

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
DIR-2022-8065-TOC-VHCA

LEAD CITY AGENCY City of Los Angeles (Department of City Planning)	CASE NUMBER ENV-2022-8066-CE
--	---------------------------------

PROJECT TITLE 7763 West Beverly Boulevard	COUNCIL DISTRICT 5
--	-----------------------

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) 7763 – 7773 W. Beverly Boulevard and 308 N. Ogden Drive (W. Beverly Blvd and North Ogden Dr.)	<input type="checkbox"/> Map attached.
---	--

PROJECT DESCRIPTION: New construction of a 42,544 sf 53-unit apartment; 1,677 sf of commercial; 5 story; 3.37:1 FAR; 4,163 sf open space; parking 28, bike parking 52.	<input type="checkbox"/> Additional page(s) attached.
---	---

NAME OF APPLICANT / OWNER: Jason Larian (Owner) / Leon Benrimon (Applicant)	
---	--

CONTACT PERSON (If different from Applicant/Owner above) Olivia Joncich	(AREA CODE) TELEPHONE NUMBER	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) Section 15332 (Urban Infill)

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

On July 2, 2024 the City of Los Angeles determined based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Section, 15332 (Urban Infill), 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: the project is in an infill site in an urbanized area, complies with the general plan and applicable policies, and would not result in significant impacts to traffic, noise, air quality or water quality.

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 <i>Ricardo Vazquez</i>	STAFF TITLE CITY PLANNING ASSOCIATE
ENTITLEMENTS APPROVED TOC	

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

MONIQUE LAWSHE
PRESIDENT

ELIZABETH ZAMORA
VICE-PRESIDENT

MARIA CABILDO
CAROLINE CHOE
MARTINA DIAZ
ILISSA GOLD
KAREN MACK

MICHAEL R. NEWHOUSEa

**CITY OF LOS ANGELES
CALIFORNIA**



KAREN BASS
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

HAYDEE URITA-LOPEZ
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2022-8066-CE

On July 2, 2024, the Department of City Planning (DCP) determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject Project as Categorically Exempt under Section 15332 (Class 32), Case No. ENV-2022-8066-CE, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Project Description

The project site is located at 7773-7773 W. Beverly Boulevard and 308 N. Ogden Drive and is approximately 12,664 square feet in lot size. The proposed project includes the demolition of an existing one-story, 7,458 square foot commercial building and the construction, use and maintenance of a new, five story mixed use building, including one (1) level of subterranean parking. The project will be a maximum of 67 feet in height, including 42,544 square feet of floor area, with a maximum Floor Area Ratio (FAR) of 3.37:1, and will provide approximately 1,677 square feet of commercial space along the ground floor and will provide 53 dwelling units. Six (6) dwelling units will be reserved for Extremely Low Income households. The project is utilizing relief from AB 2097 to provide zero automobile parking spaces for the residential and commercial uses. The project will provide 30 automobile parking spaces for residential use. The project will provide 44 long-term and four (4) short term bicycle parking spaces for residential use. In addition, the project will provide one (1) long-term and one (1) short-term bicycle parking spaces for commercial use. The project will provide 4,163 square feet of open space. There are two existing street trees adjacent to the project along Beverly Boulevard, which the project seeks to preserve. There is no request to remove any street tree. The project proposes the export of approximately 11,000 cubic yards of soil. The type of proposed uses and size are not unusual for the vicinity of the subject site and are similar in scope to other existing commercial buildings and residential dwellings in the area. Thus, there are no unusual circumstances that may lead to a significant effect on the environment.

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 five (5) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. There are five (5) Exceptions which must be considered in order to find a project exempt under CEQA: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

(a) 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 proposed project is comprised of three contiguous lots and is located at the northeastern intersection of Beverly Boulevard and Ogden Drive, with site address 7763 – 7773 Beverly Boulevard, and 308 N Ogden Drive within the Wilshire Community Plan. There are currently two (2) projects dating back to February 27, 2020, which are currently filed with the Department of City Planning of have received a Letter of Determination from the Department of City Planning but have yet to receive a Certificate of Occupancy from the Los Angeles Department of Building and Safety (LADBS). As such, there are projects within 1,500 feet of the same type and in the same place as the subject project at the time of filing.

PROJECTS WITHIN A 1,500 FEET FROM THE SUBJECT SITE			
Address	Case Number	Date Filed	Scope of Work
352 N Hayworth Ave	DIR-2020-1312-TOC-HCA	2/27/2020	New 20 unit residential building
7951 Beverly Blvd	DIR-2018-7382-TOC	12/13/2018	New 57-unit residential building

According to SCAQMD, individual construction projects that do not exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would not cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Construction-related daily emissions at the project site would not exceed SCAQMD’s regional or localized significance thresholds. Therefore, the project’s contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. Construction of the project also would have a less-than-significant impact with regard to localized emissions.

