

CITY OF LOS ANGELES  
 OFFICE OF THE CITY CLERK  
 ROOM 395, CITY HALL  
 LOS ANGELES, CALIFORNIA 90012  
 CALIFORNIA ENVIRONMENTAL QUALITY ACT  
 PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY City of Los Angeles	COUNCIL DISTRICT CD 14 - JOSE HUIZAR
PROJECT TITLE ENV-2011-3129-MND	CASE NO. CPC-2011-3128-GPA-ZC-HD
PROJECT LOCATION 2608 N EASTERN AVE	
PROJECT DESCRIPTION <p>The site consists of 3 contiguously-owned parcels totaling 212,750 square feet which are currently vacant. The proposed project consists of a two-story, 20 unit live work residential townhome-styled apartments and additionally a two story, 45,388 square foot elementary charter school facing Eastern Avenue which will serve grades first through six consisting of a total 29 classrooms and two science laboratories for a student body of 530 and 37 teachers. The charter school will have approx. 16 evening functions per year for parents and students. The proposed project includes a 2,320 square foot cafe in a separate one-story building. The site would provide 76 parking spaces for the school and 45 spaces for the apartment and 6 parking for the cafe. The proposed request is for a Zone Change from [Q]R1-D and [Q]RD6-1 to RAS3 ; a General Plan Admendment from Low Residential to Neighborhood Commercial; a request to waive street dedication/ improvement requirements, a lot line adjustment; tract map waiver per Code Section 91.7006 for lots greater than 60,000 square feet in size, and an applicaton for a haul route for exporting 59,500 cubic yards of soil.</p>	

**NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY**

Kate Bartolo  
865 S. Figueroa St., 35th Floor  
Los Angeles, CA 90017

**FINDING:**

The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

**SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.**

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt the mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM  ONDREA TYE	TITLE  Planning Assistant	TELEPHONE NUMBER  (213) 978-1197
ADDRESS  200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012	SIGNATURE (Official)  	DATE  MAY 28, 2013

**I-10. Aesthetics (Landscape Plan)**

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

**I-20. Aesthetics (Landscape Buffer)**

- Environmental impacts to adjacent residential properties may result due to the proposed use on the site. However, the potential impact will be mitigated to a less than significant level by the following measures:
- A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.

**I-30. Aesthetics (Hillside Site Design, Undeveloped Site)**

- Environmental impacts, such as alteration of existing or natural terrain may result from project implementation. However, these impacts will be mitigated to a less than significant level by the following measures:
- Grading shall be kept to a minimum.
- Natural features, such as prominent knolls or ridge lines, shall be preserved.
- The project shall comply with the City's Hillside Development Guidelines.

**I-50. Aesthetics (Surface Parking)**

- Environmental impacts may result from project implementation due to excessive ambient heat gain resulting from the new open-spaced parking lot. However, these impacts will be mitigated to a less than significant level by the following measures:
- A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces.
- The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning.
- Palm trees shall not be considered in meeting this requirement.
- The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.

**I-120. Aesthetics (Light)**

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

**III-10. Air Pollution (Demolition, Grading, and Construction Activities)**

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the construction site each trip on a gravel surface to prevent dirt and dust from impacting the surrounding areas.
- All haul trucks shall be covered with a fabric cover when loaded with fill and maintain a freeboard height of 12 inches.
- Inactive disturbed areas shall be revegetated as soon as feasible to prevent soil erosion.

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- Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

### IV-80. Tree Removal (Locally Protected Species)

- Environmental impacts may result due to the loss of protected trees on the site. However, these potential impacts will be mitigated to less than significant level by the following measures:
- All protected tree removals require approval from the Board of Public Works.
- A Tree Report shall be submitted to the Urban Forestry Division of the Bureau of Street Services, Department of Public Works, for review and approval (213-847-3077), prior to implementation of the Report's recommended measures.
- A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division.
- The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.
- Bonding (Tree Survival):
  - a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.
  - b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

### V-20. Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to discovery of unrecorded archaeological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- If any archaeological materials are encountered during the course of project development, all further development activity shall halt and:
  - The services of an archaeologist shall then be secured by contacting the South Central Coastal Information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report.
- Project development activities may resume once copies of the archaeological survey, study or report are submitted to: SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, archaeological reports have been submitted, or a statement indicating that no material was discovered.

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- For disturbed surfaces to be left inactive for four or more days and that will not be re-vegetated, a chemical stabilizer shall be applied per manufacturer's instruction.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the construction site each trip on a gravel surface to prevent dirt and dust from impacting the surrounding areas.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the construction site each trip on a gravel surface to prevent dirt and dust from impacting the surrounding areas.
- During high wind conditions (wind speeds in excess of 25 MPH), all earthmoving activities shall cease or water shall be applied to soil not more than 15 prior to disturbing such soil.

IV-10. **Habitat Modification (Nesting Native Birds, Hillside or Rural Areas)**

- The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). The following measures are as recommended by the California Department of Fish and Game:
  - Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
  - If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
    - a. Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within 300 feet of the construction work area (within 500 feet for raptors) as access to adjacent areas allows. The surveys shall be conducted by a Qualified Biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
    - b. If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species (within 500 feet for suitable raptor nesting habitat) until August 31.
    - c. Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
    - d. The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

IV-50. **Tree Report**

- Prior to the issuance of a grading or building permit, the applicant shall prepare and submit a Tree Report, prepared by a Tree Expert as defined in Section 17.02, indicating the location, size, type, and condition of all existing trees on the site. Such report shall also contain a recommendation of measures to ensure the protection, relocation, or replacement of affected trees during grading and construction activities.

IV-60. **Tree Preservation (Grading Activities)**

- "Orange fencing" or other similarly highly visible barrier shall be installed outside of the drip line of locally protected and significant (truck diameter of 8 inches or greater) non-protected trees, or as may be recommended by the Tree Expert. The barrier shall be maintained throughout the grading phase, and shall not be removed until the completion and cessation of all grading activities.

