated Modified Avenue II, dedicated to a right-of-way width of 86 feet and is improved with curb, gutter, sidewalk, and street trees. The street provides unmetered street parking.

The following rail and bus lines provide service to and around the project site:

- Mariachi Plaza Metro Gold Line Station (0.7 mile)
- Metro Rapid Line: 720 (0.1 mile); and Metro Local Line:106 (0.1 mile).

Relevant Cases

Subject Property:

No relevant cases.

² Conformance with the RIO will be determined via administrative review when obtaining a building permit.

Surrounding Properties:

There are no similar cases within a 500-foot radius of the building.

Project Entitlements

Density Bonus: The project site contains 8,800 square feet of lot area and is zoned R3-1-RIO-CUGU. The R3 Zone would permit a maximum density of 11 residential dwelling units by-right. The subject site is currently developed with a four-unit residential apartment building that will remain on site. The applicant is proposing the construction of a new five-unit residential apartment building. The proposed project would result in a total of nine units being located on the project site. The applicant has proposed to set aside 11 percent of the base density (1 of 9 units), pursuant to LAMC Section 12.22-A,25, for Very-Low Income Households; however, the applicant has not requested an increase in the maximum permitted density which would allow up to 15 units. Where the development is not seeking an increase in density and is proposing to use less than the maximum by-right density, it is the Department's practice to calculate the qualifying percentage of affordable from the proposed number of units for the reason that an eligible housing development project is a project with 5 or more residential dwelling units. According to a letter of determination issued by HCID pursuant to AB 2556, dated November 30, 2017, none of the existing four units will be demolished, therefore no replacement units are required.

By setting aside 11 percent (one unit) of project site's nine total units, the applicant is eligible for two on-menu incentives and may additionally request waivers or modifications of any development standard that is not on the menu (off-menu). The applicant has requested one on-menu incentive, one off-menu incentive, and five waivers that modify other development standards. The requested on-menu incentive is for an increase in height, from 45 feet to 56 feet. The second incentive is to excuse compliance with the requirement for five (5) on-site parking spaces.

The five waivers of development standards are as follows: 1) to permit a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback, 2) a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback, 3) a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback, 4) a building separation of 10 feet in lieu of the required 26-foot building separation, and 5) a passageway of 10 feet in lieu of the required 14-foot passageway. The applicant is requesting the incentives and waivers in order to be able to fit the proposed building onto the project site while retaining the existing four-unit residential apartment building.

Waiver of Dedication and Improvements: The project site is located fronting Boyle Avenue. Boyle Avenue is a designated Modified Avenue II, which requires a 43-foot half right-of-way, including a 26-foot half roadway and 17-foot sidewalk along the project site's frontage. Boyle Avenue is presently dedicated to a 40-foot half right-of-way comprised of a 27.5-foot roadway and a 12.5-foot sidewalk. In order to comply with the street standards for a Modified Avenue II per the Mobility Plan 2035, the project would be required to provide 3 feet of dedication and full width sidewalk improvements in order to create a 43-foot half-width right-of-way in accordance with current street standards. The applicant is requesting, pursuant to Los Angeles Municipal Code (LAMC) Section 12.37-I,3, to waive the 3-foot dedication requirement along Boyle Avenue for additional roadway.

Public Hearing

A public hearing on this matter with the Hearing Officer was held at the Los Angeles City Hall, 200 North Spring Street Los Angeles, Room 1070, on Tuesday, June 19, 2018 (see Public Hearing and Communications, Page P-1).

Design and Professional Volunteer's Program (PVP)

As previously described, the proposed project will be constructed with prefabricated concrete boxes. Once the necessary on-site grading is completed, these concrete boxes will be trucked to the subject property and craned into place where they will be assembled and finished. According to the applicant, this construction technique will allow them to minimize both construction impacts and development costs.

The proposed project was reviewed by the Urban Design Studio's Professional Volunteer's Program (PVP) on May 1, 2018. Comments and concerns from PVP included the following:

- 1) Architecture
 - a. Size and placement of windows may not provide enough natural light for the basement unit.
 - b. Balconies facing towards the freeway should be enclosed to reduce exposure of unit occupants to freeway generated pollution.
 - c. The large glass surfaces on the front and rear of the build may result in prolonged sun exposure that would heat the interior of the units. Could the balcony overhangs be extended to help reduce sun exposure?
 - d. Where will the building HVAC systems be located?
 - e. Will the units facing the freeway be adequately soundproofed to reduce exposure to freeway noise?
- 2) Open Space/Landscaping: Consider using landscaping to screen the proposed building from the existing on-site building and the northerly abutting lot.

Applicant Responses:

- 1) Architecture
 - a. Given the fact that the entire basement unit is only 30' deep, light from the large front window and side window should penetrate throughout the space.
 - b. Landscaping will be used to screen the proposed and existing building from the Freeway. Balconies will not be enclosed, but double paned windows will reduce interior noise levels.
 - c. The current overhangs combined with high efficiency glazing on the windows are expected to efficiently reduce heating impacts related to sun exposure.
 - d. HVAC will be with mini-split systems. These are small wall mounted units on the interior walls. The exterior units will be located somewhere on the site, possibly between the two buildings or under the stairs. These exterior units are not large.
 - e. The topography of the property and the block wall between the property and the freeway will effectively isolate the three lower units from freeway noise. In addition the project consists of concrete walls and double pane glazing, which reflect noise.
- 2) Open Space/Landscaping: A programmed landscape plan will screen the proposed building from surrounding buildings, the freeway, and adjacent property where feasible. All landscaping will comply with RIO guidelines.

Issues**On-site Parking**

In conjunction with the construction of five new units, the applicant is seeking an off-menu incentive to provide zero on-site parking in lieu of the five on-site spaces that would otherwise be required by the Los Angeles Municipal Code. The proposed project will provide five long-term and two short-term bicycle parking spaces on-site, however. Department of City Planning staff held several discussions with the applicant to determine the feasibility of providing some or all of the

required on-site parking spaces. In addition to the fact that the project qualifies for two-incentives, one of which would allow for the removal of parking requirements, the applicant maintains that the project team studied the possibility of providing parking on the site extensively prior to finalizing the design and determined that it would be infeasible. The following provides a discussion of the genesis for the project's parking request:

Site Constraints: Due to the sloping topography and small size of the project site, in addition to the applicant's desire to retain the existing four-unit building, the provision of the five required spaces is not physically or financially feasible. Due to Boyle Avenue's designation as a Modified Avenue II, any parking spaces and driveways on the project site would be required to be configured in such a way as to prohibit cars from egressing the site by backing onto the street. Any on-site parking would need to be designed so as to allow for on-site turn-around maneuvering, which would potentially impact the site's existing apartment building. As described by the applicant, the provision of an underground parking level on such a constricted site would be physically and financially infeasible and would preclude the construction of the residential units, including the affordable unit.

Availability of Public Transit: In addition to site constraints, the requested parking incentive was requested with the understanding that the site is readily accessible by public transit. As described by the applicant:

1. The project is only 360 feet from the major transit corridor of Whittier Boulevard, which is utilized by the Metro Rapid 720 with direct connections to DTLA, Koreatown, UCLA, and Santa Monica to the west and East LA to the east;
2. The project is only a short 0.7 mile walk or bike ride to the Mariachi Plaza Gold Line Station, straight north on Boyle Avenue; and
3. The project is only 200 feet away from a Metro Local 106 bus stop with direct connections to the USC Medical Center, East LA College, and multiple Gold Line stops.

Unit Composition: The proposed five additional units are notably smaller in scale and will most likely be occupied by either younger people or seniors from the neighborhood that are less likely to drive, and not by families of more than two individuals.

Off-site Parking Availability: As described by the applicant and witnessed by staff, the area contains available street parking. Street images of the subject site depict empty street parking spaces along Boyle Avenue. There are no residential units facing the opposite side of Boyle Avenue. What the project site faces are the back sides of single-family and duplex homes that front on St. Louis Street. Additionally, there are no active uses approaching the overpass, so parking spaces are typically open in this area, even into the evening. Off-site parking is permitted along both sides of Boyle Avenue near the project site with limited restrictions. Additionally, some of the neighboring residential buildings provide garages to allow off-street parking for residents, thus reducing demand for the available on-street parking.

It should be noted that, if granted, the waiver of the five required parking spaces is only for the proposed building. Any subsequent construction or increase in the number of residential units on site would be subject to the parking requirements of the LAMC.

Freeway Adjacency

The project is located less than 500 feet from the Interstate 5 (I-5) Freeway. More specifically, the proposed residential building is located approximately 25 feet from the freeway right-of-way and approximately 85 feet from the easternmost freeway travel lane. The project site slopes up from Boyle Avenue to the west and then drops to the grade of the I-5 freeway roadway. As a result, the applicant was provided with the City Planning Commission issued "Freeway Adjacent

Advisory for Sensitive Uses” and asked to provide a response to the recommended actions within the advisory.

A Health Risk Assessment (HRA), dated January 23, 2018, was prepared for the project in order to evaluate potential health risks impacts due to project's proximity to a major freeway. The HRA concluded that the installation of high efficiency particulate arrestance (HEPA)-type intake filters for the proposed heating, ventilating, and air conditioning (HVAC) systems would reduce any potential health risks to project residents. Furthermore, the City of Los Angeles Green Building Code requires that all mechanically ventilated buildings within 1,000 feet of a freeway shall provide regularly occupied area of the building with a filter having Minimum Efficiency Reporting Value (MERV) of 13 for outside and return air. These filters are required and have been conditioned to be installed prior to the occupancy of the building and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

As designed, the existing grade change between the project site and freeway and the proposed construction of an eight-foot high concrete wall located along the rear of the property line were intended to visually screen the building's lower three units from the freeway. The applicant team additionally stated that the project's proposal to use concrete boxes for construction would provide an additional interior buffer for noise and for filtering out particulate matter for the new building. In response to continued concerns raised by staff and the Professional Volunteer Program, the applicant provided additional yard landscaping (including two rows of trees) between the concrete wall and the proposed and existing buildings to create an additional buffer. During this discussion, the applicant shared that the project plans initially proposed the installation of a small, active community garden at the rear of the subject site but, since then, removed this due to concerns with freeway emissions and noise. As a result, the rear yard, while ample in size, has not been designed for active uses.

The applicant was asked to remove or reduce proposed uncovered terraces located along the building's western frontages, however, these remain a part of the proposed plans. A subsequent suggestion for entirely glass enclosed terraces was made; however, this was determined to not be feasible and would potentially raise the temperature within the adjoining units. With the limited size of the proposed new units, the outside terraces were determined to be a valuable part of the proposed project.

Conclusion

Based on the public hearing, information submitted to the record, and the surrounding uses and zones, staff recommends that the City Planning Commission approve the requested On- and Off-Menu Incentives and Waiver and Modifications of Development Standards Not on the Menu for the proposed five-unit residential building, as well as a Waiver of Dedication and Improvements to waive a three-foot (3') dedication along Boyle Avenue. Additionally, staff recommends that the City Planning Commission find, based on its independent judgement, after consideration of the entire administrative record, that the project is categorically exempt from CEQA, Case No. ENV-2018-466-CE.

CONDITIONS OF APPROVAL

Pursuant to Section 12.22-A.25 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the proposed five-unit residential building:

A. Development Conditions:

1. **Use.** All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the architectural plans, renderings, and materials submitted by the Applicant, stamped "Exhibit A," dated August 9, 2017 and attached to the subject case file.
3. **Graffiti.** All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
4. **Residential Density.** The project shall be limited to a maximum density of nine (9) dwelling units, including one (1) dwelling unit set aside for Very-Low Income Households.
5. **Affordable Units.**
 - a. A minimum of one (1) dwelling unit, that is 11 percent of the base dwelling units permitted in the R3-1-RIO-CUGU Zone, shall be reserved as a Very-Low Income unit, as defined by the State Density Bonus Law 65915 (C)(2).
 - b. Changes in Restricted Units. Deviations that increase the number of restricted affordable units shall be consistent with LAMC Section 12.22-A,25.
6. **Housing Requirements.** Prior to issuance of a building permit, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make one (1) unit available to Very-Low Income Households, for sale or rental as determined to be affordable to such households by HCIDLA for a period of 55 years. Enforcement of the terms of said covenant shall be the responsibility of HCIDLA. The applicant will present a copy of the recorded covenant to the Department of City Planning for inclusion in this file. The project shall comply with the Guidelines for the Affordable Housing Incentives Program adopted by the City Planning Commission and with any monitoring requirements established by the HCIDLA.
7. **Incentives and Waivers.**
 - a. **Height and Stories.** The project may have a maximum height of 56 feet in lieu of the maximum permitted height of 45 feet.
 - b. **Front Yard.** The project may observe a minimum front yard setback of eight (8) feet in lieu of the required 15 feet.
 - c. **Rear Yard.** The project may observe a minimum rear yard setback of 10 feet in lieu of the required 15 feet.

- d. **Side Yards.** The project may observe a minimum side yard setback of four feet along the northerly lines in lieu of the required eight feet.
 - e. **Building Separation.** The project may observe a minimum building separation of 10 feet in lieu of the required 26 feet.
 - f. **Passageway.** The project may observe a minimum passage of 10 feet in lieu of the required 14 feet.
 - g. **Parking.** The project may observe zero on-site parking spaces in lieu of the required five (0) on-site parking spaces for the proposed five-unit building.
8. **Landscaping.** The project's rear property line shall be installed with at least 18, 36-inch box trees planted in two rows as shown in landscape plan sheet of Exhibit A.
9. **Parking.** Bicycle Parking. Residential bicycle parking shall be provided consistent with LAMC 12.21-A,16.
10. **Construction.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.
11. **Freeway Adjacency.** All exterior windows having a line of sight of the Interstate 5 Freeway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Coefficient (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto. Or, the applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.
12. **Air Quality.** An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 13. The air filtration system shall be installed to the satisfaction of the Department of Building and Safety.
- During operation, the Applicant or its successor shall verify that all air filters are properly maintained through inspection, self-certification, survey, or other equally effective measure. In addition, the Applicant or its successor shall be responsible for the replacement of all air filters at intervals to be established by the heating, ventilation and air conditioning (HVAC) system manufacturer. The Applicant or its successor shall retain, and make available to the City upon request, maintenance records related to the inspection and replacement of all air filters for at least 5 years after the recorded inspection date. The Applicant or its successor shall also ensure that long term funding for air filter maintenance and replacement is available.
13. **Lighting.** Outdoor lighting shall be designed and installed with shielding, such that the light source does not illuminate adjacent residential properties or the public right-of-way.
14. **Windows and Glazing.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high- performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

B. Street Standards

16. **Dedications.** No dedication shall be required for the west side of Boyle Avenue, which adjoins the project site's street frontage.
17. **Improvements.** The project shall be required to repair all broken, off-grade, or bad order concrete curb, gutter, and sidewalk along the property frontage to the satisfaction of the Bureau of Engineering.

C. Administrative Conditions

18. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
19. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.
20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.
22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
23. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
24. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
25. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

26. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

- a. Pursuant to Section 12.22 A.25(g) of the LAMC and Government Code 65915(d), the Commission shall approve a density bonus and requested incentive(s) unless the Commission finds that:
- i. The incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs as defined in California Health and Safety Code Section 50052.5 or Section 50053 for rents for the affordable units.

The record does not contain substantial evidence that would allow the Commission to make a finding that the requested incentives do not result in identifiable and actual cost reductions to provide for affordable housing costs per State Law. The California Health & Safety Code Sections 50052.5 and 50053 define formulas for calculating affordable housing costs for very low, low, and moderate income households. Section 50052.5 addresses owner-occupied housing and Section 50053 addresses rental households. Affordable housing costs are a calculation of residential rent or ownership pricing not to exceed 25 percent gross income based on area median income thresholds dependent on affordability levels.

The list of on-menu incentives in 12.22-A.25 were pre-evaluated at the time the Density Bonus Ordinance was adopted to include types of relief that minimize restrictions on the size of the project. As such, the Commission will always arrive at the conclusion that the density bonus on-menu incentives do result in identifiable and actual cost reductions, and are required to provide for, affordable housing costs because the incentives by their nature increase the scale of the project. In this case, an incentive to allow a maximum building height of 56 feet in lieu of the required 45 feet will allow the applicant to construct additional units.

The requested second incentive and other waivers are requests for the elimination parking requirements and reduction of the side, front, and rear yards, as well as the reduction in the size of the building separation and passageway are not expressed in the Menu of Incentives Per LAMC Section 12.22-A,25(f) and, as such, are subject to LAMC Section 12.22-A,25(g)(3).

The requested off-menu incentive and waivers consist of the following: waiver for a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback; waiver for a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback; waiver of a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback; waiver for a building separation of 10 feet in lieu of the required 26-foot building separation; waiver for a passageway of 10 feet in lieu of the required 14-foot passageway; and an off-menu incentive to eliminate the requirement for five (5) on-site parking spaces. The requested incentives and waivers allow the developer to fit the proposed building into the boundaries of the project site so the additional affordable units can be constructed and the overall space dedicated to residential uses is increased without needing to demolish the existing four-unit residential building. The incentives and waivers support the applicant's decision to set aside one dwelling unit on the overall site for Very-Low Income households for 55 years.

Requested On-Menu Incentive

Height Limit. Height District 1 restricts buildings within the R3 Zone to a maximum height of 45 feet. As proposed, the project will have a maximum height of 56 feet. The project proposes to develop the site with the five dwelling units permitted by-right, with one unit set aside for Very-Low Income households. The additional 11 feet

would allow for the fifth story to be constructed to accommodate two dwelling units. The additional height would allow for the development of dwelling units which are of a habitable and sufficient size.

Requested Waivers and Incentive Not on the Menu

Based on the set aside of 11 percent of units for Very-Low Income Households, the applicant is entitled to two incentives under both the Government Code and LAMC.

Pursuant to Government Code Section 65915(e), the Commission is also required to grant a “waiver or reduction of development standards that will have the effect of physically precluding the construction of the density bonus project.” Without the below waivers the existing development standards would preclude development of the proposed density bonus units and project amenities.

Yard Reductions (waivers). To permit the construction of the proposed project, the applicant is requesting reduction of three yard requirements: a reduced front yard, rear yard, and northerly side yard for the proposed five-unit building. In the front yard, the Applicant proposes an eight-foot setback in lieu of the required 15-foot setback. Because of the unique slope on the parcel of land, an eight-foot setback is required to have a reasonable unit situated on the ground level without locating it further under the surface of the slope. The surrounding properties were likewise built with shallow front yards. The existing building is setback approximately five feet from the property line, though the wall created by the front stairs is set at zero feet. The six buildings that run from 737-761 Boyle Avenue are all set back between 0-6 feet from the property line. Therefore, an eight-foot setback would be consistent with the existing development on the block and would not have an adverse impact on health, safety, or physical environment.

The project also proposes a 10-foot rear yard in lieu of a 15-foot rear yard. Because of the irregular shape and size of the lot, the building’s footprint must extend five additional feet into the portion that would normally be reserved for the rear yard. The depth of the lot along the northern property line is approximately 69 feet, which is where the new construction would take place. Furthermore, the rear property line abuts the publicly-owned right-of-way for Interstate 5. Because of this, no sensitive uses (i.e. residential land, schools, or institutions) exist or will exist on the property abutting the rear lot line, thereby requiring a rear yard to buffer the use or mass of the proposed building. Therefore, a 10-foot setback would be compatible with the existing land uses to the rear of the site and would not have an adverse impact on health, safety, or physical environment.

