



CITY PLANNING COMMISSION

200 N. Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300
<http://cityplanning.lacity.org/>

Determination Mailing Date: **APR 23 2014**

CASE: VTT-71898-CN-1A
CEQA: ENV-2012-1111-MND
Related case: DIR-2012-1112-DB-1A

Location: 11965-11979 W. Montana Avenue
Council District: 11 – Bonin
Plan Area: Brentwood- Pacific Palisades
Zone: R3-1

Applicant: Montana Bundy, LLC
Appellant: Regent Properties, LLC
Rep.: Daniel Gryczman, Mark Lifrieri

At its meeting of March 13, 2014, the City Planning Commission took the following action:

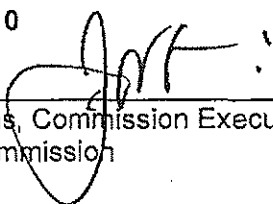
1. **Denied** the appeal.
2. **Sustained** the action of the Advisory Agency's approval of Vesting Tentative Tract No. 71898-CN for a maximum 49-unit new condominium development, dated November 26, 2013 (attached).
3. **Adopted** the attached **Conditions of Approval**.
4. **Adopted** the attached **Findings**.
5. **Adopted** Mitigated Negative Declaration No. **ENV-2012-1111-MND**, as the environmental clearance for the project pursuant to the California Environmental Quality Act and Section 21082.1(C)(3) of the California Public Resources Code.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Perlman
Seconded: Dake-Wilson
Ayes: Ahn, Ambroz, Cabildo, Choe, Katz
Absent: Mack, Segura

Vote: 7-0



James K. Williams, Commission Executive Assistant II
City Planning Commission

Effective Date/Appeals: The City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 10-days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: MAY 05 2014

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.

Attachments: Findings
City Planner: Gregory Shoop

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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EXHIBIT "C"

'S



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INFORMATION
www.planning.lacity.org

Decision Date: November 26, 2013

Appeal Period Ends: December 6, 2013

Montana Bundy LLC (A)(O)
Attn: Simon Kerendian
1836 Parnell Avenue, #100
Los Angeles, CA 90025

Tala Associates (R)
1916 Colby Avenue
Los Angeles, CA 90025

RE: Case No.: VTT-71898-CN
Related Case: DIR-2012-1112-DB
11965 W. Montana Avenue
Brentwood-Pacific Palisades
Planning Area
Zone : R3-1
D.M : 129B141
C.D. : 11
CEQA : ENV-2012-1111-MND
Legal Description: Tract SAN VICENTE
PARK, Lot 21, Arb 15

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Mitigated Negative Declaration ENV-2012-1111-MND as the environmental clearance and approved Vesting Tentative Tract No. 71898 on a project site located at 11965-11979¼ Montana Avenue for a maximum 49-unit new condominium development, as shown on map stamp-dated April 27, 2012 in the Brentwood-Pacific Palisades Community Plan. This unit density is based on the R3-1 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.) 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.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 3-foot wide strip of land be dedicated along Montana Avenue adjoining the subdivision to complete a 43-foot wide half right-of-way dedication in accordance with Secondary Highway Standards.
2. That 2.5-foot wide strips of land be dedicated along the both alleys adjoining the tract including 10-foot by 10-foot alley cut corner at the intersection of the both alleys.
3. That Board of Public Works approval is obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

Notes: Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. That 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 June 28, 2012, Log No. 77408 and attached to the case file for Tract No. 71898.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

5. That 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. Clarify on the submitted Map if the existing structures are to be removed or to remain. Map shows both statements.
 - b. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on each site or obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - c. The submitted plot plan is not clear. Provide a plot plan drawn to scale that accurately show the property lines, lot areas (after dedications), area of ½ of the alleys to count as lot area, and differentiate between the existing to be removed and the proposed new building on the site.

