

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-2023-2348-CUB / Conditional Use Alcohol

LEAD CITY AGENCY City of Los Angeles (Department of City Planning)	CASE NUMBER ENV-2023-2349-CE
PROJECT TITLE 21821-21825 West Sherman Way	COUNCIL DISTRICT 3 – Blumenfield

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) Map attached.
21821-21825 West Sherman Way (Sherman Way between Vassar and Jordan Ave)

PROJECT DESCRIPTION: Additional page(s) attached.
The sale of beer and wine for off-site consumption within an existing market with proposed house of operation of 8 am to 9 pm, seven days a week. The market is attached to an existing restaurant that serves beer and wine for on-site consumption.

NAME OF APPLICANT / OWNER:
Robert Goldberg

CONTACT PERSON (If different from Applicant/Owner above) Heather Waldstein	(AREA CODE) TELEPHONE NUMBER EXT. (818) 716-2767
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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) **Section 15301, Class 1**

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

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 Shane Strunk	<i>Shane Strunk</i>	STAFF TITLE Planning Assistant
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ENTITLEMENTS APPROVED
Conditional Use Alcohol

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

Melissa Cervantes 5/20/2024

Department Representative

PROJECT ADDRESS: 21821-21825 West Sherman Way
ENV-2023-2349-CE / ZA-2023-2348-CUB

PROJECT DESCRIPTION:

The sale of beer and wine for off-site consumption within an existing approximately 4,948 square foot market with proposed house of operation of 8 am to 9 pm, seven days a week. The market is attached to an existing approximately 3,029 square foot restaurant with indoor and outdoor seating that serves beer and wine for on-site consumption. No new construction is proposed.

JUSTIFICATION FOR PROJECT EXEMPTION:

The City of Los Angeles 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 15301, Class 1 and none of the exceptions to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. The project was found to be exempt based on the following discussion.

CEQA DETERMINATION – SECTION 15301, CLASS 1 CATEGORICAL EXEMPTION APPLIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use.

The applicant is requesting to serve alcohol for off-site consumption. There are no proposed construction or improvements, and the use is negligibly expanded.

CEQA SECTION 15300.2: EXCEPTIONS TO THE USE OF CATEGORICAL EXEMPTIONS

The City has further considered whether the proposed project is subject to any of the six exceptions (listed as a-f) set forth in State CEQA Guidelines Section 15300.2, that would prohibit the use of any categorical exemption. None of the exceptions are triggered for the reasons discussed as follows.

- A. **Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized 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 case does not use a CEQA exemption that would trigger review of this exception.

ZIMAS shows that the subject site is not located in a Coastal Zone, Very High Fire Hazard Severity Zone, Flood Zone, Watercourse, Hazardous Waste/Border Zone, Methane Hazard Site, High Wind Velocity Area, or Special Grading Area (BOE Basic Grid Map A-13372). There are no known oil wells on site. The subject site is located within an Urban Agricultural Incentive Zone, but no known agricultural uses are proposed herein.

Additionally, ZIMAS shows the nearest fault is the Santa Susana Fault, located 12.2 kilometers from the subject site. The site is not located within an Alquist-Priolo Fault Zone

or area of Landslide, Preliminary Fault Rupture, or Tsunami Inundation. The site is within a Liquefaction area.

While the liquefaction area is observed, the project will not make significant changes to the physical form so the liquefaction risk will not increase. The project is not located on or near an environmental resource that is precisely mapped, and officially adopted pursuant to federal, state or local law. Therefore, the environment is not particularly sensitive, and this exception is not triggered.

- B. Cumulative Impact.** *The exception applies when, although a particular project may not have a significant impact, the impact of successive projects, of the same type, in the same place, over time is significant.*

The applicant is requesting to serve alcohol for off-site consumption. As shown on ZIMAS, within 500 feet of the subject site one case of the same type (ZA-2017-783-CUB) has been granted, which was the authorization for on-site beer and wine sale for the restaurant portion of the subject site. Due to the fact that only one case of the same type was found within 500 feet of the subject site and that it was granted in 2017, the proposed project will not result in significant cumulative impacts from successive projects of the same type in the same place.

- C. Significant Effect Due to Unusual Circumstances.** *This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.*

The subject site is a level, rectangular-shaped lot with a designated General Plan Land Use designation of Community Commercial and is zoned [Q]C2-1VL-CDO. The lot is located within an Urban Agriculture Incentive Zone but is designated Urban and Built-up. Per ZIMAS, the site is located 12.2 kilometers from the Santa Susana Fault. The site is not located within a Flood Zone, Hazardous Waste/Border Zone Property, High Wind Velocity Area, BOE Special Grading Area, Oil Well Area, or Alquist-Priolo Fault Zone. The site is within a Liquefaction area, but this project will not have any effect on liquefaction risk since no new construction is proposed herein. Thus, the project does not involve unusual circumstances which would result in significant impacts.

- D. Scenic Highways.** *This exception applies when, although the project may otherwise be exempt, there may be 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.*

Based on a review of the California Scenic Highway Mapping System (<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>), the subject site is not located along a State Scenic Highway, nor are there any designated State Scenic Highways located near the project site.

Based on this, the proposed project will not result in damage to scenic resources in a state scenic highway, and this exception does not apply.

E. **Hazardous Waste Sites.** *Projects located on a site or facility listed pursuant to California Government Code 65962.5.*

Based on a review of the California Department of Toxic Substances Control "Envirostor Database" (<http://www.envirostor.dtsc.ca.gov/public/>), no known hazardous waste sites are located on or proximate to the project site. In addition, there is no evidence of historic or current use, or disposal of hazardous or toxic materials at this location. Since the project site is not on a list compiled pursuant to Government Code Section 65962.5 related to hazardous waste sites, the project will not result in a significant effect due hazardous waste, and this exception does not apply.

F. **Historical Resources.** *Projects that may cause a substantial adverse change in the significance of an historical resource.*

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 of Historic Places, California Register of Historical Resources, or the Los Angeles Historic-Cultural Monuments Register, and/or any local register according to the City's HistoricPlacesLA website. HistoricPlacesLA is the City's new online information and management system created to inventory Los Angeles' significant historic resources. Based on this, the project will not result in a substantial adverse change in the significance of a historic resource, and this exception does not apply.

In conclusion, since the project meets all of the requirements of the categorical exemption set forth at CEQA Guidelines, Section 15301, Class 1 and none of the applicable exceptions to the use of the exemption apply to the project, it is appropriate to determine this project is categorically exempt from the requirements of CEQA.