

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

CPC-2022-5692-DB-WDI-VHCA / Density Bonus, Waiver of Dedication and Improvements

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2022-5693-CE

PROJECT TITLE

5211 West Venice Boulevard (Primary address)

COUNCIL DISTRICT

10

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

5201 and 5211 West Venice Boulevard and 1537, 1541, 1543 S, Cochrane Avenue

Map attached.

PROJECT DESCRIPTION:

Demolition of two single story buildings, removal of a surface parking lot and the construction, use and maintenance of a five-story, 51,617 square foot (FAR 4.27:1) multi-family residential building containing 52 dwelling units, five (5) units will be set aside for Very Low Income Households.

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Paul Devore

CONTACT PERSON (If different from Applicant/Owner above)

Jordan Beroukhim

(AREA CODE) TELEPHONE NUMBER

(310) 435-4594

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

Project qualifies for a Class 32 Urban Infill Exemption. The project meets all of the requirements to qualify for a Class 32 Exemptions and none of the exceptions to a Categorical Exemptions apply to the project. See attached CE Justification for further elaboration.

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

RICARDO VAZQUEZ 

STAFF TITLE

CITY PLANNING ASSOCIATE

ENTITLEMENTS APPROVED

DENSITY BONUS; WAIVER OF DEDICATION AND IMPROVEMENT

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT

MONIQUE LAWSHE
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**CITY OF LOS ANGELES
CALIFORNIA**



KAREN BASS
MAYOR

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DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2022-5693-CE

The Planning Department 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 Article 19, Section 15332, Class 32.

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

- (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.

Project Description

The proposed project involves the demolition of the two existing buildings used for office and storage and removal of a surface parking lot on two (2) lots comprising approximately of 16,700.4 square feet, and the construction, use and maintenance of a new, five (5)-story over multifamily residential building totaling 51,617 square feet, including 52 residential units with five (5) units set aside for Very Low Income Households, and 64 automobile parking spaces across two levels of basement parking.

The project includes one (1) studio, thirty-three (33) one bedroom, and eighteen (18) two-bedroom units, and a total of 5,817 square feet of open space. The project will provide 64 automobile parking spaces, five (5) short-term and 43 long-term bicycle parking spaces.

The proposed project will include 51,617 square feet with a maximum floor area ratio (FAR) of 4.27:1. The project has two street trees that are to remain. The project proposes to remove 11 trees that have a diameter of at least eight inches from the subject property, not on the right of way. The project proposes to plant an additional three (3) street trees. One (1) street tree would be added to Venice Boulevard bringing the total street trees on Venice fronting the property to

three (3) street trees and two (2) new street trees along Cochran Avenue. Altogether, the project proposes to plant a total of twenty-nine (29) 24-inch box trees.

The project requires the following:

- 1) Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22 A.25(g) (2) (On Menu Incentives) and 12.22 A.25(g)(3) (Off Menu Incentives), a Density Bonus/Affordable Housing Incentive Program Compliance Review to permit the construction of a Housing Development Project totaling 52 dwelling units, reserving four (5) units for Very Low Income occupancy for a period of 55 years, with the following requested On Menu and Off Menu Incentives:
 - a) An On-Menu Incentive to increase height by 11 feet to allow a maximum height of 56 feet in lieu of the otherwise allowed 45 feet.
 - b) An On-Menu incentive for a 35-percent increase in the maximum density to allow 52 units in lieu of the otherwise permitted 41 units in the [T][Q]C1.5-1-O Zone
 - c) An Off-Menu Incentive for a Floor Area Ratio (FAR) of 4.27:1 in lieu of 1.5:1 as otherwise permitted in the [T][Q]C1.5-O Zone.
- 2) Pursuant to LAMC Section 12.37, a Waiver of Dedication and Improvements to provide a two (2) foot dedication along Cochran Avenue in lieu of the variable width dedication.

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 applicable general plan designations, applicable policies and applicable zoning designations. (b) The proposed development occurs within city limits on a project site no more than five acres substantially surrounded by urban uses. (c) The project has no value as a habitat for endangered species, rare or threatened species. (d) Approval of the project would not result in any significant effect relating 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.

