

COUNTY CLERK'S USE

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Pursuant to Public Resources Code § 21152(b) and CEQA Guidelines § 15062, the notice should be posted with the County Clerk by mailing the form and posting fee payment to the following address: Los Angeles County Clerk/Recorder, Environmental Notices, P.O. Box 1208, Norwalk, CA 90650. Pursuant to Public Resources Code § 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-2023-298-ZV-ZAA-ZAD-SPR

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2023-299-CE

PROJECT TITLE

Goldstein 2023

COUNCIL DISTRICT

CD-5

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

10104 W Angelo View Dr, Beverly Hills, CA 90210

Map attached.

PROJECT DESCRIPTION:

Construction of a 1,260 square-foot second dwelling unit on an adjacent vacant lot to be tied to the subject property and subsequent creation of a through lot, including 259 cubic yards of grading cut and export; 2,569 square-foot addition to the existing accessory building, to contain a home theater, and the extension of an attached staircase within the westerly side yard; and legalization of the continued use of a 600 square-foot artwork structure located on the subject property, constructed in 2008 under a previous building permit.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

James Perry / James Goldstein

CONTACT PERSON (If different from Applicant/Owner above)

R. Nicolas Brown

(AREA CODE) TELEPHONE NUMBER

(661) 753-9861

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 3)

CEQA Guideline Section(s) / Class(es) Section 15301 (Class 1), Section 15303 (Class 3)

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 proposed project qualifies for the Class 1 and Class 3 Categorical Exemptions (See Justification attached).

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

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

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

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

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Caelan Rafferty

STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

Zone Variance, Zoning Administrator Adjustment, Zoning Administrator Determination, Site Plan Review

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

Please return to OZA:
200 N. Spring Street, Room 763
Los Angeles, CA 90012

I hereby certify and attest this to be a true and correct
copy of the original record on file in the office of the
Department of City Planning of the City of Los Angeles
designated as office trailer
Miguel Cervantes 4/11/2024
Department Representative

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
TIM FARGO
JONATHAN A. HERSHEY, AICP
PHYLLIS NATHANSON
CHARLES J. RAUSCH JR.
CHRISTINE M. SAPONARA
COURTNEY SHUM
CHRISTINA TOY LEE
JORDANN TURNER

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

LOS ANGELES DEPARTMENT
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DEPUTY DIRECTOR

planning.lacity.org

JUSTIFICATION FOR PROJECT EXEMPTION
CASE NO. ENV-2023-299-CE

10104 West Angelo View Drive, Beverly Hills, CA 90210
(10106 W Angelo View Dr; 1238 N Angelo Dr)
(APNs: 4357-014-023, 4357-014-024, 4357-014-017)

Project Description

The proposed project includes the construction of a 2,569 square-foot addition containing a home theatre to an existing accessory building, an extension of a previously approved staircase within the westerly side yard, construction of a new 1,260 square foot second dwelling unit on an adjacent vacant lot to be tied to the subject property, and the continued use and legalization of the 600 square-foot artwork structure located on the property. The project includes approximately 259 cubic yards of grading and excavation activity comprised of 259 cubic yards of cut and export. As the construction of a new second dwelling unit, addition to an existing accessory structure, and continued use of an accessory structure, this Project qualifies for a categorical exemption, pursuant to CEQA Guidelines Section 15301, Class 1 (Existing Facilities), 15303, Class 3 (New Construction and Conversion of Small Structures).

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions.

The City has considered whether the Proposed Project is subject to any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six (6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

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

The subject property is located in a Hillside Area, a Special Grading Area, Very High Fire Hazard Severity Zone, Santa Monica Mountains Zone, a Landslide Area, and is within the Hollywood Fault Zone. However, specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate development in these particular types of "sensitive" locations and will reduce

any potential impacts to less than significant. The Project is subject to specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles that regulate the grading and construction of projects in these particular types of "sensitive" locations. The RCMs will reduce any potential impacts to less than significant. Specifically, the following RCMs would apply:

- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-GEO-2 (Hillside Grading Area):** 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.
- **Regulatory Compliance Measure RC-GEO-5 (Subsidence Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any subsidence and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - ground stabilization
 - selection of appropriate foundation type and depths
 - selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

- **Regulatory Compliance Measure RC-GEO-6 (Expansive Soils Area):** Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to:
 - ground stabilization
 - selection of appropriate foundation type and depths
 - selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

These RCMs have been historically proven to work to the satisfaction of the City to reduce any impacts from the specific environment in which the Project is located. In addition, grading in the Hillside Area requires the submittal of a Geology and Soils Report to the Department of Building and Safety (DBS). A Geology and Soils Report Approval Letter and a Geology and Soils Report

Review Letter for the subject property, both of which detail conditions of approval that must be followed, have been issued by DBS on August 10, 2022, under Log No. 122182, and on December 1, 2022, under Log No. 123788. Furthermore, the Project must comply with the California Building Code and the City's Landform Grading Manual.

