

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-2022-2788-CU-SPP-SPPA-SPR-WDI / Conditional Use, Project Permit Compliance, Project Permit Adjustment, Site Plan Review, Waiver of Improvement and Dedication

LEAD CITY AGENCY**City of Los Angeles (Department of City Planning)****CASE NUMBER**

ENV-2022-2789-CE

PROJECT TITLE

In N Out Burger

COUNCIL DISTRICT**PROJECT LOCATION** (Street Address and Cross Streets and/or Attached Map)**22822 Ventura Boulevard, 91364**☐ Map attached.**PROJECT DESCRIPTION:**☐ Additional page(s) attached.

The demolition of a 6,739 square foot, single-story commercial structure and the construction, use, and maintenance of a 3,426 square foot, one-story, drive-through, fast-food restaurant containing a maximum FAR of 0.09:1 and 23 feet height, as measured from grade to the top of the roof structure. The project proposes 38 indoor seats and 26 outdoor seats with proposed hours of operation from 10:30 AM to 1:00 AM Sunday through Thursday, and 10:30 AM to 1:30 AM Friday and Saturday. The project will provide 31 automobile parking spaces, four (4) short-term bicycle parking stalls, and two (2) long-term bicycle parking stalls in the surface parking lot, and 12 short-term bike parking spaces on the public right-of-way. The project proposes a 9,180 square foot of landscaped area. The project proposes the removal of three (3) on-site non-protected trees and six (6) street trees in the public right-of-way. Additionally, the applicant proposes to plant 27 trees of which 16 are 36-inch box trees, nine (9) are 24-inch box trees, and two (2) are 20-inch box trees on the public right-of-way. The project proposes grading and exporting up to 2,000 cubic yards of earth.

NAME OF APPLICANT / OWNER:**Marc Levun / ILM Property Investments, Inc.****CONTACT PERSON** (If different from Applicant/Owner above)**Sara Houghton****(AREA CODE) TELEPHONE NUMBER****(310) 204-3500****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 15311 Class 11 and Section 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

Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:

(a) On-premise signs;

Class 32 – (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with 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. (e) The site can be adequately served by all required utilities and public services.

☒ 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
Adrineh Melkonian

Adrineh Melkonian

STAFF TITLE
City Planner

ENTITLEMENTS APPROVED

Conditional Use, Project Permit Compliance, Project Permit Compliance, Site Plan Review, Waiver of Improvement and Dedication –
See Case # ZA-2022-2788-CU-SPP-SPR-WDI

DISTRIBUTION: County Clerk, Agency Record

Rev. 6-22-2021