Finally, the project proposes a four-foot northerly side yard in lieu of the required 8-foot side yard. In order to fit the proposed building onto the site and provide a 10-foot passageway/building separation, the building must be positioned closer to the northerly lot line. The property abutting the northerly lot line is currently vacant. The four-foot side yard will provide an adequate buffer for the abutting property, should future development occur, and will ensure the physical accommodation of the additional units with the existing building on-site and would not have an adverse impact on health, safety, or physical environment.

Building Separations and Passageways (waivers). The City of Los Angeles Municipal Code (LAMC) mandates various requirements, which apply when multiple buildings are situated on a single lot. These requirements are most often applied to larger residential complexes, but, as there is no minimum unit threshold, they would also apply to the new five-unit building proposed by the project. The applicant requests relief from LAMC 12.21.C.2(a), which requires a building separation of 26

feet for the project as designed, and per LAMC 12.21.C.2(b), which requires a passageway of 14 feet from the entrance of each unit to the street. In lieu of these requirements, the applicant proposes a minimum passageway and building separation of 10 feet. In both code sections, the required width has a base measurement (passageway) or reduced option (separation) of 10 feet. The width of 10 feet would admit a vehicle in an emergency and provides a reasonable buffer between units in the different buildings.

Due to the unique shape and size of the project site, the provision of additional units, including the affordable unit, would be physically impossible if the full 26-foot separation and 14-foot passageway was required. The space between the existing building and the property line is approximately 38 feet, thus a 26-foot building separation would leave only 12 feet in which to locate the new building footprint and provide a northerly side yard. Furthermore, the building separation and passageway measurement excludes the exterior staircase, which is approximately six feet wide, thereby providing a virtual 16-foot separation/passageway between the closest edge of the existing building and the façade of the new building. Therefore, a building separation and passageway of 10 feet would not have an adverse impact on health, safety, or physical environment.

Parking (incentive). The applicant requests an incentive to eliminate the requirements for five (5) on-site parking spaces related to the new 5 units. The project is eligible for Parking Option 1, which requires one space for each studio unit. However, because of the steeply sloping topography of the project site and the desire to maintain the existing four-unit apartment building on-site, there is no available area to provide five spaces of parking. Providing parking underground would be physically and financially infeasible and would preclude the construction of the residential units, including the affordable unit. The cost of constructing underground parking is tens of thousands for each underground parking space. This cost savings supports the project's ability to provide one unit at a restricted rental amount. Based on the observation of staff, on-street parking is typically available along both sides of Boyle Avenue between the freeway underpass and Whittier Boulevard. Therefore, the elimination of the five required parking spaces would not have an adverse impact on health, safety, or physical environment.

- ii. **The Incentive will have a specific adverse impact upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there are no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to Very Low, Low and Moderate Income households. Inconsistency with the zoning ordinance or the general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.**

There is no substantial evidence that the proposed incentives or waivers will have a specific adverse impact. A "specific adverse impact" is defined as, "a significant, quantifiable, direct and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete" (LAMC Section 12.22-A.25(b)). As required by Section 12.22 A.25 (e)(2), the project meets the eligibility criterion that is required for projects requesting on-menu incentives in that the project : i) provides facade articulation; ii) provides street orientation ; iii) does not involve a contributing structure in a designated Historic Preservation Overlay Zone or a property on the City of Los Angeles list of Historical-Cultural Monuments; and iv) is not located on a

substandard street in a Hillside Area of Very High Fire Hazard Severity Zone. There is no substantial evidence in the record to support a denial of the request on this basis. There is no evidence in the records which identifies a written objective health and safety standard that has been exceeded or violated. Based on the above there is no basis to deny the requested incentive.

Waiver of Dedication and Improvement Findings

Pursuant to LAMC Sections 12.37-I,2(b) and 12.37-I,3, the Commission may waive, reduce or modify the required dedication or improvement as appropriate after making any of the following findings, based on substantial evidence in the record:

- a. The dedication or improvement requirement does not bear a reasonable relationship to any project impact;**
- b. The dedication or improvement is not necessary to meet the City's mobility needs for the next 20 years based on the guidelines the Street Standards Committee has established; or**
- c. The dedication or improvement requirement is physically impractical.**

2. The dedication or improvement is physically impractical.

The project site is located fronting Boyle Avenue. Boyle Avenue is a designated Modified Avenue II, which requires a 43-foot half right-of-way, including a 26-foot half roadway and 17-foot sidewalk along the project site's frontage. Boyle Avenue is presently dedicated to a 40-foot half right-of-way comprised of a 27.5-foot roadway and a 12.5-foot sidewalk.

In order to comply with the street standards for a Modified Avenue II per the Mobility Plan 2035, the project would be required to provide 3 feet of dedication and full width sidewalk improvements in order to create a 43-foot half-width right-of-way in accordance with current street standards. The full 3-foot dedication and improvement to widen the sidewalk is physically impractical. The properties located to the immediate north of the project site are not currently dedicated to provide Boyle Avenue with a full half-width of 43 feet in accordance with the current Modified Avenue II street standard. Further, the existing sidewalk is currently located within the subject property and measures 12.5 feet in width. The Subject Site is located mid-block where a 17-foot sidewalk would create an inconsistency in an existing fully improved contiguous 12.5-foot concrete sidewalk along the entire block. Furthermore, the dedication would only be applicable a 28-foot portion of the lot in front of the proposed building as the existing building is already constructed to the property line along the sidewalk. This would result in only a small portion of sidewalk along this portion of Boyle Avenue being dedicated and constructed to a width of 17 feet, while the rest of the sidewalk would still be constructed to an approximate width of 12.5 feet, which would be physically impractical. The project will, at ground level, provide a walkway to the building's entrance, thereby complying with the Complete Streets Design Guide, which calls for accessible routes and other architectural details at building entrances to highlight entry points. The waiver of dedication and improvement to eliminate the full 3-foot dedication requirement will still allow the city to meet its mobility needs. Pedestrian access to the site and surrounding areas will be maintained and improved with the reconstruction of the existing sidewalk, which will provide access from the site to nearby amenities and public transportation.

Environmental Findings

- 3. Environmental Finding.** The Department of City Planning determined that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15332, Class 32 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. As described in the Environmental Narrative dated July 2, 2018 attached to the Notice of Exemption for Case No. ENV-2018-466-CE. A project qualifies for a Class 32 Categorical Exemption if it is a project to be developed on an infill site and meets the conditions described in this section. The five (5) conditions which the project must meet in order to qualify for the Class 32 Categorical Exemption are 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.

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of “In-fill Projects” as follows:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:**

The project site is located within the Boyle Heights Los Angeles Community Plan, one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. The Community Plan contains goals, objectives, and policies relative to land use and is implemented through the Zoning Code. The Community Plan designates the site with a land use designation of Medium Residential, which lists the R3 Zone as a corresponding zone. The project site is zoned R3-1-RIO-CUGU, which is consistent with the land use designation.

In conjunction with the proposed five new dwelling units with one unit (11 percent) set aside for Very-Low Income Households, the applicant has requested one on-menu incentive, one waiver and five modifications of development standards. The on-menu incentive is for an increase in height, from 45 feet to 56 feet. The additional waiver and modifications to development standards are to allow to waive the requirement for five (5) on-site parking spaces, to permit a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback, a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback, a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback, a building separation of 10 feet in lieu of the required 26-foot building separation, and a passageway of 10 feet in lieu of the required 14-foot passageway. The applicant is requesting the incentive, waiver, and modifications in order to be able to fit the proposed building onto the project site while retaining the existing four-unit residential apartment building.

The project site is comprised of two parcels and consists of 8,800 square feet of lot area, which would permit a maximum of 11 dwelling units. As the project proposes the construction of five new dwelling units in addition to the four existing dwelling units for a

total of nine dwelling units, the proposed density does not exceed the allowable maximum density. The proposed height of 56 feet would exceed the maximum allowable height of 45 feet, however with the approval of the requested on-menu incentive and modifications and waiver of development standards in conjunction with the set aside of 11 percent of the base units for Very-Low Income households, the project would be consistent with the goals, objectives, and policies of the Community Plan and with the applicable zoning regulations.

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

The project site is comprised of two parcels, with approximately 8,800 square feet (0.2 acres) of lot area on the western side of Boyle Avenue. As stated previously, the site is located within the Boyle Heights Community Plan, which is an urbanized area of the City of Los Angeles. Properties located along the eastern and western side of Boyle Avenue are residentially zoned and are developed with single- and multi-family uses. Properties to the south of the subject site are zoned for and developed with multi-family residential uses. The project site is bordered by the I-5 Freeway to the west and the proposed building is located approximately 25 feet from the Freeway right-of-way and approximately 85 feet from the easternmost Freeway travel lane. As such, the project site is located within an area developed with urban uses and is less than five acres.

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

The project site is located within an established, fully developed, urban area and not adjacent to any mapped habitat for endangered, rare or threatened species. The project site has been developed since 1916 and has no value as a 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:

Traffic:

The proposed project involves the construction of a new five-unit, 1,792 square-foot, 56 foot tall, three-story over basement apartment building. According to the Los Angeles Department of Transportation (LADOT) Traffic Study Exemption Thresholds a project resulting in the development of less than 35 apartment units is not required to prepare a traffic study as any traffic impacts related to the project will be minimal.

Noise:

A significant impact would occur if the proposed project would result in exposure of persons to or generation of noise levels in excess of standards established in the general plan, noise ordinance, or applicable standards of other agencies. The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. These regulations pertain to construction hours; LAMC Section 41.40 (Noise Due to Construction, Excavation Work – When Prohibited), and LAMC Section 112.05 (Maximum Noise Level of Powered Equipment or Powered Hand Tools) also specifies the maximum noise level of powered equipment or powered hand tools. LAMC Section 41.40 specifies that no person shall, between the hours of 9:00 p.m. and 7:00 a.m. of the following day, perform any construction or repair work of any kind upon, or any excavating for, any building or

structure. In addition, the operation, repair or servicing of construction equipment and the delivery of construction materials to the project site shall be prohibited during the hours specified. Section 112.05 of the LAMC states that between the hours of 7:00 a.m. and 10:00 p.m., in any residential zone of the City or within 500 feet thereof, no person shall operate or cause to be operated any powered equipment or powered hand tool that produces a maximum noise level exceeding the 75 dBA for construction equipment at a distance of 50 feet. The 75 dBA noise limitation does not apply when compliance is not technically feasible. Section 112.02 of the LAMC prohibits air conditioning, refrigeration, heating, pumping, and filtering equipment from increasing existing average ambient noise levels by more than 5 dBA. As a result of compliance with these mandatory regulations and policies, the proposed project will not result in any significant noise impacts.

Air Quality:

The building construction phase includes the construction of the proposed building on the subject property, grading for subterranean parking, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM_{2.5} and PM₁₀ emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_x 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.

Nevertheless, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by 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.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meet SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

The project would result in a new five-unit apartment building being added to the site. Possible project-related air quality concerns will derive from the mobile source emissions generated from the proposed residential uses for the project site. Operational emissions for project-related traffic will be less than significant. In addition to mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site

electrical generation. These sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The proposed project will not cause the SCAQMD's recommended threshold levels to be exceeded.

Water Quality:

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and construction of the project will not create any impact to water quality. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70.

(e) The site can be adequately served by all required utilities and public services:

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. These utilities and public services have continuously served the neighborhood for more than 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services.

Exceptions to the use of Categorical Exemptions:

Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed project listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project as described below:

- A. Location. *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The project qualifies for a Class 32 Categorical Exemption. The requested project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project site is currently developed with an existing four-unit residential apartment building and is located in an urbanized area in the City of Los Angeles and is not located within an officially mapped area of severe geologic hazard. The project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

- B. 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 development of the project site with five new dwelling units is consistent with the zone and land use designation of the site, as designated by the Boyle Heights Community Plan,

and as permitted by the City's Affordable Housing Incentives – Density Bonus (LAMC 12.22-A.25) The Community Plan's Medium Residential designation of the site includes multi-family density and uses was completed in anticipation of environmental impacts based on the maximum allowable density for the project site and the surrounding area. The proposed project is not requesting any density deviations from what is otherwise permitted by the underlying zoning of the site. The requested deviations from the otherwise applicable zoning regulations are related to off-street parking and the placement of the new building in relation to the property line and the existing on-site residential building. Such deviations will not result in any significant environmental impacts, therefore successive projects of the same type in the same place are not anticipated to result in a cumulative impact. Other by-right projects in the surrounding area would have been analyzed for their environmental impacts during the preparation of the Community Plan and are not subject to further CEQA review. Any project proposing to deviate from the Community Plan and underlying zone would require a CEQA clearance and impacts would be mitigated for the project individually.

A successive project of the same type and nature would reflect a development that is consistent with the underlying land use designation and Los Angeles Municipal Code. Any such project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce potential impacts to less than significant and would, therefore, not create a cumulative impact.

- C. Significant Effect Due to Unusual Circumstances. *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.*

There is no reasonable possibility that the proposed project will have a significant effect due to unusual circumstances. Construction of the project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff, among others. The project is an infill project located in an existing multiple- and single- family developed residential neighborhood, with no identifiable unusual circumstances that present a likelihood of significant effects on the environment.

- D. 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.*

The project will not damage scenic resources within a designated scenic highway. The project is not located on a designated scenic highway and will not impact any identified scenic resources, such as trees, buildings, rock outcroppings, or similar resources.

- E. 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.*

The project site has not been identified as a hazardous waste site. In addition, a number of existing state and federal laws and programs apply to hazards and hazardous materials and would apply to subsequent future individual development projects. These include the

Resource Conservation and Recovery Act, California Fire Codes, Senate Bill 1082 (Facilities Subject to Corrective Action), Department of Health Services regulations, and Department of Housing regulations. Finally, Municipal Code Section 54.05 requires that a hazardous substance clearance report, including provisions for site remediation if warranted, be approved by the County Health Department and recorded with the County for sale or transfer of any property, upon which there has been an unauthorized disposal or release of a hazardous substance.

- F. *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.*

The existing structure on site is not a designated Historic Cultural Monument (HCM), nor has it been identified as individual historic resources under SurveyLA.

4. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

PUBLIC HEARING AND COMMUNICATIONS

A public hearing was conducted on June 19, 2018, at 2:00 PM, at Los Angeles City Hall, 200 North Spring Street, Room 1070, Los Angeles, CA 90012.

1. Attendees

The hearing was attended by the applicant, the applicant's representative, the applicant's architect, and one member of the public.

2. Testimony

- a. Mr. Gary Benjamin, the applicant's representative, and Ms. Fernanda Oppermann, the applicant's architect, presented details about the proposed project that began with an overview of the applicant's desire to utilize innovative development and construction methods in order minimize construction costs while being able provide additional housing next to an existing on-site apartment building without resulting in any displacement. Mr. Benjamin's presentation shared that the project site's owners are from Boyle Heights and that their goal is to develop projects that are smaller in scale with a community-based ethic of no-displacement, lower close, minimum construction impact, and serving the community. Mr. Benjamin moved on to state that the area is well served by transit and includes ample street parking, thus negating the need for on-site parking.
- b. One member of the public attended and stated that he was in attendance to receive more information regarding the project as he owned property along Boyle Avenue. He further stated that he had not taken a position regarding the project.
- c. The Hearing Officer raised the following comments, concerns, and issues:
 1. Asked the applicant team to elaborate on their outreach efforts to the surrounding community;
 2. Asked the applicant to further elaborate on how they would address concerns raised by the Professional Volunteer Program related to freeway adjacency.
 3. Suggested landscaping and outdoor open space features to screen the building from both the existing on-site building to the south and the abutting property to the north.

3. Written Correspondence

a. Support:

1. A letter of support dated May 23, 2018, from the Boyle Heights Neighborhood Council, stating that at their meeting on April 25, 2018 the Board voted 9 to 1 to conditionally support the proposed project.

EXHIBIT A

| | | | |
|-----------------------|---|---------------------|---|
| NORTH ARROW |  | DETAIL/WALL SECTION |  |
| CENTER LINE |  | DETAIL ENLARGEMENT |  |
| PROPERTY LINE |  | | |
| HIDDEN/CONCEALED LINE |  | | |
| ELEVATION CONTROL |  | INTERIOR ELEVATION |  |
| WORK POINT |  | | |
| SPOT ELEVATION |  | ROOMNAME/NUMBER |  |
| GRIDLINES |  | | |
| ELEVATION |  | DOOR NUMBER |  |
| BUILDING SECTION |  | WINDOW NUMBER |  |
| | | WALL TYPE |  |

[illegible]

The image displays five architectural floor plans for a building, arranged horizontally. Each plan includes dimensions and room areas in square feet (SF).

- 3RD FLOOR MEZZANINE UNITS 4 & 5:** A long, narrow plan with a total width of 40' and a total length of 3'-10". It features two balconies, each 10' wide. The plan is divided into two main sections, each 23'-6" high, with a central corridor. Room areas include 115 SF, 235 SF, and 115 SF.
- 3RD FLOOR UNITS 4 & 5:** A long, narrow plan with a total width of 48' and a total length of 3'-10". It features two balconies, each 10' wide. The plan is divided into two main sections, each 23'-6" high, with a central corridor. Room areas include 235 SF, 390 SF, and 235 SF.
- 2ND FLOOR UNIT 3:** A long, narrow plan with a total width of 40' and a total length of 3'-10". It features a balcony 10' wide. The plan is divided into two main sections, each 23'-6" high, with a central corridor. Room areas include 390 SF and 235 SF.
- 1ST FLOOR UNIT 2:** A long, narrow plan with a total width of 40' and a total length of 3'-10". It features a balcony 10' wide. The plan is divided into two main sections, each 23'-6" high, with a central corridor. Room areas include 390 SF and 235 SF.
- GROUND FLOOR (BASEMENT) UNIT 1:** A long, narrow plan with a total width of 32' and a total length of 3'-10". It features a balcony 10' wide. The plan is divided into two main sections, each 23'-6" high, with a central corridor. Room areas include 390 SF and 235 SF.

TOTAL PROJECT AREA: 4,992 SF

— —

5183 21
SCALE 1" = 80'

2006

PARCEL MAP
P.M. 143-79-80

DIAMOND HILL TRACT
M.B. 7-120

HOLLENBECK PARK TRACT
M.B. 3-95

TRACT NO. 4673
M.B. 91-77-78

HANCOCK SURVEY
M.R. 32-9-10

STATE K FWY.
GOLDEN
WHITTIER
BOYLE
CHICAGO ST.
INEZ ST.

BLK 59

CODE
12703

0-6-04
B1128202
8/12/2007-86
3/12/09
J00401230400000-11

REVISOR
J-30-02

ASSESSOR MAP, N.T.S.