As noise is a localized phenomenon and decreases in magnitude as the distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed project to result in cumulatively considerable noise impacts. These above-noted projects will begin construction and end construction at different timelines, with minor if any overlap between projects. Thus, the construction of these known projects will be staggered and therefore do not have the potential to cumulatively contribute to air quality, construction traffic, and noise levels.

(b) 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 includes the demolition of a one-story commercial building and the construction, use and maintenance of a five (5)-story, 42,544 square-foot mixed use building, consisting of 53 dwelling units and 1,677 square feet of commercial area. The project proposes a FAR of 3.37:1, which is permitted through the Transit Oriented

Communities Affordable Housing Incentive Program. The proposed project will be for a five (5)-story mixed-use building in an area that is currently developed with residential and commercial buildings that range in height from one (1) to four (4)-stories. Thus, there are no unusual circumstances that may lead to a significant impact on the environment.

(c) 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.*

As it relates to development along a 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. State Route 27 is located approximately 11 miles to the west of the subject property. Therefore, the subject site will not create any impacts within a designated state scenic highway.

(d) 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.*

In regard to Hazardous Waste sites, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site nor any site in the vicinity, is identified as a hazardous waste site at the time of filing. As such, the project would not be developed on a site identified as a hazardous site pursuant to Section 65962.5 of the Government Code.

(e) 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 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, 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. The Department of City Planning, Office of Historic Resources confirmed that the existing commercial structure is not considered historic resources for the purposes of CEQA per an email dated April 20, 2023.

CEQA Determination – Class 32 Categorical Exemption Applies

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the conditions as follows: (a) 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; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services.

(a) The project is consistent with applicable general plan designation, applicable policies, and applicable zoning designations.

The subject site is located within the Wilshire Community Plan. The site is zoned C2-1VL-O and has a General Plan Land Use Designation of Neighborhood Office Commercial which has corresponding zones including C1, C1.5, C2, C4, P, CR, RAS3 and RAS4. The

project site is zoned C2-1VL and is therefore consistent with the Neighborhood Office Commercial land use designation. The proposed project is a mixed used project proposing residential uses and commercial uses on the ground level. Commercial and residential uses permitted uses in the C2 zone. As shown in the case file, the project is consistent with the applicable Wilshire Community Plan designation and policies and all applicable zoning designations and regulations.

(b) The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses.

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.29 acres. The surrounding area is characterized by level topography, improved streets, and commercial and residential uses. The property to the north is zoned RD1.5-1-O with a land use designation of Low Medium Residential and is improved with a single-family home. To the south, across Beverly Boulevard, properties are zoned C2-1-O with a Community Commercial land use designation and is the location of Television City. Abutting to the east, the property is zoned C2-1VL-O with a land use designation of Neighborhood Office Commercial and is improved with a gas station. Across Ogden Drive, the property to the west is zoned C2-1VL-O with a land use designation of Neighborhood Office Commercial and is improved with a single-story commercial building.

(c) The project has no value as a habitat for endangered species, rare, or threatened species.

The site was previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare, or threatened species. Moreover, a Tree Disclosure statement, prepared by the Owner and dated November 3, 2022, declared there are no protected trees or shrubs on-site. However, the Tree Disclosure statement did identify that there are trees in the public right of way. The project is not requesting the removal of any street tree as part of its application. Note, no street tree or protected tree may be removed without prior approval of the Board of Public Works/Urban Forestry (BPW) under LAMC Sections 62.161 - 62.171. At the time of preparation of this CE, no approvals have been given for any tree removals on-site or in the right-of-way by BPW.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

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 noise and water. The applicant submitted an Air Quality Report dated July 2023 that found that the construction and operation of the project would not result in a significant impact to Air Quality. Additionally, the applicant submitted a Noise Technical Report dated July 2023 that found that the construction and operation of the project would not result in a significant impact to noise. Furthermore, the City of Los Angeles Vehicle Miles Traveled (VMT) Calculator resulted in the proposed project having a net increase of 145 daily vehicle trips. Based on the VMT Calculator, the project is not required to perform VMT analysis under the VMT standards. LADOT reviewed the VMT Calculator output and concluded that a Transportation Study is not needed (Transportation Study Assessment - Department of Transportation Referral Form Signed by Wes Pringle April 3, 2023). Therefore, the project would not result in any significant effects related to traffic, noise, air quality, or water quality .

(e) The proposed project has been reviewed by City staff and can be adequately served by all required utilities and public services.

The project site will be adequately served by all public utilities and services given that the construction of a residential building will be on a site that has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32. As the project has been found to be categorically exempt from CEQA, the project is not anticipated to have a negative effect on the environment and no mitigation measures are required.