IV-70. **Tree Removal (Non-Protected Trees)**

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- A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

### V-30. Cultural Resources (Paleontological)

- Environmental impacts may result from project implementation due to discovery of unrecorded paleontological resources. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- If any paleontological materials are encountered during the course of project development, all further development activities shall halt and:
  - a. The services of a paleontologist shall then be secured by contacting the Center for Public Paleontology - USC, UCLA, California State University Los Angeles, California State University Long Beach, or the Los Angeles County Natural History Museum - who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
  - b. The paleontologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or relocation of the resource.
  - c. The applicant shall comply with the recommendations of the evaluating paleontologist, as contained in the survey, study or report.
  - d. Project development activities may resume once copies of the paleontological survey, study or report are submitted to the Los Angeles County Natural History Museum.
- Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what, if any, paleontological reports have been submitted, or a statement indicating that no material was discovered.
- A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

### V-40. Cultural Resources (Human Remains)

- Environmental impacts may result from project implementation due to discovery of unrecorded human remains.
- In the event that human remains are discovered during excavation activities, the following procedure shall be observed:
  - a. Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033. 323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (After Hours, Saturday, Sunday, and Holidays)
  - b. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
  - c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
  - d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
  - e. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;
  - f. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.
- *Discuss and confer* means the meaningful and timely discussion careful consideration of the views of each party.

### VI-10. Seismic

- Environmental impacts to the safety of future occupants may result due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

### VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

- Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
  - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
  - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

VI-30. **Erosion/Grading/Short-Term Construction Impacts (Hillside Grading Areas)**

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a less than significant level by the following measures:
  - The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
  - Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

VI-50. **Geotechnical Report**

- The project shall comply with the conditions 1-42 contained within the Department of Building and Safety's Geology and Soils Report Approval Letter dated February 22, 2012.

VI-60. **Landslide Area**

- Environmental impacts may result due to the proposed project's location in an area with landslide potential. However, these potential impacts will be mitigated to a less than significant level by the following measures:
  - The project shall comply with the conditions 1-42 contained within the Deaprtment of Building and Safety's Geology and Soils Report Approval Letter dated February 22, 2012.

VI-70. **Liquefaction Area**

- Environmental impacts may result due to the proposed project's location in an area with liquefaction potential. However, these potential impacts will be mitigated to a less than significant level by the following measures:
  - Follow conditions 1-42 in the Department of Building and Safety Approval Letter dated, February 22, 2012.

VII-10. **Green House Gas Emissions**

- The project will result in impacts resulting in increased green house gas emissions. However, the impact can be reduced to a less than significant level though compliance with the following measure(s):
  - Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).

VIII-40. **Hillside Construction Staging and Parking Plan**

- Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage of two-way traffic or streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following:
  - No construction equipment or material shall be permitted to be stored within the public right-of-way.
  - If the property fronts on a designated Red Flag Street, on noticed "Red Flag" days, all the workers shall be shuttled from an off-site area, located on a non-Red Flag Street, to and from the site in order to keep roads open on Red Flag days.
  - During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route.
  - Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays.

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- All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time.
- A radio operator shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors.
- During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.

VIII-70. Emergency Evacuation Plan

- Environmental impacts may result from project implementation due to possible interference with an emergency response plan. However, these potential impacts will be mitigated to a less than significant level by the following measure:
- Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

X-10. General Plan Designation/Zoning

- The proposed project would permit intensities and or densities exceeding those permitted by the existing Northeast Commun Plan. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The applicant shall comply with mitigation measures required by this mitigated negative declaration (MND).

XII-10. Increased Noise Levels (Landscape Buffer)

- Environmental impacts to the adjacent residential properties may result due to the project. However, the potential impact will be mitigated to a less than significant level by the following measures:
- A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
- Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activites towards these land uses to the maximum extent possible.
- Barriers such as flexible sound control curtains extending eight feet in height shall be erected between the active construction area within the project site where pieces of heavy-duty construction equipment are operating and the existing single-family residential uses to the south and east to minimize the amount of noise during construction.
- The project shall comply with City of Los Angeles Building Regulations Ordinance No. 178048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code, or any discretionary approval for the site, and City telephone numbers where violations can be reported. The noise shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.
- No Construction shall be permitted on Sundays.

XII-40. Increased Noise Levels (Parking Structure Ramps)

- Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a less than significant level by the following measures:

- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.
- Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

XII-60. **Increased Noise Levels (Mixed-Use Development)**

- Environmental impacts to proposed on-site residential uses from noises generated by proposed on-site commercial uses may result from project implementation. However, the potential impact will be mitigated to a less than significant level by the following measure:
- Wall and floor-ceiling assemblies separating commercial tenant spaces, residential units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.

XII-90. **Increased Noise Levels (Public Address and Paging System)**

- Environmental impacts to the adjacent residential properties may result due to outdoor public address or paging systems on the site. However, these impacts will be mitigated to a less than significant level by the following measures:
- Any outdoor address or paging systems shall be designed by a qualified audio sound engineer with the following minimum specifications.
- Only low-pressure type speakers shall be used which are designed to have a minimum coverage area of approximately 400 square feet each.
- Distance between speakers shall not exceed 40 feet.
- Amplified signals shall be inaudible beyond the boundaries of the subject property.

XII-170. **Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)**

- Environmental impacts to future occupants may result from this project's implementation due to mobile noise. However, these impacts will be mitigated to a less than significant level by the following measures:
- All exterior windows having a line of sight of a Major or Secondary Highway 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.
- 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.

XIV-10. **Public Services (Fire)**

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIV-30. **Public Services (Police)**

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

XIV-40. **Public Services (Construction Activity Near Schools)**

- Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a less than significant level by the following measures:

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- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.
- The developer and contractors shall maintain ongoing contact with administrators of Farmdale Elementary School and El Sereno Middle School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

XIV-50. Public Services (Schools affected by Haul Route)

- Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- LADBS shall assign specific haul route house of operation based upon Farmdale Elementary school and El Sereno Middle school hours of operation.

XVI-30. Transportation (Haul Route)

- (Hillside Projects):
  - All haul route hours shall be limited to off-peak hours as determined by Board of Building and Safety Commissioners.
  - The Department of Transportation shall recommend to the Building and Safety Commission Office the appropriate size of trucks allowed for hauling, best route of travel, the appropriate number of flag people.
  - The Department of Building and Safety shall stagger haul trucks based upon a specific area's capacity, as determined by the Department of Transportation, and the amount of soil proposed to be hauled to minimize cumulative traffic and congestion impacts.

XVI-40. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:
  - The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
  - The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XVI-80. Transportation/Traffic

- The project will result in impacts to transportation and/or traffic systems. However, the impact can be reduced to a less than significant level through compliance with the following measure(s):
  - Comply with all applicable requirements listed in the Department of Transportation Traffic Assessment for the Proposed Charter School Project dated June 4, 2012.
  - Comply with the walkability checklist requirements.
  - Comply with conditions A-F listed in the Department of Transportation Traffic Assessment for Proposed Charter School Project dated June 4, 2012.

