

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY		COUNCIL DISTRICT
LOS ANGELES CITY PLANNING DEPARTMENT		11
PROJECT TITLE		CASE NO.
ENV-2004-3058-MND		APCW-2004-3297-ZC-CDP- CU-SPE-ZV-ZAA-SPP-MEL
PROJECT LOCATION		
1645 S. Abbot Kinney Boulevard; Venice		
PROJECT DESCRIPTION		
<p>Zone Change from M1-1-0 to CM and Coastal Development Permit for a 22-unit, 27,022 square-foot (sq. ft.), mixed-use development, including 4,944 sq. ft. of retail, 151 parking spaces; Conditional Use approvals for window glazing, tandem parking, and tree frontage landscaping; Specific Plan Exceptions for building height, front yard setbacks and rear yard setbacks; Zone Variances for loading docks and street dedications and improvements; Zoning Administrative Adjustments for side and rear yard setbacks; Specific Plan Compliance review, and Mello Act Compliance review. Project is subject to haul route approval.</p>		
NAME AND ADDRESS OF APPLICANT IF OTHER THAN LEAD CITY AGENCY		
<p>AKMU, LLC 11150 Santa Monica Blvd., Suite 230 Los Angeles, CA 90025</p>		
FINDING		
<p>The <u>City Planning Department</u> of the City of Los Angeles has proposed that a mitigated negative declaration be adopted for this project because the mitigation measures(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance.</p> <p style="text-align: center;">(CONTINUED ON PAGE 2)</p>		
SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.		
Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt this mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.		
THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.		
NAME OF PERSON PREPARING THIS FORM	TITLE	TELEPHONE NUMBER
Jonathan Riker	CITY PLANNING ASSISTANT	(213)978-1356
ADDRESS	SIGNATURE (Official)	DATE
200 N. Spring Street, Room 763 Los Angeles, CA 90012	Emily Gabel-Luddy, Supervisor Environmental Unit	06/23/04

CALIFORNIA DEPARTMENT OF FISH AND GAME
 CERTIFICATE OF FEE EXEMPTION
 De Minimis Impact Finding

PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY) TRACT/MARCEL MAP NO. ZA NO.	MND NO. ENV-2004-3058-MND
PROJECT DESCRIPTION Zone Change from M1-1-0 to CM and Coastal Development Permit for a 22-unit, 27,022 square-foot (sq. ft.), mixed-use development, including 4,944 sq. ft. of retail, providing 81 parking spaces; Conditional Use approvals for window glazing, tandem parking spaces and street frontage landscaping; Specific Plan Exceptions for building height, front yard setbacks and floor area ratio; Zone Variances for loading docks and street dedications and improvements; Zoning Administrators Adjustments for side and rear yard setbacks; Specific Plan Compliance review, and Mello Act Compliance review. Project is subject to haul route approval.	
PROJECT ADDRESS 1645 S Abbot Kinney Boulevard; Venice <p align="center">COUNTY OF LOS ANGELES</p>	
APPLICANT NAME AND ADDRESS AKMU, LLC 11150 Santa Monica Blvd., Suite 230 Los Angeles, CA 90025	
FINDINGS OF EXEMPTIONS Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on <u>June 22, 2004</u> it is determined that the subject project, which is located in Los Angeles County, WILL NOT have an adverse impact in wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because: <ul style="list-style-type: none"> <li data-bbox="206 1123 1539 1182">] The Initial Study prepared for the project identifies no, potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. <li data-bbox="206 1212 1539 1272">X] Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance. <li data-bbox="206 1302 1539 1361">] The project site, as well as the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife. CERTIFICATION I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.	
CHIEF PLANNING OFFICIAL	SIGNATURE
DATE OF PREPARATION	PRINT NAME

LEAD CITY AGENCY

LOS ANGELES CITY PLANNING DEPARTMENT, 200 N. SPRING STREET, ROOM 763, LOS ANGELES, CA 90012

COUNTY OF LOS ANGELES

(FORM 4/92)

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I b2. Aesthetics (Landscaping)

Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

I b4. Aesthetics (Graffiti)

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

III d1. Air Pollution (Stationary)

Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

VI b1. Haul Routes

Environmental impacts on pedestrians and vehicles may result from project implementation due to haul routes. However, the potential impact will be mitigated to a level of insignificance by the following measures:

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- Projects involving the import/export of 1,000 cubic yards or more of dirt are subject to haul route approval by the Department of Building and Safety.
- The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

VI b2.**Erosion/Grading/Short-Term construction Impacts**

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

Air Quality

- 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 owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high

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noise levels.

- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

VI c 1.**Liquefaction**

Environmental impacts may result due to the proposed project's location in an area with liquefaction potential. However, these potential impacts will be mitigated to a level of insignificance by the following measures:

- Compliance with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.

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- Building design considerations may include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

VII b2.**Explosion/Release (Methane Gas)**

Environmental impacts may result from project implementation due to its location in an area of potential methane gas zone. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 and the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- All single-family dwellings with basements shall have a gas detection system which is periodically calibrated and maintained in proper operating condition in accordance with manufacturer's installation and maintenance specifications.

VII c2.**Single Family Dwelling (10+ Home Subdivision/Multi Family)**

Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by

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incorporating stormwater pollution control measures, Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Preserve riparian areas and wetlands.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways.

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- ▶ Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
- ▶ Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- Promote natural vegetation by using parking islands and other landscaped areas.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.

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- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

VIII f,g&h. Flooding/Tidal Waves

Environmental impacts may result due to the location of the proposed project in an area which is potentially subject to flood hazards. However, any flood hazard that exists will be mitigated to a level of insignificance by the following measure:

- Compliance with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98. (This MND does not apply should a waiver be given under provisions of the Flood Hazard Management Specific Plan.)

XI a2. Increased Noise Levels (Parking Structure Ramps)

Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.
- Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

XII a. Public Services (Fire)

Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by

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the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIII b1. Public Services (Police General)

Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- Incorporate into the plans the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.

XIII c1. Public Services (Schools)

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

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- Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XIV a.**Recreation (Increase Demand For Parks Or Recreational Facilities)**

Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

XVI f.**Utilities (Solid Waste)**

Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

XVII d.**End**

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval be the decision-making body except as noted on the face page of this document.

Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.