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

The project is located within the Wilshire Community Plan which designates the subject property for Neighborhood Commercial land uses with the corresponding zones of C1, C1.5, C2, C4, P, CR, RAS3, RAS4. The project site is zoned [T][Q] C1.5-1-O . The project is consistent with the applicable general plan policies as well as with the 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 project site is wholly within the City of Los Angeles, on a site that is approximately .383 acres in size. Lots adjacent to the subject properties are developed with the following urban uses single-family, and multifamily developments. The site is currently paved and improved with two single-story buildings and is surrounded by development and therefore is not, and

has no value as, a habitat for endangered, rare or threatened species.

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 not value as a habitat for endangered, rare or threatened species. In addition, there are two (2) existing street trees and zero (0) protected trees on site. The project proposes to maintain the existing street trees and has proposed planting three (3) additional street trees. As identified in the arborist letter dated July 9, 2023, prepared by Dennis Gaudenti (Certified Arborist (#WE-1159A), in addition to the two existing street trees, the site contains 11 significant trees on site. Significant trees are those with a diameter of at least eight inches. The project proposes the removal of all 11 significant trees and will be replaced by 24-inch box trees. In total, the project proposes to plant 27 24-inch box *Podocarpus henkelii* (Henkel's Yellowwood) and two (2) 24-inch box *Lophostemon confertus* (Brisbane box). 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. Additionally, the project does not propose to remove any existing trees in the public right of way. Additionally, the arborist letter dated July 9, 2023 provides specific instructions on how the two street trees are to be protected during the construction period of the project.

d) Approval of the project would not result in any significant effect 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. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a transportation study. Therefore, the project will not have any significant impacts to traffic or transportation. 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.

An Environmental Report of Findings (ROF), which is often referred to as a Phase I Environmental Site Assessment Report, dated February 18, 2023 was prepared by Jay L. Stern of Air-Borne Investigations & Enviro-Consultation. The overall conclusion of the ROF was that no further environmental study is needed. Additionally, the subject property, according to the ROF, "...does not appear to be a source of environmental contamination." The report found that the site is just outside the FEMA map boundary for a liquefaction zone. LADBS issued a Soils Report Approval Letter dated February 15, 2023 that conditionally approved soils reports dated August 22, 2017 (Log No. 124833). The ROF found two potential items that could be considered "Recognized Environmental Conditions." The first was a lighting ballast found in a "waste accumulation area" and the other was waste motor oil found to be improperly stored. Mr. Jay L. Stern conducted a follow up site visit on January 17, 2024. The results of his site visit are documented in a letter dated January 19, 2024. The letter states:

"...We found that hazardous wastes previously identified as improperly stored had been removed. There was no finding that additional hazardous wastes remain on subject property. Specifically, no waste oil was identified as being accumulated or stored. No waste lighting transformers at all were found during the visit. We note that lighting transformers manufactured prior to 1979 contained polychlorinated biphenyl compounds (PCB) as heat transfer material. PCBs were identified as mutagens, teratogens, and possible carcinogens, leading to their banning. Transformers manufactured subsequent to 1979 did not contain PCBs and are not classified as hazardous waste. As the life of PCB-containing lighting transformers was approximately 30-years, the chances that DeVore Electrical Co. personnel would encounter and find the need to store PCB-containing transformers in 2024, and subsequent is reasonably expected to be nil. "

The site visit from Jay L. Stern, Registered Environmental Professional (Certificate No. 1647026396221021) on January 17, 2024 addresses the two potential "Recognized Environmental Concerns." During the site visit Mr. Stern did not identify any improperly stored motor oil and further stated that the likely hood of toxic waste in the form of transformers with PCBs was nil. As such there were no "Recognized Environmental Concerns" at the site.

- 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 five (5)-story over two (2) levels of subterranean parking residential building totaling 51,617 square feet with 52 dwelling units and 64 automobile parking spaces 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.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes a five (5)-story over two (2) levels of subterranean parking residential building totaling 51,617 square feet with 52 dwelling units and 64 automobile parking spaces in an area zoned and designated for such development. All adjacent lots are developed with single story and two story residential and commercial buildings. There are no unusual circumstances which may lead to a significant effect on the environment. Additionally, 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, which is over 12 miles away from the subject site. Therefore the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, 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. 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. Finally, the City does not choose to treat the site

as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.