December 16, 2016

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RE: Vesting Tentative Tract Map No. 70452-CN-M2  
Related Cases: DIR-2015-1882-SPR;  
ZA-2008-1319-ZV-SPR, VTT-70452-CN-M1,  
VTT-70452-CN

Project Address: 1545 North San Fernando Road

Council District: 1 - Cedillo  
Existing Zone: [Q]CM-1-CDO-RIO  
Community Plan: Northeast Los Angeles

ENV No.: ENV-2008-1267-MND-REC2

LETTER OF CLARIFICATION

On July 30, 2008, in accordance with the provisions of the Los Angeles Municipal Code (LAMC) Section 17.03 and 17.11, the Advisory Agency approved the Vesting Tentative Tract Map No. 70452-CN for the subdivision of eight ground and three airspace lots, located at 1545 North San Fernando Road. The approval would allow for a maximum of 471 residential units and 29,400 square feet of retail uses on a 708,005 square-foot site, as shown on map stamp-dated May 21, 2008, in the Northeast Los Angeles Community Plan. At the time of this original approval of the subdivision, the subdivider noted and the Advisory Agency acknowledged that its approval was for eight Unit Maps, corresponding to eight proposed lots.

On September 6, 2012, the Advisory Agency approved a Modification to Vesting Tentative Tract Map No. 70452-CN (VTT-70452-CN-M1) composed of 11 lots (8 ground and 3 airspace lots) for a maximum 401 residential units and 29,400 square feet of retail uses on a 711,825 square-foot lot, as shown on revised map stamp-dated May 15, 2012. Subsequent to this approval, six (6) of the eight (8) lots were recorded as Phase 1 and numbered as Lots 1-6 on the Final Map. These lots, however, corresponded to Lots 1, 3, 4, and 6, 7, and 8 on the approved map, as was modified by the Advisory Agency’s September 6, 2012’s action (VTT-70452-CN-M1). Lots two (2) and five (5) were not recorded at this time.

On February 12, 2016, the Advisory Agency conditionally approved the Second Modification to Vesting Tentative Tract Map No. 70452-CN, (VTT-70452-M2), for 12 lots.
(9 ground and 3 airspace lots), for a maximum of 400 residential units, two (2) commercial condominiums, and 24,846 square feet of retail uses on a 711,825 square-foot lot as shown on revised map stamp-dated December 1, 2015. The subdivider filed VTT-70452-CN-M2 in order to divide Lot 2 into Lot 2A and Lot 2B with a modified residential component; to reconfigure airspace Lots 9, 10, and 11 within master airspace Lot 5; and to reconfigure the two commercial condominium units on Lot 5. This has resulted in three remaining tentative lots to be recorded.

Pursuant to Government Code Section 66456.1, "Multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map if: (a) the subdivider, at the time the tentative map is filed, informs the advisory agency of the local agency of the subdivider's intention to file multiple final maps on such tentative map, or (b) after filing of the tentative map, the local agency and the subdivider concur in the filing of multiple final maps...The filing of a final map on a portion of an approved or conditionally approved tentative map shall not invalidate any part of such tentative map."

Pursuant to Government Code Section 66456.1, this letter serves to clarify that the project is permitted to file multiple final maps. As a result, Lots 2A, 2B, and 5 may be recorded separately, as the tentative map's original determination permitted.

All other terms and conditions of VTT-70542-M2 shall remain unchanged.

In order to effectuate this clarification of the grant, the applicant shall record with the Los Angeles County Recorder's Office, a covenant and agreement to include this Letter of Clarification. A copy of the recorded document shall be submitted to the Advisory Agency for inclusion in the subject case file.

Vincent P. Bertoni, AICP
Advisory Agency

NICHOLAS HENDRICKS
Deputy Advisory Agency

NH:JM
Decision Date: February 12, 2016


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ZA-2008-1319-ZV-SPR, VTT-70452-CN-M1,  
VTT-70452-CN

Project Address: 1545 North San Fernando Road
Council District: 1 - Cedillo
Existing Zone: [Q]CM-1-CDO-RIO
Community Plan: Northeast Los Angeles
ENV No.: ENV-2008-1267-MND-REC2

In accordance with provisions of Sections 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency approved Vesting Tentative Tract Map No. 70452-CN-M2 composed of 44 lots (8 ground and 3 airspace lots), located at 1545 North San Fernando Road for a maximum 404 residential units, two commercial condominiums, and 29,400 24,846 square feet of retail uses on a 711,825 square-foot lot as shown on revised map stamp-dated May 15, 2012 December 1, 2015 in the Northeast Los Angeles Community Plan. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property. For an appointment with the Development Services Center Public Counter staff, please call (213) 482-7077 or (818) 374-5050. The Advisory Agency’s approval is subject to the following conditions:

NOTE on clearing conditions: When two or more agencie(s) must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.
BACKGROUND

The project site is located at 1545 San Fernando Road, is relatively flat and comprised of five irregularly-shaped parcels. The sum of the parcels forms a triangular-shaped site, and totals 17.8 net acres before dedication (771,685 square feet) and 16.3 net acres after dedication (708,005 square feet). In 2007, the City completed a zone change from M2-1, M3-1, and PF-1 to CM-1 and a General Plan Amendment under Ordinance No. 179,390 to re-designate the site to Limited Industrial with corresponding zones of CM, M1, MR1, and P.

The site is in the Cypress Park neighborhood and is located east of the Los Angeles River and the Metrolink and Union Pacific railroad tracks. The project site is within the boundaries of the Eastside State Enterprise Zone, the Cypress Park and Glassell Park Community Design Overlay and the River Improvement Overlay District and is bound roughly between Elm Street and Granada Street. Adjacent uses include a regional park known as Rio de Los Angeles Park, to the north; restaurants, auto repair and service shops, a church, as well as manufacturing and warehouse uses to the east across San Fernando Road; active rail tracks, the Metrolink Central Maintenance Facility and a narrow strip of undeveloped Metrolink property to the south; and the Metrolink right-of-way and the portion of the Los Angeles River known as Glendale Narrows adjacent to a right-of-way to the west. San Fernando Road is designated as an Avenue I (formerly Major Highway Class II) with a half roadway width of approximately 30 feet. The site is located approximately one mile north of an MTA Gold Line station.

The Los Angeles County Metropolitan Transportation Authority (also known as METRO) is the owner of the project site. Taylor Yards, LLC (“the applicant”) has entered into a Joint Development Agreement (JDA) with METRO. METRO owns the underlying property known as Parcel C which includes 1545 North San Fernando Road, the project site.

On July 30, 2008, the Advisory Agency approved the Vesting Tentative Tract Map No. 70452 for the subdivision of eight ground and three airspace lots for a maximum 471 residential units and 29,400 square feet of retail uses on a 708,005 square-foot site. The original project consisted of 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager’s unit and two commercial condominiums comprised of 29,400 square feet of retail on ground Lot 5. The maximum building height was limited to 65 feet at four stories with a total floor area of 622,780 square feet.

On September 6, 2012, the Advisory Agency approved a Modification to Vesting Tentative Tract Map No. 70452-CN-M1 composed of 11 lots (8 ground and 3 airspace lots) for a maximum 401 residential units and 29,400 square feet of retail uses on a 711,825 square-foot lot as shown on revised map stamp-dated May 15, 2012. This approval modified the project by reducing the floor area, buildable area and density while maintaining the amount of retail uses and building height. Several of the lots were reconfigured within the project site. Parking and open space provisions were reduced accordingly based on the number.
of residential units. The modified project consisted of a maximum 86 affordable rental units and one non-restricted manager's unit on ground Lot 1; 97 residential condominiums on ground Lot 2; 67 affordable rental units and one non-restricted manager's unit on ground Lot 3; 41 residential condominiums on ground Lot 4; and 16,991 square feet of retail space in airspace Lot 9; 12,409 square feet of retail space in airspace Lot 10; and 107 affordable senior housing units and one non-restricted manager's unit in airspace Lot 11, where airspace Lots 9, 10, and 11 are located on ground Lot 5.

Phase One (1) of VTT-70452 has been recorded, and described as the recordation of six lots numbered 1-6 on the Final Map. These lots, however, correspond to Lots 1, 3, 4, and 6, 7, and 8 on the approved Modified Phased Vesting Tentative Tract Map No. 70452-CN-M1. The two “Remainder Parcels” of recorded Final Map No. 70452-01 correspond with Lots 2 and 5 of the previously modified Phased Vesting Tentative Tract Map No. VTT-70452-CN-M1. All requested changes and approved conditions herein pertain to these lots which have not yet been recorded. The applicant has filed VTT-70452-CN-M2 in order to divide Lot 2 into Lot 2A and 2B with a modified residential component; to reconfigure airspace Lots 9, 10, and 11 within master airspace Lot 5; and to reconfigure the two commercial condominium units on Lot 5. The following outlines the details on the proposed Second Modification of the project:

### Lot 2 Area, FAR & Density Calculations

<table>
<thead>
<tr>
<th></th>
<th>Lot 2 Approval</th>
<th>Lot 2A Requested</th>
<th>Lot 2B Requested</th>
<th>Total Requested</th>
<th>Net Change</th>
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<tr>
<td>Lot Area</td>
<td>208,989 square feet</td>
<td>147,103 square feet</td>
<td>62,005 square feet</td>
<td>209,108 square feet</td>
<td>+119 square feet</td>
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<tr>
<td>Floor Area</td>
<td>169,750 square feet</td>
<td>103,516 square feet</td>
<td>44,080 square feet</td>
<td>145,596 square feet</td>
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<tr>
<td>Residential Density</td>
<td>97 condominium units</td>
<td>54 condominium units</td>
<td>41 Affordable Units +1 Manager’s Unit</td>
<td>96 residential units</td>
<td>-1 residential unit</td>
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### Lot 5 Area, FAR & Density Calculations

<table>
<thead>
<tr>
<th></th>
<th>Lot 5 Approved</th>
<th>Lot 5 Requested</th>
<th>Net Change</th>
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<tbody>
<tr>
<td>Lot Area</td>
<td>109,782 square feet</td>
<td>109,836 square feet</td>
<td>+54 square feet</td>
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<tr>
<td>Floor Area</td>
<td>117,525 square feet</td>
<td>Senior Affordable = 79,207 s.f. Commercial = 24,846 s.f. Total = 104,053 square feet</td>
<td>-13,472 square feet</td>
</tr>
<tr>
<td>Residential Density</td>
<td>107 Affordable Senior Units +1 non-restricted Manager’s Unit</td>
<td>107 Affordable Senior Units +1 non-restricted Manager’s Unit</td>
<td>No change</td>
</tr>
<tr>
<td>Commercial Density</td>
<td>2 commercial condominium units</td>
<td>2 commercial condominium units</td>
<td>No change</td>
</tr>
</tbody>
</table>
Division of Lot 2 into two lots

Lot 2 of Modified Phased Vesting Tentative Tract Map 70452-CN-M1 is currently approved for 97 condominium units. The applicant proposes to divide Lot 2 into two lots. Lot 2A proposes to provide 54 market rate condominium units and Lot 2B proposes to provide 41 affordable apartments and one (1) non-restricted manager’s apartment. The addition of the affordable component necessitates the further subdivision of Lot 2 into two lots. Lot 2 had previously been proposed as a condominium lot.