WHITTIER
CHICAGO
INEZ
BOYLE
GOLDEN STATE
SUNRISE ST
CLARENCE
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RTE. 102
RTE. 103
RTE. 104
RTE. 105
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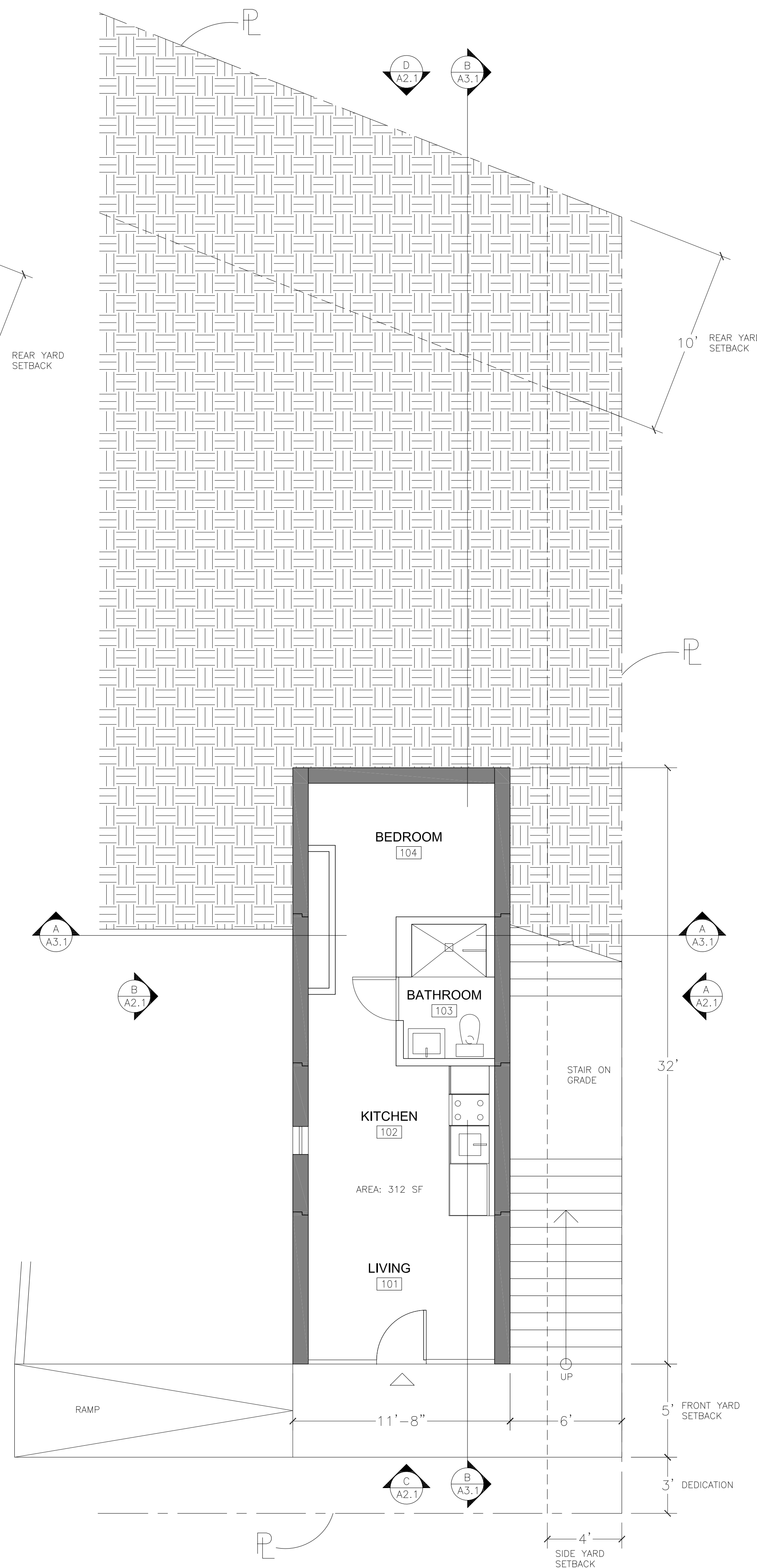
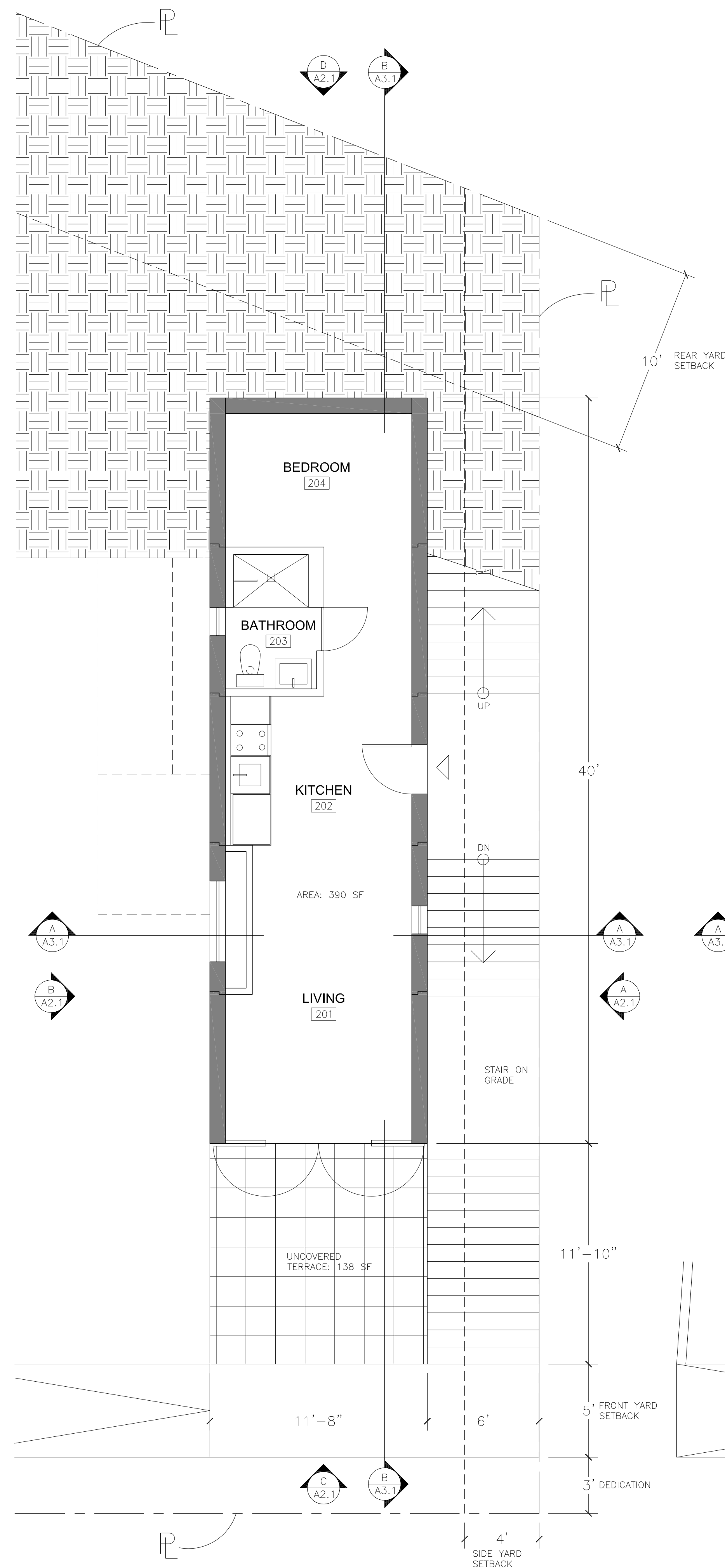
PROJECT LOCATION (N.T.S.)

The site plan illustrates the proposed development at 1000 Boyle Avenue. The site is bounded by Boyle Avenue to the south, which is 80 feet wide (Right of Way). The existing building, a 2-story structure with an area of 3,200 SF, is shown as a hatched area and is noted as 'NOT A PART' of the current project. The proposed building is a rectangular structure with a side yard setback of 10 feet and a rear yard setback of 10 feet. A 4-foot wide passage way is located between the existing and proposed buildings. The site also features a stair on grade and a dedication area. The overall dimensions of the site are 106'-2" wide and 69'-7" deep. The street width is 50 feet, and the Right of Way (R.O.W.) width is 80 feet. A north arrow is located in the bottom right corner.

STRUCTURAL

SHEET NUMBER

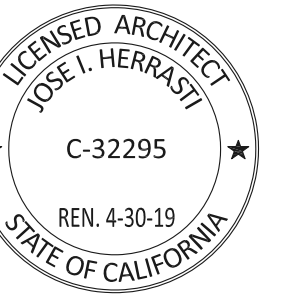
GO



| PROPOSED BUILDING AREA SUMMARY | | | | | | |
|--------------------------------|----------|-----------|-----------|-----------|---------------------|----------|
| UNIT | BASEMENT | 1ST FLOOR | 2ND FLOOR | 3RD FLOOR | 3RD FLOOR MEZZANINE | |
| UNIT 1 | 312 SF | -- | -- | -- | -- | 312 SF |
| UNIT 2 | -- | 390 SF | -- | -- | -- | 390 SF |
| UNIT 3 | -- | -- | 390 SF | -- | -- | 390 SF |
| UNIT 4 | -- | -- | -- | 235 SF | 115 SF | 350 SF |
| UNIT 5 | -- | -- | -- | 235 SF | 115 SF | 350 SF |
| TOTAL AREA | 312 SF | 390 SF | 390 SF | 470 SF | 230 SF | 1,792 SF |

OWNER:

TOLEDO CAPITAL DEVELOPMENT
ATTENTION: ARTURO BECERRA
553 SOUTH CLARENCE ST
LOS ANGELES, CA 90033
(562) 213 7004



ARCHITECT:

MUTUO + URBIN
309 E 8TH STREET, 205
LOS ANGELES, CA 90014
213 232 1606

STRUCTURAL:

ENTITLEMENT SET

[illegible]

PROJECT NAME:

731 BOYLE AVENUE

PROJECT LOCATION:

731 BOYLE AVENUE,
LOS ANGELES, CA 90023

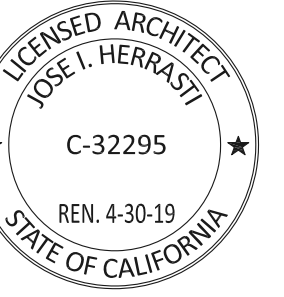
SHEET TITLE:

FLOOR PLANS

SHEET NUMBER: _____

A1.2

COLEDO CAPITAL DEVELOPMENT
 ATTENTION: ARTURO BECERRA
 553 SOUTH CLARENCE ST
 LOS ANGELES, CA 90033
 (562) 213 7004



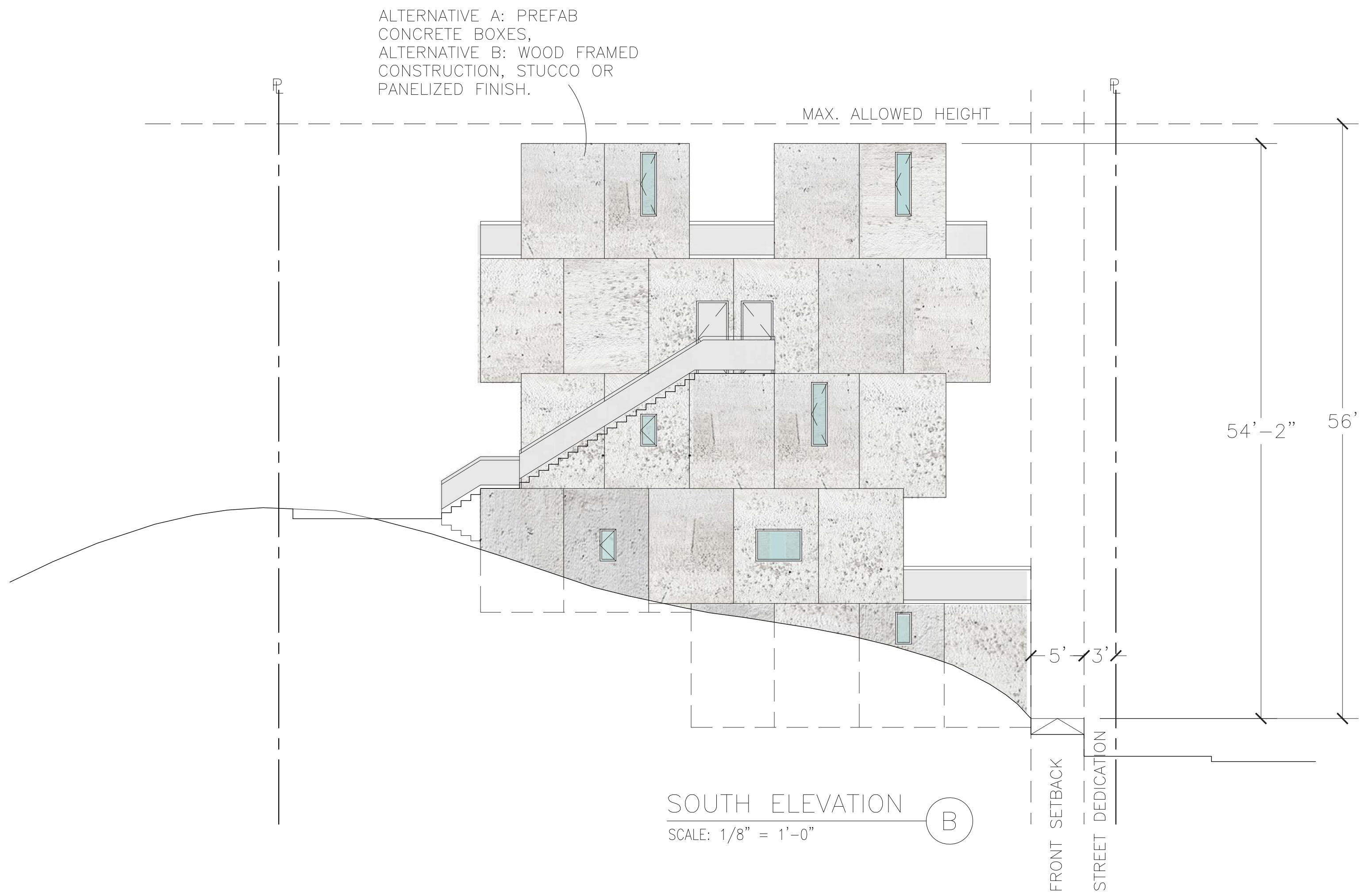
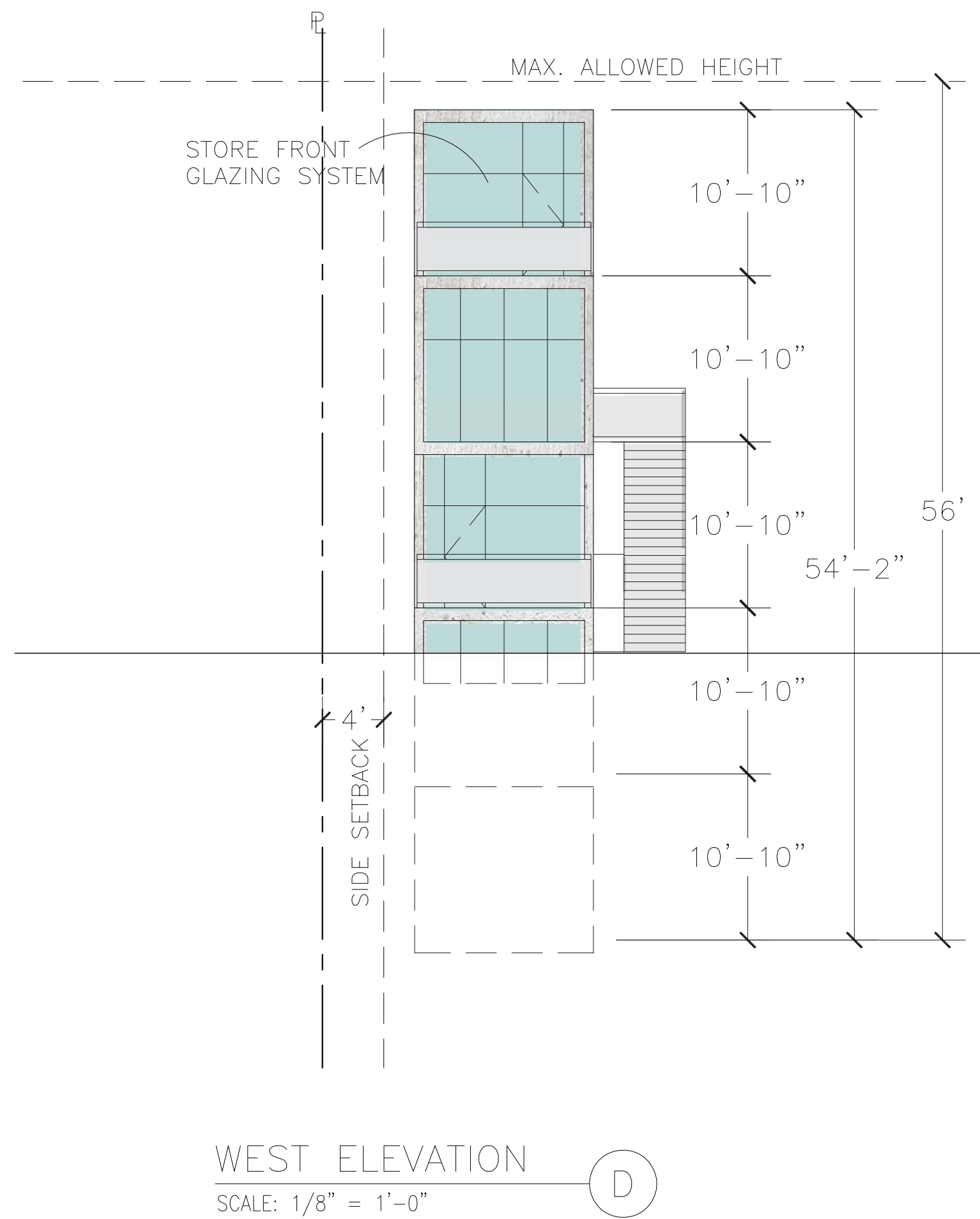
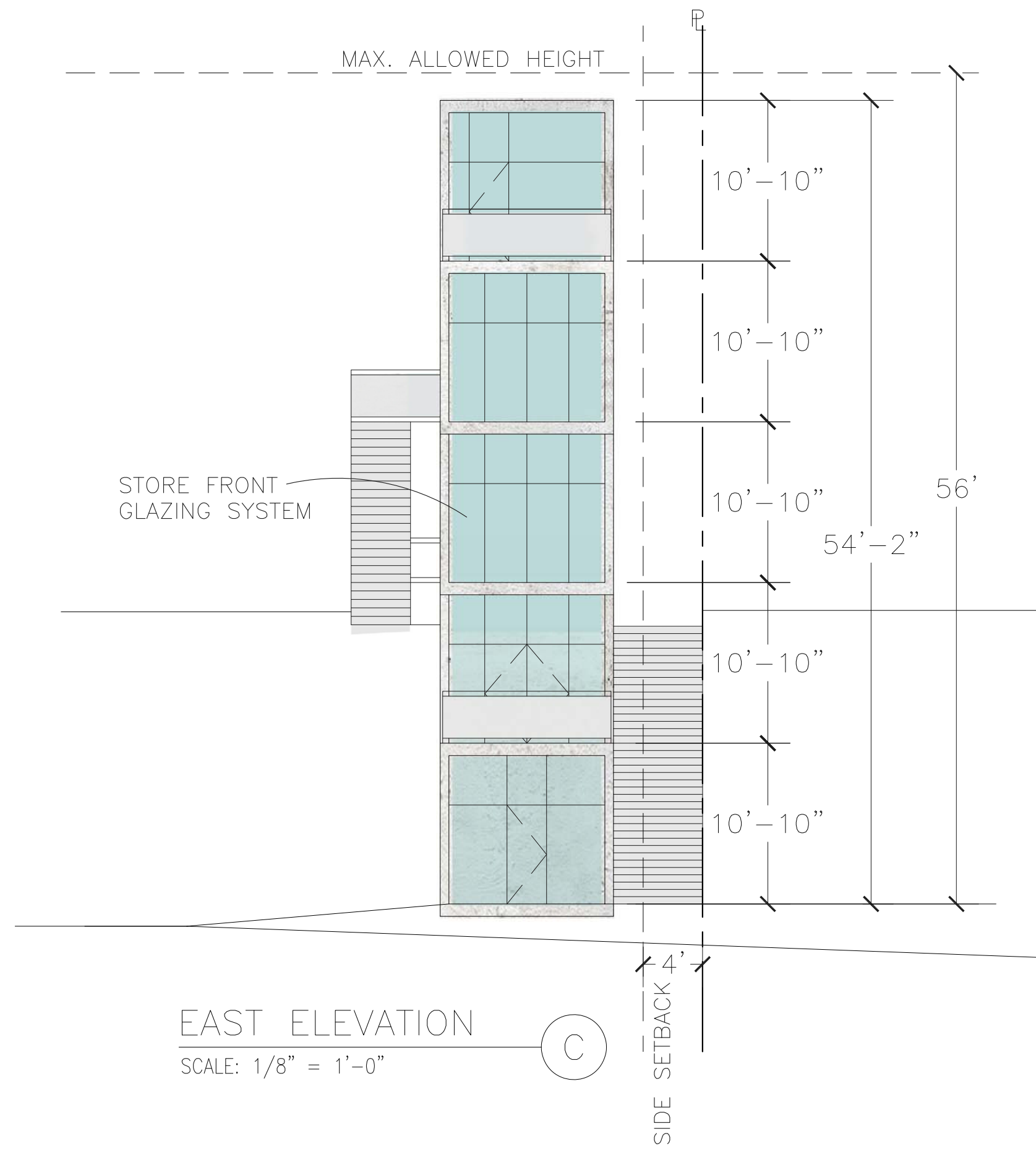
MUTUO + URBIN
309 E 8TH STREET, 205
LOS ANGELES, CA 90014
313 232 1606