XVII-10. Utilities (Local Water Supplies - Landscaping)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
  - The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
  - In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
    - Weather-based irrigation controller with rain shutoff

- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials
- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

**XVII-20. Utilities (Local Water Supplies - All New Construction)**

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
  - If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
  - Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
  - Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
  - A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
  - Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

**XVII-40. Utilities (Local Water Supplies - New Residential)**

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
  - Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
  - Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
  - Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

**XVII-90. Utilities (Solid Waste Recycling)**

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a less than significant level by the following measure:
- **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

**XVII-100. Utilities (Solid Waste Disposal)**

MITIGATED NEGATIVE DECLARATION

ENV-2011-3129-MND

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

**XVIII-10. Cumulative Impacts**

- There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

**XVIII-20. Effects On Human Beings**

- The project has potential environmental effects which cause substantial adverse effects on human beings, either directly or indirectly. However, these potential impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

**XVIII-30. End**

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document. Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

**CITY OF LOS ANGELES**  
 OFFICE OF THE CITY CLERK  
 ROOM 395, CITY HALL  
 LOS ANGELES, CALIFORNIA 90012  
**CALIFORNIA ENVIRONMENTAL QUALITY ACT**  
**INITIAL STUDY**  
**and CHECKLIST**  
 (CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles	COUNCIL DISTRICT: CD 14 - JOSE HUIZAR	DATE:
<b>RESPONSIBLE AGENCIES:</b> Department of City Planning		
ENVIRONMENTAL CASE: ENV-2011-3129-MND	RELATED CASES: CPC-2011-3128-GPA-ZC-HD	
PREVIOUS ACTIONS CASE NO.:	<input type="checkbox"/> Does have significant changes from previous actions. <input checked="" type="checkbox"/> Does NOT have significant changes from previous actions	
<b>PROJECT DESCRIPTION:</b> ZC AND GPA FOR THE DEVELOPMENT OF 20 MULTI-FAMILY DWELLINGS, SCHOOL USE AND CAFE.		
<b>ENV PROJECT DESCRIPTION:</b> The site consists of 3 contiguously-owned parcels totaling 212,750 square feet which are currently vacant. The proposed project consists of a two-story, 20 unit live work residential townhome-styled apartments and additionally a two story, 45,388 square foot elementary charter school facing Eastern Avenue which will serve grades first through six consisting of a total 29 classrooms and two science laboratories for a student body of 530 and 37 teachers. The charter school will have approx. 16 evening functions per year for parents and students. The proposed project includes a 2,320 square foot cafe in a separate one-story building. The site would provide 76 parking spaces for the school and 45 spaces for the apartment and 6 parking for the cafe. The proposed request is for a Zone Change from [Q]R1-D and [Q]RD6-1 to RAS3 ; a General Plan Admendment from Low Residential to Neighborhood Commercial; a request to waive street dedication/ improvement requirements, a lot line adjustment; tract map waiver per Code Section 91.7006 for lots greater than 60,000 square feet in size, and an applicaton for a haul route for exporting 59,500 cubic yards of soil.		
<b>ENVIRONMENTAL SETTINGS:</b> The site is vacant but contains a total 20 trees of various species and diameters. The proposed development will preserve 3 trees. None of the trees are indigeneous or protected species. The site was previously developed as a single-family dwelling on one parcel. The site is a hillside sloping from 10% to 15%. The bulk of the construction will be located within a previously graded area and most of the existing slope will remain in its natural state. The surrounding area is as follows: To the north/northwest is the El Sereno Middle and Farndale Elementary schools. Properties to the north/northeast are developed with a mix of single-family homes and multifamily residential units and light-commercial uses. Properties to the south are developed with single-family and multi-family residential uses. Properties to the east are developed with single-family residential uses. The site will be served by Eastern Avenue, a Secondary Highway 80 feet in width, and Lombardy Blvd. which is to the northeast side of the property and is designated a collector street. The nearest freeway is approx 6,200 feet away from the proposed site.		
<b>PROJECT LOCATION:</b> 2608 N EASTERN AVE		
COMMUNITY PLAN AREA: NORTHEAST LOS ANGELES STATUS:	AREA PLANNING COMMISSION: EAST LOS ANGELES	CERTIFIED NEIGHBORHOOD COUNCIL: LA-32
<input type="checkbox"/> Does Conform to Plan <input checked="" type="checkbox"/> Does NOT Conform to Plan		
EXISTING ZONING: [Q]RD6-1D, [Q] R1-1D	MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 35 (totality of 3 parcels)	
GENERAL PLAN LAND USE: LOW RESIDENTIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: 42 (totality of 3 parcels)	LA River Adjacent: NO

	PROPOSED PROJECT DENSITY: 20 units (one parcel)	
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## Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Planning Assistant

(213) 978-1197

Signature

Title

Phone

### Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

## Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> AESTHETICS	<input checked="" type="checkbox"/> GREEN HOUSE GAS EMISSIONS	<input type="checkbox"/> POPULATION AND HOUSING
<input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES	<input checked="" type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS	<input checked="" type="checkbox"/> PUBLIC SERVICES
<input checked="" type="checkbox"/> AIR QUALITY	<input type="checkbox"/> HYDROLOGY AND WATER QUALITY	<input type="checkbox"/> RECREATION
<input checked="" type="checkbox"/> BIOLOGICAL RESOURCES	<input checked="" type="checkbox"/> LAND USE AND PLANNING	<input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC
<input checked="" type="checkbox"/> CULTURAL RESOURCES	<input type="checkbox"/> MINERAL RESOURCES	<input checked="" type="checkbox"/> UTILITIES AND SERVICE SYSTEMS
<input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input checked="" type="checkbox"/> NOISE	<input checked="" type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE

## INITIAL STUDY CHECKLIST

(To be completed by the Lead City Agency)

### *Background*

PROPOSANT NAME:

Kate Bartolo

APPLICANT ADDRESS:

865 S. Figueroa St., 35th Floor  
Los Angeles, CA 90017

AGENCY REQUIRING CHECKLIST:

Department of City Planning

PROPOSAL NAME (if Applicable):

PHONE NUMBER:

(213) 896-8906

DATE SUBMITTED:

12/06/2011

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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<b>I. AESTHETICS</b>			
a. Have a substantial adverse effect on a scenic vista?		✓	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		✓	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓	
<b>II. AGRICULTURE AND FOREST RESOURCES</b>			
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?			✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?			✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?			✓
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓
<b>III. AIR QUALITY</b>			
a. Conflict with or obstruct implementation of the applicable air quality plan?		✓	
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓	
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		✓	
d. Expose sensitive receptors to substantial pollutant concentrations?		✓	
e. Create objectionable odors affecting a substantial number of people?		✓	
<b>IV. BIOLOGICAL RESOURCES</b>			
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		✓	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			✓
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓
<b>V. CULTURAL RESOURCES</b>			

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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a. Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		✓		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

#### VI. GEOLOGY AND SOILS

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.		✓		
b. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?			✓	
c. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?		✓		
d. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?		✓		
e. Result in substantial soil erosion or the loss of topsoil?		✓		
f. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		✓		
g. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				✓
h. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓

#### VII. GREEN HOUSE GAS EMISSIONS

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

#### VIII. HAZARDS AND HAZARDOUS MATERIALS

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		✓		
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

✓

#### IX. HYDROLOGY AND WATER QUALITY

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- f. Otherwise substantially degrade water quality?
- g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j. Inundation by seiche, tsunami, or mudflow?

✓

✓

✓

✓

✓

✓

✓

✓

✓

#### X. LAND USE AND PLANNING

- a. Physically divide an established community?
- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

✓

✓

✓

#### XI. MINERAL RESOURCES

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

✓

✓

#### XII. NOISE

- a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

✓

✓

✓

✓

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
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e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
<b>XIII. POPULATION AND HOUSING</b>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
<b>XIV. PUBLIC SERVICES</b>				
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?		✓		
b. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?		✓		
c. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?				✓
d. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?				✓
e. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilities?				✓
<b>XV. RECREATION</b>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
<b>XVI. TRANSPORTATION/TRAFFIC</b>				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		✓	
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			✓
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓
e. Result in inadequate emergency access?			✓
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?		✓	

#### XVII. UTILITIES AND SERVICE SYSTEMS

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		✓		
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?		✓		
g. Comply with federal, state, and local statutes and regulations related to solid waste?				✓

#### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		✓	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓	

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

## DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as ENV-2011-3129-MND and the associated case(s), CPC-2011-3128-GPA-ZC-HD CPC-2011-3128-GPA-ZC-HD . Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

### ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) [cityplanning.lacity.org/](http://cityplanning.lacity.org/) or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
ONDREA TYE	Planning Assistant	(213) 978-1197	04/12/2013

Attachment "A"  
2520 -2688 Eastern Ave & 2651 Lombardy Ave  
Applicant: Al Banegas, Bancomer Construction

DISCRETIONARY REQUESTS:

The Applicant, Bancomer Construction, principal, Al Banegas, respectfully requests approval of the following discretionary approvals:

- 1) Pursuant to LAMC Section 11.5.6, a request for:
  - a) A General Plan Amendment to the Land Use Element to modify the existing land use designation for the project site from Low Residential to Neighborhood Commercial.
- 2) Pursuant to LAMC Section 12.32(C)(1)(b):
  - a) A Zone Change from [Q]R1-1D and [Q]RD6-1D to RAS3-1; and *FOR THE DEVELOPMENT OF 20 MULTIFAMILY RESIDENTIAL UNITS AND SCHOOL AND APCE*
  - b) A Height District Change from 1D to 1.
- 3) Request to waive required highway dedication improvements associated with the project.  
*over 800 feet frontage*

PROJECT DESCRIPTION:

*5) REQUEST FOR A HAUL ROUTE*

The site consists of 3 contiguously owned parcels located on the corner of Eastern Ave and Lombardy Blvd, and totaling 212,750 square feet in size (4.88 acre). The project site is currently zoned [Q]RD6-1D and [Q]R1-1D with a General Plan land use designation of Low Residential. The site is subject to the Northeast Hillside Zone Change Ordinance, created to protect small hillside, primarily single-family residential lots. However due to the site's unique size and location, the original legislative intent of the Ordinance is not reasonably applicable to this site, given that the project covers an approximately 5-acre site with 800 feet of street frontage on Eastern Ave, a major secondary commercial highway. The site is currently zoned for Residential, of which nearly 75% is RD6 with a small portion zoned for R1, and is adjacent to numerous commercial properties fronting Eastern Ave.

Applicant requests: a Zone Change from [Q]RD6-1D and [Q]R1-1D to RAS3-1 to accommodate mixed-use development; a height district change in order to drop the D development limitations to which the site is currently subject (see Ordinance No. 180403); a General Plan Amendment to the Land Use Element, from Low Residential to Neighborhood Commercial such that the proposed zone designation will be consistent with the land use designation; and a request to waive improvement requirements for the highway dedication associated with this project. This will allow for a mixed-use project on a large site to be reasonably supported by the development standards of the RAS3-1 requirements.

It should be noted that these actions would not be setting a precedent given that the project site is largest in El Sereno, and located along a major secondary highway with over 800 feet of street front along Eastern Ave, and should therefore be supported by standards which can help achieve its maximum development potential beyond what the Northeast Hillside Zone Change Ordinance allow

**APCE 2011-3128**

The proposed ground-up, mixed-use development project includes a 20-unit multifamily residential project located at 2520 Eastern Ave; an school containing 31 classrooms located at 2520 & 2668 Eastern Ave; and a community-oriented facility such as a cafe that will be both open to the community and used as an amenity for the school, located at 2651 Lombardy Blvd. The residential units and school will be built over a shared, but separately accessed, parking podium.

Applicant requests that the project scope be treated as a conceptual shell proposal in order to provide greater flexibility regarding permitted uses at the site, specifically the type of school as well as the unit size and layout of the multifamily residential units. Although the scope of use may be subject to change as part of the shell concept, the physical project itself would not exceed the proposed building envelope depicted in the site plan and the minimum required parking as required by the Zoning Code will be maintained for each use. For this application, Applicant has applied the elementary school parking rate, which is 1 per classroom for elementary schools. Any future change in school type or use shall be held to LADBS parking standards.

Although Applicant has received interest from a community-based charter school serving grades 6-12, the current economic climate and resulting uncertainty over public and private funding sources necessitate greater range in the choice of a school tenant and the entitlement use(s). As envisioned, the project will seek to unify the mix of uses to serve an integrated neighborhood-based school, for which the Applicant has, since project inception, worked closely with the community and the Neighborhood Council to gain support. Applicant's intent is also to have an integrated campus. Therefore, one of the concepts at this time includes student and teacher housing provided for the school use via the proposed residential project.