Reconfiguration of Airspace Lots

The applicant proposes to reconfigure airspace Lots 9, 10 and 11 within Master ground Lot 5. The purpose of this reconfiguration is to extract retail Lot 9 from the horizontal stack of airspace lots and relocate it to the southeast of the stack as a separate airspace lot within Master Lot 5 for commercial/retail use.

Residential Uses

Lot 2A, includes approximately 147,103 square feet of lot area and Lot 2B includes approximately 62,005 square feet of lot area for a total of approximately 209,108 square feet of lot area which comprises the entirety of previously approved Lot 2 of Modified Phased Vesting Tentative Tract Map 70452-CN-M1. The slight reduction of lot area was due to a survey correction.

Lot 2A and Lot 2B are located on the northwesterly corner of the approved phased vesting tentative tract map, west of Lots 1 and 7. Lot 2A is proposed to provide 54 market rate condominium units and Lot 2B is proposed to provide 41 affordable apartment units plus one (1) non rent-restricted manager’s unit for a combined total of 96 units. This modification results in a net reduction of one unit from the 97 condominium units previously approved for the site under Modified Phased Vesting Tentative Tract Map 70452-CN-M1.

Lot 5 is located on the southeastern-most end of the project site, with frontages on San Fernando Road and on Arvia Street, a dedicated public street. Lot 5 has a 109,836 square-foot lot area (after dedications) and proposes 104,053 square feet of floor area.

The residential building on Lot 5 includes 107 affordable senior residential apartment units and one (1) non-restricted manager’s unit within 4 stories with a maximum building height of 65 feet.

Commercial Uses

The commercial use for the proposed project will be located within the mixed-use building and adjacent to the residential uses within Master Lot 5. The commercial uses will total approximately 24,846 square feet of total floor area, which will serve the residents of the property and the surrounding community. The commercial component will be separated into two commercial condominium units Lots 9 and 10.
The applicant proposes to relocate approved 16,991 square foot airspace Lot 9 consisting of commercial/retail uses from within the previously approved mixed-use building to the southeast within Master Lot 5 as a standalone retail building. This retail component is slightly smaller at 16,690 square feet. The relocation of Lot 9 caused the subsequent reconfiguration of Lots 10 and 11. Consistent with previous approvals, commercial parking is to be provided at a rate of 1 parking space per 500 square feet or retail. The reduction in the number of commercial parking spaces is proportionate to the reduction of retail square footage see Table below.

<table>
<thead>
<tr>
<th></th>
<th>Approved Retail Area</th>
<th>Approved Parking</th>
<th>Retail Area</th>
<th>Retail Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Lot 9</td>
<td>16,991 SF</td>
<td>34 Spaces</td>
<td>16,690 SF</td>
<td>34 Spaces</td>
</tr>
<tr>
<td>Retail Lot 10</td>
<td>12,409 SF</td>
<td>25 Spaces</td>
<td>8,156 SF</td>
<td>17 Spaces</td>
</tr>
<tr>
<td>Total</td>
<td>29,400 SF</td>
<td>59 Spaces</td>
<td>24,846</td>
<td>51 Spaces</td>
</tr>
</tbody>
</table>

Parking for the commercial portion of the project will be provided in a southeasterly adjacent surface parking lot. Pedestrian access will be provided from San Fernando Road and Arvia Street. The ground-floor commercial component of the mixed-use building creates a pedestrian-friendly environment by providing retail uses.

Consistent with the previous approval vehicular and pedestrian access will be provided from San Fernando Road and Arvia Street.

Airspace lot 9 was previously constrained to 18 foot in height because of the other airspace lots. In its proposed location airspace Lot 9 is now proposed to increase in height to 40 feet, consistent with the [Q]CM-1-CDO-RIO Zone.

Circulation and Parking

Vehicular access to the proposed project will be provided from San Fernando Road, one dedicated public street (Arvia Street), one proposed private street (Chaucer Street), and internal circulation provided by driveways.

Vehicular Circulation is achieved through an internal system consisting of a public street, a private street, and private driveways, all of which are not gated. Pedestrian circulation is achieved through sidewalks, walkways, and intersections identified through striping or other methods.

Internal vehicular and pedestrian circulation is proposed to change with reconfiguration of Lots 2 and 5 however the primary vehicular and pedestrian access to the site remains the same.

As a result of the requested second modification to Vesting Tentative Tract No. 70452, the following condition shall be modified. All other previously approved conditions shall remain the same.
Approved and Proposed Parking

<table>
<thead>
<tr>
<th>Lot</th>
<th>Approved Parking</th>
<th>Proposed Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 2</td>
<td>216 spaces for 97 condo units (2.22 spaces/unit)</td>
<td>Lot 2A = 122 parking spaces for 54 condo units (2.25 spaces/unit) and Lot 2B = 64 parking spaces (1.5 spaces/unit) for 41 affordable units plus 2 spaces for the non-restricted manager's unit.</td>
</tr>
<tr>
<td>Lot 5</td>
<td>55 parking spaces for 107 affordable senior units and 59 parking spaces for 29,400 sf of retail</td>
<td>55 spaces for 107 affordable senior units and 51 spaces for 24,846 sf of retail</td>
</tr>
</tbody>
</table>

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

REVISED Condition No. 15 shall read as follows:

15. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

   a. Obtain permits for the demolition or removal of all existing structures on the site. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

   b. The submitted map dimensions do not agree with ZIMAS. Revise the map to address the discrepancy or obtain approval form DCP GIS group.

   c. Residential uses not permitted in M2 and M3 zones. Obtain approval from City Planning for residential uses in M zones if it exists on the subject property.

   d. Provide a copy of affidavit AFF-91-003824-LT, AFF-91-003823-LT, AFF-903822, AFF-91-003828, AFF-98-2305087, AFF-00-0541354, and AFF-90-0541353. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

   e. Provide 20 ft. street frontage and 20 ft. wide access strip for each lot.

   f.a. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.

   g. Show zone boundaries on the map if it exists on the subject property. No required yard or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is
located. Revise the map to show compliance with the above requirements or obtain approval from the Department of City Planning.

h-b. Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.

Note: Each air space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Del Reyes at (213) 482-6882 Laura Duong at (213) 492-0434 to schedule an appointment.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

REVISED Condition No. 23 shall read as follows:

23. AFFORDABLE UNITS. Prior to the issuance of a building permit for any rental dwelling unit on the subject property, the applicant shall reserve 260 301 units and shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing and Community Investment Department ("HCID"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 86 units on Lot 1, 41 units on Lot 2B, and 67 units on Lot 3 for households earning up to a maximum 60 percent of Area Median Income (AMI) and 107 units on Lot 5 for senior citizens earning up to a maximum 60 percent of AMI as determined by the Housing Department. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

For a period of thirty (30) years from the issuance of the Certificate of Occupancy, affordable dwelling units may be occupied only by households whose income has been certified by LAHD to fall within the specified Low Income affordability level, as defined by California Health and Safety Code Section 50079.5, for the duration of the covenant.

Note to Plan Checker: Condition 23 applies only to Lots 1, 2B, 3, and 5 for the
development of 86, 41, 67 and 408 107 units, respectively and exclusive of any market rate manager units.

REVISED Condition No. 24 a. and b. shall read as follows:

24. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

a. Limit the proposed development to a maximum of 86 affordable rental units and one non-restricted manager’s unit on ground Lot 1, 97 54 residential condominium units on ground Lot 2A, 41 affordable rental units and one non-restricted manager’s unit on ground Lot 2B, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager’s unit and two commercial condominiums comprised of 29,400 24,846 square feet of retail on ground Lot 5.

b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit on Lots 2A and 4. A minimum of a total of 22 guest parking spaces may also be permitted on Lot 2. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

Affordable Rental Units. Provide parking a minimum 1 parking space for each affordable housing rental unit per Parking Option 2 of LAMC Section 12.22-A,25(d)(2).

Senior Citizen Rental Units. Provide parking per Parking Option 2 of LAMC Section 12.22-A,25(d)(2), a minimum one-half (0.5) parking space for each dwelling unit designated for senior citizens.

Non-restricted Manager’s Units. Provide parking per LAMC Section 12.21-A,4(a), one (1) parking space for each unit with less than three habitable rooms. Provide one and one-half (1.5) parking spaces for each unit with three habitable rooms. Provide two (2) parking spaces for each unit with
more than three habitable rooms.

Commercial Retail. Parking shall be provided in compliance with the Municipal Code and to the satisfaction of the Department of Building and Safety. No variance from the parking requirements has been requested or granted herein. Provide a minimum two parking space for every 1,000 square feet of ground floor area.

REVISED Condition No. 25 shall read as follows:

25. Prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2008-1319-ZV-SPR and DIR-2015-1882-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2008-1319-ZV-SPR and, DIR-2015-1882-SPR are not approved, the subdivider shall submit a tract modification.

REVISED Condition No. 28 shall read as follows:

28. Indemnification Clause: The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

28. Indemnification and Reimbursement of Litigation Costs.

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City’s processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City’s processing and approval of the entitlement, including but not limited to payment of all court costs and attorney’s fees, costs of any judgments or awards against the City (including an award of attorney’s fees), damages and/or settlement costs.
c. Submit an initial deposit for the City’s litigation costs to the City within 10 days’ notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney’s Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $25,000. The City’s failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City’s interests. The City’s failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement, (b)

e. If the City determines it necessary to protect the City’s interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney’s office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

“City” shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.
FINDINGS OF FACT (CEQA)

The Planning Staff issued a Second Addendum (Reconsideration) to the Mitigated Negative Declaration ENV-2008-1267-MND on January 22, 2016. No increase in the floor area, buildable area, density, amount of retail uses and building height is involved as part of this VTT-70452-CN-M2 from the original tract determination. Staff had previously found that potential negative impacts could occur from the project's implementation due to:

- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2008-1267-MND-REC2 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 17a, 21, 22, 30 and 31 of the original Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area, are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 29.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 70452-CN-M2, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:
The proposed map will be/is consistent with applicable general and specific plans.

The adopted Northeast Los Angeles Community Plan designates the subject property for Limited Industrial land use with the corresponding zones of CM, MR, M1, and P. The property contains approximately 16.3 net acres (711,825 net square feet after required dedication) and is presently zoned [Q]CM-1-CDO. On July 30, 2008, the Advisory Agency approved the Vesting Tentative Tract Map No. 70452-CN for the subdivision of eight grounds and three airspace lots for a maximum 471 residential units and 29,400 square feet of retail uses on a 708,005 square-foot lot. The original project consisted of a maximum building height of 65 feet at four stories with a total floor area of 622,780 square feet. As part of the project, the applicant had requested ZA-2008-1319-ZV-SPR, which included a request for a zone variance to provide 5,685 square feet of open space in lieu of the 9,650 square feet required on Lot 3, and a site plan review. Findings were made to grant the approval of the requested zone variance and site plan review.

The first Modification to the map permitted the subdivision of eight grounds and three airspace lots for a maximum 401 residential units and 29,400 square feet of retail uses. The modified project reduced the project in floor area, buildable area and density while maintaining the amount of retail uses and building height. Several of the lots were reconfigured within the project site. Parking and open space provisions were reduced accordingly based on the number of residential units.