ENTITLEMENT SET

PROJECT NAME:
731 BOYLE AVENUE

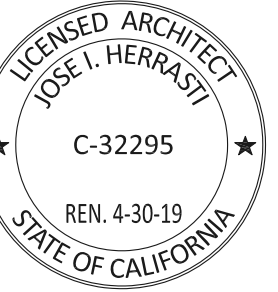
PROJECT LOCATION:
**731 BOYLE AVENUE,
LOS ANGELES, CA 90023**

A1.3



OWNER:

TOLEDO CAPITAL DEVELOPMENT
ATTENTION: ARTURO BECERRA
553 SOUTH CLARENCE ST
LOS ANGELES, CA 90033
(562) 213 7004



ARCHITECT:

MUTUO + URBIN
309 E 8TH STREET, 205
LOS ANGELES, CA 90014
213 232 1606

STRUCTURAL:

ENTITLEMENT SET

| PRINT RECORD: | | | REV. |
|---------------|-------------------------|--|------|
| DATE | DESCRIPTION | | |
| 10/10/2017 | CASE MANAGEMENT MEETING | | |
| 1/23/2018 | ENTITLEMENT SUBMITTAL | | |
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PROJECT NAME:
731 BOYLE AVENUE

PROJECT LOCATION:
**731 BOYLE AVENUE,
LOS ANGELES, CA 90023**

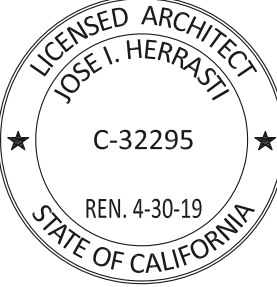
SHEET TITLE:
ELEVATIONS

SHEET NUMBER:

A2.1

OWNER:

TOLEDO CAPITAL DEVELOPMENT
ATTENTION: ARTURO BECERRA
553 SOUTH CLARENCE ST
LOS ANGELES, CA 90033
(562) 213 7004



ARCHITECT:

MUTUO + URBIN
309 E 8TH STREET, 205
LOS ANGELES, CA 90014
213 232 1606

STRUCTURAL:

ENTITLEMENT SET

| PRINT RECORD: | | |
|---------------|-------------------------|------|
| DATE | DESCRIPTION | REV. |
| 10/10/2017 | CASE MANAGEMENT MEETING | |
| 1/23/2018 | ENTITLEMENT SUBMITTAL | |
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PROJECT NAME:

731 BOYLE AVENUE

PROJECT LOCATION:

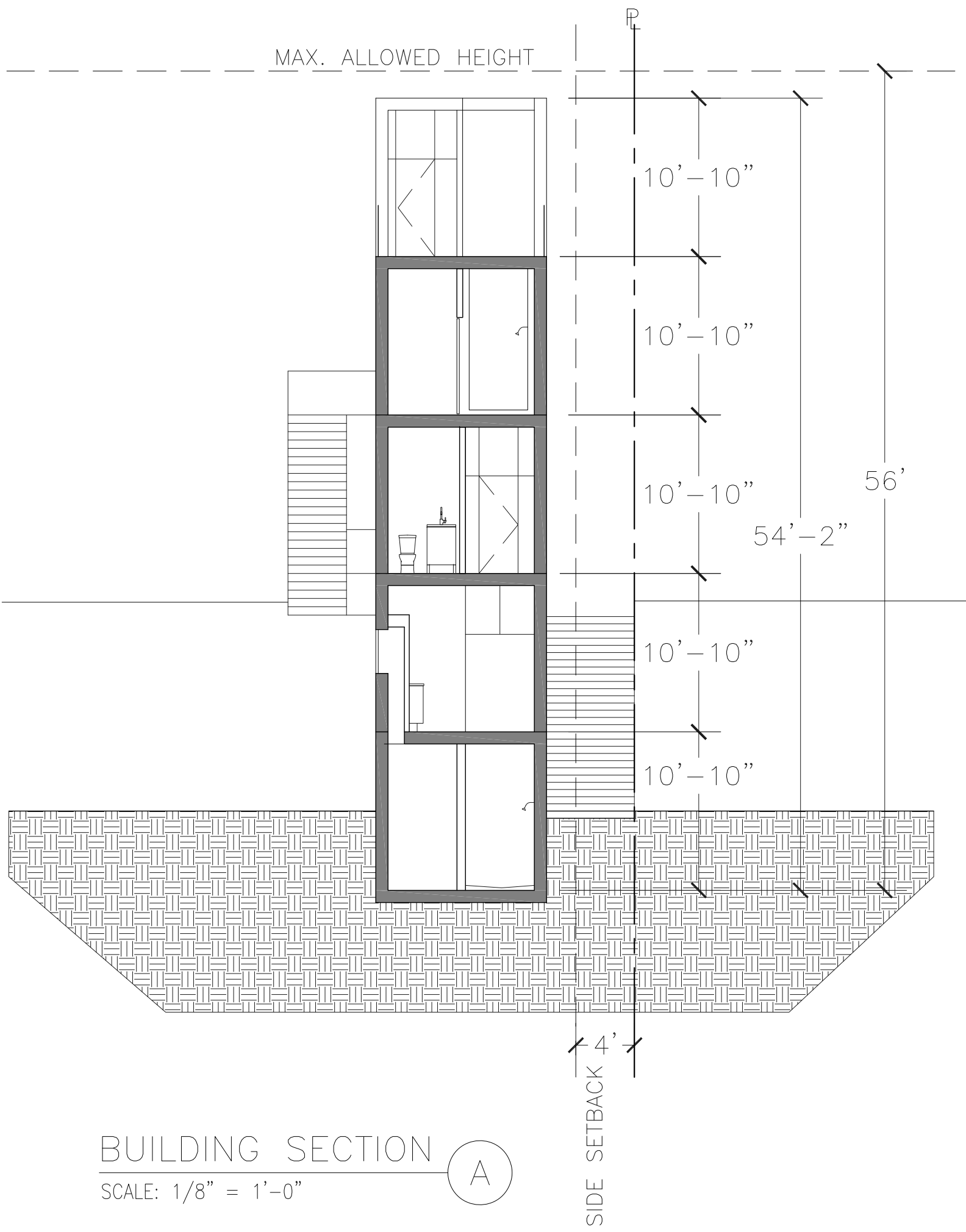
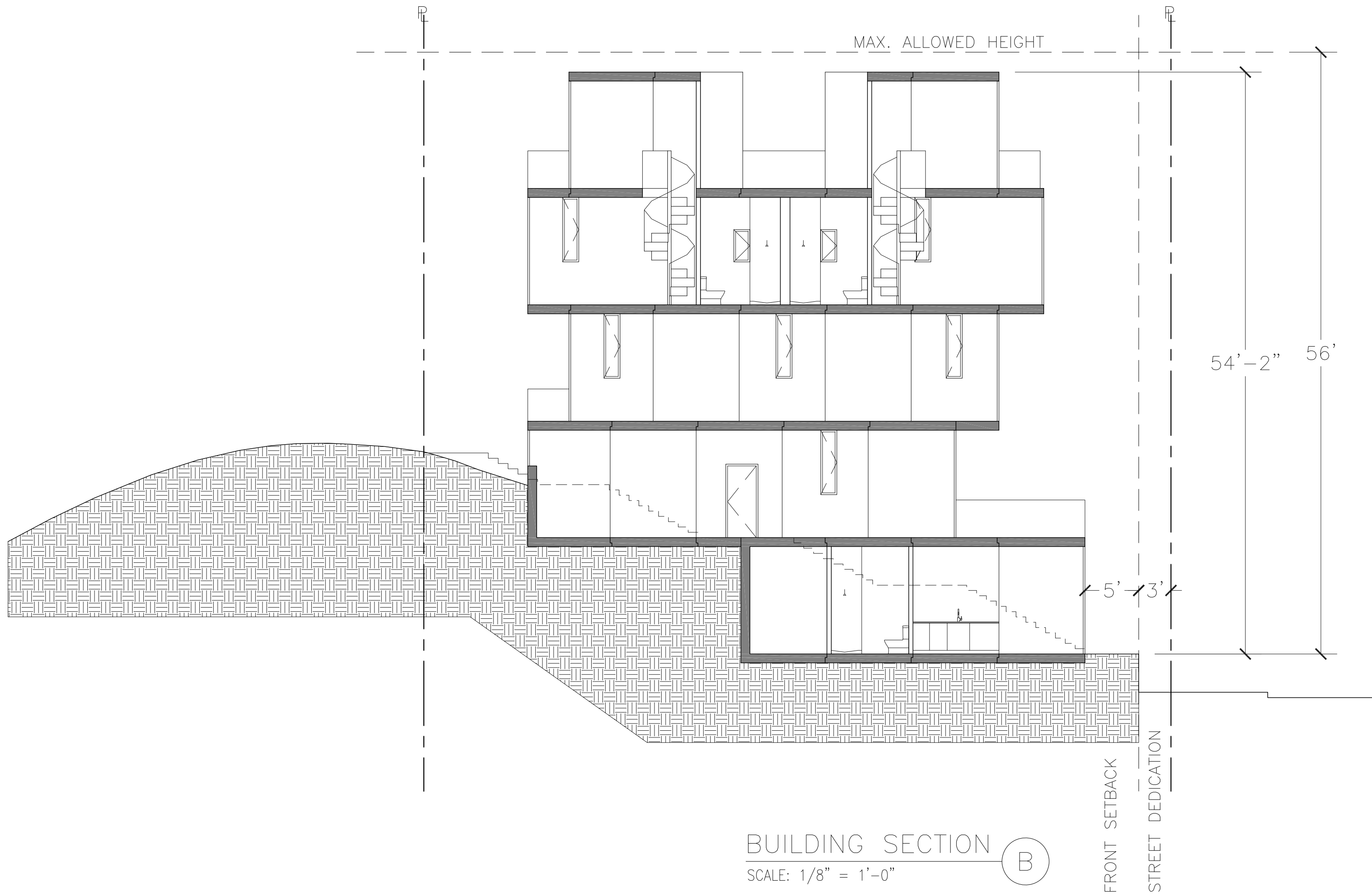
731 BOYLE AVENUE,
LOS ANGELES, CA 90023

SHEET TITLE:

SECTIONS

SHEET NUMBER:

A3.1





THE ARCHITECTURE
FIRM

THE ARCHITECTURE
FIRM



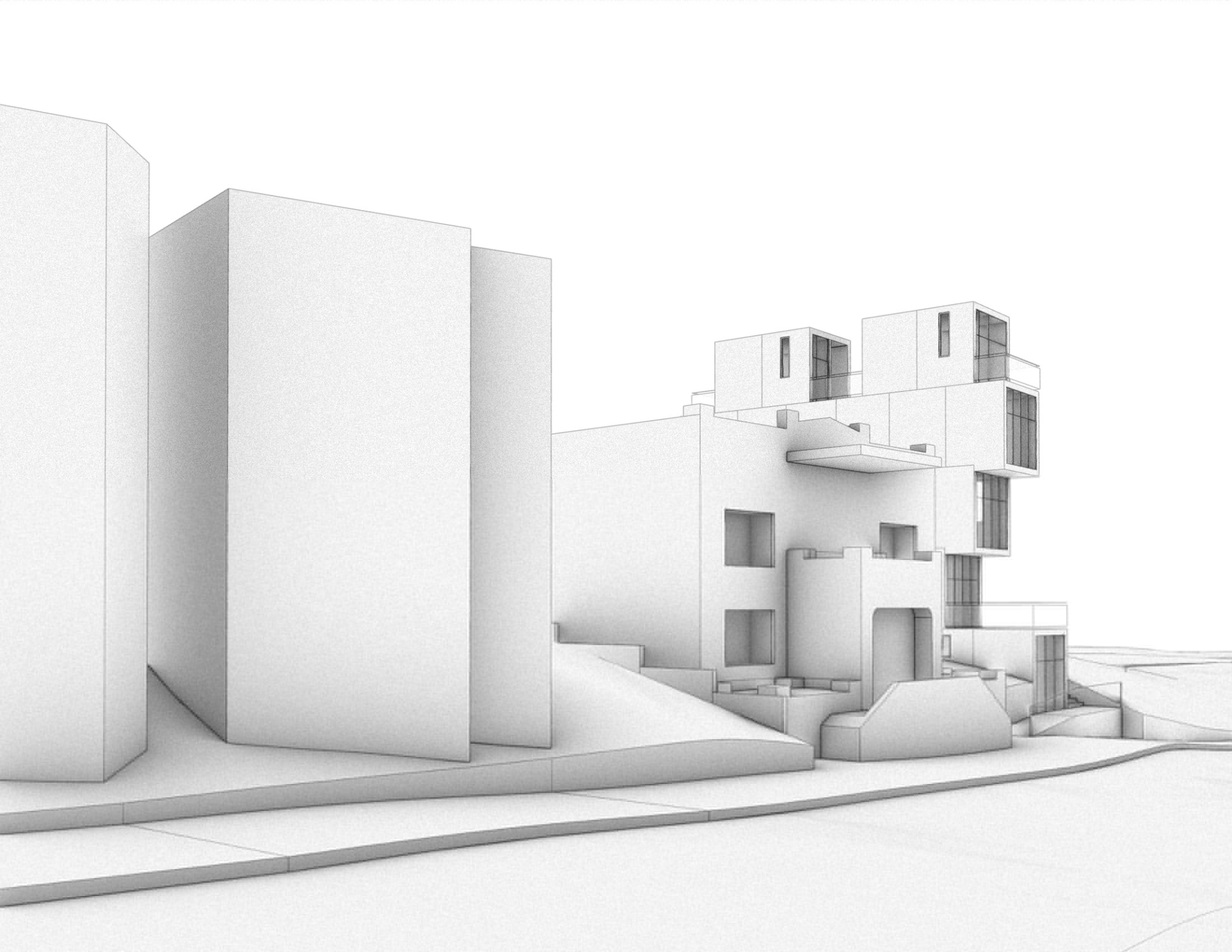
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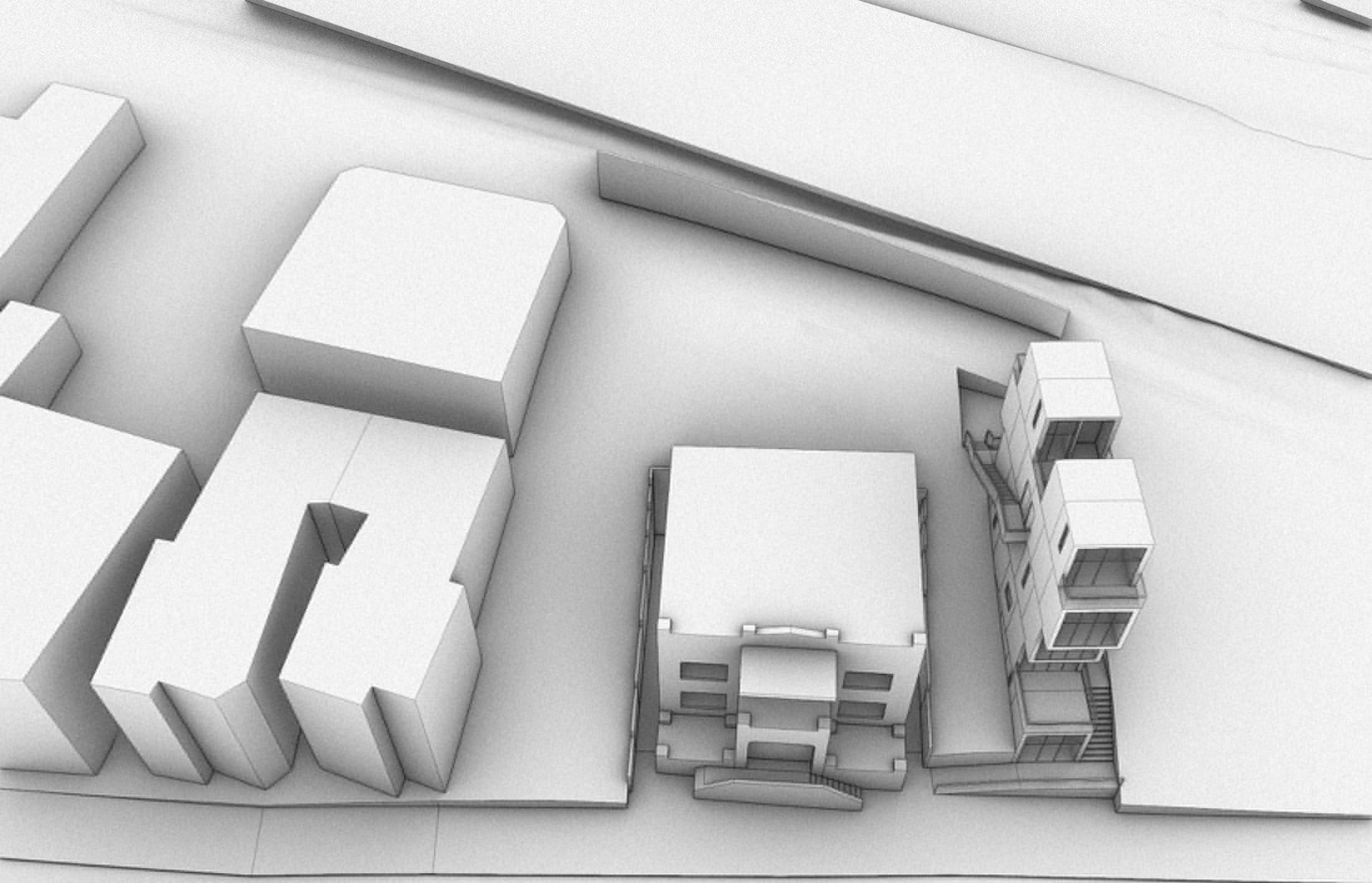
THE ARCHITECTURE
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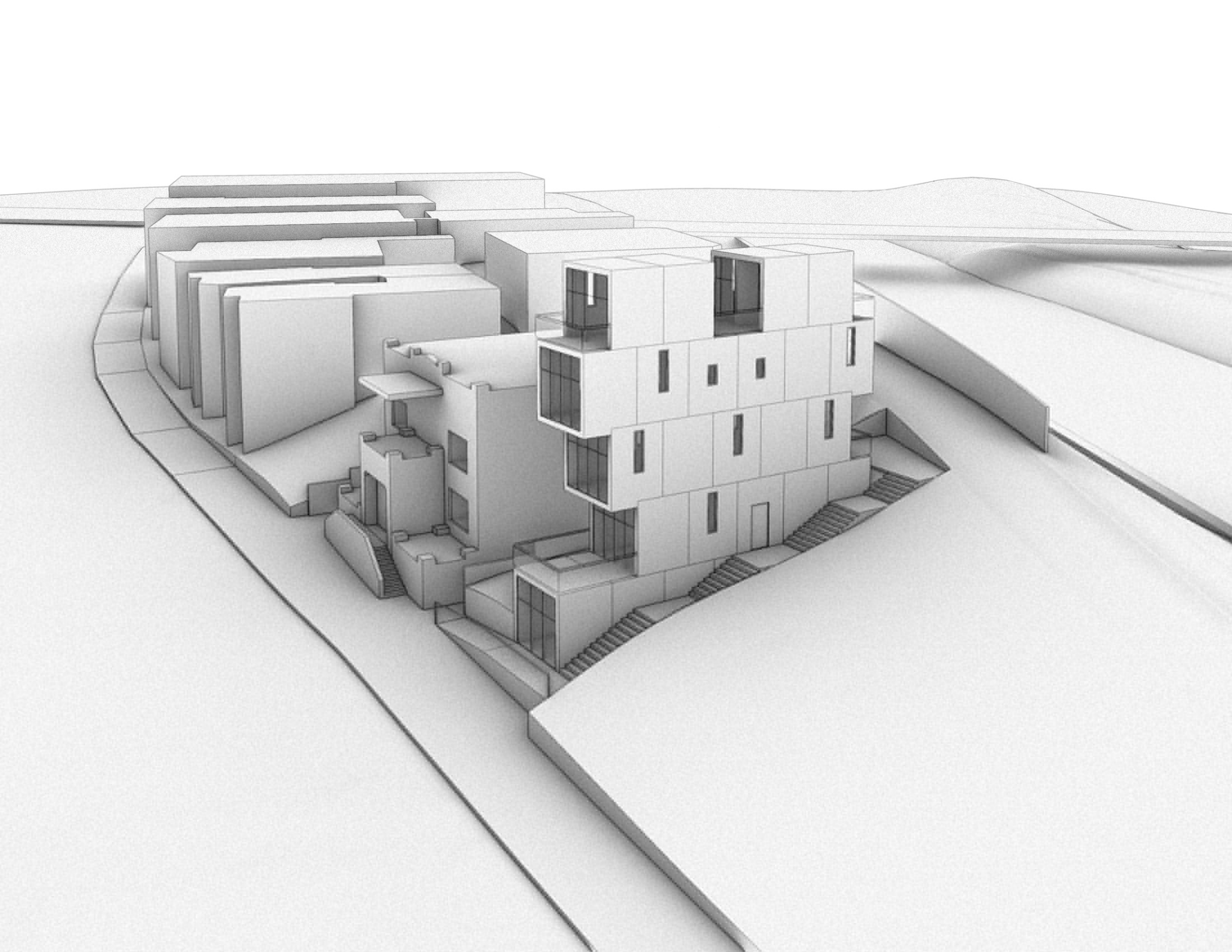
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EXHIBIT B