Applicant has worked with the area's Neighborhood Council from project inception and has already garnered the NC's strong, written support. (See attached Letter of Support, Attachment B) In addition to the project's existing community benefits, Applicant is willing to consider the addition of other neighborhood benefits into the project scope specific to the school and café uses. These may include: allowing the school or café use of a small green space plot for gardening or making space available for community meetings on school or café grounds.

As proposed, the quantity and height of retaining walls do not fall within the limitations set forth by the Northeast Hillside Zone Change Ordinance. However, Applicant requests a zone change which will remove existing [Q] conditions, and that the following [Q] condition replace that which currently exists: "A maximum of three (3) retaining walls shall be permitted, each not to exceed 10-feet in height. There shall be no limit on length; however, walls shall be separated by a minimum horizontal distance equal to the height of the tallest wall."

#### ***2520 Eastern Ave: Residential Units***

The proposed multifamily residential project will be situated on the topmost portion the hillside located at 2520 Eastern Ave (Parcel No. 521600816). The lot is currently split zoned [Q]R1-1D and [Q]RD6-1D, on which the area which the units are proposed is zoned [Q]R1-1D. The Applicant is requesting that the entire project site be rezoned to RAS3 to better utilize the location of the site for mixed-use purposes.

The development will consist of eighteen 1,301 square foot, 3-bedroom units and two 1,408 square foot, 3 bedroom, adaptable (handicap accessible) units, for a total building size of 26,234 square feet. The units are 2-stories each, configured around an inner courtyard and overlook surrounding single and

multifamily residences located to the northeast and west. Applicant has indicated that the apartments may be utilized as on-site student housing or offered on a priority market-rate basis to school teachers.

Per California Building Code (CBC) Section 12.03, two parking spaces shall be provided for each unit with more than 3 habitable rooms<sup>1</sup>, and .25 guest spaces per unit, totaling 45 parking spaces, of which only 2 per unit may be tandem. The parking podium, which is located above grade and underneath the two-story units, proposes 45 parking spaces for the residential use, of which 20 are tandem. The residential parking shall be physically separated from the school use parking by an automatic security gate. The units and the parking podium reach a maximum height of 44'-10".

Per LAMC Section 12.21.G (*Open Space Requirements for Six or More Residential Units*), 175 square feet of usable open space shall be required per dwelling unit with more than three habitable bedrooms. With 20 three-bedroom residential units, this project requires a minimum of 3,500 square feet of usable open space, where 7,960 square feet of usable space is proposed: a 3,360 square foot interior courtyard, and a 4,600 square feet front courtyard.

The residential building will be stepped back along the hillside terrain such that there will be minimal direct impact on immediately adjacent residential units. Applicant has prepared contextual elevations in order to demonstrate the level of impact the apartment building will have on adjacent residential properties (See Sheet 400 of Project Plans). The nearest residence located on the westerly elevation is approximately 15-feet. The nearest residence on the southerly elevation is approximately 30-feet.

#### ***2668 Eastern Ave: School Use***

The Applicant proposes a conceptual plan for a school to contain a total of 31 classrooms, two of which are science labs; an auditorium with a 400 square foot stage; library; offices and utility areas totaling 45,388 square feet. There are 10 classrooms and 2 laboratories on the first floor, and 19 classrooms on the second floor. The Applicant wishes to keep this a "shell use", as a specific type of school has not been selected and Applicant would like to maintain flexibility in choosing a tenant, as well as the option of utilizing school facilities for non-classroom specific uses to be determined based on neighborhood command, e.g. computer room, auditorium, community meeting rooms, etc.

Given the conceptual nature of this proposal, Applicant has selected, at this time, to park at the elementary school parking rate, which requires 1 space per classroom, totaling 31 parking spaces. Any future change in school type of use shall be held subject to LADBS parking standards. The shared parking podium has an automatic security gate separating the spaces designated for residential use from those designated for the school use. The parking podium currently straddles two parcels (2520 Eastern Ave, APN: 5216008016 and 2668 Eastern Ave, APN: 5216008017), however building over property lines will be remedied by acquiring a lot tie affidavit after project approval.

Both the residential and the school buildings will be stepped back from the hill edge overlooking the residential neighborhoods. As proposed, the school building maintains the maximum height of the project at 45'-0"; however, the residences which abut this portion of the project are set further down the hill, with their yards sharing the southerly property line. Therefore, height impacts of the school building are attenuated by the distance between said structure and surrounding residences.

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<sup>1</sup> For the purposes of this calculation and per Building Code Section 12.03, a kitchen is considered a habitable room for parking determination and therefore qualifies the 3 bedroom units as having more than 3 bedrooms.

***2651 Lombardy Blvd, Community Café***

The applicant is proposing a community facility such as a cafe to be located on a separate but contiguously owned parcel on the corner of Eastern Ave and Lombardy Blvd. The intention is to have this facility used as an amenity for the school as well as the community, and therefore, not limited only to the school use and open to the public. The café is 2,363 square feet in size and one-story with a mezzanine, measuring 22'-0" at the highest point.

As proposed, the parking lot currently crosses over the northeasterly property lines, which is being adjusted concurrently with the Lot Line Adjustment Case No. AA-2011-2668-PMEX. Because the site is located in the State Enterprise Zone, the café is subject to the Enterprise Zone parking rate of 1 space per 500 sq ft of gross building area, totaling 5 parking spaces where 6 parking spaces are proposed.

**PROJECT SITE DESCRIPTION:**

The subject site is comprised of three parcels totaling 212,741.1 square feet, with approximately 800 feet of frontage on the east side of Eastern Avenue and 185 feet of frontage on the west side of Lombardy Boulevard. The site is majority zoned [Q]RD6-1D and partially [Q]R1-1D (per Ordinance No. 180,403). The site is currently vacant and unimproved, though it previously contained a triplex which has since been demolished. Corresponding to three individual Assessor Parcel Tax Identification Numbers, the site area and zone(s) break out as follows:

Property Addresses	Assessor's Parcel Number	Zone(s)	Parcel Area	Parcel Area by Zone
2647-2651 N Lombardy Blvd	5216009002	[Q]RD6-1D	14,591.5 sq ft	(same)
2608 & 2668 N Eastern Ave	5216008017	[Q]RD6-1D	111,243.5 sq ft	(same)
2520 & 2532 N Eastern Ave	5216008016	[Q]RD6-1D and [Q]R1-1D	86,915.1 sq ft	[Q]RD6-1D: 30,736 sq ft [Q]R1-1D: 56,358 sq ft

The property is currently located in the Northeast Los Angeles Community Plan area of the City of Los Angeles and is designated Low Residential by the Community Plan. With the proposed General Plan Amendment, the land use designation will be changed to Neighborhood Commercial.