The requested second Modification to the map is for the purposes of dividing tentative Lot 2, previously approved for 97 condominium units, into Lot 2A and 2B with a modified residential component; to reconfigure airspace Lots 9, 10, and 11 within tentative master airspace Lot 5; and to reconfigure the two commercial condominium units on Lot 5. The requested changes have resulted in the net decrease of one dwelling unit and reduction of 41,606 square feet of floor area.

Lot 2A proposes to provide 54 market rate condominium units and Lot 2B proposes to provide 41 affordable apartments and one (1) non-restricted manager's apartment. The addition of the affordable component necessitates the further subdivision of Lot 2 into two lots.

The applicant proposes to reconfigure airspace Lots 9, 10 and 11 within Master ground Lot 5. The purpose of this reconfiguration is to extract retail Lot 9 from the horizontal stack of airspace lots and relocate it to the southeast of the stack as a separate airspace lot within Master Lot 5 for commercial/retail use.

The commercial use for the proposed project will be located within the mixed-use building and adjacent to the residential uses within Master Lot 5. The commercial uses will total approximately 24,846 square feet of total floor area, which will serve the residents of the property and the surrounding community. The commercial component will be separated into two commercial condominium units Lots 9 and 10.
The site is not subject to the Specific Plan for the Management of Flood Hazards, floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas.

The site is not subject to any other Specific Plans. The project would meet the objectives of the General Plan. More specifically, the project would meet the Housing Element objectives which would include the following: encouraging production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs; encouraging the location of housing, jobs, and services in mutual proximity; and accommodation of a diversity of uses that support the needs of the City's existing and future residents. Furthermore, the project would provide much-needed affordable units by creating 107 rental units for senior citizens, 194 affordable units for low and very low income households, and four non-restricted manager's units.

The project would meet the objectives of the Land Use and Transportation elements, which state the following: support development along mixed-use boulevards; provide for the stability and enhancement of multi-family residential neighborhoods; preserve and enhance access to scenic resources and regional open space and creation of a pedestrian-friendly environment.

The project site is located within the Los Angeles River Revitalization Master Plan. The project will be required to be in conformance with the goals, policies, and objectives of the plan (see Condition No. 27).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The proposed project will include a public street, a private street and private driveways. San Fernando Road is a designated Avenue I (formerly Major Highway Class II) dedicated to variable widths of 60 to 80-foot widths. The Bureau of Engineering (BOE) is required a 24-foot wide strip of land be dedicated along San Fernando Road adjoining Lot 5 of the subdivision in accordance with the proposed San Fernando Road Corridor Multimodal Transportation Infrastructure Program and a 34-foot wide strip of land be dedicated along San Fernando Road northerly of Arvia Street adjoining Lots 1 and 3 of the subdivision. BOE requested a 54-foot wide right-of-way be provided for the proposed Arvia Street including suitable turning area at the terminus and 20-foot radius property line returns at the intersection with San Fernando Road. BOE requested a 44-foot wide private street easement be provided including a suitable turning area at the terminus and 20-foot radius easement line returns at the intersection with San Fernando Road. Improvements will also be required. Improvement requests have also be made by BOE for the proposed private street and Arvia Street, and San Fernando Road. The Bureau of Engineering has reviewed the tract map and has issued their
conditions of approval to ensure the proposed streets and improvements are satisfactory to the City engineer. No modifications to the original requirements were made in conjunction with the second Modification to the subdivision map.

A total of 177 parking spaces will be provided for the proposed modified residential units. Lot 2A, containing the 54 condominium units, will provide a total of 122 residential parking spaces for units, in compliance with the Deputy Advisory Agency's Residential Parking Policy that requires 2.25 spaces per unit located in a non-parking congested area. Lot 2B, containing 41 affordable and one (1) non-restricted manager's units will provide a total of 64 residential parking spaces, exceeding the City's Density Bonus Parking Option 2 requirement of one (1) space per unit and the Code requirement of 2 spaces for the manager's unit. Lot 5, containing 107 senior affordable and one (1) non-restricted manager's unit, will provide 55 parking spaces, in compliance with the City's Density Bonus Option 2, which requires 0.5 spaces for each senior residential dwelling unit, and the standard requirement of 2 spaces for the manager's unit. As conditioned, the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently utilized as a storage facility for the Metropolitan Transportation Authority. A few temporary structures are present. It is one of the few underimproved properties in the vicinity. The development of this tract is an infill of an otherwise neighborhood filled with a mix of commercial, industrial, and open space uses.

The project site is relatively flat with a slight slope at different portions of the site. However, the site is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

On April 15, 2008, the Department of Building and Safety, Grading Division issued conditions of approval. No changes have been issued from that report since the project scope reduced. The approval of the tract map will be in accordance with the Grading Regulations, LAMC Section 91.3000.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent uses include a regional park known as Rio de Los Angeles Park, to the north; restaurants, auto repair and service shops, a church, as well as manufacturing and warehouse uses to the east across San Fernando Road; active rail tracks the Metrolink Central Maintenance Facility, and a narrow strip of undeveloped Metrolink property to the south; and the Metrolink right-of-way and the portion of the Los Angeles River known as Glendale Narrows adjacent to a right-of-way to the west. The proposed project would be compatible with the existing
neighborhood and provide an appropriate development within a neighborhood that includes a mix of commercial and residential uses. The site is currently used as a storage area for the Metropolitan Transportation Authority (MTA) with construction materials, temporary office trailers, and an art piece. The proposed project would remove the existing structures to construct a mixed use project that includes residential condominiums, senior housing, affordable rental units, retail, and open space.

Since the approval of the first Modification to the map, the applicant has requested the approval of a Director's Determination for Site Plan Review for a development with over 50 dwelling units. With appropriate findings made and the approval of concurrent case, DIR-2015-1882-SPR, and the previous case ZA-2008-1319(ZV)(SPR), the project will comply with all LAMC requirements for parking, yards, and open space. As conditioned, the proposed tract map is physically suitable for the proposed density of the development.

The project site is presently vacant and does not provide a natural habitat for either fish or wildlife. The surrounding area is presently developed with commercial and industrial structures, and is near the Los Angeles River and Rio de Los Angeles Park. The neighboring commercial and industrial sites do not provide a natural habitat for either fish or wildlife. The project has considered its impact on wildlife within the Los Angeles River and the park, and incorporated a mitigation measure to avoid potential impacts to nesting birds, including migratory birds and raptors in its original approval under Condition No. MM-7.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The design of the subdivision and the proposed improvements will not conflict with easements acquired by the public at large for access through or use of property within the
PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

The design of the map will include variable width easements which will be dedicated to the City of Los Angeles around public access ramps, driveways and walks where necessary to meet the American Disability Act compliance in the public right-of-way, as shown on the tentative tract map satisfactory to the City Engineer. A 44-foot easement will be provided for Chaucer Street, a private street, providing use and access rights to Lots 1, 2, 3, 4, 6, 7 and 8.

THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to Vesting Tentative Tract Map No. 70452-CN-M2. All other conditions of approval and mitigation measures from the previously approved VTT-70452-CN-M1 and VTT-70452-CN shall remain.

Michael J. LoGrande  
Advisory Agency

[Nicholas Hendricks]  
Deputy Advisory Agency

NH:JT:JM
Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4th Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando Valley Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818.374.5050

Forms are also available on-line at www.planning.lacity.org

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Public Counter staff at (213) 482-7077.
LEGAL DESCRIPTION FOR LOTS 2A & 2B:

Lot 2A: 54 residential condominiums - 103,544 SF
Lot 2B: 45 affordable rentals & 1 non-restricted manager's unit

BEGINNING AT THE TRUE POINT OF BEGINNING OF THE SOUTHERLY REMAINDER PARCEL OF TRACT NO. 70452-01, AS SHOWN IN CITY ENGINEER'S FIELD BOOK 12276, PAGE 64; THENCE SOUTH 35°30'00" EAST, 371.30 FEET CONTINUING ALONG THE SOUTHEASTERLY LINE OF PARCEL D, AS SHOWN ON A SITE REPORT ISSUED BY FIRST AMERICAN TITLE COMPANY, AS DESCRIBED IN THE DEED TO SOUTHERN PACIFIC RAILROAD COMPANY, DATED: SEPTEMBER 19, 1997, IN BOOK 216, PAGE 208; THENCE NORTH 35°30'00" EAST, 324.63 FEET, ALONG SAID PARALLEL LINE, TO THE TRUE POINT OF BEGINNING.

THERE ARE NUMERICALLY KEYED TO SAID REPORT AND ARE AS FOLLOWS:

1. Lot 2A - 54 residential condominiums - 103,544 SF
2. Lot 2B - 45 affordable rentals & 1 non-restricted manager's unit

BASEMENTS WITHIN PROPERTY TO BE DEVELOPED:

Pursuant to California law, the lot line is subject to future development. The City of Los Angeles may require the developer to provide access for utility lines and/or greenways.

ENVIRONMENTAL ASSURANCES:

The project is subject to the requirements of the State of California Environmental Quality Act (CEQA).

MODIFICATION #2 VESTING TENTATIVE TRACT MAP - TRACT 70452 - M2

FOR SUBDIVISION AND CONDOMINIUM PURPOSES

(INCLUDES 3 GROUND LOTS AND 3 VERTICAL AIR SPACE LOTS

(MAP MAY BE RECORDED IN PHASED UNIT MAPS)
MODIFICATION #2 VESTING TENTATIVE TRACT MAP - TRACT 70452 - M2
FOR SUBDIVISION AND CONDOMINIUM PURPOSES
(INCLUDES 3 GROUND LOTS AND 3 VERTICAL AIR SPACE LOTS)
(MAP MAY BE RECORDED IN PHASED UNIT MAPS)
MODIFICATION #2 VESTING TENTATIVE TRACT MAP - TRACT 70452 - M2
FOR SUBDIVISION AND CONDOMINIUM PURPOSES
(INCLUDES 3 GROUND LOTS AND 3 VERTICAL AIR SPACE LOTS)
(MAP MAY BE RECORDED IN PHASED UNIT MAPS)
Decision Date: September 6, 2012
Appeal Period Ends: September 17, 2012

Dan Falcon (A)
Taylor Yards, LLC
801 South Grand Avenue, Suite 780
Los Angeles, CA 90017

Roger Moliere (O)
LACMTA
One Gateway Plaza (99-18-3)
Los Angeles, CA 90012

Andie Adame (R)
Craig Lawson & Co., LLC
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034

Vesting Tentative Tract Map No. 70452-CN-M1
Related Case: ZA-2008-1319-ZV-SPR
Project Address: 1545 North San Fernando Road
Council District: 1
Existing Zone: [Q]CM-1-CDO
Community Plan: Northeast Los Angeles
ENV No.: ENV-2008-1267-MND-REC1

In accordance with provisions of Sections 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency approved a Modification of Vesting Tentative Tract Map No. 70452-CN-M1 composed of 11 lots (8 ground and 3 airspace lots), located at 1545 North San Fernando Road for a maximum 401 residential units and 29,400 square feet of retail uses on a 711,825 square-foot lot as shown on revised map stamp-dated May 15, 2012 in the Northeast Los Angeles Community Plan. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Public Counter staff, please call (213) 482-7077. The Advisory Agency’s approval is subject to the following conditions:

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.
BACKGROUND

Previously, on July 30, 2008, the Advisory Agency approved the Vesting Tentative Tract Map No. 70452 for the subdivision of eight grounds and three airspace lots for a maximum 471 residential units and 29,400 square feet of retail uses on a 708,005 square-foot lot. The original project consisted of 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager’s unit and two commercial condominiums comprised of 29,400 square feet of retail on ground Lot 5. The maximum building height was limited to 65 feet at four stories with a total floor area of 622,780 square feet.

