

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-2023-2107-CU / Conditional Use

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2023-2108-CE

PROJECT TITLE

25th and Western

COUNCIL DISTRICT

15 - McOsker

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

Map attached.

1602 West 25th Street (1636, 1660 West 25th Street; and 2401 South Western Avenue) , San Pedro CA 90732

PROJECT DESCRIPTION:

Additional page(s) attached.

The conditional use permit to allow the construction of a new drive-through fast-food establishment (Starbucks) in the [Q] C2-1XL zone. The new one-story building will have a total floor area of 2,200 square feet and a height of 22 feet, with 22 parking stalls and with hours of operation of 4:00am to 11pm. The project includes the demolition of an existing 5,653 square feet commercial building and the relocation of an existing driveway. The site will maintain the two existing commercial buildings, one 32,000 square feet (Smart & Final) and the other 1,527 square feet (auto repair) with 187 parking stalls.

NAME OF APPLICANT / OWNER:

Erwin Bucy, PCG BP LLC

CONTACT PERSON (If different from Applicant/Owner above)

Greg Palasaki, Nadel Studio One, Inc.

(AREA CODE) TELEPHONE NUMBER

(310) 826-2100

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 / 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

Section 15332, Class 32 – (In-Fill Development Projects) consists of projects characterized as in-fill development meeting the conditions described in this section. 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, the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, the project site has no value, as habitat for endangered, rare or threatened species, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and 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

Andres Gutierrez *Andres Gutierrez*

STAFF TITLE

Planning Assistant

ENTITLEMENTS APPROVED

Conditional Use Permit

DISTRIBUTION: County Clerk, Agency Record

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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CALIFORNIA**



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MAYOR

EXECUTIVE OFFICES

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JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2023-2108-CE

TEMPLATE LANGUAGE FOR THE CLASS 32 CE JUSTIFICATION & EXCEPTIONS NARRATIVE FOR CATEGORICAL EXEMPTIONS

On January 31, 2024, 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 15303, Class 3 and 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.

The project is for the conditional use permit to allow the construction of a new drive-through fast-food establishment (Starbucks). The new one-story building will have a total floor area of 2,200 square feet and a height of 18 feet, with 22 parking stalls, 21 indoor seats, and hours of operation of 4:00 am to 11:00 pm. The project will have drive-through and walk-in service. The project includes the demolition of an existing 5,653 square-foot commercial building and the relocation of an existing driveway. As a new drive-through fast food establishment and a project which is characterized as in-fill development, the project qualifies for the Class [3], Category [c] and Class 32 Categorical Exemption(s).

The site is zoned [Q]C2-1XL and has a General Plan Land Use Designation of Neighborhood Commercial. As shown in the case file, the project is consistent with the applicable San Pedro Community Plan designation and policies and all applicable zoning designations and regulations.

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.72 acres. Lots adjacent to the subject site are developed with the following urban uses: single family dwellings and commercial uses. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are 0 protected trees on the site. However, as explained in the project description, the applicant will be required to improve the right-of-way. Prior to any work on the right-of-way, the applicant will be required to obtain approved plans from the Department of Public Works. As there currently is no approved right-of-way improvement plan and for purposes of conservative analysis and the requirements of CEQA, Planning has analyzed the worst-case potential for removal of all street trees. 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. Based on the above, Planning has required a Tree Report to identify all trees on the project site and in the right-of-way that could be impacted by the Project and to consider the potential removal of 0 protected trees and street trees.

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. The Air Quality Study prepared by Meridian Consultants, dated May, 2023 concluded the project will not result in impacts to air quality. The project site will be adequately served by all public utilities and services given that the construction of a new drive-through establishment 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.

Exceptions Narrative for Class 32 (and other, if applicable) Categorical Exemption

There are six (6) Exceptions which the City is required to consider before finding a project exempt under Class 15303 and 15332: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

While the subject site is located within a Hillside Area, Special Grading Area, liquefaction Zone, Harbor Gateway State Enterprise Zone (ZI-2130), and within 4.2 kilometers of the Palos Verdes Fault Zone, Specific Regulatory Compliance Measures (RCMs) in the City of Los Angeles regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. Regulatory Compliance Measures (RCMs) include Regulatory Compliance Measure RC-GEO-4 (Liquefaction Area). 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. Thus, the location of the project will not result in a significant impact based on its location.

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 new one-story building will have a total floor area of 2,200 square feet and a height of 18 feet, with 22 parking stalls, 21 indoor seats, and hours of operation of 4:00 am to 11:00 pm. The project will have drive-through and walk-in service. The project includes the demolition of an existing 5,653 square-foot commercial building and the relocation of an existing driveway in an area zoned and designated for such development. All adjacent lots are developed with single family dwellings and commercial uses and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of .07:1 on a site that is permitted to have a maximum FAR of 1.5:1. The project will have the height of 18 feet with a floor area of 2,200 square feet which is not unusual for the vicinity of the subject site, and is similar in scope to other existing neighborhood commercial in the area. 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 project site is not near State Scenic Highway Route 27. 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.