The project site is also currently subject to the Northeast Hillsides Zone Change Ordinance (ZI-2399), which establishes specific regulations for properties in the adopted hillside area boundary in the Northeast Los Angeles Community Plan. However, with the proposed Zone and Height District Change to RAS3-1, the existing [Q] and D conditions of the Northeast Hillside Zone Change Ordinance will no longer applicable to the project.

All three parcels and both zones are designated in height district "1D", pursuant to Ordinance #180403, subject to a maximum building height limit of 30 feet from grade<sup>2</sup> unless the roof of the uppermost story

<sup>2</sup> Grade (ADJACENT GROUND LEVEL). Is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

of each structure has a slope of less than 25 percent, then the maximum allowable building height is 26-feet, per Section 3(A)(1)(a) of the Northeast Hillsides Zone Change Ordinance. With the proposed Height District Change from 1D to 1, the maximum allowable building height will be 45-feet.

The site is located in the East Los Angeles State Enterprise Zone allows reduced parking rates of two parking spaces for every one thousand square feet of combined gross floor area of commercial office, business, retail, restaurant, bar and related uses, trade schools, or research and development buildings. It is also located in the Central City Revitalization Zone, which aids economic development in areas that were affected by civil unrest in the early 90's. Both of these designations qualify the site for special tax incentives.

The following public transportation lines service the general area: the El Sereno-City Terrace DASH line which travels along Eastern Ave between Templeton and Huntington Dr, and the Metro Local Lines 78/79/378, which pick up at the major intersection of collector streets Eastern Ave and Huntington Dr (less than .75 miles away from the project site). The Metro Local Line 256 specifically services the project site, travelling north and southbound along Eastern Ave from Union-Pacific to Huntington Dr, with a stop at the Eastern Ave and Lombardy Blvd intersection.

#### SURROUNDING LAND USES:

Properties to the west are zoned [Q]OS-1XLD, and in use as various publicly accessible recreation uses, including the El Sereno Skate Park, El Sereno Recreation Center and Richard Alatorre Indoor Pool.

Properties to the north/northwest are zoned [Q]PF-1D and in use as public schools, the El Sereno Middle School and Farmdale Elementary School. El Sereno Middle School, 2839 N Eastern Ave, originally opened in 1937 and serves 1,871 students in grades 6-8 (per 2008-2009 LAUSD School Profile data).

Farmdale Elementary School, 2660 Ruth Swiggett Dr, originally opened in 1915 and serves 586 students in grades Kindergarten thru 5<sup>th</sup> (per 2008-2009 LAUSD School Profile data).

Properties to the north/northeast are zoned [Q]C4-1XL and [Q]RD3-1D, and developed with a mix of single family residential, multifamily residential and light-commercial uses.

Properties to the south are zoned [Q]RD5-1D and [Q]R1-1D, and are developed with single family and multi family residential uses.

Properties to the east are zoned [Q]RD6-1D and [Q]R1-1D and are developed with single family residential uses.

#### STREETS AND CIRCULATION:

Eastern Avenue, adjoining the property on the west, is a designated two-way (east/west) Secondary Highway, 80 feet in width.

Lombardy Boulevard, adjoining the property on the north/east, is a designated two-way (north/south) Collector Street, ranging from 60-80 feet in width.

**PREVIOUS CASES:**

**CPC-2008-1182-ZC**

On November 26, 2008, a Zone Change consisting of Q and D Conditions for Hillside Development Regulation was adopted by the City Council.

**ENV-2008-1183-MND**

On November 26, 2008, Mitigated Negative Declaration for Case No. CPC-2008-1182-ZC was adopted by the City Council.

**CPC-1989-614-ZC**

On March 11, 1990, a Zone Change from R1-1 to RD6-1 for 2532 Eastern Ave was approved by the Planning Commission and on March 25, 1990, adopted by the City Council.

**CPC-1989-177-IPRO**

On May 8, 1996, an interim control ordinance for the entire Northeast Los Angeles District Plan was adopted by the City Council.

**CPC-1986-826-GPC**

General Plan/Zoning Consistency, Zone Changes, Height District Changes and Plan Amendments in various locations. No further information available.

**ORD-180403**

See CPC-2008-1182-ZC.

**ORD-172316**

On November 24, 1998, the City Council adopted an ordinance establishing interim regulations for the issuance of building and demolition permits for certain residential, commercial and industrial projects in the Northeast Los Angeles Community Plan Area.

**ORD-166216-SA3396**

On August 30, 1990, an ordinance was adopted by the City Council amending Section 12.04 of the Los Angeles Municipal Code by changing the zones and zone boundaries shown upon portions of the zone map attached thereto and made a part of Article 2, Chapter 1, of the Los Angeles Municipal Code, so that such portions of the zoning map shall set forth the zones and height districts as they are set forth on the map entitled "Northeast Los Angeles Part 1". See Case No. CPC-86-0826 for the accompanying diagrams and the Table for Section 1.

**ORD-165879**

On June 25, 1990, an ordinance was adopted by the City Council amending Section 12.04 of the Los Angeles Municipal Code by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made part of Article 2, Chapter 1, of the Los Angeles Municipal Code, as they are set for on the map filed under CPC No. 89-614-ZC. See Ordinance for added [Q] Conditions.

**ENV-2006-7219-EAF**

On December 21, 2006, Applicant requested the project for a Zone Change to RAS3 and General Plan Amendment to Neighborhood Commercial in order to build a 5-story multiple family building with 227 dwellings at 2520 Eastern Ave be terminated.