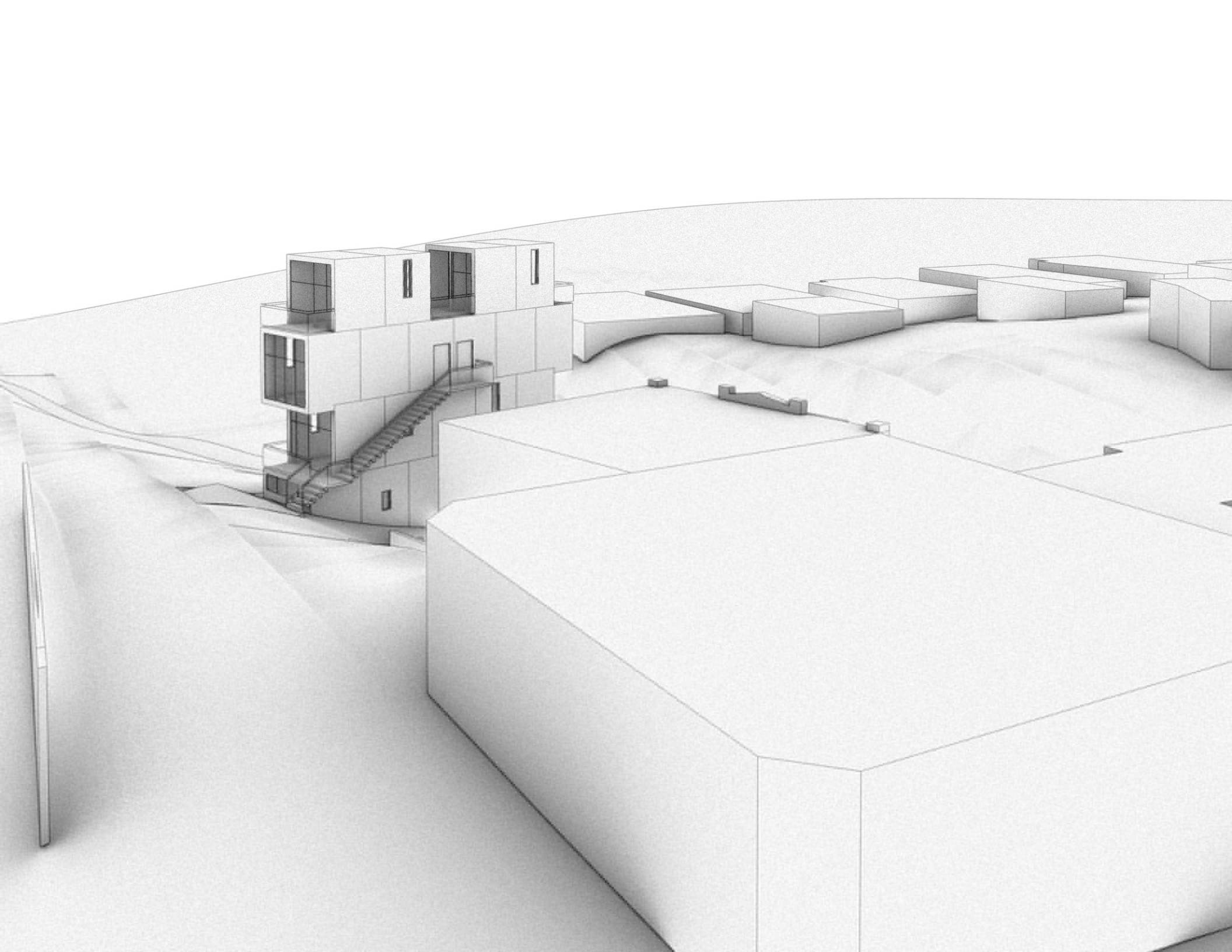


EXHIBIT C



Picture 1 – View of the subject property from across Boyle Avenue.



Picture 2 – Subject site showing existing four-unit building. The proposed five-unit building will be located on the undeveloped portion of the lot shown on the right of the photo.



Picture 3 – Looking south along Boyle Avenue near the front of the existing on-site building. The proposed building will located on this portion of the lot.



Picture 4 – Looking north along Boyle Avenue. The existing building is built to right of the sidewalk.

EXHIBIT D



City of Los Angeles Department of City Planning

8/31/2018 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

731 S BOYLE AVE
731 1/2 S BOYLE AVE

ZIP CODES

90023

RECENT ACTIVITY

None

CASE NUMBERS

CPC-2018-465-DB-WDI
CPC-2016-2905-CPU
CPC-2015-1462-CA
CPC-2008-3125
CPC-2007-5599-CPU
CPC-2007-3036-RIO
CPC-1995-336-CRA
CPC-1986-445-GPC
ORD-184246
ORD-183145
ORD-183144
ORD-166585-SA2990
ORD-129279
ENV-2018-466-EAF
ENV-2016-2906-EIR
ENV-2015-1463-ND
ENV-2013-3392-CE
ENV-2007-5600-EIR
ENV-2007-3037-ND

Address/Legal Information

| | |
|------------------------------|--------------------|
| PIN Number | 124-5A221 29 |
| Lot/Parcel Area (Calculated) | 3,971.7 (sq ft) |
| Thomas Brothers Grid | PAGE 634 - GRID J6 |
| Assessor Parcel No. (APN) | 5183021019 |
| Tract | TR 4673 |
| Map Reference | M B 91-77/78 |
| Block | None |
| Lot | POR 7 |
| Arb (Lot Cut Reference) | None |
| Map Sheet | 124-5A221 |

Jurisdictional Information

| | |
|--------------------------|---------------------|
| Community Plan Area | Boyle Heights |
| Area Planning Commission | East Los Angeles |
| Neighborhood Council | Boyle Heights |
| Council District | CD 14 - José Huizar |
| Census Tract # | 2060.50 |
| LADBS District Office | Los Angeles Metro |

Planning and Zoning Information

| | |
|---|---|
| Special Notes | None |
| Zoning | R3-1-RIO-CUGU |
| Zoning Information (ZI) | ZI-2129 EAST LOS ANGELES STATE ENTERPRISE ZONE ZI-2458 Clean Up Green Up Supplemental Use District ZI-2358 River Improvement Overlay District ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses ZI-2270 Adelante Eastside Redevelopment Project ZI-2452 Transit Priority Area in the City of Los Angeles |
| General Plan Land Use | Medium Residential |
| General Plan Note(s) | Yes |
| Hillside Area (Zoning Code) | Yes |
| Specific Plan Area | None |
| Subarea | None |
| Special Land Use / Zoning | None |
| Design Review Board | No |
| Historic Preservation Review | No |
| Historic Preservation Overlay Zone | None |
| Other Historic Designations | None |
| Other Historic Survey Information | None |
| Mills Act Contract | None |
| CDO: Community Design Overlay | None |
| CPIO: Community Plan Imp. Overlay | None |
| Subarea | None |
| CUGU: Clean Up-Green Up | Boyle Heights |
| NSO: Neighborhood Stabilization Overlay | No |
| POD: Pedestrian Oriented Districts | None |
| RFA: Residential Floor Area District | None |
| SN: Sign District | No |

| | |
|---|--|
| Streetscape | No |
| Adaptive Reuse Incentive Area | None |
| Affordable Housing Linkage Fee | |
| Residential Market Area | Low |
| Non-Residential Market Area | Medium |
| Transit Oriented Communities (TOC) | Not Eligible |
| CRA - Community Redevelopment Agency | Adelante Eastside Redevelopment Project |
| Central City Parking | No |
| Downtown Parking | No |
| Building Line | None |
| 500 Ft School Zone | No |
| 500 Ft Park Zone | Active: Hollenbeck Park/Recreation Center Active: Hollenbeck Skate Park |
| Assessor Information | |
| Assessor Parcel No. (APN) | 5183021019 |
| Ownership (Assessor) | |
| Owner1 | TOLEDO CAPITAL DEVELOPMENT LLC C/O C/O ALFRED FRAJIO JR |
| Address | 1118 TOLEDO ST LOS ANGELES CA 90042 |
| Ownership (Bureau of Engineering, Land Records) | |
| Owner | PADILLA, LUIS H. |
| Address | 731 S. BOYLE AVENUE LOS ANGELES CA 90023 |
| Owner | TOLEDO CAPITAL DEVELOPMENT LLC |
| Address | |
| APN Area (Co. Public Works)* | 0.211 (ac) |
| Use Code | 0400 - Residential - Four Units (Any Combination) - 4 Stories or Less |
| Assessed Land Val. | \$383,907 |
| Assessed Improvement Val. | \$208,080 |
| Last Owner Change | 03/25/2016 |
| Last Sale Amount | \$9 |
| Tax Rate Area | 12703 |
| Deed Ref No. (City Clerk) | 992510 842742 498077 329921 323132 3227229 3227228-9 2656217 2643465-6 2411508 1605464 1455787 1344938 1057516 1034669 |
| Building 1 | |
| Year Built | 1916 |
| Building Class | D5 |
| Number of Units | 4 |
| Number of Bedrooms | 4 |
| Number of Bathrooms | 4 |

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

| | |
|-------------------------|------------------------|
| Building Square Footage | 3,200.0 (sq ft) |
| Building 2 | No data for building 2 |
| Building 3 | No data for building 3 |
| Building 4 | No data for building 4 |
| Building 5 | No data for building 5 |

Additional Information

| | |
|---|---------------------|
| Airport Hazard | None |
| Coastal Zone | None |
| Farmland | Area Not Mapped |
| Urban Agriculture Incentive Zone | YES |
| Very High Fire Hazard Severity Zone | No |
| Fire District No. 1 | No |
| Flood Zone | None |
| Watercourse | No |
| Hazardous Waste / Border Zone Properties | No |
| Methane Hazard Site | Methane Buffer Zone |
| High Wind Velocity Areas | No |
| Special Grading Area (BOE Basic Grid Map A-13372) | Yes |
| Oil Wells | None |

Seismic Hazards

| | |
|--------------------------------------|---------------------------------|
| Active Fault Near-Source Zone | |
| Nearest Fault (Distance in km) | 2.19855288 |
| Nearest Fault (Name) | Puente Hills Blind Thrust |
| Region | Los Angeles Blind Thrusts |
| Fault Type | B |
| Slip Rate (mm/year) | 0.70000000 |
| Slip Geometry | Reverse |
| Slip Type | Moderately / Poorly Constrained |
| Down Dip Width (km) | 19.00000000 |
| Rupture Top | 5.00000000 |
| Rupture Bottom | 13.00000000 |
| Dip Angle (degrees) | 25.00000000 |
| Maximum Magnitude | 7.10000000 |
| Alquist-Priolo Fault Zone | No |
| Landslide | No |
| Liquefaction | No |
| Preliminary Fault Rupture Study Area | No |
| Tsunami Inundation Zone | No |

Economic Development Areas

| | |
|----------------------------------|--|
| Business Improvement District | None |
| Promise Zone | None |
| Renewal Community | No |
| Revitalization Zone | Central City |
| State Enterprise Zone | EAST LOS ANGELES STATE ENTERPRISE ZONE |
| Targeted Neighborhood Initiative | None |

Housing

| | |
|------------------------------------|---|
| Direct all Inquiries to | Housing+Community Investment Department |
| Telephone | (866) 557-7368 |
| Website | http://hcidla.lacity.org |
| Rent Stabilization Ordinance (RSO) | Yes |
| Ellis Act Property | No |

Public Safety

| | |
|--------------------|---------|
| Police Information | |
| Bureau | Central |

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 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

| | |
|-----------------------------|------------|
| Division / Station | Hollenbeck |
| Reporting District | 462 |
| Fire Information | |
| Bureau | Central |
| Batallion | 1 |
| District / Fire Station | 2 |
| Red Flag Restricted Parking | No |

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

| | |
|--------------------------|---|
| Case Number: | CPC-2018-465-DB-WDI |
| Required Action(s): | WDI-WAIVER OF DEDICATIONS AND IMPROVEMENTS DB-DENSITY BONUS |
| Project Descriptions(s): | OFF AND ON-MENU DENSITY BONUS AND WAIVER OF DEDICATION TO CONSTRUCT 5-UNIT APT BUILDING WITH 4-UNIT EXISTING BUILDING PROJECT DESCRIPTION: A NEW 5-UNIT, 1,7925 SF, 56 FEET TALL BUILDING, INCLUDING 3 STORIES OVER BASEMENT WITH UPPER LEVEL MEZZANINES. PURSUANT TO: 12.22.A.25, RELIEF FROM: 12.21, 12.10., 12.21.1, ON-MENU INCENTIVE TO INCREASE ALLOWABLE HEIGHT FROM 45 FEET TO 56 FEET AND SIX OFF MENU INCENTIVES TO WAIVE 5 REQUIRED PARKING SPACES, REDUCE FRONT YARD FROM 15' TO 8 FEET, SIDE YARD FROM 8 FEET TO 4, REAR YARD FROM 15 FEET TO 10 FEET, BUILDING PASSAGE WAY FROM 26 FEET TO 10 FEET AND BUILDING SEPARATION FROM 14 FEET TO 10 FEET. PURSUANT TO: 12.37.1.3, RELIEF FROM: 12.37.A; A WAIVER OF 3 FEET HIGHWAY DEDICATION ON BOYLE AVENUE HOUSING DATA: 1 VERY LOW UNIT (11% SET ASIDE) AND 4 MARKET RATE UNITS |
| Case Number: | CPC-2016-2905-CPU |
| Required Action(s): | CPU-COMMUNITY PLAN UPDATE |
| Project Descriptions(s): | COMMUNITY PLAN UPDATE |
| Case Number: | CPC-2015-1462-CA |
| Required Action(s): | CA-CODE AMENDMENT |
| Project Descriptions(s): | A CODE AMENDMENT TO CREATE A CLEAN UP GREEN UP (CUGU) SUPPLEMENTAL USE DISTRICT AS AN OVERLAY AND IMPLEMENT IT OVER PARTS OF PACOIMA/SUN VALLEY, BOYLE HEIGHTS, AND WILMINGTON IN ADDITION TO TWO CITYWIDE AMENDMENTS. |
| Case Number: | CPC-2008-3125 |
| Required Action(s): | Data Not Available |
| Project Descriptions(s): | THE ADDITION OF A RIVER IMPROVEMENT OVERLAY (RIO) DISTRICT AS SECTION 13.12 OF THE L.A.M.C. IN RESPONSE TO THE LOS ANGELES RIVER REVITALIZATION MASTER PLAN (LARRMP) THAT WAS ADOPTED IN MAY 2007. THIS SUPPLEMENTAL USE DISTRICT WOULD ESTABLISH STANDARDS FOR NEW DEVELOPMENT ALONG WATERWAYS |
| Case Number: | CPC-2007-5599-CPU |
| Required Action(s): | CPU-COMMUNITY PLAN UPDATE |
| Project Descriptions(s): | BOYLE HEIGHTS COMMUNITY PLAN REVISION (FORMERLY CPU4) |
| Case Number: | CPC-2007-3036-RIO |
| Required Action(s): | RIO-RIVER IMPROVEMENT OVERLAY DISTRICT |
| Project Descriptions(s): | THE ESTABLISHMENT OF AN ORDINANCE THAT FACILITATES DEVELOPMENT WITHIN THE LA-RIO BOUNDARIES TO ENHANCE THE WATERSHED, URBAN DESIGN AND MOBILITY OF THE AREA. THESE BOUNDARIES ARE ADJACENT TO, NOT INSIDE, THE LOS ANGELES RIVER ON LAND ALREADY ZONED FOR DEVELOPMENT. |
| Case Number: | CPC-1995-336-CRA |
| Required Action(s): | CRA-COMMUNITY REDEVELOPMENT AGENCY |
| Project Descriptions(s): | PRELIMINARY PLAN FOR THE PROPOSED EASTSIDE INDUSTRIAL AND COMMERCIAL REDEVELOPMENT PROJECT (OCT 1995); AMENDMENT TO ADOPTED REDEVELOPMENT PLAN (JULY 2009) |
| Case Number: | CPC-1986-445-GPC |
| Required Action(s): | GPC-GENERAL PLAN/ZONING CONSISTENCY (AB283) |
| Project Descriptions(s): | PLAN AND ZONE CONSISTENCY - BOYLE HEIGHTS (PART I) |
| Case Number: | ENV-2018-466-EAF |
| Required Action(s): | EAF-ENVIRONMENTAL ASSESSMENT |
| Project Descriptions(s): | OFF AND ON-MENU DENSITY BONUS AND WAIVER OF DEDICATION TO CONSTRUCT 5-UNIT APT BUILDING WITH 4-UNIT EXISTING BUILDING PROJECT DESCRIPTION: A NEW 5-UNIT, 1,7925 SF, 56 FEET TALL BUILDING, INCLUDING 3 STORIES OVER BASEMENT WITH UPPER LEVEL MEZZANINES. PURSUANT TO: 12.22.A.25, RELIEF FROM: 12.21, 12.10., 12.21.1, ON-MENU INCENTIVE TO INCREASE ALLOWABLE HEIGHT FROM 45 FEET TO 56 FEET AND SIX OFF MENU INCENTIVES TO WAIVE 5 REQUIRED PARKING SPACES, REDUCE FRONT YARD FROM 15' TO 8 FEET, SIDE YARD FROM 8 FEET TO 4, REAR YARD FROM 15 FEET TO 10 FEET, BUILDING PASSAGE WAY FROM 26 FEET TO 10 FEET AND BUILDING SEPARATION FROM 14 FEET TO 10 FEET. PURSUANT TO: 12.37.1.3, RELIEF FROM: 12.37.A; A WAIVER OF 3 FEET HIGHWAY DEDICATION ON BOYLE AVENUE HOUSING DATA: 1 VERY LOW UNIT (11% SET ASIDE) AND 4 MARKET RATE UNITS |
| Case Number: | ENV-2016-2906-EIR |
| Required Action(s): | EIR-ENVIRONMENTAL IMPACT REPORT |
| Project Descriptions(s): | COMMUNITY PLAN UPDATE |

