

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-2024-3202-DB-PR-VHCA / Density Bonus, Project Review	SCH NUMBER
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LEAD CITY AGENCY City of Los Angeles (Department of City Planning)	CASE NUMBER ENV-2024-3203-CE
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PROJECT TITLE 8251 West Melrose Avenue	COUNCIL DISTRICT 5 - Yaroslavsky
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PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map) 8251-8271 West Melrose Avenue and 705-711 North Harper Avenue	<input type="checkbox"/> Map attached.
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PROJECT DESCRIPTION: The proposed project includes the demolition of four (4) existing commercial buildings and an accessory surface parking lot, and the construction, use, and maintenance of a new six (6)-story mixed-use building consisting of 90 dwelling units and 15,271 square feet of commercial uses, resulting in a total floor area of 110,300 square feet. The project includes the maintenance of three (3) existing Street Trees and planting of three (3) new Street Trees and 20 on-site trees. There are no existing Protected Trees on-site. The development of the project will require the cut and export of approximately 20,194 cubic yards (cy) of soil. No import or fill is proposed.	<input checked="" type="checkbox"/> Additional page(s) attached.
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NAME OF APPLICANT / OWNER: David Pourbaba, Tova LLC & Melrose Harper LLC
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CONTACT PERSON (If different from Applicant/Owner above) Jordan Beroukhim, Beroukhim & Company, LLC	(AREA CODE) TELEPHONE NUMBER EXT. 310-435-4594
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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

Project qualifies for a Class 32 Urban Infill Exemption. The project meets the of 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 Nashya Sadono-Jensen <i>Nashya Sadono-Jensen</i>	STAFF TITLE City Planning Associate
ENTITLEMENTS APPROVED Density Bonus, Project Review	

DISTRIBUTION: County Clerk, Agency Record

Rev. 1-30-2025



JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2024-3203-CE

The Department of City Planning determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15332, Class 32, Case No. ENV-2024-3203-CE, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Project Description

The project is located at 8251-8271 West Melrose Avenue and 705-711 North Harper Avenue. The proposed project includes the demolition of an existing 15,374 square-foot commercial building, an existing 3,270 square-foot commercial building, an existing 2,580 square-foot commercial building, an existing 3,188 square-foot commercial building, and an associated surface parking lot, and the construction, use, and maintenance of a six (6)-story mixed-use building consisting of 90 dwelling units and 15,271 square feet of commercial retail uses, resulting in a total floor area of 110,300 square-feet. The project will have a height of 69 feet and a floor area ratio (FAR) of 4.52:1. The project proposes 96 automobile parking spaces on-site within two (2) subterranean levels; and 94 bicycle parking spaces (78 long-term and 16 short-term) on-site at ground level and one (1) subterranean level. The proposed unit mix consists of 68 one-bedroom units, 17 two-bedroom units, and five (5) three-bedroom units.

There are three (3) existing Street Trees in the public right-of-way adjacent to the project site. The Applicant will maintain three (3) existing Street Trees and plant three (3) new Street Trees and 20 trees on-site. There are no existing Protected Trees on-site. The development of the Project would require the cut and export of approximately 20,194 cubic yards (cy) of soil. The Applicant does not propose import or fill amounts. The project is required to provide 9,800 square feet of open space and is providing a total of 7,840 square feet of open space.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions

The City has considered whether the Proposed Project is subject any of the five (5) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. There are five (5) Exceptions which must be considered in order to find a project exempt under CEQA: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

(a) Cumulative Impacts. *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The project is located at 8251 West Melrose Avenue (8251-8271 West Melrose Avenue and

705-711 North Harper Avenue) within the Hollywood Community Plan. There is currently one (1) project (Case No. DIR-2022-8428-TOC-HCA) within 1,320 feet of the same type and in the same place as the proposed project.

According to the data pulled from both Navigate LA and the Haul Route Table on the LADBS Website on April 3, 2025, there are no other properties with active haul routes within 500 feet of the subject property.

In light of the increase in construction activity in Grading Hillside Areas and the increase in associated truck traffic related to the import and export of soil, a haul route monitoring program is being implemented by the Department of Building and Safety for Council Districts 4 and 5 for added enforcement to ensure safety and to protect the quality of life of area residents. As part of this program, a haul route monitor is assigned to a geographic area to monitor haul routes and keep track of daily activities in order to minimize impacts to neighboring residents. Haul routes are tracked via a Map for each district to identify the locations of construction sites for which a haul route was required.

In addition, the haul route approval will be subject to recommended conditions prepared by Los Angeles Department of Transportation (LADOT) and Bureau of Street Services (BSS) to be considered by the Board of Building and Safety Commissioners that will reduce the impacts of construction-related hauling activity, monitor the traffic effects of hauling, and reduce haul trips in response to congestion.