**FINDINGS:**

**GENERAL PLAN AMENDMENT**

Per Charter Sections 556 (General Plan Compliance) & 558 (Procedure for Adoption, Amendment or Repeal of Certain Ordinances, Orders and Resolutions), and LAMC Section 12.32.C.2, the relation of the proposed General Plan Amendment to the General Plan and the adoption of the proposed land use ordinance will be in conformity with public necessity, convenience, general welfare and good zoning practice given that:

- a) The Northeast Los Angeles Community Plan identifies Eastern Avenue as the most prominent north-south commercial street in El Sereno. There is an existing pattern of parcels along the Eastern Ave street frontage which have a Neighborhood Commercial land use designation starting from the northern intersection with Lombardy Blvd to just north of Huntington Dr, measuring just under a mile long. Proposing a General Plan Amendment to the land use designation of the project site would not be inconsistent with the existing pattern of the adjacent neighborhood zoning and land uses, as it would simply be extending the commercial frontage across Lombardy Ave, and an additional 800 feet along Eastern Ave.
- b) The Northeast Los Angeles Community Plan recognizes that one of the major land use problems in El Sereno is the incompatibility between industrial, commercial and residential uses [and] inadequacy of commercial development to support major residential communities. The purpose of a Neighborhood Commercial land use designation is to act as a transition zone between residential and commercial uses, and to provide neighborhood-oriented services. And while there are many commercial uses which front Eastern Ave, the properties east and southeast of the project site are primarily residential. Therefore, amending the land use designation from Low Residential to Neighborhood Commercial would not only help bridge the gap between this shift in uses, but also aid in providing more neighborhood serving commercial development, in this case, a school and café amenity to serve the residential community it abuts.
- c) The proposed General Plan Amendment is consistent with the following Community Plan Residential Opportunity: *Undertaking planning and zoning actions to minimize incompatibility between residential uses and commercial or industrial areas*, in that proposing a Neighborhood Commercial land use designation in the subject location will allow for a mixed-use site at a corner bordering the tail end of a commercial corridor and beginning of residential uses, thereby creating a softer transition and minimizing incompatibility, between the two uses.
- d) The proposed General Plan Amendment is consistent with the following Community Plan Residential Opportunity: *Identification of areas most suitable for multiple-family development based on adequacy of infrastructure; services, especially schools; and employment, as well as neighborhood character*, in that the proposed location of the multifamily residential development is within close proximity to an existing school facility (Farmdale Elementary) as well as the proposed school facility on the same lot, and within close proximity to an existing recreational center, a proposed community-oriented facility and public transportation.
- e) The proposed General Plan Amendment is consistent with the following Community Plan Residential Opportunity: *Exploring potential for compatible residential and mixed use development along commercial corridors*, given that Eastern Ave just north of Lombardy Blvd is

where the commercial corridor ends, and residential zoning begins. Extending the opportunity for commercial and, more specifically, mixed-use development to the project site encourages projects such as that proposed, thereby capitalizing on the opportunity for more commercial activity to support the residential uses in the immediate area. Furthermore, amending the land use designation from Low Residential to Neighborhood Commercial will allow the RAS Zone designation which is considered a mixed-use zone.

- f) The proposed General Plan Amendment is consistent with the following Community Plan Residential Opportunity: *Clustering projects on undeveloped land*, given that amending the land use designation from Low Residential to Neighborhood Commercial increases the potential for by-right uses at the site in conjunction with residential opportunities. As requested, there are three varying uses proposed for the two contiguously owned parcels which are currently undeveloped.
- g) The proposed General Plan Amendment is consistent with Community Plan Policy 1-3.2: *Consider factors, such as neighborhood character and aesthetics, identity, compatibility of land uses; impacts on livability, services, public facilities, and traffic levels, when changes in residential densities are proposed*, given that amending the land use designation of the project site from Low Residential to Neighborhood Commercial will not affect the compatibility of land uses in this area because the site is conveniently located where the commercial corridor along Eastern Ave ends and primarily residential uses begin. Designating the site for mixed-use development would actually increase the livability and accessibility to services as well as aid in the compatibility of land uses, given that the site will serve as a transition zone. Furthermore, the proposed use on the corner of Eastern Ave and Lombardy is intended to be a community-oriented amenity that will help strengthen neighborhood identity.
- h) The proposed General Plan Amendment is consistent with the following Community Plan Commercial priority which identifies *the need for carefully focused planning and coherent development in order that commercial vitality be revitalized*, in that by changing to a Neighborhood Commercial land use designation, the project site has increased potential for commercial development. By proposing this land use designation in the given location is supportive of focused planning and coherent development in that it strategically provides a transition zone that can support both commercial and residential uses.
- i) One of the Commercial priorities for the Northeast Los Angeles Community Plan is *the invigoration of well-suited commercial activity, in order to increase local employment opportunities, provide better access to goods and services for residents and business operators, and strengthen the focus of community identity that tends to be centered where local commerce thrives*. By amending the General Plan land use designation to allow for commercial uses as well as residential uses will encourage mixed-use development that will contribute to making this priority a reality.

#### **ZONE CHANGE**

Per LAMC Section 12.32.C.2, the relation of the proposed land use ordinance to the General Plan and the adoption of the proposed Zone Change request will be in conformity with public necessity, convenience, general welfare and good zoning practice given that:

- a) The proposed Zone Change is in conformity with good zoning practice because the limitations outlined in the Northeast Los Angeles Hillside Zone Change Ordinance to which the project site are subject, focus on size, height, retaining walls and grading limitations for what was originally intended as small hillside lots. The project site is an anomaly in that it is a 5-acre site with over 800 feet of street frontage on Eastern Ave, and it would not be practically reasonable to limit development to that of which is set forth by said Ordinance. Therefore, by requesting a Zone Change, the site would be held subject to development standards which are more applicable to the existing site conditions.
- b) The Northeast Los Angeles Community Plan stresses the inadequacy of commercial development to support major residential communities. The project site is located at a pivotal corner which borders a Commercial Corridor lining Eastern Ave north of Lombardy Blvd, and the residential neighborhood surrounding the project site to the south and west. Allowing the Zone Change from [Q]RD6-1D and [Q]R1-1D to RAS3-1 will encourage mixed-use development and help soften the transition between neighboring uses while providing additional commercial development for the surrounding residential community.
- c) The Northeast Los Angeles Community Plan identifies Eastern Avenue as the most prominent north-south commercial street in El Sereno. There is an existing pattern of parcels along the Eastern Ave street frontage which have a Commercial Zone designation starting from the northern intersection with Lombardy Blvd to just north of Huntington Dr, measuring just under a mile long. Proposing a Zone Change for the project site would not be inconsistent with the existing pattern of the neighborhood, given that Residential Accessory Service Zones are intended to act as transitions between residential and commercial uses, and the project site is located at an intersection where said land uses change. Therefore, the project site is an ideal location for a transition zone designation.
- d) The proposed Zone Change is consistent with the following Community Plan General Community Issue: *Lack of features providing community and neighborhood identification and cohesion.* Rezoning the site from [Q]RD6-1D and [Q]R1-1D to RAS3-1 will enable the project site to utilize by-right Commercial uses such as the Community Café at the proposed corner site at Eastern Ave and Lombardy Blvd. This use is intended for both attendees of the school as well members of the general public, the Applicant has very strongly emphasizing the neighborhood serving nature of both the school and the Community Café. Given that the project is positioned at an intersection which bridges both commercial and residential uses, the proposed Zone Change will allow a use which contributes to providing community and neighborhood identification and cohesion by-right.
- e) The proposed Zone Change is consistent with the following Community Plan General Opportunity: *Revising land use and zoning patterns to minimize incompatibilities and reinforce the character of neighborhoods and communities through community-based design standards,* in that proposing a RAS Zone in the subject location will allow for a mixed-use site at a corner bordering the tail end of a commercial corridor and beginning of residential uses, therefore creating a softer transition, and thereby minimizing incompatibility, between the two uses.
- f) The proposed Zone Change is consistent with the following Community Plan General Opportunity: *Development of community-based design standards and promotion of features to reinforce the unique identities of neighborhoods and communities,* in that the project intends to