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
(*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

| | |
|--------------------------|---|
| Case Number: | ENV-2015-1463-ND |
| Required Action(s): | ND-NEGATIVE DECLARATION |
| Project Descriptions(s): | A CODE AMENDMENT TO CREATE A CLEAN UP GREEN UP (CUGU) SUPPLEMENTAL USE DISTRICT AS AN OVERLAY AND IMPLEMENT IT OVER PARTS OF PACOIMA/SUN VALLEY, BOYLE HEIGHTS, AND WILMINGTON IN ADDITION TO TWO CITYWIDE AMENDMENTS. |
| Case Number: | ENV-2013-3392-CE |
| Required Action(s): | CE-CATEGORICAL EXEMPTION |
| Project Descriptions(s): | THE PROPOSED ORDINANCE MODIFIES SECTION 22.119 OF THE LOS ANGELES ADMINISTRATIVE CODE TO ALLOW ORIGINAL ART MURALS ON LOTS DEVELOPED WITH ONLY ONE SINGLE-FAMILY RESIDENTIAL STRUCTURE AND THAT ARE LOCATED WITHIN COUNCIL DISTRICTS 1, 9, AND 14. |
| Case Number: | ENV-2007-5600-EIR |
| Required Action(s): | EIR-ENVIRONMENTAL IMPACT REPORT |
| Project Descriptions(s): | BOYLE HEIGHTS COMMUNITY PLAN REVISION (FORMERLY CPU4) |
| Case Number: | ENV-2007-3037-ND |
| Required Action(s): | ND-NEGATIVE DECLARATION |
| Project Descriptions(s): | THE ESTABLISHMENT OF AN ORDINANCE THAT FACILITATES DEVELOPMENT WITHIN THE LA-RIO BOUNDARIES TO ENHANCE THE WATERSHED, URBAN DESIGN AND MOBILITY OF THE AREA. THESE BOUNDARIES ARE ADJACENT TO, NOT INSIDE, THE LOS ANGELES RIVER ON LAND ALREADY ZONED FOR DEVELOPMENT. |

DATA NOT AVAILABLE

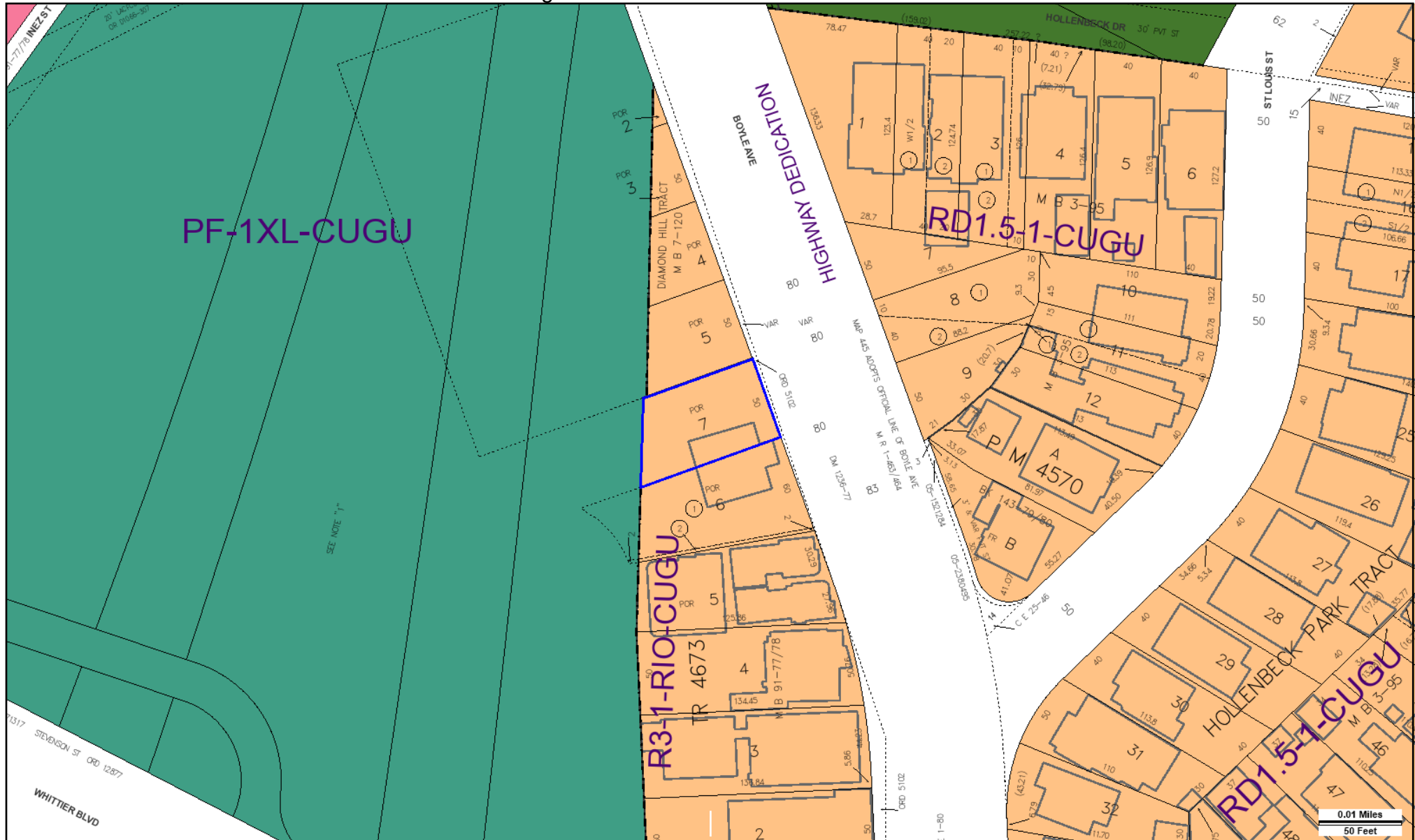
ORD-184246

ORD-183145

ORD-183144

ORD-166585-SA2990

ORD-129279



Address: 731 S BOYLE AVE

APN: 5183021019

PIN #: 124-5A221 29

Tract: TR 4673

Block: None

Lot: POR 7

Arb: None

Zoning: R3-1-RIO-CUGU

General Plan: Medium Residential



LEGEND

GENERALIZED ZONING

- OS, GW
- A, RA
- RE, RS, R1, RU, RZ, RW1
- R2, RD, RMP, RW2, R3, RAS, R4, R5
- CR, C1, C1.5, C2, C4, C5, CW, ADP, LASED, CEC, USC, PVSP, PPSP
- CM, MR, WC, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
- P, PB
- PF

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

- Minimum Residential
- Very Low / Very Low I Residential
- Very Low II Residential
- Low / Low I Residential
- Low II Residential
- Low Medium / Low Medium I Residential
- Low Medium II Residential
- Medium Residential
- High Medium Residential
- High Density Residential
- Very High Medium Residential

COMMERCIAL

- Limited Commercial
- Limited Commercial - Mixed Medium Residential
- Highway Oriented Commercial
- Highway Oriented and Limited Commercial
- Highway Oriented Commercial - Mixed Medium Residential
- Neighborhood Office Commercial
- Community Commercial
- Community Commercial - Mixed High Residential
- Regional Center Commercial

FRAMEWORK

COMMERCIAL

- Neighborhood Commercial
- General Commercial
- Community Commercial
- Regional Mixed Commercial

INDUSTRIAL

- Commercial Manufacturing
- Limited Manufacturing
- Light Manufacturing
- Heavy Manufacturing
- Hybrid Industrial

PARKING

- Parking Buffer

PORT OF LOS ANGELES

- General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
- General / Bulk Cargo - Hazard
- Commercial Fishing
- Recreation and Commercial
- Intermodal Container Transfer Facility Site

LOS ANGELES INTERNATIONAL AIRPORT

- Airport Landside / Airport Landside Support
- Airport Airside
- LAX Airport Northside

OPEN SPACE / PUBLIC FACILITIES

- Open Space
- Public / Open Space
- Public / Quasi-Public Open Space
- Other Public Open Space
- Public Facilities

INDUSTRIAL

- Limited Industrial
- Light Industrial

CIRCULATION

STREET

- Arterial Mountain Road
- Collector Scenic Street
- Collector Street
- Collector Street (Hillside)
- Collector Street (Modified)
- Collector Street (Proposed)
- Country Road
- Divided Major Highway II
- Divided Secondary Scenic Highway
- Local Scenic Road
- Local Street
- Major Highway (Modified)
- Major Highway I
- Major Highway II
- Major Highway II (Modified)

- Major Scenic Highway
- Major Scenic Highway (Modified)
- Major Scenic Highway II
- Mountain Collector Street
- Park Road
- Parkway
- Principal Major Highway
- Private Street
- Scenic Divided Major Highway II
- Scenic Park
- Scenic Parkway
- Secondary Highway
- Secondary Highway (Modified)
- Secondary Scenic Highway
- Special Collector Street
- Super Major Highway

FREEWAYS

- Freeway
- Interchange
- On-Ramp / Off- Ramp
- Railroad
- Scenic Freeway Highway


MISC. LINES























- Airport Boundary
- Bus Line
- Coastal Zone Boundary
- Coastline Boundary
- Collector Scenic Street (Proposed)
- Commercial Areas
- Commercial Center
- Community Redevelopment Project Area
- Country Road
- DWP Power Lines
- Desirable Open Space
- Detached Single Family House
- Endangered Ridgeline
- Equestrian and/or Hiking Trail
- Hiking Trail
- Historical Preservation
- Horsekeeping Area
- Local Street
- MSA Desirable Open Space
- Major Scenic Controls
- Multi-Purpose Trail
- Natural Resource Reserve
- Park Road
- Park Road (Proposed)
- Quasi-Public
- Rapid Transit Line
- Residential Planned Development
- Scenic Highway (Obsolete)
- Secondary Scenic Controls
- Secondary Scenic Highway (Proposed)
- Site Boundary
- Southern California Edison Power
- Special Study Area
- Specific Plan Area
- Stagecoach Line
- Wildlife Corridor

POINTS OF INTEREST





| | | |
|--|--|--|
|  Alternative Youth Hostel (Proposed) |  Horticultural Center |  Public Elementary School |
|  Animal Shelter |  Hospital |  Public Elementary School (Proposed) |
|  Area Library |  Hospital (Proposed) |  Public Golf Course |
|  Area Library (Proposed) | HW House of Worship |  Public Golf Course (Proposed) |
|  Bridge | e Important Ecological Area |  Public Housing |
|  Campground |  Important Ecological Area (Proposed) |  Public Housing (Proposed Expansion) |
|  Campground (Proposed) |  Interpretive Center (Proposed) |  Public Junior High School |
|  Cemetery |  Junior College |  Public Junior High School (Proposed) |
| HW Church |  MTA / Metrolink Station |  Public Middle School |
|  City Hall |  MTA Station |  Public Senior High School |
|  Community Center |  MTA Stop |  Public Senior High School (Proposed) |
|  Community Library | MWD MWD Headquarters |  Pumping Station |
|  Community Library (Proposed Expansion) |  Maintenance Yard |  Pumping Station (Proposed) |
|  Community Library (Proposed) |  Municipal Office Building |  Refuse Collection Center |
|  Community Park | P Municipal Parking lot |  Regional Library |
|  Community Park (Proposed Expansion) |  Neighborhood Park |  Regional Library (Proposed Expansion) |
|  Community Park (Proposed) |  Neighborhood Park (Proposed Expansion) |  Regional Library (Proposed) |
|  Community Transit Center |  Neighborhood Park (Proposed) |  Regional Park |
|  Convalescent Hospital |  Oil Collection Center |  Regional Park (Proposed) |
|  Correctional Facility |  Parking Enforcement | RPD Residential Plan Development |
|  Cultural / Historic Site (Proposed) |  Police Headquarters |  Scenic View Site |
|  Cultural / Historical Site |  Police Station |  Scenic View Site (Proposed) |
|  Cultural Arts Center |  Police Station (Proposed Expansion) |  School District Headquarters |
| DMV DMV Office |  Police Station (Proposed) |  School Unspecified Loc/Type (Proposed) |
| DWP DWP |  Police Training site |  Skill Center |
|  DWP Pumping Station | PO Post Office |  Social Services |
|  Equestrian Center |  Power Distribution Station |  Special Feature |
|  Fire Department Headquarters |  Power Distribution Station (Proposed) |  Special Recreation (a) |
|  Fire Station |  Power Receiving Station |  Special School Facility |
|  Fire Station (Proposed Expansion) |  Power Receiving Station (Proposed) |  Special School Facility (Proposed) |
|  Fire Station (Proposed) | C Private College |  Steam Plant |
|  Fire Supply & Maintenance | E Private Elementary School |  Surface Mining |
|  Fire Training Site |  Private Golf Course |  Trail & Assembly Area |
|  Fireboat Station |  Private Golf Course (Proposed) |  Trail & Assembly Area (Proposed) |
|  Health Center / Medical Facility | JH Private Junior High School | UTL Utility Yard |
|  Helistop | PS Private Pre-School |  Water Tank Reservoir |
|  Historic Monument |  Private Recreation & Cultural Facility |  Wildlife Migration Corridor |
|  Historical / Cultural Monument | SH Private Senior High School |  Wildlife Preserve Gate |
|  Horsekeeping Area | SF Private Special School | |
|  Horsekeeping Area (Proposed) |  Public Elementary (Proposed Expansion) | |

SCHOOLS/PARKS WITH 500 FT. BUFFER

-  Existing School/Park Site
-  Planned School/Park Site
-  Inside 500 Ft. Buffer

-  Aquatic Facilities
-  Beaches
-  Child Care Centers
-  Dog Parks
-  Golf Course
-  Historic Sites
-  Horticulture/Gardens
-  Skate Parks
-  Other Facilities
-  Park / Recreation Centers
-  Parks
-  Performing / Visual Arts Centers
-  Recreation Centers
-  Senior Citizen Centers
-  Opportunity School
-  Charter School
-  Elementary School
-  Span School
-  Special Education School
-  High School
-  Middle School
-  Early Education Center

COASTAL ZONE



-  Coastal Zone Commission Authority
-  Calvo Exclusion Area
-  Not in Coastal Zone
-  Dual Jurisdictional Coastal Zone

TRANSIT ORIENTED COMMUNITIES (TOC)




-  Tier 1
-  Tier 2
-  Tier 3
-  Tier 4

Note: TOC Tier designation and map layers are for reference purposes only. Eligible projects shall demonstrate compliance with Tier eligibility standards prior to the issuance of any permits or approvals. As transit service changes, eligible TOC Incentive Areas will be updated.






