- d. Provide a copy of DIR-2012-1112-DB. Show compliance with all the conditions/requirements of the case as applicable.
- e. 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. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- f. The submitted Map does not comply with the maximum density requirement of the R3-1. Obtain City Planning approval for Density Bonus along with increased FAR and height and reduced parking based on Density Bonus Incentive prior to obtaining Zoning clearance. Verify the total proposed FAR, height and reduced parking to match the approved Incentives.

Notes:

This property is located in a Liquefaction Zone.

The submitted Map may not comply with the number of parking spaces required by Section 12.21-A,4(a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete.

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 Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

6. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

7. That 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.
 - 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.
 - c. Any required fire hydrants to be installed shall be fully operational and accepted by the fire Department prior to and building construction.
 - d. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - e. Private streets shall be recorded as Private Street, And Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
 - f. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - g. 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.
 - 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. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
 - j. Building design for multi-storied residential building incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 ft. horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
 - 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 50th visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

- m. Sit plans shall include all overhead utility adjacent to the site.
- n. Any roof elevation changes in excess of 3 feet may require the installation of the ships ladders.

Notes: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you received service with minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this.

DEPARTMENT OF WATER AND POWER

- 8. 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 CONDITONS

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

If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans 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.

Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans 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.

IMPROVEMENT: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; two (2) on Montana Avenue.

BUREAU OF SANITATION

- 10. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of

Sanitation, Wastewater Collection Systems Division 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. (d).)

INFORMATION TECHNOLOGY AGENCY

11. 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 Los Angeles Municipal Code Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 473-9973.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the R3 Zone.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

13. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.

A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 177,404, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. **Note:** All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-485-5675.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

14. 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 49 dwelling units.
 - b. Provide 105 onsite parking spaces for the entire project in conformance with Density Bonus provisions in the LAMC Section 12.22-A,25(d)(2) and as proposed by the applicant. The approved number of parking spaces includes 11 guest parking spaces.

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 (201 N. Figueroa Street, 4th Floor).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. That the subdividers consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- h. Upon the effective date of this conditional approval, 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.
15. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Density Bonus approval, DIR- 2012-1112-DB, shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2012-1112-DB is not approved, the subdivider shall submit a tract modification.
16. That the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
17. Prior to the recordation of the final map, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make 4 units of the condominium development available for rental or sale solely very low- income households, at a rental or sales price determined to be affordable to very low-

income households) by the Los Angeles Housing Department, for a period of (30) years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

Tenant Relocation Conditions

18. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
19. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

20. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Condition **No(s). 21 and 22** of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, and post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
21. Prior to the recordation of the final map, the subdivider will 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 Aesthetics (Landscape Plan).

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 and an automatic irrigation plan, prepared by a licensed Landscape Architect and to the satisfaction of the decision maker.

MM-2 Air Pollution (Demolition, Grading, and Construction Activities).

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.
- The applicant shall pay a trip fee, as required by the Department of Transportation (DOT), to a DOT fund for financing regional and local transportation improvements.

MM-3 Habitat Modification (Nesting Native Birds, Non Hillside or Urban Areas)

Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:

Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent

to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.

If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat for the observed protected bird species until August 31.

Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.

The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

MM-4 Wildlife Corridor

- The project shall comply with applicable provisions of escape routes or wildlife corridors to allow resident wildlife access to uninhabited areas where they dwell, and monitoring of animal use of these escape routes or corridors.
- The applicant shall consult with the Departments of Animal Regulation and Fish and Game, Wildlife Specialist or Supervisor, regarding animal relocation, design standards and management guidelines for escape routes or wildlife corridors.
- The plot plan be prepared to include Mapping of these escape routes or wildlife corridors with regards to their location, topography, and vegetation, satisfactory to the Departments of Fish and Game and Animal Regulation.
- Post-construction landscape treatment shall be implemented to insure preservation of habitat for wildlife. Where habitat has been preserved, use of native plant materials shall be required.

MM-5 Seismic

- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

MM-6 Erosion/Grading/Short-Term Construction Impacts

- (1) The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- (2) Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. 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.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

MM-7 Geotechnical Report

- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

MM-8 Liquefaction Area

- Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. 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.

- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified.

MM-9 Green House Gas Emissions

- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

Compliance with the most recent version of Title 24 will reduce the future generation of greenhouse gases by at least 18% which meets the States greenhouse gas reduction goals. Compliance with Title 24 is mandatory.

MM-10 Explosion/Release (Existing Toxic/Hazardous Construction Materials)

- **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- **(Lead Paint)** Prior to issuance of any permit for the 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.

MM-11 Construction Staging and Parking Plan

Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Department of Transportation for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage along Montana Avenue, Bundy Drive, or any alley or streets in the vicinity of the construction site.

The Construction Staging and Parking Plan shall include, but not be limited to the following:

- No construction equipment or material shall be permitted to be stored within the public right-of-way.
- During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time so as to prevent access to the alleys adjoining the project site. The drivers shall be required to follow the designated travel plan or approved Haul Route.
- Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours.
- During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.
- All deliveries during construction shall be coordinated so that delivery vehicles do not obstruct access to the alleys so as to prevent blockage along Montana Avenue, Bundy Drive, or any alley or streets in the vicinity of the construction site. Deliveries shall be made during off-pick hours. A construction supervisor shall be present at such time.
- A radio operator shall be on-site to coordinate the movement of material and personnel in order to keep Montana Avenue and alleys adjoining the project site open for access to neighbor residences and places of work.

MM-12 Creation of a Health Hazard

- Prior to the issuance of a use of land or building permit, or issuance of a change of occupancy, the applicant shall obtain approval from the Fire Department and the Department of Public Works, for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s).
- Approved plans for the transport, creation, use, containment, treatment, and disposal of the hazardous material(s) shall be submitted to the decision-maker for retention in the case file.

MM-13 Stormwater Pollution (Demolition, Grading, and Construction Activities)

- Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- 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 clothes shall be used to catch drips and spills.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

MM-14 Increased Noise Levels (Demolition, Grading, and Construction Activities)

- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- To mitigate potential impacts on adjoining sensitive uses, the applicant will add a noise curtain/ wall buffer between the project site and the neighboring school and church.

MM-15 Increased Noise Levels (Operational Noise from Machine and/or Other Electronic Devices)

Environmental impacts to adjacent properties may result from project implementation due to the installation and testing of mechanical equipment. However, the potential impact will be mitigated to a less than significant level by the following measure:

- The proposed facility shall be designed with noise-attenuating features (physical as well as operational) by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.

MM-16 Increased Noise Levels

The use of absorptive noise reduction barriers will result in the reduction of noise by 15 dba's.

MM-17 Relocation

Relocation Plan. Prior to sign-off of any project-related permit, the applicant shall submit and obtain approval of the plan from the decision-maker.

MM-18 Tenant Displacement

Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval

MM-19 Public Services (Fire)

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

MM-20 Public Services (Construction Activity Near Schools)

- The developer and contractors shall maintain ongoing contact with administrator of Brentwood Science School and Church School. The

administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

MM-21 Public Services (Schools affected by Haul Route)

- LADBS shall assign specific haul route hours of operation based upon Brentwood Science and Church School(s) hours of operation.
- Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

MM-22 Public Services (Schools)

- 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-23 Recreation (Increased Demand For Parks Or Recreational Facilities)

Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.

MM-24 Transportation/Traffic

The applicant shall provide a tentative schedule for delivery materials and haul materials to the Department of Transportation and follow directions on various traffic mitigation measures including but not limited to direction signs, flag men, and all deliveries shall take place during off-pick hours.

MM-25 Cumulative Impacts

There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

MM-26 Advisory Agency has a requirement of a minimum of 2½ parking spaces per dwelling/condominium unit in a designated parking congested area. The condition will be adhered to unless a Density Bonus is approved.

MM-27 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

22. Construction Mitigation Conditions – PUBLIC NOTIFICATION - 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:

CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN SEVEN (7) DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

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

CM-2 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.

