



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



Amy J. Bodek, AICP  
Director

## **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND PUBLIC SCOPING MEETING**

**DATE:** November 2, 2020

**TO:** State Clearinghouse, Responsible Agencies, Trustee Agencies, Organizations and Interested Parties

**SUBJECT:** Notice of Preparation of a Draft Environmental Impact Report in Compliance with Title 14, Section 15082(a) of the California Code of Regulations

The County of Los Angeles ("County") is the lead agency pursuant to the California Environmental Quality Act ("CEQA") and intends to prepare an Environmental Impact Report ("EIR") for the proposed project identified below. The County has prepared this Notice of Preparation ("NOP") to provide Responsible Agencies and other interested parties with information describing the project and to identify its potential environmental effects pursuant to State requirements.

**AGENCIES:** The County requests your agency's views on the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project, in accordance with Title 14, Section 15082(b) of the California Code of Regulations. Your agency will need to use the EIR prepared by the County when considering any permits that your agency must issue, or other approval for the project.

**ORGANIZATIONS AND INTERESTED PARTIES:** The County requests your comments and concerns regarding the environmental issues associated with construction and operation of the proposed project.

**PROJECT & PERMIT(S):** "The View," Project No. R2015-01232, Vesting Tentative Tract Map No. 073082, Conditional Use Permit No. 201500052, Environmental Assessment No. RENV 201500089

**PROJECT APPLICANT:** Peak Capital Investments, LLC

**PROJECT LOCATION:** APN: 5009-007-022, 5101 South Overhill Drive, Windsor Hills, California 90043

**PROJECT DESCRIPTION:** The Project consists of a vesting tentative tract map ("VTTM") to create one multi-family residence lot, a conditional use permit ("CUP") for development

of 88 attached residential condominium dwelling units, a yard modification for reduced front yard setbacks, and a request to exceed the maximum height within zone C-1 (Restricted Business) on 1.84 gross acres (1.76 net acres). The Project site is currently vacant and unimproved. Approximately 139,281 square feet of habitable living space and subterranean parking areas for 206 spaces used for vehicle parking are proposed to be contained within a five-story, 65-foot-high structure (see Figure 4, Site Plan). The Project involves movement of earth material, including 28,150 cubic yards of cut, 300 cubic yards of fill and 27,850 cubic yards of export to an approved landfill to be determined. 12,876 square feet of landscaping is proposed.

**Project Background:** On August 2, 2017, the Los Angeles County (“County”) Regional Planning Commission approved The View Residential Project (“Project”) (Project No. R2015-01232-(2)) and adopted the Mitigated Negative Declaration (“MND”) and Mitigation Monitoring and Reporting Program (“MMRP”) prepared by the County for the Project. Subsequent to these actions, the Regional Planning Commission’s approval of the Project and adoption of the MND and MMRP was appealed to the Los Angeles County Board of Supervisors (“Board of Supervisors” or “Board”). The appeal was considered at the November 21, 2017, Board of Supervisors hearing, with the Board of Supervisors denying the appeal while upholding the Regional Planning Commission’s previous approval of the Project and adoption of the MND and MMRP. After the Board of Supervisors’ hearing, a Notice of Determination (“NOD”) was filed with the Los Angeles County Clerk.

Following the Board’s denial of the appeal and the filing of the NOD, a Petition for Writ of Mandate was filed by the petitioner in the Los Angeles County Superior Court (“Court”), which challenged the County’s approval of the Project and adoption of the MND and MMRP on several grounds. The matter came on for hearing before the Court on June 14, 2019, with the Court issuing a Ruling on Submitted Matter on June 27, 2019, in which it adopted its oral tentative ruling. The Court found that although the MND did satisfy many requirements of CEQA, it did not fully satisfy the requirements of CEQA as to impacts to traffic and circulation, and as a result, the Court set aside the County’s approval of the Project and adoption of the MND and MMRP.