WAIVER OF DEDICATION OR IMPROVEMENT

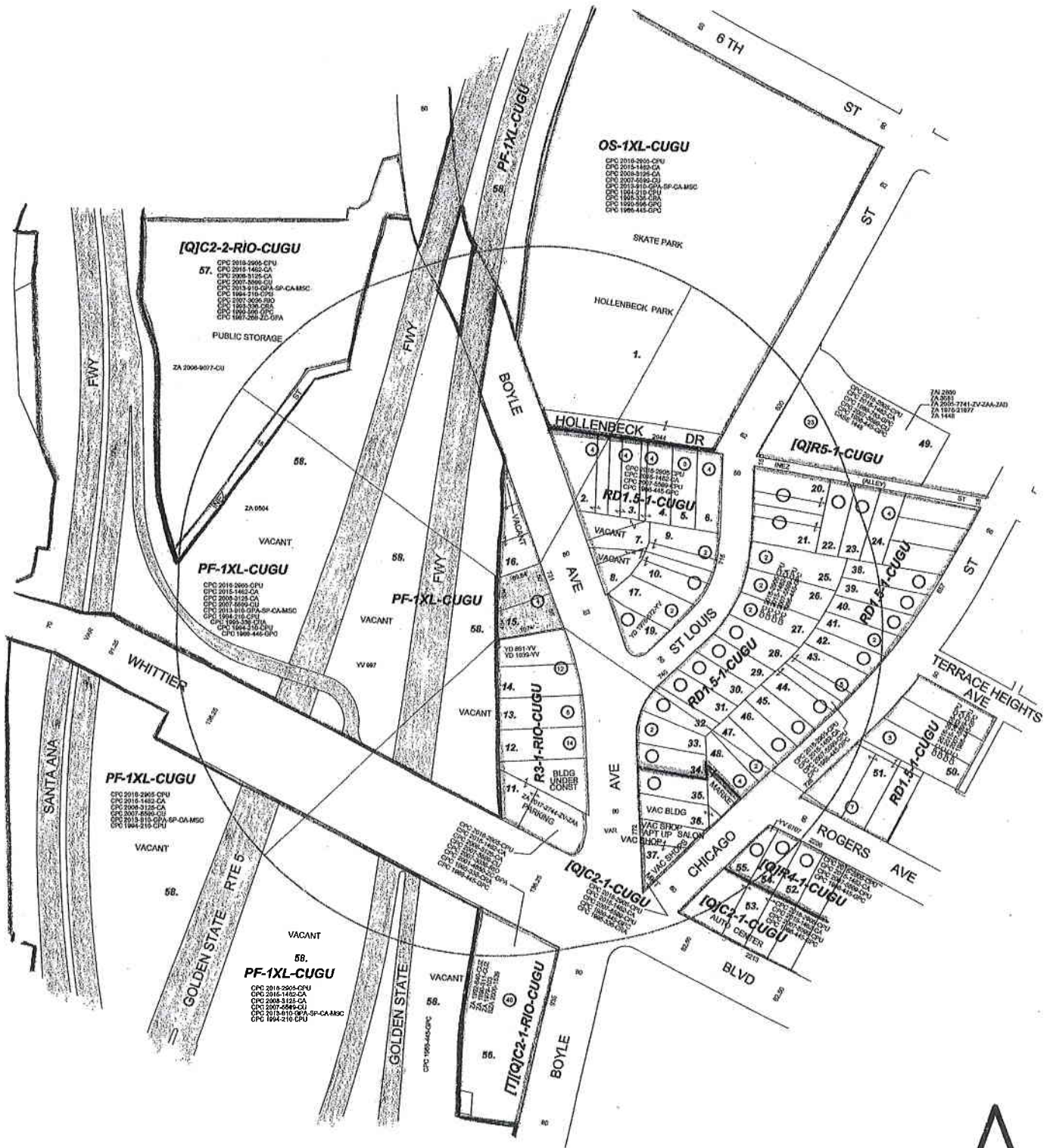
-  Public Work Approval (PWA)
-  Waiver of Dedication or Improvement (WDI)

LAMC SECTION 85.02 (VEHICLE DWELLING)

-  No vehicle dwelling anytime
-  No vehicle dwelling overnight between 9:00 PM - 6:00 AM. Must comply with all posted parking restrictions
-  Vehicle dwelling allowed. Must comply with all posted parking restrictions

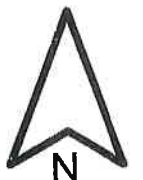
OTHER SYMBOLS

-  Lot Line
-  Tract Line
-  Lot Cut
-  Easement
-  Zone Boundary
-  Building Line
-  Lot Split
-  Community Driveway
-  Lot Ties
-  Building Outlines 2014
-  Building Outlines 2008
-  Airport Hazard Zone
-  Census Tract
-  Coastal Zone
-  Council District
-  LADBS District Office
-  Downtown Parking
-  Fault Zone
-  Fire District No. 1
-  Tract Map
-  Parcel Map
-  Flood Zone
-  Hazardous Waste
-  High Wind Zone
-  Hillside Grading
-  Historic Preservation Overlay Zone
-  Specific Plan Area
-  Very High Fire Hazard Severity Zone
-  Oil Wells



DENSITY BONUS - OFF MENU

C.D. 14
C.T. 2060.50
P.A. BOYLE HEIGHTS
N.C. BOYLE HEIGHTS



0.20 NET AC.

RADIUS MAPS ETC

3544 PORTOLA AVENUE
LOS ANGELES CA 90032
OFF/FAX (323) 221-4555
RADIUSMAPSETC@SBCGLOBAL.NET

SITE LOCATION:
731 S. BOYLE AVENUE
LOS ANGELES CA 90023

LEGAL DESCRIPTION:
LOTS 7 & POR OF LOT 6 (ARB 1),
TRACT NO. 4673, M.B. 91-7778.
(SEE APPLICATION)

CASE NO.:

DATE: 10 - 20 - 2017
SCALE: 1" = 100'
USES: FIELD
D.M.: 124.5 A 221
T.B. PAGE: 634 GRID: J-6
APN: 5183-021-019

EXHIBIT E

COUNTY CLERK'S USE

CITY OF LOS ANGELES

CITY CLERK'S USE

OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

| | |
|--|-------------------------------|
| LEAD CITY AGENCY City of Los Angeles Department of City Planning | COUNCIL DISTRICT 14 |
|--|-------------------------------|

| | |
|---------------|---|
| PROJECT TITLE | LOG REFERENCE ENV-2018-466-CE |
|---------------|---|

| |
|---|
| PROJECT LOCATION 731 – 733 ½ South Boyle Avenue |
|---|

| |
|--|
| DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: Construction of a new five-unit apartment building on a lot with an existing four-unit apartment building. |
|--|

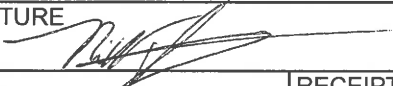
| |
|--|
| NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY: |
|--|

| | | | |
|---|----------------------------------|------------------|------|
| CONTACT PERSON Nicholas Ayars | AREA CODE 213-978-1347 | TELEPHONE NUMBER | EXT. |
|---|----------------------------------|------------------|------|

| | | | |
|---|---------------------------|----------------------------|--|
| EXEMPT STATUS: (Check One) | | | |
| | STATE CEQA GUIDELINES | CITY CEQA GUIDELINES | |
| <input type="checkbox"/> MINISTERIAL | Sec. 15268 | Art. II, Sec. 2b | |
| <input type="checkbox"/> DECLARED EMERGENCY | Sec. 15269 | Art. II, Sec. 2a (1) | |
| <input type="checkbox"/> EMERGENCY PROJECT | Sec. 15269 (b) & (c) | Art. II, Sec. 2a (2) & (3) | |
| <input checked="" type="checkbox"/> CATEGORICAL EXEMPTION | Sec. 15300 <i>et seq.</i> | | |
| Class <u>32</u> Category _____ (State CEQA Guidelines) | | | |
| <input type="checkbox"/> OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.) | | | |

JUSTIFICATION FOR PROJECT EXEMPTION: 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.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

| | | |
|--|---|-------------------------------------|
| SIGNATURE  | TITLE <i>City Planning Associate</i> | DATE <i>7/2/18</i> |
| FEE: <i>\$2,280.00</i> | RECEIPT NO. <i>0102842334</i> | REC'D. BY <i>Ulises Gonzales</i> |
| | | DATE <i>1/25/18</i> |

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-1-03 Rev. 8-28-18 Word

IF FILED BY THE APPLICANT:

NAME (PRINTED)

SIGNATURE

DATE

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

DAVID H. J. AMBROZ
CAROLINE CHOE

RENEE DAKE WILSON

KAREN MACK

MARC MITCHELL

VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

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EXECUTIVE OFFICER
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

<http://planning.lacity.org>

July 2, 2018

Arturo Becerra (A)(O)
Toledo Capital Development
533 S. Clarence Street
Los Angeles, CA 90033

Gary Benjamin (R)
Alchemy Planning and Land Use
4470 W. Sunset Boulevard
Los Angeles, CA 90027

RE: Case No.: ENV-2018-466-CE
Related Cases: CPC-2018-465-DB-WDI
Address: 731 – 733 ½ South Boyle Avenue
Community Plan: Boyle Heights
Zones: R3-1-RIO-CUGU
Council District: 14 - Huizar

RE: ENV-2018-466-CE (Categorical Exemption - Class 32)

The project site is located at 731 – 733 ½ South Boyle Avenue and is composed of two parcels, with 8,800 square feet of lot area. The site is located along the western side of Boyle Avenue and has approximately 110 feet of frontage along the street. The project site is located within the Boyle Heights Los Angeles Community Plan and has a Medium Residential land use designation. The project site is zoned R3-1-RIO-CUGU and is located within the River Implementation Overlay District (RIO) and the Clean Up, Green Up Supplemental Use District (CUGU). Conformance with the RIO will be determined via administrative review when obtaining a building permit. The project is not subject to the CUGU requirements as it is not adjacent to a Subject Use as defined in LAMC Section 13.18-E,2. The project site is also located within a designated Hillside area; however, a Preliminary Referral Form for Baseline Hillside Ordinance No. 181,624 and Hillside Ordinance No. 174,652 indicating project site is not located on a substandard street, was issued by the Department of Building and Safety on November 21, 2017.

The project site is developed with a four-unit, two-story residential apartment building that was constructed in the 1916. The site also includes two on-site trees and on tree located within the public right-of-way. In conjunction with the removal of the two on-site trees, the project involves the construction of a five-unit, 1,792 square-foot, 56 foot tall, three-story over basement apartment building. The project will set aside one unit (11 percent of the base density) for Very-Low Income Households. The existing four-unit residential apartment building would be retained on-site as no demolition or significant exterior modifications are proposed. The project proposes to provide five

long-term and two-short bicycle parking spaces, but is proposing no on-site or dedicated off-site automobile parking spaces. The project would also result in the removal and replacement one street tree within the public right-of-way which would be subject to the review and approval from the Bureau of Street Services, Urban Forestry Division.

The proposed project is bordered by the I-5 Freeway to the east and is thus subject to a Freeway Adjacent Advisory Notice for Sensitive Uses. The proposed residential building is located approximately 25 feet from the Freeway right-of-way and approximately 85 feet from the easternmost Freeway travel lane. A Health Risk Assessment (HRA), dated January 23, 2018, was prepared for the project in order to evaluate potential health risks impacts due to project's proximity to a major freeway. The HRA concluded that the installation of high efficiency particulate arrestance (HEPA)-type intake filters for the proposed heating, ventilating, and air conditioning (HVAC) systems would reduce any potential health risks to project residents. Furthermore, the City of Los Angeles Green Building Code requires that all mechanically ventilated buildings within 1,000 feet of a freeway shall provide regularly occupied area of the building with a filter having Minimum Efficiency Reporting Value (MERV) of 13 for outside and return air. These filters are required to be installed prior to the occupancy of the building and recommendations for maintenance with filters of the same value shall be included in the operation and maintenance manual.

The proposed project has been determined to not have a significant effect on the environment. A "significant effect on the environment" is defined as "a substantial, or potentially substantial, adverse change in the environment" (CEQA Guidelines, Public Resources Code Section 21068). The proposed project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed Project determined that it is Categorically Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the CEQA Guidelines and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. On July 2, 2018, the subject project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV-2018-466-CE, for a Categorical Exemption, Class 32, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines).

Class 32:

A project qualifies for a Class 32 Categorical Exemption if it is a project to be developed on an infill site and meets the conditions described in this section. The five (5) conditions which the project must meet in order to qualify for the Class 32 Categorical Exemption are 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.

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects" as follows:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations:

The project site is located within the Boyle Heights Los Angeles Community Plan, one of 35 Community Plans that the Land Use Element of the General Plan is comprised of. The Community Plan contains goals, objectives, and policies relative to land use and is implemented through the Zoning Code. The Community Plan designates the site with a land use designation of Medium Residential, which lists the R3 Zone as a corresponding zone. The project site is zoned R3-1-RIO-CUGU, which is consistent with the land use designation.

In conjunction with the proposed five new dwelling units with one unit (11 percent) set aside for Very-Low Income Households, the applicant has requested one on-menu incentive, one waiver and five modifications of development standards. The on-menu incentive is for an increase in height, from 45 feet to 56 feet. The additional waiver and modifications to development standards are to allow to waive the requirement for five (5) on-site parking spaces, to permit a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback, a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback, a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback, a building separation of 10 feet in lieu of the required 26-foot building separation, and a passageway of 10 feet in lieu of the required 14-foot passageway. The applicant is requesting the incentive, waiver, and modifications in order to be able to fit the proposed building onto the project site while retaining the existing four-unit residential apartment building.

The project site is comprised of two parcels and consists of 8,800 square feet of lot area, which would permit a maximum of 11 dwelling units. As the project proposes the construction of five new dwelling units in addition to the four existing dwelling units for a total of nine dwelling units, the proposed density does not exceed the allowable maximum density. The proposed height of 56 feet would exceed the maximum allowable height of 45 feet, however with the approval of the requested on-menu incentive and modifications and waiver of development standards in conjunction with the set aside of 11 percent of the base units for Very-Low Income households, the project would be consistent with the goals, objectives, and policies of the Community Plan and with the applicable zoning regulations.

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

The project site is comprised of two parcels, with approximately 8,800 square feet (0.2 acres) of lot area on the western side of Boyle Avenue. As stated previously, the site is located within the Boyle Heights Community Plan, which is an urbanized area of the City of Los Angeles. Properties located along the eastern and western side of Boyle Avenue are residentially zoned and are developed with single- and multi-family uses. Properties to the south of the subject site are zoned for and developed with multi-family residential uses. The project site is bordered by the I-5 Freeway to the west and the proposed building is located approximately 25 feet from the Freeway right-of-way and approximately 85 feet from the easternmost Freeway travel lane. As such, the project site is located within an area developed with urban uses and is less than five acres.

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

The project site is located within an established, fully developed, urban area and not adjacent to any mapped habitat for endangered, rare or threatened species. The project site has been developed since 1916 and has no value as a 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:

Traffic:

The proposed project involves the construction of a new five-unit, 1,792 square-foot, 56 foot tall, three-story over basement apartment building. According to the Los Angeles Department of Transportation (LADOT) Traffic Study Exemption Thresholds a project resulting in the development of less than 35 apartment units is not required to prepare a traffic study as any traffic impacts related to the project will be minimal.

Noise:

A significant impact would occur if the proposed project would result in exposure of persons to or generation of noise levels in excess of standards established in the general plan, noise ordinance, or applicable standards of other agencies. The City of Los Angeles has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. These regulations pertain to construction hours; LAMC Section 41.40 (Noise Due to Construction, Excavation Work – When Prohibited), and LAMC Section 112.05 (Maximum Noise Level of Powered Equipment or Powered Hand Tools) also specifies the maximum noise level of powered equipment or powered hand tools. LAMC Section 41.40 specifies that no person shall, between the hours of 9:00 p.m. and 7:00 a.m. of the following day, perform any construction or repair work of any kind upon, or any excavating for, any building or structure. In addition, the operation, repair or servicing of construction equipment and the delivery of construction materials to the project site shall be prohibited during the hours specified. Section 112.05 of the LAMC states that between the hours of 7:00 a.m. and 10:00 p.m., in any residential zone of the City or within 500 feet thereof, no person shall operate or cause to be operated any powered equipment or powered hand tool that produces a maximum noise level exceeding the 75 dBA for construction equipment at a distance of 50 feet. The 75 dBA noise limitation does not apply when compliance is not technically feasible. Section 112.02 of the LAMC prohibits air conditioning, refrigeration, heating, pumping, and filtering equipment from increasing existing average ambient noise levels by more than 5 dBA. As a result of compliance with these mandatory regulations and policies, the proposed project will not result in any significant noise impacts.

Air Quality:

The building construction phase includes the construction of the proposed building on the subject property, grading for subterranean parking, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM_{2.5} and PM₁₀ emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_x 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.

Nevertheless, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by 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.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

The project would result in a new five-unit apartment building being added to the site. Possible project-related air quality concerns will derive from the mobile source emissions generated from the proposed residential uses for the project site. Operational emissions for project-related traffic will be less than significant. In addition to mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. These sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The proposed project will not cause the SCAQMD's recommended threshold levels to be exceeded.

Water Quality:

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and construction of the project will not create any impact to water quality. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70.

(e) The site can be adequately served by all required utilities and public services:

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. These utilities and public services have continuously served the neighborhood for more than 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building

codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services.

Exceptions to the use of Categorical Exemptions:

Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed project listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project as described below:

- A. Location. *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The project qualifies for a Class 32 Categorical Exemption. The requested project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project site is currently developed with an existing four-unit residential apartment building and is located in an urbanized area in the City of Los Angeles and is not located within an officially mapped area of severe geologic hazard. The project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

- B. 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 development of the project site with five new dwelling units is consistent with the zone and land use designation of the site, as designated by the Boyle Heights Community Plan, and as permitted by the City's Affordable Housing Incentives – Density Bonus (LAMC 12.22-A.25) The Community Plan's Medium Residential designation of the site includes multi-family density and uses was completed in anticipation of environmental impacts based on the maximum allowable density for the project site and the surrounding area. The proposed project is not requesting any density deviations from what is otherwise permitted by the underlying zoning of the site. The requested deviations from the otherwise applicable zoning regulations are related to off-street parking and the placement of the new building in relation to the property line and the existing on-site residential building. Such deviations will not result in any significant environmental impacts, therefore successive projects of the same type in the same place are not anticipated to result in a cumulative impact. Other by-right projects in the surrounding area would have been analyzed for their environmental impacts during the preparation of the Community Plan and are not subject to further CEQA review. Any project proposing to deviate from the Community Plan and underlying zone would require a CEQA clearance and impacts would be mitigated for the project individually.

A successive project of the same type and nature would reflect a development that is consistent with the underlying land use designation and Los Angeles Municipal Code. Any such project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce potential impacts to less than significant and would, therefore, not create a cumulative impact.

- C. Significant Effect Due to Unusual Circumstances. *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.*

There is no reasonable possibility that the proposed project will have a significant effect due to unusual circumstances. Construction of the project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff, among others. The project is an infill project located in an existing multiple- and single-family developed residential neighborhood, with no identifiable unusual circumstances that present a likelihood of significant effects on the environment.

- D. 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.*

The project will not damage scenic resources within a designated scenic highway. The project is not located on a designated scenic highway and will not impact any identified scenic resources, such as trees, buildings, rock outcroppings, or similar resources.

- E. 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.*

The project site has not been identified as a hazardous waste site. In addition, a number of existing state and federal laws and programs apply to hazards and hazardous materials and would apply to subsequent future individual development projects. These include the Resource Conservation and Recovery Act, California Fire Codes, Senate Bill 1082 (Facilities Subject to Corrective Action), Department of Health Services regulations, and Department of Housing regulations. Finally, Municipal Code Section 54.05 requires that a hazardous substance clearance report, including provisions for site remediation if warranted, be approved by the County Health Department and recorded with the County for sale or transfer of any property, upon which there has been an unauthorized disposal or release of a hazardous substance.

- F. 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.*

The existing structure on site is not a designated Historic Cultural Monument (HCM), nor has it been identified as individual historic resources under SurveyLA.

Conclusion:

As outlined above, the proposed project is located in a developed, urbanized area, which is not a particularly sensitive environment and will not impact an environmental resource of hazardous or critical concern that is designated, precisely mapped, or officially adopted by any federal, state, or local agency. The project will not result in any significant impacts and, therefore, will not make a cumulatively considerable contribution to any significant cumulative impacts. The project is located on a standard-sized lot, is consistent with the surrounding developments, including established residential uses, does not present any

unusual circumstances, nor would it constitute a substantial adverse change in the significance of a historic resource as defined by CEQA. Therefore, none of the possible exceptions to Categorical Exemptions, found in Section 15300.2 Exceptions, apply to this project.

January 23, 2018

Mr. Gary Benjamin
President
Alchemy Planning + Land Use
Phone: (213) 479-7521
E-mail: Gary@AlchemyPlanning.com

Subject: Mobile Source Health Risk Assessment Report for 731 South Boyle Avenue in Los Angeles, California

Dear Mr. Benjamin:

Yorke Engineering, LLC (Yorke) prepared this Mobile Source Health Risk Assessment (HRA) to evaluate potential health risk impacts to the locating of new residential receptors near an existing highway. This evaluation is in support of a Mitigated Negative Declaration (MND) for the operation of the proposed project. The Mobile Source HRA was conducted to evaluate exposures of sensitive receptors (residents) to potentially substantial pollutant concentrations in accordance with the Air Quality Section (IIIId) of Appendix G of the California Environmental Quality Act (CEQA) Guidelines (Environmental Checklist Form).

The proposed project is in the South Coast Air Basin (SCAB) within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The mobile source HRA evaluated on-road heavy-heavy-duty (HHD) truck traffic and does not address cumulative impacts (risks) from other sources near the proposed project, whether stationary or mobile. Also, the scope of the mobile source HRA does not consider any mitigation measures that may be implemented to reduce exposures; therefore, no findings can be made with respect to the significance of the results of the mobile source HRA.