The Applicant is herein requesting to modify the project by reducing the floor area, buildable area and density while maintaining the amount of retail uses and building height. Several of the lots will be reconfigured within the project site. Parking and open space provisions will be reduced accordingly based on the number of residential units. The modified project will consist of a maximum 86 affordable rental units and one non-restricted manager’s unit on ground Lot 1, 97 residential condominiums on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 16,991 square feet of retail space in airspace Lot 9, 12,409 square feet of retail space in airspace Lot 10, and 107 affordable senior housing units and one non-restricted manager’s unit in airspace Lot 11, where airspace Lots 9, 10, and 11 are located on ground Lot 5. The Final Map is to be recorded in phased unit maps.

The Applicant has provided the following details on the proposed Modification of the project:

<table>
<thead>
<tr>
<th>Net Change</th>
<th>1.5 FAR</th>
<th>Proposed Project</th>
<th>Proposed Project</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor Area</td>
<td>622,780</td>
<td>536,008</td>
<td>-86,772</td>
<td>square feet</td>
</tr>
<tr>
<td>Total Residential Density</td>
<td>471 units</td>
<td>401 units</td>
<td>-70 units</td>
<td></td>
</tr>
<tr>
<td>Lot 1 Residential Density</td>
<td>54 condominium units</td>
<td>86 affordable rental units</td>
<td>+33 units</td>
<td></td>
</tr>
<tr>
<td>Lot 2 Residential Density</td>
<td>200 condominium units</td>
<td>97 condominium units</td>
<td>-103 units</td>
<td></td>
</tr>
<tr>
<td>Lot 3 Residential Density</td>
<td>67 affordable rental units</td>
<td>No change</td>
<td>N/A</td>
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</tr>
<tr>
<td>Lot 4 Residential Density</td>
<td>41 condominium units</td>
<td>No change</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Previously Approved Project</td>
<td>Proposed Project</td>
<td>Net Change</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------</td>
<td>------------------</td>
<td>------------</td>
<td></td>
</tr>
</tbody>
</table>
| Lot 5 Residential Density | 107 senior affordable rental units  
                               1 non-restricted manager's unit | No change | N/A |
| Total Parking Spaces Provided | 866 spaces | 579 spaces | -287 spaces |
| Lot 1 Parking Spaces Provided | 108 spaces | 88 spaces | -20 spaces |
| Lot 2 Parking Spaces Provided | 450 spaces | 216 spaces | -234 spaces |
| Lot 3 Parking Spaces Provided | 102 spaces | 69 spaces | -33 spaces |
| Lot 4 Parking Spaces Provided | 92 spaces | No change | N/A |
| Lot 5 Parking Spaces Provided | 114 spaces | No change | N/A |
| Common Area Non-Required Parking Spaces Provided | 55 spaces | 118 spaces | +63 spaces |
| Retail Square Footage | 29,400 s.f. | No Change | N/A |
| Maximum Building Height | 65 feet  
                               4 stories | No change | N/A |
| Open Space | 167,327 square feet | 112,849 square feet | -54,478 square feet |

NOTE: The property lines between Lots 2 and 7 and between Lots 4 and 8 are proposed to be changed. See the Modified Vesting Tentative Tract Map for more information.

NOTE: The terminus of Lot 6 is proposed to be reconfigured to extend the private driveway to the southeast. See the Modified Vesting Tentative Tract Map for more information.

Residential Uses

Lot 1, located on the northernmost end of the project site on the corner of San Fernando Road and Chaucer Street (private street), has a 70,335 square-foot lot area (after dedications) and proposes 95,885 square feet of floor area. The applicant proposes a 3-story building with 86 affordable rental units and one non-restricted manager’s unit which will reach a maximum building height of 40 feet. Of the total residential units, 9 units are proposed as one-bedroom units, 43 as two-bedroom units, 35 as three-bedroom units, and one as a manager’s unit. The 88 required residential parking spaces will be located within a semi-subterranean parking garage. The Common Open Space will be located on top of the parking podium.
Lot 2, includes 208,989 square feet of lot area before and after dedications. It is located on the westerly corner of the project site, southwest of Lots 1 and 7, and will include 97 residential condominium units within 2 stories and a maximum building height of 35 feet. The 194 residential parking spaces are located within attached two car-parking garages and the 22 guest parking spaces will be provided on-site.

Lot 3 is located between Lot 1 and Lot 5 on the easterly side of the project site, with frontages on San Fernando Road and the proposed Arvia Street, a dedicated public street, and Chaucer Street (private street). The lot area is 80,511 square feet (after dedications) and 80,765 square feet of floor area is proposed. The residential building includes 67 affordable residential apartment units and one non-restricted manager’s unit (18 one-bedroom units, 18 two-bedroom units, and 32 three-bedroom units) within 3 stories and with a maximum building height of 40 feet. The building is comprised of two-story townhouse units located above ground level single story flats. This building includes 69 required residential parking spaces located at-grade, open to the sky, and within the interior of the block.

Lot 4 is located on the southernmost end of the project site, between Lot 8 and Lot 6 and has 84,247 square feet of lot area (after dedications). With 69,933 square feet of floor area proposed, a total of 41 two- and three-story townhouse-style attached condominium units will be provided (with a maximum building height of 40 feet). Each unit will have an attached 2-car parking garage, providing the required 82 residential parking spaces and the 10 guest parking spaces will be located on-site.

Lastly, Lot 5 is located on the south-easternmost end of the project site, with frontages on San Fernando Road and on Arvia Street, a dedicated public street. Lot 5 has a 109,782 square-foot lot area (after dedications) and proposes 117,525 square feet of floor area. The mixed-use building on Lot 5 includes 107 affordable senior residential apartment units and one non-restricted manager’s unit (102 one-bedroom units and 6 two-bedroom units) within 4 stories (with a maximum building height of 65 feet) and with approximately 29,400 square feet of ground-floor commercial uses. The 59 commercial parking spaces and 55 residential parking spaces will be located in a surface parking lot southeast of the building structure. The building would reach a maximum height of 65 feet.

Additional residential amenities available to all residents of the development and their guests are located on Lot 6, Lot 7, and Lot 8, which include a community pool, clubhouse, and green open space areas.

**Commercial Uses**

The commercial use for the proposed project will be located below the residential use in the proposed building on Lot 5, and will include approximately 29,400 square feet of total floor area, which will serve the residents of the property and the surrounding community. The commercial component will be separated into two commercial condominium units.

Parking for the commercial portion of the project will be provided in a southeasterly adjacent surface parking lot. Pedestrian access will be provided from San Fernando Road.
and Arvia Street, the dedicated public street. The ground-floor commercial component of the mixed-use building creates a pedestrian-friendly environment by providing retail uses.

Circulation and Parking

Vehicular access to the proposed project will be provided from San Fernando Road via the existing private roadway easement, one proposed dedicated public street (Arvia Street), one proposed private street (Chaucer Street), and internal circulation provided by driveways. Located between Elm and Arvia Streets, the existing private roadway easement intersects with San Fernando Road.

Vehicular Circulation is achieved through an internal system consisting of a public street, a private street, and private driveways, all of which are not gated. Pedestrian circulation is achieved through sidewalks, walkways, and intersections identified through striping or other methods.

Required and Proposed Parking

A total of 581 parking spaces are required for the entire project site based on a number of provisions in the Los Angeles Municipal Code. The proposed project will include 579 parking spaces in total including 520 parking spaces designated for the residential use and 59 parking spaces designated for the retail use. A two guest space parking reduction from the Advisory Agency's Parking Policy is being requested for Lot 2 as part of this Vesting Tentative Tract Map Modification. The following table illustrates the required and proposed parking for the project:

<table>
<thead>
<tr>
<th>Lot</th>
<th>Lot 1</th>
<th>Lot 2</th>
<th>Lot 3</th>
<th>Lot 4</th>
<th>Lot 5</th>
<th>Lot 6</th>
<th>Lot 7</th>
<th>Lot 8</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Afford. - Rental</td>
<td>Afford. - Rental</td>
<td>Condo</td>
<td>Condo</td>
<td>Afford. Senior - Rental</td>
<td>Resid. Club House</td>
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<td></td>
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<tr>
<td>Res.</td>
<td>69</td>
<td>69</td>
<td>82</td>
<td>10</td>
<td>59</td>
<td>55</td>
<td>0</td>
<td>0</td>
<td>581</td>
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<td>Guest</td>
<td>88</td>
<td>194</td>
<td>24</td>
<td></td>
<td></td>
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</tbody>
</table>

Open Space

The total Open Space required for the proposed project is 57,375 square feet and the total proposed is 112,849 square feet (55,474 square feet over what is required). Of the 112,849 square feet of Open Space provided, a total of 81,303 square feet will be dedicated to common open space, located on Lots 1-6, and 31,546 square feet will be dedicated to private open space (on Lots 1-4). The proposed project offers private balconies and common open space for its residents and green open spaces for its residents and the surrounding community. The common open space may also provide residential amenities, such as a pool and clubhouse, which would be made available to the proposed development's residents.
BUREAU OF ENGINEERING – SPECIFIC CONDITIONS

REVISED “Note to Plan Checker” (on Page No. 3) shall read as follows:

Condition 2 does not apply to Unit Maps for Lots 1, 2, 6 and 7. Conditions 5 and 6 do not apply to Unit Maps for Lots 1, 2, 3, 4, 6, 7 and 8. Conditions 8, 9, 10, 11, 12 and 13 do not apply to Unit Maps for Lot 5.

REVISED “Note to Plan Checker” (on Page No. 27) shall read as follows:

Condition S-3(i)(1) does not apply to Unit Maps for Lot 5 of the subdivision. Condition S-3(i)(2) does not apply to Unit Maps for Lots 2, 4, 6, 7 and 8. Condition S-3(i)(3) does not apply to Unit Maps for Lots 1, 2, 6 and 7.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

REVISED Condition No. 23 shall read as follows:

23. AFFORDABLE UNITS. Prior to the issuance of a building permit for any rental dwelling unit on the subject property, the applicant shall reserve 260 units and shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 86 units on Lot 1 and 67 units on Lot 3 for households earning up to a maximum 60 percent of Area Median Income (AMI) and 107 units on Lot 5 for senior citizens earning up to a maximum 60 percent of AMI as determined by the Housing Department. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.

For a period of thirty (30) years from the issuance of the Certificate of Occupancy, affordable dwelling units may be occupied only by households whose income has been certified by LAHD to fall within the specified Low Income affordability level, as defined by California Health and Safety Code Section 50079.5, for the duration of the covenant.