The Court then issued a Court Order on October 10, 2019, to clarify the Court’s finding that an EIR must be completed for the Project. The Court determined that the County shall prepared an EIR in full compliance with the requirements of CEQA as to traffic and circulation only; however, the Court did find that the County satisfied the requirements of CEQA in relation to the other environmental topics addressed in the MND, including the specific areas that the petitioner also challenged (aesthetics, air quality, greenhouse gas emissions, and land use and planning). The Court found that the EIR to be prepared need not include those issues (i.e., all topics other than traffic and circulation) for which the record justifies the County’s actions and determinations. As such, based on direction from the Court, an EIR will be prepared to address the potential for the Project to result in traffic and circulation impacts.

The Project that is currently proposed has remained unchanged compared with the proposed development analyzed in the MND. Thus, the Project evaluated herein is the same as the previously contemplated development. In an abundance of caution, the County has decided to prepare an updated Environmental Checklist (“Initial Study”) to confirm the findings of the previous MND, with the exception of traffic and circulation, which will be analyzed in a forthcoming EIR.

A copy of the previous MND is currently on file and available for review at County Regional Planning Department. Given that the mitigation measures outlined in that MMRP still apply to the Project, the previously adopted MMRP has been appended to this document as Appendix A.

### **POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT**

Based on a preliminary review of the proposed project consistent with Section 15060 of the CEQA Guidelines, the County has determined that an EIR should be prepared for this proposed project. In addition, consistent with Section 15082 of the CEQA Guidelines, the County has identified the following probable environmental effects of the project, which will be addressed in the EIR for this project:

- Transportation and Traffic

The County and the Court has determined that there is not a likelihood of potentially significant effects related to the following environmental topics:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Waste
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities/Service Systems
- Wildfire

The the EIR will indicate the reasons why these effects were determined not to be significant and are therefore not addressed in detail in the EIR.

**NOTICE OF SCOPING MEETING:** Due to the current COVID-19 pandemic, the County will conduct a virtual public scoping meeting for the purpose of soliciting oral and written comments from interested parties as to the appropriate scope and content of the EIR.

All interested parties are invited to attend the scoping meeting to assist in identifying issues to be addressed in the EIR. The scoping meeting will include a brief presentation of the project to be addressed in the EIR and will provide attendees with an opportunity to provide input to the scope of the EIR. The virtual scoping meeting will be held on Monday, November 30, 2020, at 6:00 p.m.

Interested parties may register to attend the virtual scoping meeting at: <https://rebrand.ly/TheViewScopingMeeting>. Once registered, you will receive a confirmation from Zoom with a link to access the public scoping meeting and information on how to access the meeting either via computer/smartphone or a call-in phone number.

Translation of the scoping meeting presentation into other languages can be made available upon request. Please submit translation requests at least seven business days in advance of the scheduled meeting to [sdjones@planning.lacounty.gov](mailto:sdjones@planning.lacounty.gov).

**PUBLIC REVIEW PERIOD:** The NOP will be available for a 45-day public review and comment period pursuant to Title 14, Section 15082(b) of the California Code of Regulations. The comment period for the NOP begins on November 4, 2020, and ends on December 18, 2020.

Any comments provided should identify specific topics of environmental concern and your reason for suggesting the study of these topics in the EIR.

Please direct all written comments by email or U.S. Mail to:

Steven Jones  
County of Los Angeles  
Department of Regional Planning  
Land Divisions Section  
320 West Temple Street, Room [1348]  
Los Angeles, California 90012  
Tel: (213) 974-6433  
Fax: (213) 626-0434  
[sdjones@planning.lacounty.org](mailto:sdjones@planning.lacounty.org)

All written responses will be included as Appendices in the Draft EIR and their contents considered in accordance with State and County environmental guidelines.

**DOCUMENT AVAILABILITY:** Due to the current COVID-19 pandemic, County of Los Angeles offices and library branches are currently closed to the public. The public is encouraged to visit the Department of Regional Planning's website to review the initial study at:

<http://planning.lacounty.gov/>

and

<http://planning.lacounty.gov/case/view/tr073082>

Hard copies of the initial study can be made available and mailed upon request.

Thank you for your participation in the environmental review of this project.