ASSUMPTIONS

The following basic assumptions were used in developing the mobile source HRA for the proposed project:

- The majority of the health impacts on the residents are from diesel exhaust from HHD diesel trucks on the I-5 and I-10 freeway (I-5/I-10) transitions, northbound and southbound;
- Residential exposure is over a 30-year duration per Office of Environmental Health Hazard (OEHHA) criteria; and
- The first operational year, and thus first exposure year, is 2020.

MOBILE SOURCE HEALTH RISK ASSESSMENT

SUMMARY OF IMPACT ANALYSIS: A mobile source HRA for diesel particulate matter (DPM) was performed to estimate potential long-term unmitigated ambient risks to future residential receptors from HHD truck traffic on the I-5/I-10 transition.

DISCUSSION: The Los Angeles residential project is comprised of a five-unit affordable apartment project located at 731 South Boyle Avenue on a 0.2-acre site (APN 518-302-1019) northwest of the Boyle Ave/Whittier Blvd intersection and directly east of and adjacent to the I-5/I-10 transition in the City of Los Angeles. Since the proposed project would locate new residential receptors located within 500 feet (152 meters) of a major highway, an analysis of potential health risk impacts was required by the Lead Agency. (CARB 2005)

The residential receptors identified for the project would be the apartment units located approximately 20 meters (66 feet) east of the I-5/I-10 freeway boundary and 50 meters (164 feet) east of the freeway median. No worker or non-residential sensitive receptors were included in this analysis.

Emissions of DPM from the I-5/I-10 transition were calculated using traffic density estimates for HHD trucks near the junction of the I-5 and I-10 freeways as obtained from Caltrans Traffic Census Program data (Caltrans 2015). The diesel PM10 emission factor (in units of pounds per mile) is based on the EMFAC2007 database for on-road HHD diesel trucks (SCAQMD 2007). Since it is expected that residents will occupy the apartments after 2020, the 2020 scenario year was used. The lengths of the I-5/I-10 line-volume sources were calculated as the end-to-end distances between 45° sightlines from the western corners of the proposed apartment building to the northbound and southbound freeway centerlines, which are 81 meters (0.05 miles) and 291 meters (0.18 miles), respectively.

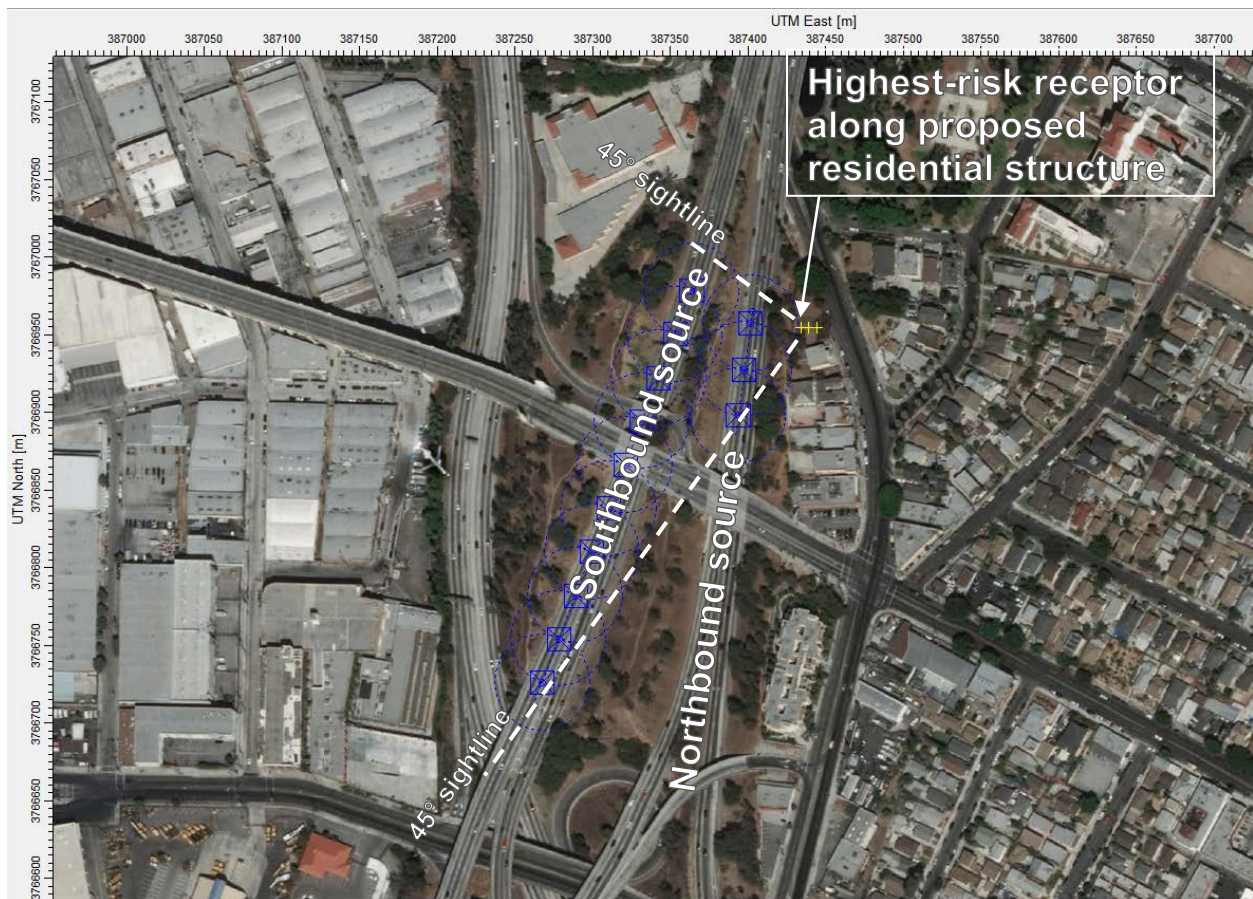
The air dispersion modeling was performed using the EPA program AERMOD (version 16216r, EPA 2017). Local dispersion modeling parameters are consistent with other projects in the South Coast Air Basin. The modeling analysis was performed using meteorological data from the Central Los Angeles meteorological (MET) station (SCAQMD 2017). Because DPM only has cancer and non-cancer chronic health impacts (OEHHA 2015), a 5-year average was the only averaging time modeled. Line-volume sources were used to model the HHD truck emissions from the I-5/I-10 transition. The source parameters are shown in Table 1.

Table 1: Source Parameters – Major Highway

| Source Type | Plume Height (m) | Plume Width (m) | Total Length (m) | Configuration | 24-Hour Emission Rate (g/sec) |
|--------------------------|------------------|-----------------|------------------|---------------|-------------------------------|
| Line Volume (Northbound) | 5.0 | 15 | 81 | Separated 2W | 1.85E-04 |
| Line Volume (Southbound) | 5.0 | 15 | 291 | Separated 2W | 6.64E-04 |

One receptor configuration was used for one air dispersion run (Figure 1), which modeled the DPM emissions with receptors at the back (western side), center, and front (eastern side) of the proposed residential structure to determine where the ground level concentration (GLC) would be the greatest.

Figure 1: Residential Discrete Receptors



The health risk calculations were performed using the Hotspots Analysis and Reporting Program Version 2 (HARP2) Risk Assessment Standalone Tool (RAST, version 17320). The GLC input file format used the long term 5-year average GLC in units of micrograms per meter cubed ($\mu\text{g}/\text{m}^3$). Mobile source risk assessment assumptions included OEHHA/SCAQMD methodologies for residential analyses (exposure period of 30 years, Risk Management Policy (RMP) Derived Method). The residential pathways include only inhalation, as DPM only has inhalation health risk impacts. (CARB 2016, CARB 2005, Caltrans 2015, OEHHA 2015, SCAQMD 2017, 2015, 2007)

Calculations were performed for both assumptions that individual residents less than 16 years old in age spend 1) all their time at home (most conservative), and 2) a fraction of their time at home. The second scenario assumes that an individual resident younger than 16 years old spends a significant fraction of their time elsewhere, such as at school. However, it should be noted that the nearest schools (e.g. Bishop Mora Salesian High School and Soto Street Elementary School) are

also located near the I-5/I-10 transition, and thus residents younger than 16 years old would possibly have similar risks as those calculated from the first scenario. The scope of this analysis does not address off-site risks at neighborhood schools that young residents may attend.

Table 2 shows the cancer and non-cancer health risks compared to SCAQMD thresholds.

Table 2: AERMOD/HARP2 Health Risk Assessment Results – Unmitigated

| Time and Age Weighted Toxic Air Contaminants Risks | <16-Year-Old Resident Time at Residence | Risk | Per million | Threshold |
|--|---|---------|-------------|-----------|
| Residential MICR – Inhalation Only | All | 6.4E-05 | 64 | 10 |
| Residential MICR – Inhalation Only | Fraction | 5.1E-05 | 51 | 10 |
| Residential HIC | All | 0.017 | — | 1 |
| Residential HIC | Fraction | 0.017 | — | 1 |

Source: EPA 2017, CARB 2016, OEHHA 2015, SCAQMD 2015

As shown in Table 2, unmitigated Maximum Individual Cancer Risk (MICR) is above the 10 in a million threshold for residents for the defined exposure period. The unmitigated non-cancer Chronic Hazard Index (HIC), is under the unity (1) threshold for residents¹. (EPA 2017, CARB 2016, OEHHA 2015, SCAQMD 2015)

PROJECT DESIGN FEATURES

A project design feature that could be implemented by the developer to lower the potential risk to residents of the proposed project is summarized below:

AQ-1: HEPA-TYPE FILTRATION FOR HVAC SYSTEMS: To the reduce the long-term potential risk to residents associated with exposure to DPM from nearby mobile sources to below SCAQMD thresholds, high efficiency particulate arrestance (HEPA)-type intake air filters for the heating, ventilating, and air conditioning (HVAC) systems would be specified for the proposed dwelling units. As part of the HVAC design process, Alchemy would consult with the HVAC vendor for professional advice on the appropriate HEPA-type filters to install.²

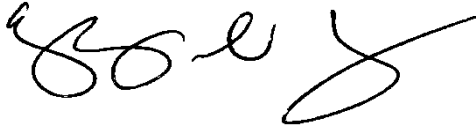
¹ Acute Hazard Index (HIA) does not apply to DPM.

² Yorke Engineering is not an HVAC contractor or HVAC consultant and thus cannot recommend or specify any type or brand of equipment for installation as part of a building HVAC system whether commercial, residential, or industrial.

CONCLUSION

Thank you very much for the opportunity to be of assistance to Alchemy Planning + Land Use. Should you have any questions, please contact me at (805) 376-0088 or Shirley Pearson at (949) 248-8490 x223.

Sincerely,



Bradford L. Boyes
Senior Engineer
Yorke Engineering, LLC
BBoyes@YorkeEngr.com

cc: Sean Gilda, Yorke Engineering, LLC
Wilton Mui, Yorke Engineering, LLC

Enclosures/Attachments:
Attachment A – Calculation Spreadsheets
Attachment B – Model Outputs

REFERENCES

- California Air Resources Board (CARB). 2017. Hotspots Analysis and Reporting Program Version 2 (HARP2) Risk Assessment Standalone Tool (RAST), version 17320. Website (<http://www.arb.ca.gov/toxics/harp/rast.htm>) accessed December 20, 2017.
- California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Website (<https://www.arb.ca.gov/ch/landuse.htm>) accessed December 20, 2017.
- California Department of Transportation (Caltrans). 2015. Traffic Census Program - Traffic Volumes: Annual Average Daily Truck Traffic. Website (<http://www.dot.ca.gov/trafficops/census/>) accessed November 29, 2017.
- California Office of Environmental Health Hazard Assessment (OEHHA). 2015. Air Toxics Hot Spots Program, Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments. Website (<http://oehha.ca.gov/air/crn/notice-adoption-air-toxics-hot-spots-program-guidance-manual-preparation-health-risk-0>) accessed December 20, 2017.
- South Coast Air Quality Management District (SCAQMD). 2017. Version 9 Meteorological Stations List. Website (<http://www.aqmd.gov/home/library/air-quality-data-studies/meteorological-data/data-for-aermod>) accessed December 20, 2017.
- South Coast Air Quality Management District (SCAQMD). 2015. Air Quality Significance Thresholds. Website (<http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2>) accessed December 20, 2017.
- South Coast Air Quality Management District (SCAQMD). 2007. CEQA Air Quality Analysis Handbook - EMFAC 2007 (v2.3) Emission Factors. Website ([http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/emfac-2007-\(v2-3\)-emission-factors-\(on-road\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/emfac-2007-(v2-3)-emission-factors-(on-road))) accessed December 20, 2017.
- U.S. Environmental Protection Agency (EPA). 2017. AERMOD Modeling System. Website (<https://www.epa.gov/scram/air-quality-dispersion-modeling-preferred-and-recommended-models>) accessed December 20, 2017.

EXHIBIT F



Eric Garcetti, Mayor
Rushmore D. Cervantes, General Manager

DATE: November 30, 2017

TO: Toledo Capital Development, LLC, a California limited liability company, Owner

FROM: *for* Robert Manford, Environmental Affairs Officer *[Signature]*
Los Angeles Housing and Community Investment Department

SUBJECT: **AB 2556 Determination for**
731 S. Boyle Ave., Los Angeles, CA 90023
731 ½ S. Boyle Ave., Los Angeles, CA 90023
733 S. Boyle Ave., Los Angeles, CA 90023
733 ½ S. Boyle Ave., Los Angeles, CA 90023

Based on the Affordable Unit Determination Application submitted by Gary Benjamin (Owner Representative) on behalf of Toledo Capital Development, LLC, a California limited liability company (Owner), the Los Angeles Housing + Community Investment Department (HCIDLA) has determined that no units are subject to replacement under AB 2556 as no units are being demolished.

Information about the existing property for the five years prior to the date of the application is required in order to make a determination. HCIDLA received the Affordable Unit Determination Application on or about November 16, 2017, so HCIDLA must collect data from November 2012 to November 2017.

Toledo Capital Development, LLC, a California limited liability company (Owner) acquired the properties commonly known as: 731 S. Boyle Ave., 731 ½ S. Boyle Ave., 733 S. Boyle Ave., and 733 ½ S. Boyle Ave., under APN # 5183-021-019, Lot 6, tied with Lot 7 on March 25, 2016 per Quitclaim Deed.

Per Google Earth images, Department of City Planning (ZIMAS), County Assessor Parcel Information (LUPAMS), Real Quest database, Billing Information Management System (BIMS) database, Code, Compliance and Rent Information (CRIS) database, Internet Search, the property 731 S. Boyle Ave., 731 ½ S. Boyle Ave., 733 S. Boyle Ave., and 733 ½ S. Boyle Ave. under APN # 5183-021-019 has a use code of "0400-Four Units".

The Los Angeles Department of Building and Safety database indicates that the Owner has not applied for a Building permit.

Per the statement received by HCIDLA on November 16, 2017, the Owner plans to construct five (5) new residential units in addition to the four (4) existing units on site.

HCIDLA has determined that no units are being demolished on the property which currently exists a four (4) unit building. Toledo Capital Development, LLC, a California limited liability company (Owner) does not plan to demolish the current existing units, therefore no AB 2556 replacement affordable units are required.

cc: Los Angeles Housing and Community Investment Department File
Toledo Capital Development, LLC, a California limited liability company, Owner
Ulises Gonzalez, Case Management Section, City Planning Department

RM:MAC:dk

EXHIBIT G



Boyle Heights Neighborhood Council
2130 E. First St., Suite 110, Los Angeles, CA 90033
www.bhnc.net



| | | | | | |
|-----------------|-----------------|------------------|----------------|------------------------------|-------------------------|
| Marisol Sanchez | Daisy Chavez | Lizzette Perez | Jose Pelico | Alex Bowman | Jason Gallegos |
| President | Vice President | Secretary | Treasurer | Outreach & Events | Planning & Land Use |
| Hector Huezo | Dina Cruz | [vacant] | Samuel Vasquez | Veronica Polanco | [vacant] |
| Area 1 Officer | Area 2 Officer | Area 3 Officer | Area 4 Officer | Transportation & Environment | Community Interest Seat |
| Carlos Montes | Marisol Marquez | Vivian Escalante | [vacant] | Alessandro Negrete | [vacant] |
| Community Seat | Community Seat | Community Seat | Community Seat | Community Seat | Community Seat |

RE: 731 – 733 1/2 S. Boyle Ave
CPC-2018-465-DB-WDI & ENV-2018-466-EAF

Date: 2018/April [28]

On April 25th, 2018 the BHNC Board motioned, discussed and voted to [SUPPORT] the development at 731 – 733 1/2 S. Boyle Ave., **with Conditions**

BHNC/PLUC Meetings
April 12, 2018
April 25, 2018

The BHNC Planning & Land Use Committee (PLUC) heard testimony from the applicant, community stakeholder and discussed the item at the April 12th, 2018 BHNC PLUC meeting, recommending to the BHNC Board that they [OPPOSE] the development. (PLUC Vote Tally: [0] recusals, [1] abstentions, [1] nays, [2] ayes)

Concerns during discussion we in regards to indirect gentrification and the indirect raising of rental prices to the area, height of the overall design, potential interference of the freeway, fire safety, the health and safety of the tenants, if the project is eligible for the TOC Density Bonus as it is outside the marked radius (as noted by ZIMAS), and environmental impact caused by multiple developments in the area. Specifically the Hollenbeck Park Lake (HPL) Rehabilitation Project.

Under the HPL Concept Report (5.4.2.1 Mechanical Excavation), there would be "a removal rate of 500 tons per day (34-40 truckloads per day) working 5 days per week, the excavation will take approximately ten (10) weeks." The concern here is that these two projects may add a cumulative effect in the area to environment, traffic, noise and quality of life in the area, with the potential staging area for off-site removal of dredged material (sediments and debris from the lake-bed) to occur on the southern edge of Hollenbeck Park along Boyle Ave and adjacent to the 731-733 1/2 S. Boyle site.

The applicant also informed the BHNC PLUC that the materials would be prefabricated elsewhere and shipped in, minimizing construction at the site.

The project (CPC-2018-465-DB-WDI) also exists out of the half-mile radius of the TOC, as listed by ZIMAS, and may not be eligible for the Density Bonuses. Under the environmental report (ENV-2018-466-EAF), the attached "tree report" lists 3 trees for removal and replacement. The Carob Tree, on the public right of way requires a 2-to-1 replacement under current regulations, which may change options under the pending Tree In-Lieu Fee Ordinance. With the two remaining trees removed during construction/development and replaced under a 1-to-1 ratio, and provided no information on where the trees would be planted.

The project site is Freeway Adjacent and as such regard should be taken to mitigating any negative health impact resulting from Freeway exposure. Such as lung damage resulting from car exhaust, or soil contamination from runoff. It may also be subject to Council File 17-0309 (Freeway Adjacent Development).

At the BHNC General Board Meeting on April 25th, 2018 the following motion was set forth:
"Motion to support CPC-2018-465-DB-WDI, **with the following conditions:**

1. That the existing 4-unit structure must match air filters installed in the new complex;
2. Sound cancellation windows to reduce noise/traffic in all units, including existing structure."

Upon completion of discussion the vote was take as follows:

Vote Tally: [0] recusals, [0] abstentions, [1] nays, [9] ayes, with the motion [passing.]

– Jason Gallegos, Planning & Land Use Committee Chair
Boyle Heights Neighborhood Council