Note to Plan Checker: Condition 23 applies only to Lots 1, 3 and 5 for the development of 87, 68 and 108 units, respectively.

REVISED Condition No. 24 a. and b. shall read as follows:

24. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
a. Limit the proposed development to a maximum of 86 affordable rental units and one non-restricted manager's unit 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 97 209 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager's unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager's unit and two commercial condominiums comprised of 29,400 square feet of retail on ground Lot 5.

b. Provide a minimum two parking spaces for each residential condominium on Lot 1.

Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit on Lots 2 and 4. A minimum of a total of 22 guest parking spaces may also be permitted on Lot 2. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

Affordable Rental Units. Provide a minimum 1 parking space for each affordable housing rental unit with three habitable rooms or less and 1.5 parking spaces for each affordable housing rental unit with more than three habitable rooms per Parking Option 2 of LAMC Section 12.22-A,25(d)(2).

Senior Citizen Rental Units. Provide a minimum one-half (0.5) parking space for each dwelling unit designated for senior citizens.

Non-restricted Manager's Units. Provide one (1) parking space for each unit with less than three habitable rooms. Provide one and one-half (1.5) parking spaces for each unit with three habitable rooms. Provide two (2) parking spaces for each unit with more than three habitable rooms.

Commercial Retail. Provide a minimum two parking space for every 1,000 square feet of ground floor area.
DELETE Condition No. LW-1:

LW-1. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for joint living and work units will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a joint living and work building and intends to acquire a building permit for joint living and work condominium building(s). Such letter is sufficient to clear this condition.

FINDINGS OF FACT (CEQA)

The Planning Staff issued an Addendum (Reconsideration) to the Mitigated Negative Declaration ENV-2008-1267-MND on August 10, 2012. No increase in the floor area, buildable area, density, amount of retail uses and building height is involved as part of this VTT-70452-CN-M1 from the original tract determination. Staff had previously found that potential negative impacts could occur from the project’s implementation due to:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Mineral Resources
- Noise
- Population/Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems
- Mandatory Findings of Significance

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2008-1267-MND-REC1 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 17a, 21, 22, 30 and 31 of the original Tract’s approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain
Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area, are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 29.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 70452-CN-M1, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Northeast Los Angeles Community Plan designates the subject property for Limited Industrial land use with the corresponding zones of CM, MR, M1, and P. The property contains approximately 16.3 net acres (711,825 net square feet after required dedication) and is presently zoned [Q]CM-1-CDO. On July 30, 2008, the Advisory Agency approved the Vesting Tentative Tract Map No. 70452-CN for the subdivision of eight grounds and three airspace lots for a maximum 471 residential units and 29,400 square feet of retail uses on a 708,005 square-foot lot. The original project consisted of a maximum building height of 65 feet at four stories with a total floor area of 622,780 square feet. As part of the project, the applicant had requested ZA-2008-1319-ZV-SPR, which included a request for a zone variance to provide 5,685 square feet of open space in lieu of the 9,650 square feet required on Lot 3, and a site plan review. Findings were made to grant the approval of the requested zone variance and site plan review.

The Modification request herein is being requested to permit the subdivision of eight grounds and three airspace lots for a maximum 401 residential units and 29,400 square feet of retail uses. The modified project will essentially reduce the project in floor area, buildable area and density while maintaining the amount of retail uses and building height. Several of the lots will be reconfigured within the project site. Parking and open space provisions will be reduced accordingly based on the number of residential units.
The site is not subject to the Specific Plan for the Management of Flood Hazards, floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas.

The site is not subject to any other Specific Plans. The project would meet the objectives of the General Plan. More specifically, the project would meet the Housing Element objectives which would include the following: encouraging production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs; encouraging the location of housing, jobs, and services in mutual proximity; and accommodation of a diversity of uses that support the needs of the City's existing and future residents. Furthermore, the project would provide much-needed affordable units by creating 107 rental units for senior citizens, 153 affordable units for low and very low income households, and three non-restricted manager's units.

The project would meet the objectives of the Land Use and Transportation elements, which state the following: support development along mixed-use boulevards; provide for the stability and enhancement of multi-family residential neighborhoods; preserve and enhance access to scenic resources and regional open space and creation of a pedestrian-friendly environment.

The project site is located within the Los Angeles River Revitalization Master Plan. The project will be required to be in conformance with the goals, policies, and objectives of the plan (see Condition No. 27).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(b) THE DESIGN AND IMPROVAL OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The proposed project will include a public street, a private street and private driveways. San Fernando Road is a Major Highway Class II dedicated to variable widths of 60 to 80-foot widths. The Bureau of Engineering (BOE) is requiring a 24-foot wide strip of land be dedicated along San Fernando Road adjoining Lot 5 of the subdivision in accordance with the proposed San Fernando Road Corridor Multimodal Transportation Infrastructure Program and a 34-foot wide strip of land be dedicated along San Fernando Road northerly of Arvia Street adjoining Lots 1 and 3 of the subdivision. BOE is requesting a 54-foot wide right-of-way be provided for the proposed Arvia Street including suitable turning area at the terminus and 20-foot radius property line returns at the intersection with San Fernando Road. BOE is requesting a 44-foot wide private street easement be provided including a suitable turning area at the terminus and 20-foot radius easement line returns at the intersection with San Fernando Road. Improvements will also be required. Improvement requests have also be made by BOE for the proposed private street and Arvia Street, and San Fernando Road. The Bureau of Engineering has reviewed the tract map and has issued their conditions of approval to ensure the proposed streets and improvements are satisfactory to the City engineer.
The proposed project will have the capacity to provide a total of 697 parking spaces. Of this total, 579 parking spaces will be set aside for the residential and commercial uses and would be in conformance with parking requirements of the LAMC. For Lot 2, the subdivider has requested a deviation from the Advisory Agency's Parking Policy for projects located within a non-congested area. Lot 2 proposes 22 guest parking spaces in lieu of the 24 guest parking spaces required for the 97 residential condominium units. To offset this deviation, and to ensure the project provides adequate parking, the project will provide an additional 118 parking spaces located along private driveways within the project site. As conditioned, the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently utilized as a storage facility for the Metropolitan Transportation Authority. A few temporary structures are present. It is one of the few underimproved properties in the vicinity. The development of this tract is an infill of an otherwise neighborhood filled with a mix of commercial, industrial, and open space uses.

The project site is relatively flat with a slight slope at different portions of the site. However, the site is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

On April 15, 2008, the Department of Building and Safety, Grading Division issued conditions of approval. No changes have been issued from that report since the project scope reduced. The approval of the tract map will be in accordance with the Grading Regulations, LAMC Section 91.3000.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent uses include a regional park known as Rio de Los Angeles Park, to the north; restaurants, auto repair and service shops, a church, as well as manufacturing and warehouse uses to the east across San Fernando Road; active rail tracks the Metrolink Central Maintenance Facility, and a narrow strip of undeveloped Metrolink property to the south; and the Metrolink right-of-way and the portion of the Los Angeles River known as Glendale Narrows adjacent to a right-of-way to the west. The proposed project would be compatible with the existing neighborhood and provide an appropriate development within a neighborhood that includes a mix of commercial and residential uses. The site is currently used as a storage area for the Metropolitan Transportation Authority (MTA) with construction materials, temporary office trailers, and an art piece. The proposed project would remove the existing structures to construct a mixed use project that includes residential condominiums, senior housing, affordable rental units, retail, and open space.
The project has requested a zone variance from the open space requirement for Lot 3 and a site plan review for a development with over 50 dwelling units. With appropriate findings made and the approval of concurrent case, ZA-2008-1319-ZV-SPR, the project will comply with all LAMC requirements for parking, yards, and open space. As conditioned, the proposed tract map is physically suitable for the proposed density of the development.

**THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.**

The project site is presently vacant and does not provide a natural habitat for either fish or wildlife. The surrounding area is presently developed with commercial and industrial structures, and is near the Los Angeles River and Rio de Los Angeles Park. The neighboring commercial and industrial sites do not provide a natural habitat for either fish or wildlife. The project has considered its impact on wildlife within the Los Angeles River and the park, and has incorporated a mitigation measure to avoid potential impacts to nesting birds, including migratory birds and raptors (See MM-7).

**THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.**

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

**THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

The design of the map will include variable width easements which will be dedicated to the City of Los Angeles around public access ramps, driveways and walks where necessary to meet the American Disability Act compliance in the public right-of-way,
as shown on the tentative tract map satisfactory to the City Engineer. A 44-foot easement will be provided for Chaucer Street, a private street, providing use and access rights to Lots 1, 2, 3, 4, 6, 7, and 8.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to Vesting Tentative Tract Map No. 70452-CN-M1. All other conditions of approval and mitigation measures from the previously approved VTT-70452-CN shall remain.

Michael J. LoGrande
Advisory Agency

JIM TOKUNAGA
Deputy Advisory Agency

JT:JK:jq
Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department’s Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213.482.7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818.374.5050

Forms are also available on-line at [www.planning.lacity.org](http://www.planning.lacity.org)

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Public Counter staff at (213) 482-7077.
REAL PROPERTY IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

1. SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

2. NORTH 35° 00' 26" WEST TANGENT TO SAID LAST MENTIONED CURVE, 2108.69 FEET AND NORTH 35° 01' 38" WEST 735.77 FEET TO SAID LINE HAVING A BEARING OF NORTH 54° 58' 22" WEST AND

3. NORTH 12° 09' 27" EAST TANGENT TO SAID LAST MENTIONED CURVE, 384.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1246.51 FEET;

4. THENCE SOUTH 14° 48' 03" EAST 564.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1246.51 FEET; THENCE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

5. SOUTHWESTERLY 70.50 FEET, MEASURED AT RIGHT ANGLE FROM SAID LINE AND ITS SOUTHEASTERLY PROLONGATION HAVING A BEARING AND LENGTH OF SOUTH 66° 58' 31" 58' 22" EAST; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

6. NORTH 35° 00' 26" WEST TANGENT TO SAID LAST MENTIONED CURVE, 2108.69 FEET AND NORTH 35° 01' 38" WEST 735.77 FEET TO SAID LINE HAVING A BEARING OF NORTH 54° 58' 22" WEST AND

7. NORTH 12° 09' 27" EAST TANGENT TO SAID LAST MENTIONED CURVE, 384.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1246.51 FEET;

8. THENCE SOUTH 14° 48' 03" EAST 564.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1246.51 FEET; THENCE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

9. SOUTHWESTERLY 70.50 FEET, MEASURED AT RIGHT ANGLE FROM SAID LINE AND ITS SOUTHEASTERLY PROLONGATION HAVING A BEARING AND LENGTH OF SOUTH 66° 58' 31" 58' 22" EAST; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

10. NORTH 35° 00' 26" WEST TANGENT TO SAID LAST MENTIONED CURVE, 2108.69 FEET AND NORTH 35° 01' 38" WEST 735.77 FEET TO SAID LINE HAVING A BEARING OF NORTH 54° 58' 22" WEST AND

11. NORTH 12° 09' 27" EAST TANGENT TO SAID LAST MENTIONED CURVE, 384.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1246.51 FEET;

12. THENCE SOUTH 14° 48' 03" EAST 564.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1246.51 FEET; THENCE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

13. SOUTHWESTERLY 70.50 FEET, MEASURED AT RIGHT ANGLE FROM SAID LINE AND ITS SOUTHEASTERLY PROLONGATION HAVING A BEARING AND LENGTH OF SOUTH 66° 58' 31" 58' 22" EAST; THENCE LEAVING SAID NORTHEASTERLY LINE SOUTH 54° 58' 22" WEST, 881.01 FEET TO THE TRUE POINT OF BEGINNING.