The applicant has provided a Biologist's Statement of Habitat, dated October 6, 2022, stating that no wildlife, habitat, or native plants were found on site during a field visit, as the subject property is extensively landscaped with tropical and ornamental plants. Additionally, a Tree Disclosure Statement and Tree Letter provided by a Registered Consulting Arborist, dated June 21, 2022, state that there are no protected trees or shrubs identified on the project site, and no protected trees or shrubs will be impacted by the proposed Project.

Thus, in conjunction with the above RCMs and compliance with other applicable regulations, the Project will not result in a significant impact based on its location.

Cumulative Impacts. *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The area is zoned RE15-1-H-HCR and designated for Very Low II Residential use. The project is consistent with the size and type of development permitted for the area. There is not a succession of known projects of the same type and in the same place as the subject project. There are no known similar projects proposed in the area, but any future projects must also comply with RCMs and recommended conditions prepared by LADOT and LADBS. Therefore, in conjunction with citywide RCMs and compliance with other applicable regulations, no foreseeable cumulative impacts are expected.

Significant Effect. *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

As mentioned, the proposed project is for the construction of a 2,569 square-foot addition containing a home theatre to an existing accessory building, an extension of a previously approved staircase within the westerly side yard, construction of a new 1,260 square foot second dwelling unit on an adjacent vacant lot to be tied to the subject property, and the continued use and legalization of the 600 square-foot artwork structure located on the property. The project includes approximately 259 cubic yards of grading and excavation activity comprised of 259 cubic yards of cut and export. The project is in an area zoned and designated for such development. The project site is of similar size and slope to the surrounding properties and will conform to all other regulations of the LAMC that the Applicant is not seeking relief from as part of the subject project. Thus, there are no unusual circumstances that may lead to a significant effect on the environment.

Scenic Highways. *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The project site is located approximately 8.7 miles northeast of State Route 27. Therefore, the Project will not result in damage to any scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

Hazardous Waste. *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

According to Envirostor and GeoTracker, the State of California's databases of Hazardous Waste Sites, the Site is not identified as a hazardous waste site. Furthermore, the building permit history for the Project Site does not indicate the Site may be hazardous or otherwise contaminated, and this exception does not apply.

Historic Resources. *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The Project Site contains the Sheats-Goldstein Residence, which is an architecturally and historically significant home designed by famous Los Angeles architect John Lautner. The structure is identified as a potential historic resource on the City's HistoricPlacesLA website and SurveyLA, the citywide survey of Los Angeles, as an excellent example of Mid-Century Modern architecture. However, no alterations to the Sheats-Goldstein Residence are proposed as part of the Project. Additionally, the property is promised to the Los Angeles County Museum of Art in the owner, James Goldstein's will, which stipulates that the museum shall acquire the structure in its original form, prohibiting any alteration or impacts to the historic resource. The proposed Project will not result in any indirect impacts to the Sheats-Goldstein Residence, and all work for the second dwelling unit and accessory structures will take place separately from the main residence. Based on this, the Project will not result in a substantial adverse change to the significance of a historical resource and this exception does not apply.

CEQA Determination – Class 1 Categorical Exemption Applies

A project qualifies for a Class 1 Categorical Exemption if it involves additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet if: (A) the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and (B) the area in which the project is located is not environmentally sensitive.

The project involves an addition of 2,569 square feet to an existing accessory building. Despite its hillside location, the project is located in a highly developed residential neighborhood and is adequately served by all public services to allow for maximum development permissible in the RE15-1-H-HCR zone. As previously discussed, the subject site does not contain any sensitive habitat or protected trees or shrubs. Therefore, the project is eligible for the Class 1 Categorical Exemption.

CEQA Determination – Class 3 Categorical Exemption Applies

A project qualifies for a Class 3 Categorical Exemption if it consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

- (a) *One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.*

The project will construct a new second dwelling unit.

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- (e) *Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.*

The project will include the extension of an existing stairway, and the continued use and maintenance of an accessory artwork structure.

Therefore, the project is eligible for the Class 3 Categorical Exemption.