

**EXHIBIT D**  
**ENVIRONMENTAL CLEARANCE (ENV-2019-4921-CE)**  
**DIR-2019-4920-TOC-1A**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

# NOTICE OF EXEMPTION

(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 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-2019-4920-TOC**

LEAD CITY AGENCY

**City of Los Angeles (Department of City Planning)**

CASE NUMBER

**ENV-2019-4921-CE**

PROJECT TITLE

COUNCIL DISTRICT

**11**

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

☐ Map attached.

**1600-1614 East Venice Boulevard**

PROJECT DESCRIPTION:

☐ Additional page(s) attached.

Demolition of three residential structures (nine dwelling units) and construction of a 61-foot tall, four-story, 77-unit, 49,948 square-foot apartment building with one level of subterranean parking.

NAME OF APPLICANT / OWNER:

**Venice Wave LP**

CONTACT PERSON (If different from Applicant/Owner above)

**Jeffrey Khau**

(AREA CODE) TELEPHONE NUMBER

**(213) 473-9987**

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

The Planning Department determined that the State CEQA Guidelines designate the subject project as Categorical Exempt under Article 19, Section 15332, Class 32, Case No. ENV-2019-4921-CE. 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.**

The site currently is developed with a 3-unit apartment building, a 4-unit apartment building, and a 2-unit apartment building. The site is zoned [Q]R4-1XL and has a General Plan Land Use designation of High Medium Residential. The project proposes the construction of a three-story residential building containing 77 dwelling units. As proposed, the project is conformance with the General Plan Zoning and Land Use designation.

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

The subject site is wholly within the City of Los Angeles. Lots surrounding the subject site are developed with multi-family buildings and single-family residences.

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

The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. The area around the site is highly urbanized and surrounded by commercial and residential uses. NavigateLA shows that the subject site is not located in a Significant Ecological Area.

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 for pollutant discharge, dewatering, and stormwater mitigations; and Best Management Practices for stormwater runoff. More specifically, RCMs include but are not limited to:

- **Regulatory Compliance Measure RC-AQ-1 (Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403.** The project shall comply with all applicable standards of the Southern California Air Quality Management District, including the following provisions of District Rule 403:
  - All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
  - The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), to prevent excessive amounts of dust.
  - All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - General contractors shall maintain and operate construction equipment to minimize exhaust emissions.
  - Trucks having no current hauling activity shall not idle but be turned off.
- **Regulatory Compliance Measure RC-GEO-1 (Seismic):** The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- **Regulatory Compliance Measure RC-NO-1 (Demolition, Grading, and Construction Activities):** The project shall comply with the City of Los Angeles Noise Ordinance and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

These RCMs will reduce any potential impacts on noise and water quality to less than significant. The creation of noise is limited to certain decibels, restricted to specific hours. A Noise Impact Analysis, prepared by Cadence Environmental, dated September 25, 2019, determined that the proposed development would not exceed the limits stated in the Noise Ordinance. Regarding traffic and air quality impacts, DOT staff determined that the project requires a traffic assessment study. A traffic study dated September 3, 2019 was prepared by Overland Traffic Consultants. The Department of Transportation (LADOT) issued a Traffic Assessment, dated February 4, 2020, indicating the project would generate a net increase of 341 trips. The Traffic Assessment included a VMT analysis that determined the project would not have a significant transportation impact under any of the above thresholds.

The project will not conflict with any adopted policies, plans, or programs regarding public transit, bicycle facilities, or pedestrian facilities. Therefore, the project will not have any significant impacts to traffic. Likewise, air quality will not worsen as a result of the proposed project. 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. The Air Quality Impact Analysis prepared by Cadence Environmental Consultants, dated September 24, 2019, concluded the project would not result in impacts to air quality. Regarding water quality, the proposed project will utilize existing municipal water sources through the Department of Water and Power (LADWP). The project is subject to the City's Low Impact Development Ordinance (Ordinance 181,889), which requires the capture and retention of storm water through onsite filtration and treatment. As such, the project has been designed to meet the City's Low Impact Development (LID) requirements.

- e) The project site will be adequately served by all public utilities and services given that the property is located in an urban tract with water supply, sewage and waste disposal infrastructure, and power lines installed. Venice Boulevard and Glencoe Avenue are improved with existing utilities that service the lots in the area. Both can be accessed by emergency vehicles. The project includes a street dedication to widen the pedestrian right-of-way. The project will also repair and replace any broken or off-grade asphalt, sidewalk, curb, or gutter. The project shall comply with any street light requirements required by the Bureau of Street Lighting. The proposed project will not result in significant impacts on the capacity of existing utilities and services.

The project is a transit-oriented development on a site within an urbanized area and meets the criteria outlined above. Therefore the project qualifies for a Class 32 Categorical Exemption. Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 15300.2 do not apply to the project:

- a) **Cumulative Impact.** There is not a succession of known projects of the same type located in the same place as the subject project. No comparable pending projects (TOC or Density Bonus) have been identified within a 500-foot radius of the subject site. One TOC project located approximately 0.33 miles away at 1015 East Venice Boulevard (DIR-2017-4421-TOC) was approved on September 7, 2018. Another TOC project, located at 1808-1816 South Lincoln Boulevard (DIR-2019-1133-TOC), was approved on February 20, 2020. Since these projects qualify for a Class 32 Categorical Exemption and are subject to Regulatory Compliance Measures, no cumulative impacts are anticipated. Further, the proposed 77-unit residence does not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- b) **Significant Effect Due to Unusual Circumstances.** 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. The project

proposes a multi-family building in an area zoned and designated for such use. Adjacent lots are developed with multi- and single-family residences. No unusual circumstances are present or foreseeable.

- c) Scenic Highways. The project site is not located on or near a designated state scenic highway. The only State Scenic Highway within the City of Los Angeles is the Topanga Canton State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park.
- d) Hazardous Waste Sites. The project site is not identified as a hazardous waste site or is on any list compiled pursuant to Section 65962.5 of the Government Code.
- e) Historical Resources. 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. The site 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 City does not 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.

☒ 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

Juliet Oh

STAFF TITLE

Senior City Planner

ENTITLEMENTS APPROVED

Transit Oriented Communities (TOC) Affordable Housing Incentive Program Compliance Review, Community Design Overlay (CDO) Plan Review

FEE:

RECEIPT NO.

REC'D. BY (DCP DSC STAFF NAME)

DISTRIBUTION: County Clerk, Agency Record

Rev. 3-27-2019