provide an amenity for the community via the Community Café, which will provide a gathering place for the community and strengthen neighborhood identity.

- g) The proposed Zone Change is consistent with the following Community Plan Residential Issue: *Rising cost of housing and overcrowded apartment units*, in that by providing more multifamily housing on a mixed-use site, not only are we adding more housing stock to the neighborhood, thereby meeting demand with supply, but we are also providing a neighborhood service at the corner location of Eastern Ave and Lombardy Blvd by way of the Community Café, that will be convenient for the existing residential area as well as the proposed residential project.
- h) The proposed Zone Change is consistent with the following Community Plan Commercial Opportunity: *Supporting efforts to enhance pedestrian-friendly environments in and around neighborhood commercial areas and major institutional and recreational activity areas*, in that the proposed project promotes walkability amongst the existing school and recreational uses with the proposed Community Café at the corner of Eastern Ave and Lombardy Blvd. Adding another destination, such as a coffee house, among the existing uses will make the area more attractive.
- i) The proposed Zone Change is consistent with the following Community Plan Commercial Issue: *Absence of features that express and strengthen community identity*. As mentioned above, Applicant would like to stress that the proposed uses are meant to serve the surrounding neighborhood. The Community Café is intended to have a strong neighborhood presence, and Applicant would like propose “a shell concept” for the site in order to accommodate needs of the community based on demand. In the meantime, the Café site is proposed as a facility that everyone can use equally.
- j) The proposed Zone Change is consistent with Community Plan Residential Policy 1-1.1: *Protect existing stable single-family and other low density residential neighborhoods from encroachment by higher density residential and other uses that are incompatible as to scale and character or would otherwise diminish the quality of life*, in that by rezoning the project site, the subject parcel can accommodate low density residential housing which is compatible with the surrounding scale and character of the neighborhood in the specified location.
- k) The proposed Zone Change is consistent with Community Plan Residential Objective 1-2: *To allocate land for new housing to accommodate a growth of population that is consistent with and promotes the health, safety, welfare, convenience, and pleasant environment of those who live and work in the community based on adequate infrastructure and government services, especially schools*, in that rezoning the subject parcel will allow the site to accommodate multifamily housing within close proximity to existing and proposed schools and amenities.
- l) The proposed Zone Change is consistent with the following Community Plan Residential Policy 1-5.5: *Encourage clustering of residential projects in order to use the natural terrain to best advantage*, in that the Plan Map has designated hillside areas for low density residential corresponding to the RD6 zone that permit lot assembly and concentration of units to optimize adaptation to site characteristics, and the proposed multifamily residential project is designed per RD6 standards.

- m) The proposed Zone Change is consistent with the following Community Plan School Policy 6.1.1: *Encourage compatibility in school locations, site layout, and architectural design with adjacent land uses and community character; use schools, as appropriate, to create logical transitions and buffers between uses such as multiple-family and single-family residential or commercial and residential uses*, in that it allows the proposed project, which incorporates residential, school and commercial use on one lot, by-right per the RAS3-1 Zone designation. Even with all three uses located on 2 contiguously owned sites, the school use is physically located between the residential and commercial uses.

#### **HEIGHT DISTRICT CHANGE**

Per LAMC Section 12.32.C.2, the relation of the proposed land use ordinance to the General Plan and the adoption of the proposed Height District Change request will be in conformity with public necessity, convenience, general welfare and good zoning practice given that:

The Northeast Los Angeles Zone Change Ordinance was originally intended for small hillside lots. The project site does not fit this description and yet is held subject to the same limitations as lots which are only a fraction of its size. Applicant would like to request that the development limitations be lifted in order to allow the maximum potential development for the site, and in so doing is requesting a GPA and Zone Change from Low Residential and [Q]RD6-1D and [Q]R1-1D, to Neighborhood Commercial and RAS3-1, respectively.

The proposed project falls within the allowable height limitations for the Height 1 District, which is 45'-0" maximum as measured from grade. To demonstrate that the proposed project will not be detrimental to the neighboring residential properties with regards to height, the Applicant has prepared contextual elevations which shows that there will be no wall which is higher than 20'-0" at any point of the project which abuts the residential properties, and that each building wall is set back approximately 15'-0" (See Sheet 400 of Project Plans). The nearest residence located on the westerly elevation is approximately 15-feet. The nearest residence on the southerly elevation is approximately 30-feet. Therefore, the proposed height district change does not conflict or is detrimental with the public necessity, convenience, general welfare or good zoning practice.



LEGAL: LOT 1, AND VACATED STREET, FARMDALE TRACT, M.B. 4-37,  
AND PORTION OF SEC. 19, T. IS., R. 12W., ALSO LOT 562, TRACT NO 6900.  
(SEE APPLICATION)

C.D. 14  
C.T. 2016.00  
P.A. NORTHEAST LOS ANGELES

ZONE CHANGE FROM [Q]RD6-1D & [Q]R1-1D TO RAS3-1

**GC MAPPING SERVICE, INC.**  
3055 WEST VALLEY BOULEVARD  
ALHAMBRA CA 91803  
(626) 441-1080 FAX (626) 441-8850

**GENERAL PLAN AMENDMENT  
ZONE CHANGE  
HEIGHT DISTRICT CHANGE**

4.65 NET AC.

CASE NO.  
DATE: 05-23-2013  
SCALE: 1" = 100'  
USES FIELD  
D.M. 139.5 A 233, 141 A 233,  
139.5 A 231  
T.B. PAGE: 595 GRID: E-7