14. NORTH 35° 00' 26" WEST TANGENT TO SAID LAST MENTIONED CURVE, 2108.69 FEET AND NORTH 35° 01' 38" WEST 735.77 FEET TO SAID LINE HAVING A BEARING OF NORTH 54° 58' 22" WEST AND
Date: November 16, 2010

Daniel Falcon, Jr. (A)(O)  
Taylor Yards, LLC  
801 South Grand Avenue, #780  
Los Angeles, CA 90017

RE: Vesting Tentative Tract No.: 70452  
Related Case: ZA 2008-1319(ZV)(SPR)  
1545 North San Fernando Road  
Northeast Los Angeles Planning Area  
C.D. : 1  
Zone : CM-1  
CEQA: ENV-2008-1267-MND

EXTENSION OF TIME

On July 30, 2008, the Deputy Advisory Agency conditionally approved VTT-70452. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and Section 17.07 or 17.56-A of the Los Angeles Municipal Code, the Deputy Advisory Agency hereby grants a 6-year extension, totaling 9 years, from the decision date for the recording of the final map for VTT-70452, located at 1545 North San Fernando Road in the Northeast Los Angeles Community Plan.

Pursuant to AB 333, all maps are automatically granted an additional two years as long as those maps were still valid as of July 15, 2009 and will expire before January 1, 2012.

Therefore, the new expiration date for the subject map is July 30, 2019, and no further extension of time to record a final map can be granted.

Michael J. LoGrande  
Director of Planning

GARLAND CHENG  
Deputy Advisory Agency

NOTE: IF THERE IS A RELATED CASE WITH YOUR TRACT / PARCEL, THIS EXTENSION WILL NOT EXTEND THE RELATED CASE APPROVAL.
Decision Date: September 10, 2008

Taylor Yards, LLC (A)
801 S. Grand Avenue, Suite 780
Los Angeles, CA 90017-4609

LACMTA (O)
Attn: Roger Moliere
One Gateway Plaza
Los Angeles, CA 90012

Craig Lawson & Co., LLC (R)
Attn: Andie Adame
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034

RE: Vesting Tentative Tract Map No.: 70452
Council District: 1

LETTER OF CORRECTION

On July 30, 2008, in accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Deputy Advisory Agency conditionally approved Vesting Tentative Tract Map No. 70452 located at 1545 N. San Fernando Road. It was brought to staff’s attention that the grant clause and Condition No. 24a. regarding Lot 5 should have been re-worded to reflect what was proposed on the tract map stamp-dated May 21, 2008. Therefore, corrected grant clause and Condition No. 24a. should be changed to read as follows:

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 70452 located at 1545 N. San Fernando Road for an eight ground-lot subdivision and three vertical airspace lot subdivision for a maximum 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 16,991 square feet of retail space in airspace Lot 9, 12,409 square feet of retail space in airspace Lot 10, and 107 affordable senior housing units and one non-restricted manager’s unit in airspace Lot 11, where airspace Lots 9, 10, and 11 are located on ground Lot 5 as shown on map stamp-dated May 21, 2008, in the Northeast Los Angeles Community Plan. This unit density is based on
the CM-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1362. The Advisory Agency’s approval is for eight Unit Maps corresponding to the eight proposed lots, subject to the following conditions:

24a. Limit the proposed development to a maximum of 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 16,991 square feet of retail space in airspace Lot 9, 12,409 square feet of retail space in airspace Lot 10, and 107 affordable senior housing units and one non-restricted manager’s unit in airspace Lot 11, where airspace Lots 9, 10, and 11 are located on ground Lot 5.

All other conditions remain unchanged.

S. Gail Goldberg
Advisory Agency

MAYA ZAITZEVSKY
Deputy Advisory Agency

GG.MZ:HC:jq
Decision Date: July 30, 2008
Appeal Period Ends: August 11, 2008

Taylor Yards, LLC (A)
801 S. Grand Avenue, Suite 780
Los Angeles, CA 90017-4609

Danial R. Martin, P.L.S. 5860
Hall & Foreman, Inc.
25152 Springfield Court, Suite 350
Santa Clarita, CA 91355

LACMTA (O)
Attn: Roger Moliere
One Gateway Plaza
Los Angeles, CA 90012

Vesting Tentative Tract Map No.: 70452
Related Case: ZA-2008-1319 (ZV)(SPR)
Address: 1545 N. San Fernando Road
Council District: 1
Existing Zone: CM-1
Community Plan: Northeast Los Angeles
CEQA No.: ENV-2008-1267-MND

Craig Lawson & Co., LLC (R)
Attn: Andie Adame
8758 Venice Boulevard, Suite 200
Los Angeles, CA 90034

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 70452 located at 1545 N. San Fernando Road for an eight ground-lot subdivision and three vertical airspace lot subdivision for a maximum 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager’s unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager’s unit and two commercial condominiums comprised of 29,400 square feet of retail on ground Lot 5 as shown on map stamp-dated May 21, 2008, in the Northeast Los Angeles Community Plan. This unit density is based on the CM-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1362. The Advisory Agency's approval is for eight Unit Maps corresponding to the eight proposed lots, subject to the following conditions:

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.
BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a minimum 24-foot wide strip of land be dedicated along San Fernando Road adjoining Lot 5 of the subdivision in accordance with the proposed San Fernando Road Corridor Multimodal Transportation Infrastructure Program and a 34-foot wide strip of land be dedicated along San Fernando Road northerly of Arvia Street adjoining Lots 1 and 3 of the subdivision as shown on the revised map stamp dated May 21, 2008.

2. That a 54-foot wide right-of-way be provided for proposed Arvia Street including suitable turning area at the terminus and 20-foot radius property line returns at the intersection with San Fernando Road.

3. That Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

4. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any drainage easements and to construct over the existing drainage facilities must be submitted to the City Engineer for approval.

5. That a set of drawings be submitted to the City Engineer showing the followings (for airspace subdivision only):
   a. Plan view at different elevations.
   b. Isometric views.
   c. Elevation views.
   d. Section cuts at all locations where air space lot boundaries change.

6. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.

7. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewer in the area.
8. That a 44-foot wide private street easement be provided, including a suitable
turning area at the terminus and 20-foot radius easement line returns at the
intersection with San Fernando Road.

9. That an easement to the City of Los Angeles for sanitary sewer and public utility
purposes be dedicated full-width of the proposed private street.

10. That private street easement be part of Lot 6.

11. That prior to recordation of the final map the proposed name for the private street
be approved by the City Engineer.

12. That the owners of the property record an agreement satisfactory to the City
Engineer stating that they will grant the necessary easements for ingress, egress
and public facilities over the private street areas upon the sale of the respective
lots and they will maintain the private streets, free and clear of obstructions and
in a safe condition for vehicular use at all times.

13. That a Covenant and Agreement be recorded stating that private street will be
posted in a manner prescribed in Section 18.07 of the Los Angeles Municipal
Code "Private Street Regulations".

Note to Plan Checker: Condition 2 does not apply to Unit Maps for Lots 1, 2, 6 and 7.
Conditions 5 and 6 do not apply to Unit Maps for Lots 1, 2, 3, 4, 6, 7 and 8. Conditions
8, 9, 10, 11, 12, and 13 do not apply to Unit Maps for Lot 5.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

14. Prior to issuance of a grading or building permit, or prior to recordation of the final
map, the subdivider shall make suitable arrangements to assure compliance,
satisfactory to the Department of Building and Safety, Grading Division, with all
the requirements and conditions contained in Inter-Departmental Letter dated
April 15, 2008, Log No. 62559 and attached to the case file for Tract No. 70452.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

15. Prior to recordation of the final map, the Department of Building and Safety,
Zoning Division shall certify that no Building or Zoning Code violations exist on
the subject site. In addition, the following items shall be satisfied:

a. Obtain permits for the demolition or removal of all existing structures on
the site. Provide copies of the demolition permits and signed inspection
cards to show completion of the demolition work.

b. The submitted map dimensions do not agree with ZIMAS. Revise the map
to address the discrepancy or obtain approval form DCP GIS group.
c. Residential uses not permitted in M2 and M3 zones. Obtain approval from City Planning for residential uses in M zones if it exists on the subject property.

d. Provide a copy of affidavit AFF-91-903824-LT, AFF-91-903823-LT, AFF 903822, AFF 91-903828, AFF 98-2305987, AFF 00-0541354, and AFF-00-0541353. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

e. Provide 20 ft. street frontage and 20 ft. wide access strip for each lot.

f. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.

g. Show zone boundaries on the map if it exists on the subject property. No required yard or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is located. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning.

h. Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.

Note: Each air space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be “to the satisfaction of the Department of Building and Safety at the time of Plan Check.”

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Del Reyes at (213) 482-6882 to schedule an appointment.
DEPARTMENT OF TRANSPORTATION

16. **Prior to recordation of the final map**, satisfactory arrangements shall be made with the Department of Transportation to assure:

   a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.

   b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A-5(i)a.

   c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3.

FIRE DEPARTMENT

17. **Prior to the recordation of the final map**, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

   a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action. (MM)

   b. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

   c. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

   d. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

   e. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

   f. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
g. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

h. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

i. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.

j. Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater then 150ft horizontal travel distance from the edge of the public street, private street on Fire Lane.

k. Entrance to the main lobby shall be located off the address side of the building.

l. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

DEPARTMENT OF WATER AND POWER

18. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

19. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. The separate street lighting improvement condition will be cleared at the Bureau of Engineering District office, see condition S-3(c).

a. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans or an exhibit showing the boundaries of the street lighting improvements shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.
INFORMATION TECHNOLOGY AGENCY

20. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363.

DEPARTMENT OF RECREATION AND PARKS

21. That the Quimby fee be based on the R3 Zone. (MM)

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

22. Prior to the issuance of a grading permit or building permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the decision maker and the Urban Forestry Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards (MM).

The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the decision maker. (MM)

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

23. AFFORDABLE UNITS. Prior to the issuance of a building permit for any rental dwelling unit on the subject property, the applicant shall reserve 174 units and shall execute and record a rental covenant agreement running with the land, to the satisfaction of the Los Angeles Housing Department ("LAHD"). The covenant shall bind the applicant and/or any subsequent property owner to reserve 67 units for households earning up to a maximum of 60% of Area Median Income (AMI) and 107 units for senior citizens earning up to a maximum of 60 percent of AMI as determined by the Housing Department. Applicant must provide an affordable unit dispersal proposal to be approved by LAHD to ensure that affordable units are not segregated or otherwise distinguishable from market-rate units.
For a period of thirty (30) years from the issuance of the Certificate of Occupancy, affordable dwelling units may be occupied only by households whose income has been certified by LAHD to fall within the specified Low Income affordability level, as defined by California Health and Safety Code Section 50079.5, for the duration of the covenant.

