

COUNTY CLERK'S USE

CITY OF LOS ANGELES  
OFFICE OF THE CITY CLERK  
200 NORTH SPRING STREET, ROOM 395  
LOS ANGELES, CALIFORNIA 90012

ORIGINAL FILED

MAY 26 2023

CALIFORNIA ENVIRONMENTAL QUALITY ACT

# NOTICE OF EXEMPTION

LOS ANGELES, COUNTY CLERK

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

DIR-2023-1666-WDI

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2023-1667-CE

PROJECT TITLE

DIR-2023-1666-WDI

COUNCIL DISTRICT

5 - Yaroslavsky

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

3734-3738 South Overland Avenue

Map attached.

PROJECT DESCRIPTION:

Additional page(s) attached.

The proposed project is for the demolition of a single-story, 1,250 square-foot commercial building and the construction of a new seven-story, 36,710 square-foot mixed-use building with a maximum height of 79 feet and 1¼ inches containing 50 multifamily residential dwelling units (5 set aside and reserved for Extremely Low Income Households) and 671 square-feet of ground floor commercial space. There are zero protected and zero non-protected trees on-site and one non-protected tree in the abutting public right-of-way. The project will include the export of approximately 6,175 cubic yards of soil and the potential removal of one street tree.

NAME OF APPLICANT / OWNER:

Simon Lazar, Helio Group (A); Dutton Construction, LLC. (O)

CONTACT PERSON (If different from Applicant/Owner above)

Josh Guyer, Burns & Bouchard, Inc.

(AREA CODE) TELEPHONE NUMBER

(310) 802-4261

EXT.

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

### STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) \_\_\_\_\_

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) State CEQA Guidelines Sec. 15332/Class 32

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

Additional page(s) attached

The City of Los Angeles has determined based on the whole of the administrative record, that substantial evidence supports that the Project is exempt from CEQA pursuant to CEQA Guidelines Section 15332, and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The project was found to be exempt; see Categorical Exemption document attached to the subject environmental case file.

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

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

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Oliver Netburn



STAFF TITLE

City Planner

ENTITLEMENTS APPROVED

Waiver of Dedication and Improvements

FEE:

\$4,272.00

INVOICE NO.

86769

REC'D. BY (DCP DSC STAFF NAME)

Daniel Coronado

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019

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

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DEPUTY DIRECTOR

## JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2023-1667-CE

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The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The project was found to be exempt based on the following:

### **Project Description:**

The project is located at 3734-3738 South Overland Avenue in the Palms-Mar Vista-Del Rey Community Plan Area.

The proposed project is for the demolition of a single-story, 1,250 square-foot commercial building and the construction of a new seven-story, 36,710 square-foot mixed-use building with a maximum height of 79 feet and 1¼ inches containing 50 multifamily residential dwelling units (5 set aside and reserved for Extremely Low Income Households) and 671 square-feet of ground floor commercial space. There are zero protected and zero non-protected trees on-site and one non-protected tree in the abutting public right-of-way. The project will include the export of approximately 6,175 cubic yards of soil and the potential removal of one street tree.

The project requires the following:

1. A Waiver of Dedication and/or Improvements provide a modified highway dedication to complete a 50-foot half right-of-way in lieu of a 55-foot half right-of-way and maintain the existing half roadway width along Overland Avenue.

### **Implementation of the California Environmental Quality Act**

Pursuant to Section 21084 of the Public Resources Code, the Secretary for the Natural Resources Agency found certain classes of projects not to have a significant effect on the environment and declared them to be categorically exempt from the requirement for the preparation of environmental documents.

The project meets the conditions for a Class 32 Exemption found in CEQA Guidelines, Section 15332 (In-Fill Development Projects), and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 apply.

Conditions for a Class 32 Exemption

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- 1) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- 2) The proposed developed occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- 3) The project site has no value as habitat for endangered, rare or threatened species;
- 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- 5) The site can be adequately served by all required utilities and public services.

The project is located within the Palms-Mar Vista-Del Rey Community Plan and zoned C2-1 with a corresponding designation for General Commercial land uses. With approval of the requested entitlements, the project is consistent with the applicable general plan land use designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.

The subject site is wholly within the City of Los Angeles, on a lot that totals approximately 0.267 acres in size. Lots adjacent to the subject properties are developed with residential and commercial developments. The site is currently developed and is surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. In addition, there are no protected trees on the site.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on water quality. The net increase of 26 units does not exceed the threshold criteria established by LADOT for preparing a Vehicle Miles Traveled Analysis as determined by the City of Los Angeles VMT Calculator. Therefore, the project would not have any significant impacts to traffic. The Noise Technical Report prepared by DKA Planning found that the project would not result in noise impacts. The Air Quality Technical Report prepared by DKA Planning found that the project would not result in air quality impacts. The project site will be adequately served by all public utilities and services given that the construction of a new multi-family residential building will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

Exceptions to Categorical Exemptions

There are six (6) exceptions to categorical exemptions must be considered in order to find a project exempt from CEQA: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

The project is not located on or near any environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. There is not a succession of known projects of the same type and in same place as the subject project. The project would not reasonably result in a significant effect on the environment due to unusual circumstances. The project is not located near a State Scenic Highway. The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity

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is identified as an active hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register or Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register, and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Therefore, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

ORIGINAL FILED

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

Trevor Martin  
**Trevor Martin City Planning Associate**  
Department Representative