

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-2022-7153-CUB / Conditional Use Permit (Alcohol)

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2022-7154-CE

PROJECT TITLE

COUNCIL DISTRICT

14 – Jurado

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

5215-5217 1/2 East York Boulevard, Los Angeles, CA 90042

Map attached.

PROJECT DESCRIPTION:

Additional page(s) attached.

The project involves a Conditional Use Permit (Alcohol) to allow the sale of a full line of alcoholic beverages for on-site consumption and the accessory sale of beer and wine for off-site consumption, in conjunction with the operation of a new 2,032-square-foot restaurant with 113 seats within an existing commercial building in the [Q]C4-1XL Zone. The proposed hours of operation are: 11 a.m. to 10 p.m., Monday to Thursday, 11 a.m. to 12 a.m. on Friday, 9 a.m. to 12 a.m. on Saturday, and 9 a.m. to 10 p.m. on Sunday. No alterations are proposed to the exterior of the existing one-story building.

NAME OF APPLICANT / OWNER:

Stephen Tims (RGB Sunset, LLC) / 5215 York Holdings, LLC

CONTACT PERSON (If different from Applicant/Owner above)

Gary Benjamin – Alchemy Planning + Land Use

(AREA CODE) TELEPHONE NUMBER

(213) 479-7521

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 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

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 use beyond that existing at the time of the lead agency's determination.

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 lists 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

Debbie Lawrence

Debbie Lawrence

STAFF TITLE

Project Planner

ENTITLEMENTS APPROVED

Conditional Use - Alcohol

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021

9OFFICE 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 SAPONARA
COURTNEY SHUM
CHRISTINA TOY LEE
JORDANN TURNER

CITY OF LOS ANGELES
CALIFORNIA



KAREN BASS
MAYOR

**LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES**

VINCENT P. BERTONI, AICP
DIRECTOR
SHANA M.M. BONSTIN
DEPUTY DIRECTOR
ARTHI L. VARMA, AICP
DEPUTY DIRECTOR
LISA M. WEBBER, AICP
DEPUTY DIRECTOR
planning.lacity.org

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2022-7154-CE

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 Article 19, Section 15301, Class 1, Existing Facilities, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies. The parent case is ZA-2022-7153-CUB.

Project Description

The project is a Conditional Use Permit to authorize the sale of a full line of alcoholic beverages for on-site consumption and the accessory sale of beer and wine for off-site consumption, in conjunction with the operation of a new 2,032-square-foot restaurant with 113 interior seats within an existing commercial building in the [Q]C4-1XL Zone. The proposed hours of operation are: 11 a.m. to 10 p.m., Monday to Thursday, 11 a.m. to 12 a.m. on Friday, 9 a.m. to 12 a.m. on Saturday, and 9 a.m. to 10 p.m. on Sunday. The project is located at 5215-5217 1/2 East York Boulevard.

The subject property is a rectangular, approximately 4,994-square-foot lot fronting York Boulevard. The property is developed with a one-story commercial building with five (5) on-site parking spaces. The property is located in the Northeast Los Angeles Community Plan area, which designates the site for Neighborhood Commercial land uses, with corresponding zones of C1, C1.5, P, C2, C4, and RAS3. Properties surrounding the site on the west, south and east are zoned [Q]C4-1XL and are developed with one- and two-story retail and commercial buildings. To the north of the site across Meridian Street the properties are zoned R1-1 and developed with one-story single-family houses, many of which were constructed in the 1910s and 1920s.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

There are six (6) Exceptions which the City is required to consider before finding a project exempt under Section 15301, Class 1: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

No square footage changes will be made to the existing building constructed in 1965, thus no new development is proposed. Therefore, the Project will not result in a significant impact based on its location, nor will there be any significant cumulative impacts. 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 mitigation; and Best Management Practices for stormwater runoff. The property is further located within the East Los Angeles State Enterprise Zone (ZI-2129), Special Grading Area (BOE Basic Grid Map A-13372), an Alquist-Priolo Earthquake Fault Zone (ZI-2441), and the Raymond Fault Zone. Per Section 91.7003 of the Building Code, RCMs, including, Aesthetics (RC-AE-3 Vandalism), RC-AE-4 (Signage), Noise (RC-NO-1 (Demolition, Grading, and Construction Activities)); and Public Utilities and Service Systems (RC-WS-2 (Green Building Code), RC-EN-1 (Green Building Code) in the City of Los Angeles regulate construction of projects and will reduce any potential impacts to less than significant. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located.

There are no changes to the Floor Area and height of the existing structure, only interior tenant improvements to the building. Thus, 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. The Topanga Canyon State Scenic Highway is about 28 miles west of 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. Therefore, the project was found to be exempt from CEQA for the above reasons.