**Note to Plan Checker:** Condition 23 applies only to Lots 3 and 5 for the development of 68 and 108 units, respectively.

24. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

a. Limit the proposed development to a maximum of 10 Joint Living and Work Quarter condominium units and 44 residential condominiums on ground Lot 1, 200 residential condominium units on ground Lot 2, 67 affordable rental units and one non-restricted manager's unit on ground Lot 3, 41 residential condominiums on ground Lot 4, and 107 affordable senior housing units and one non-restricted manager's unit and two commercial condominiums comprised of 29,400 square feet of retail on ground Lot 5.

b. Provide a minimum two parking spaces for each residential condominium on Lot 1.

Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling unit on Lots 2 and 4. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

**Affordable Rental Units.** Provide a minimum 1 parking space for each affordable housing rental unit with three habitable rooms or less and 1.5 parking spaces for each affordable housing rental unit with more than three habitable rooms.
Senior Citizen Rental Units. Provide a minimum one-half (0.5) parking space for each dwelling unit designated for senior citizens.

Non-restricted Manager’s Units. Provide one (1) parking space for each unit with less than three habitable rooms. Provide one and one-half (1.5) parking spaces for each unit with three habitable rooms. Provide two (2) parking spaces for each unit with more than three habitable rooms.

Commercial Retail. Provide a minimum two parking space for every 1,000 square feet of ground floor area.

c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

25. Prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2008-1319-ZV-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2008-1319-ZV-SPR is not approved, the subdivider shall submit a tract modification.

26. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

27. That the subdivider shall make suitable arrangements for clearance with the Department of City Planning for the Los Angeles River Revitalization Master Plan.

28. Indemnification Clause: The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

29. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 17a, 21, 22, 30 and 31 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

30. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

MM-1 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 decision maker.

MM-2 A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces. The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. Automatic irrigation plan shall be approved by the City Planning Department. Palm trees shall not be considered in meeting this requirement.

MM-3 Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to LAMC Section 91.8104.

MM-4 On-site signs shall be limited to the maximum allowable under the LAMC. Multiple temporary signs in the store windows and along the building walls are not permitted.

MM-5 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 for residential uses and commercial uses or better in order to reduce the effects of diminished air quality on the occupants of the project.

To avoid potential significant impacts to nesting birds, including migratory birds and raptors, one of the following shall be implemented by the project applicant:

- Conduct vegetation removal associated with construction from September 1st through January 31st, when birds are not nesting. Initiate grading activities prior to the breeding season (which is generally February 1st through August 31st) and keep disturbance activities constant throughout the breeding season to prevent birds from establishing nests in surrounding habitat (in order to avoid possible nest abandonment); if there is a lapse in activities of more than five days, pre-construction surveys shall be necessary as described in the bullet below.

- Conduct pre-construction surveys for nesting birds if vegetation removal or grading is initiated during the nesting season. A qualified wildlife biologist shall conduct weekly pre-construction bird surveys no more than 30 days prior to initiation of grading to provide confirmation on the presence or absence of active nests in the vicinity (at least 300 to 500 feet around the individual construction site, as access allows). The last survey should be conducted no more than three days prior to the initiation of clearance/construction work. If active nests are encountered, clearing and construction in the vicinity of the nest shall be deferred until the young birds have fledged and there is no evidence of a second attempt at nesting. A minimum exclusion buffer of 300 feet (500 feet for raptor nests) or as determined by a qualified biologist, shall be maintained during construction depending on the species and location. The perimeter of the nest-setback zone shall be fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. Construction personnel should be instructed on the sensitivity of the area. A survey report by the qualified biologist documenting and verifying compliance with the mitigation and with applicable state and federal regulations protecting birds shall be submitted to the City and County, depending on within which jurisdiction the construction activity is occurring. The qualified biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur.
MM-8 If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact. Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center. A covenant and agreement shall be recorded prior to obtaining a grading permit.

MM-9 If any paleontological materials are encountered during the course of the project development, the project shall be halted. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the County Museum to assess the resources and evaluate the impact. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum. A covenant and agreement shall be recorded prior to obtaining a grading permit.

MM-10 If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of Los Angeles Public Works Department and County coroner shall be immediately notified. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

MM-11 Projects involving the import/export of 1,000 cubic yards or more of soil shall obtain haul route approval by the Department of Building and Safety.

MM-12 The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

MM-13 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

MM-14 Prior to the issuance of building or grading permits, the applicant shall submit a geotechnical report prepared by a registered civil engineer or certified engineering geologist to the written satisfaction of the Department of Building and Safety.

MM-15 The design and construction of the Project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
The project shall comply with the LAMC 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.

Building design considerations shall 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.

During project construction, relocation of the existing tower shall be completed by individuals with OSHA training.

During project construction, all loose and peeling LBP shall be damp-broomed and tested for leachability prior to disposal.

The project applicant shall consider and implement feasible engineering controls to prevent access to the tower, such as fencing installed around the tower to limit pedestrian access, or controls to assist with preventative maintenance, including prevention of future loose and peeling paint.

Prior to occupancy of the project site, an Operations and Maintenance Plan shall be prepared for the tower.

During operation of the project, all management and maintenance personnel at the site shall be provided annual awareness training in compliance with Cal/OSHA regulations.

During operation of the project, all work required in the tower that would impact LBP and/or identified ACMs shall be completed by licensed abatement contractors and properly trained individuals.

Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
Prior to issuance of a grading permit, the project applicant shall prepare a hydrology and drainage analysis for the proposed project that assesses the ability of the existing local storm drain system to accommodate post-project flows based on a 10-year storm event. If detention is required to control discharge from the project site at or below existing discharge levels, a detention basin/facility shall be constructed in the southeastern portion of the project site where detention could be accommodated. The project applicant shall submit the hydrology and drainage study and the proposed drainage plans to the Bureau of Engineering for review and approval.

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.

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.

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, provides groundwater recharge, and reduces excess runoff into storm drains.

Promote natural vegetation by using parking lot islands and other landscaped areas.
MM-33 Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division. Legibility of stencils and signs must be maintained.

MM-34 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.

MM-35 Storage areas must be paved and sufficiently impervious to contain leaks and spills.

MM-36 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.

MM-37 The owner(s) of the property shall 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.

MM-38 The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers.

MM-39 Noise construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.

MM-40 Flexible sound control curtains shall be placed around drilling apparatuses and drill rigs used within the project site, if sensitive receptors are located at, or within, 50 feet.

MM-41 All construction truck traffic shall be restricted to truck routes approved by the City of Los Angeles Department of Building and Safety, which shall avoid residential areas and other sensitive receptors to the extent feasible.
The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public and approved by the City's Department of Building and Safety.

All residential exterior windows within the project shall be constructed with double-pane glass. All exterior wall construction shall provide a Sound Transmission Class of 50 of greater as defined in LAMC No. 35-1, 1979 edition or any amendment thereto. As an alternative, the project applicant may submit evidence, along with the application for a building permit, of an alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Concrete, not metal, shall be used for construction of parking ramps.

The interior ramps shall be textured to prevent tire squeal at turning areas.

The project applicant shall submit a plot plan to the LAFD for approval either prior to the recordation of a final map or prior to 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 shall 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.

Water mains shall be installed on the project site to ensure that all structures are within 300 feet of an approved fire hydrant and that those fire hydrants are adequately served.

Sprinklers shall be installed on all buildings with five or more dwelling units.

Project design guidelines shall discuss access control to proposed structures, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public spaces 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. The Design out
Crime Guidelines: Crime Prevention Through Environmental Design, published by LAPD, shall be used for reference. These measures shall be approved by the Police Department prior to the issuance of building permits.

**MM-50** If any significant events would occur at the project site that would require police presence, the coordinators shall notify the Northeast Community Police Station of the planned coming event months in advance.

**MM-51** The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

**MM-52** Prior to issuance of an occupancy permit, in order to meet the library service demands generated by the residents of the proposed project, the project developer shall either: (1) provide 790 square feet of library facilities and 3,160 volumes of permanent collection on the project site for use by residents of the proposed project; or (2) pay library fees to the LAPL equivalent to the provision of 790 square feet of library facilities and 3,160 volumes of permanent collection, which would be used for the construction of a new or physically altered library, which would serve the project site; or (3) a combination thereof, or 4) another mitigation measure proposed by the applicant to the satisfaction of the LAPL.

**MM-53** The project applicant shall fund the installation of LADOT's Automated Traffic Surveillance and Control (ATSAC) System and Adaptive Traffic Control System (ATCS) at the intersection of San Fernando Road/SR-2 Freeway SB Ramps. ATSAC provides computer control of traffic signals allowing automatic adjustment of signal timing plans to reflect changing traffic conditions, identification of unusual traffic conditions caused by accidents, the ability to centrally implement special purpose short-term traffic timing changes in response to incidents, and the ability to quickly identify signal equipment malfunctions. ATCS provides real-time control of traffic signals, and the funding provided by the project includes additional loop detectors, closed-circuit television, an upgrade in the communications links, and a new generation of traffic control software. LADOT estimates that the ATSAC system would reduce the critical v/c ratios by seven percent (0.07). The ATCS upgrade further reduces the critical v/c ratios by three percent (0.03). Therefore, a reduction of 10 percent (0.10) was assumed in the calculation of the v/c ratios for this intersection. Thus, implementation of this mitigation measure would improve operation of this intersection to 0.819 (LOS D) from 0.919 (LOS E) during the AM peak hour and 0.801 (LOS D) from 0.901 (LOS E), which are better v/c ratios than is forecasted for the year 2010 without the proposed project.
As discussed previously, the timeline for the LACC Northeast Campus project and corresponding improvements to the San Fernando Road/SR-2 Freeway SB Ramps intersection is indeterminate at this time. Implementation of these improvements as a result of the LACC project was not assumed in the traffic analysis for the proposed project. In the event that the LACC project is built and occupied, and the corresponding improvements at the San Fernando Road/SR-2 Freeway SB Ramps intersection have been implemented prior to the completion of the proposed project, it would be appropriate for LADOT to conduct a re-evaluation of the intersection to determine if the project-related mitigation measure (i.e., the installation of LADOT's ATSAC and ATCS) is deemed necessary.

MM-54 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable materials.

31. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.

b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.

c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.
| CM-2 | 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. |
| CM-3 | The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. |
| CM-4 | All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. |
| CM-5 | All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. |
| CM-6 | All clearing, grading, 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. |
| CM-7 | General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. |
| CM-8 | The project shall comply with the City of Los Angeles Noise Ordinances 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. |
| CM-9 | Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. |
| CM-10 | Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. |
| CM-11 | The project contractor shall use power construction equipment with state-of-the-are noise shielding and muffling devices. |
| CM-12 | The proposed project shall comply with the Noise Insulation Standards of Title 24 of the California Code of Regulations, which insure an acceptable interior noise environment. |
| CM-13 | Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity. |
CM-14  Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by LAMC Section 91.7013, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

CM-15  Stockpiles and excavated soil shall be covered with a secured tarps or plastic sheeting.

CM-16  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 shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.

CM-17  Leaks, drips and spills shall be cleaned up immediately to prevent surface contamination that can be washed away into the storm drains.