According to SCAQMD, individual construction projects that do not exceed the SCAQMD's recommended daily thresholds for project-specific impacts would not cause a cumulatively considerable increase in emissions for those pollutants for which the Air Basin is in non-attainment. 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. Construction-related daily emissions at the project site would not exceed SCAQMD's regional or localized significance thresholds. Furthermore, an Air Quality Study prepared by Caja Environmental Services, LLC in July 2024, concluded that any cumulative impacts would be less than significant. Therefore, the project's contribution to cumulative construction-related regional emissions would not be cumulatively considerable and therefore would be less than significant. Construction of the project also would have a less-than-significant impact with regard to localized emissions.

As noise is a localized phenomenon and decreases in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed project to result in cumulatively considerable noise impacts. These above noted projects will begin construction and end construction at different timelines, with minor overlap between projects. Furthermore, a Noise Study prepared by Caja Environmental Services, LLC in July 2024, concluded that any cumulative impacts would be less than significant.

As there are currently no projects within 1,320 feet of the same type, the proposed project will not have the potential to cumulatively contribute to air quality, construction traffic, and noise levels.

(b) Significant Effect. *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.*

As mentioned, the applicant proposes a 90-unit mixed-use building in an area zoned and designated for such development. LAMC Section 12.22 A.25 allows a maximum 35-percent

increase in the number of permitted residential dwelling units for projects setting aside at least 11 percent of their base density for Very Low Income Households. All surrounding lots are developed with commercial and single- and multi-family dwelling units. The project proposes a FAR of 4.52:1. The proposed building will be six (6)-stories, with two (2) subterranean parking levels in an area that is currently developed with buildings that range in height from one- to five-stories. In conjunction with the Density Bonus/Affordable Housing Incentive Program, the proposed building will not be unusual for the vicinity of the subject site and will be similar in scope to future residential buildings in the area that use the Density Bonus/Affordable Housing Incentive Program in exchange for affordable housing. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

- (c) Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

As it relates to development along a Scenic Highway, 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. State Route 27 is located approximately 12.83 miles to the west of the subject property. Therefore, the subject site will not create any impacts within a designated state scenic highway.

- (d) Hazardous Waste.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

In regards to Hazardous Waste sites, 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. As such, the project would not be developed on a site identified as a hazardous site pursuant to Section 65962.5 of the Government Code.

- (e) Historic Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

A Historic Resources Assessment Report was prepared by Historic Resources Group in April 2024, and concluded that 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. The Department of City Planning, Office of Historic Resources confirmed that the existing commercial buildings are not considered historic for the purposes of CEQA per an email dated October 3, 2024. 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.

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 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.

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

The subject site is located within the Hollywood Community Plan area. An updated Hollywood Community Plan was adopted by City Council on May 9, 2023, and became operative on February 11, 2025. The project was filed on May 21, 2024, as a Vesting Housing Crisis Act project and is vested to the local planning and zoning rules that were in place at the time the complete application was submitted. Therefore, the project is not subject to the new Hollywood Community Plan and its Community Plan Implementation Overlay. The applicable zoning and land use designation for the site is C4-1XL for Neighborhood Office Commercial land uses. As shown in the case file, the project is consistent with the applicable Hollywood Community Plan designation and policies and all applicable zoning designations and regulations in conjunction with the Density Bonus/Affordable Housing Incentive Program.

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

The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.56 acres. The surrounding area is characterized by level topography, improved streets and residential and commercial development. The lots directly to the south of the site across Melrose Avenue are zoned C4-1XL and are improved with two (2)-story commercial buildings. The lot to the east of the site across Harper Avenue is zoned C4-1XL and is improved with a surface parking lot and a two (2)-story commercial building. The lots abutting the site to the west are zoned C4-1XL and are improved with a six (6)-story commercial building. The lots to the north of the site across the alley along Harper Avenue are zoned R2-1XL and are zoned with one (1) to two (2)-story single-family dwellings. The lots to the north of the site across the alley along Sweetzer Avenue are zoned [Q]R3-1 and are improved with two (2) to five (5)-story multi-family residences.

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

The site previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. The applicant submitted a Tree Disclosure Statement, signed by the property owner, David Pourbaba, confirming that there are no protected trees on-site.

(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, 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 City of Los Angeles Vehicle Miles Traveled (VMT) Calculator resulted in the proposed project having a net increase of 230 daily vehicle trips and a net increase of 1,220 daily VMT. Based on the VMT Calculator, the project is not required to perform VMT analysis under the VMT standards.

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. Therefore, the project would not result in any significant effects related 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.

The project site will be adequately served by all public utilities and services given that the construction of a residential building 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. As the project has been found to be categorically exempt from CEQA, the project is not anticipated to have a negative effect on the environment and no mitigation measures are required.