CM-18  Material spills at the project site shall not be hosed down. Dry cleanup methods shall be used whenever possible.

CM-19  Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-20  Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.

CM-21  All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop cloths shall be used to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.

C-2. Prior to recordation of the final map, the subdivider shall record an “Agreement for Development of Units for Lease or Sale (“15% Ordinance”)” covenant, to benefit the Housing Authority, for certification of the development in accordance with LAMC Section 12.39-A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213-482-0000) to approve the covenant format, prior to recording the covenant.

C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-4. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR
If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

DEPARTMENT OF CITY PLANNING-STANDARD JOINT LIVING AND WORK CONDITIONS

LW-1. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for joint living and work units will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a joint living and work building and intends to acquire a building permit for a joint living and work condominium building(s). Such letter is sufficient to clear this condition.

DEPARTMENT OF CITY PLANNING - STANDARD COMMERCIAL CONDOMINIUM CONDITIONS

CC-1. In order to expedite the development, the applicant may apply for a building permit for a commercial/industrial building. However, prior to issuance of a building permit for a commercial/industrial building, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR
If a building permit for a commercial/industrial building will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for a commercial/industrial building and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

**BUREAU OF ENGINEERING - STANDARD CONDITIONS**

S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with LAMC Section 64.11.2.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.

(i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

That no public street grade exceeds 15%.

That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

(a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

(b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
(1) Construct fourteen (14) new lights on San Fernando Road.

(2) Construct four (4) new lights on Chaucer Street.

(3) Construct three (3) new lights on Arvia Street.

Notes:

Each street lighting improvement plan shall follow the boundaries set forth by each street improvement plan and shall be approved together. See Note to Plan Checker below.

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
(1) Improve the private street being provided by the construction of the following:

a. A concrete curb, a concrete gutter, and a 4-foot concrete sidewalk adjacent to the property line.

b. Suitable curb extensions.

c. Suitable surfacing to provide a minimum 28-foot roadway, or a reduced width acceptable to the Fire Department.

d. Any necessary removal and reconstruction of existing improvements.

e. The necessary transitions to join the existing improvements.

f. Suitable improvements of the turning area.

(2) Improve San Fernando Road being dedicated and adjoining the subdivision by the construction of the following:

a. A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells.

b. Suitable curb extensions.

c. Suitable surfacing to join the existing pavement and to complete a 40-foot half roadway, or alternative roadway section consistent with the San Fernando Road Corridor Multimodal Transportation Infrastructure Program approved by the Department of Transportation.

d. Any necessary removal and reconstruction of existing improvements.

e. The necessary transitions to join the existing improvement.

(3) Improve Arvia Street being provided by the construction of the following:

a. A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk adjacent to the curb and landscaping of the parkway.

b. Suitable surfacing to provide a 36-foot roadway.
c. Any necessary removal and reconstruction of existing improvements.

d. The necessary transitions to join the existing improvement.

e. Suitable improvements of the turning area.

(4) Construct the necessary off-site and on-site mainline sewers satisfactory to the City Engineer.

**Note to Plan Checker:** Condition S-3(i)(1) does not apply to Unit Maps for Lot 5 of the subdivision. Condition S-3(i)(2) does not apply to Unit Maps for Lots 2, 4, 6, 7 and 8. Condition S-3(i)(3) does not apply to Unit Maps for Lots 1, 2, 6 and 7.

**NOTES:**

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power, Power System, to pay for removal, relocation, replacement or adjustment of power facilities due to this development. The subdivider must make arrangements for the underground installation of all new utility lines in conformance with LAMC Section 17.05-N.

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low- and moderate-income housing, per LAMC Section 12.39-A.

The subdivider should consult the Department of Water and Power to obtain energy saving design features, which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.
FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2008-1267-MND on June 16, 2008. The Planning Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Cultural Resources (archaeological, paleontological, human remains);
- Geology and Soils (construction, seismic);
- Hazards and Hazardous Materials (hazardous substances, asbestos, lead paint);
- Hydrology and Water Quality;
- Noise (construction, operational);
- Public Services (fire, police, schools, street improvements);
- Recreation (parks);
- Transportation and Traffic;
- Utilities and Service Systems (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2008-1267-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 17a, 21, 22, 30 and 31 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life and, risk of upset are concerned. Furthermore, the project site, as well as the surrounding area are presently developed with residential structures and do not provide a natural habitat for either fish or wildlife.

At the public hearing, the Deputy Advisory Agency determined the mitigation measure that required the exterior of the proposed buildings be constructed of materials such as high performance tinted non-reflective glass and pre-cast concrete or fabricated wall surfaces be removed. The mitigation measure is only applicable to high-rise construction and not the proposed wood construction (Type V) as proposed by the Applicant. The Deputy Advisory Agency has determined the removal of this mitigation measure will not lead to the project creating an adverse impact.
In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 29.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency’s decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 70452-CN the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Northeast Los Angeles Community Plan designates the subject property for Limited Industrial land use with the corresponding zones of CM, MR, M1, and P. The property contains approximately 16.3 net acres (708,005 net square feet after required dedication) and is presently zoned CM-1. As part of the project, the applicant has requested ZA-2008-1319-ZV-SPR, which includes a request for a zone variance to provide 5,685 square feet of open space in lieu of the 9,650 square feet required on Lot 3, and a site plan review. Appropriate findings will need to be made to grant the approval of the requested zone variance and site plan review. If the requested entitlements are not approved, a modification will be required for the subject tract (See Condition Nos. 25). The project is requesting no other deviations from the LAMC.

The site is not subject to the Specific Plan for the Management of Flood Hazards, floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas.

The site is not subject to any other Specific Plans. The project would meet the objectives of the General Plan. More specifically, the project would meet the Housing Element objectives which would include the following: encouraging production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs; encouraging the location of housing, jobs, and services in mutual proximity; and accommodation of a diversity of uses that support the needs of the City's existing and future residents. Furthermore, the project would provide much-needed affordable units by creating 107 rental units for senior citizens, 67 affordable units for low and very low income households, and two non-restricted manager's units.
The project would meet the objectives of the Land Use and Transportation elements, which state the following: support development along mixed-use boulevards; provide for the stability and enhancement of multi-family residential neighborhoods; preserve and enhance access to scenic resources and regional open space and creation of a pedestrian-friendly environment.

The project site is located within the Los Angeles River Revitalization Master Plan. The project will be required to be in conformance with the goals, policies, and objectives of the plan (see Condition No. 27).

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The proposed project will include a public street, a private street and private driveways. San Fernando Road is a Major Highway Class II dedicated to variable widths of 60 to 80-foot widths. The Bureau of Engineering (BOE) is requiring a 24-foot wide strip of land be dedicated along San Fernando Road adjoining Lot 5 of the subdivision in accordance with the proposed San Fernando Road Corridor Multimodal Transportation Infrastructure Program and a 34-foot wide strip of land be dedicated along San Fernando Road northerly of Arvia Street adjoining Lots 1 and 3 of the subdivision. BOE is requesting a 54-foot wide right-of-way be provided for the proposed Arvia Street including suitable turning area at the terminus and 20-foot radius property line returns at the intersection with San Fernando Road. BOE is requesting a 44-foot wide private street easement be provided including a suitable turning area at the terminus and 20-foot radius easement line returns at the intersection with San Fernando Road. Improvements will also be required. Improvement requests have also be made by BOE for the proposed private street and Arvia Street, and San Fernando Road. The Bureau of Engineering has reviewed the tract map and has issued their conditions of approval to ensure the proposed streets and improvements are satisfactory to the City engineer.

The proposed project will have the capacity to provide a total of 921 parking spaces. Of this total, 866 parking spaces will be set aside for the residential and commercial uses and would be in conformance with parking requirements of the LAMC. For Lot 1, the subdivider has requested a deviation from the Advisory Agency's Parking Policy for projects located within a non-congested area. Lot 1 proposes no guest parking in lieu of the 13 guest parking spaces required for the 10 Joint Living and Work Quarter condominium units and 44 residential condominium units. To offset this deviation, and to ensure the project provides adequate parking, the project will provide an additional 55 parking spaces located along private driveways within the project site. As conditioned, the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.
(c) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE OF DEVELOPMENT.

The site is currently utilized as a storage facility for the Metropolitan Transportation Authority. A few temporary structures are present. It is one of the few underimproved properties in the vicinity. The development of this tract is an infill of an otherwise neighborhood filled with a mix of commercial, industrial, and open space uses.

The project site is relatively flat with a slight slope at different portions of the site. However, the site is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, issued a previous approval dated December 6, 2005. On April 15, 2008, the Department of Building and Safety, Grading Division issued the same conditions of approval from the previous report since the project scope did not change. The approval of the tract map will be in accordance with the Grading Regulations, LAMC Section 91.3000.

(d) THE SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED DENSITY OF DEVELOPMENT.

Adjacent uses include a regional park known as Rio de Los Angeles Park, to the north; restaurants, auto repair and service shops, a church, as well as manufacturing and warehouse uses to the east across San Fernando Road; active rail tracks the Metrolink Central Maintenance Facility, and a narrow strip of undeveloped Metrolink property to the south; and the Metrolink right-of-way and the portion of the Los Angeles River known as Glendale Narrows adjacent to a right-of-way to the west. The proposed project would be compatible with the existing neighborhood and provide an appropriate development within a neighborhood that includes a mix of commercial and residential uses. The site is currently used as a storage area for the Metropolitan Transportation Authority (MTA) with construction materials, temporary office trailers, and an art piece. The proposed project would remove the existing structures to construct a mixed use project that includes residential condominiums, Joint Living and Work Quarters, retail, and open space.

The project has requested a zone variance from the open space requirement for Lot 3 and a site plan review for a development with over 50 dwelling units. With appropriate findings made and the approval of concurrent case, ZA-2008-1319-ZV-SPR, the project will comply with all LAMC requirements for parking, yards, and open space. As conditioned, the proposed tract map is physically suitable for the proposed density of the development.
(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site is presently vacant and does not provide a natural habitat for either fish or wildlife. The surrounding area is presently developed with commercial and industrial structures, and is near the Los Angeles River and Rio de Los Angeles Park. The neighboring commercial and industrial sites do not provide a natural habitat for either fish or wildlife. The project has considered its impact on wildlife within the Los Angeles River and the park, and has incorporated a mitigation measure to avoid potential impacts to nesting birds, including migratory birds and raptors (See MM-7).

(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

(g) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract.

The design of the map will include variable width easements which will be dedicated to the City of Los Angeles around public access ramps, driveways and walks where necessary to meet the American Disability Act compliance in the public right-of-way, as shown on the tentative tract map satisfactory to the City Engineer. A 44-foot easement will be provided for Chaucer Street, a private street, providing use and access rights to Lots 1, 2, 3, 4, 6, 7 and 8.
(h) The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision. (Ref. section 66473.1).

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans, planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 70452-CN.

S. Gail Goldberg, AICP
Advisory Agency

MAYA ZAITZEVSKY
Deputy Advisory Agency

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department’s Public Offices, located at:

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077
(818) 374-5050

Marvin Braude San Fernando Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
Forms are also available on-line at www.lacity.org/pln.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

If you have any questions, please call Subdivision staff at (213) 978-1362.