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 Code shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2 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 Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

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-4 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.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1 (a) That the sewerage facilities charge is deposited prior to recordation of the final map over the entire tract in conformance with Section 64.11.2 of the Municipal Code.
- (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 complies 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.
- (j) 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.
- (k) That no public street grade exceeds 15%.
- (l) 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 Traffic 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.
 - a. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade three lights; two on Montana Avenue Street.
 - b. Any necessary removal and reconstruction of existing improvements.

Notes:

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 Urban Forestry Division ((213) 847-3077) 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:
 - a. Improve Montana Avenue being dedicated and adjoining the subdivision by the construction of the followings:
 - (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway, or an 8-foot wide full-width concrete sidewalk with tree wells.
 - (2) Suitable surfacing to join the existing pavements and to complete a 35-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing Improvement.
 - (5) In the event the Board of Public Works denies the removal of the existing trees on the public-right-of-way, which will result in not street widening at this time, then the subdivider shall post a non-refundable cash payment in lieu of the street widening along Montana Avenue
 - a. Improve the alley adjoining the southwesterly boundary of subdivision by the construction of a suitable surfacing to complete a new 10-foot

wide half alley including the reconstruction of the alley intersection with Montana Avenue, together with any necessary removal and reconstruction of existing improvements.

- b. Improve the alley adjoining the northwesterly boundary of subdivision by the construction of a suitable surfacing to complete a 10-foot wide half alley adjoining the existing 2-foot wide longitudinal gutter and suitable surfacing to complete a 17.5-foot wide alley where there is no existing longitudinal gutter by construction of a 2-foot wide gutter with the new 17.5-foot wide alley together With any necessary removal and reconstruction of existing improvements.

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. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

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 Section 17.05-N of the Los Angeles Municipal Code.

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.

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 Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2012-1111-MND on January 10, 2013. The Committee found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (Landscape);
- Air Pollution (Demolition, Grading, and Construction Activities);
- Habitat Modification (nesting Native Birds, Non-Hillside or Urban Areas);
- Wildlife Corridor;

Seismic;
Erosion/ Grading/ Short-Term Construction Impacts;
Geotechnical Report;
Liquefaction Area;
Green House Emissions;
Explosion/ Release (Existing Toxic/ Hazardous Construction Materials);
Creation of Health Hazard;
Stormwater Pollution (Demolition, Grading, and Construction Activities);
Increased Noise Levels (Demolition, Grading, and Construction Activities);
Increased Noise Levels (Operational Noise Machine/ or Other Electronic Devices);
Increased Noise Levels;
Relocation;
Tenant Displacement;
Public Services (Fire);
Public Services (Police);
Public Services (Construction Activity Near Schools);
Public Services (School affected by Haul Route);
Public Services (Schools);
Recreation (Increased Demand For Parks Or Recreational Facilities);
Transportation (Haul Route);
Transportation/Traffic; and
Cumulative Impacts.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2012-1111-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 No(s). 21 and 22 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Noise Ordinance, 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 Deputy Advisory Agency also found that no traffic/ transportation study is required because the project as proposed does not exceed the number of dwelling units (48 condominium units) and trip generation thresholds (25 peak hour trips). The subject project includes the demolition of 32 existing apartment units and the construction of 49 condominium units. The net increase in the number of dwelling units is 17, which is below the 48-unit threshold. The net increase in the number of peak hour trips for the subject project is 8.84 peak hour trips (based on DOT factor of 0.52/unit) which is below the 25 peak hour trip threshold.

Note: A traffic study is not needed for any continued use of existing land use which has been vacant for more than 2 years.

The potential access impact to the proposed project and adjoining existing facilities has been reduced to a level of insignificant by dedication and improvement requirements along existing alleys adjoining the subject site as required by the Bureau of Engineering, and also as conditioned by the Deputy Advisory Agency.

The height of the building (envelope), as proposed, would not exceed 56 feet at any point of the entire construction. A shed and shadow study was provided by the applicant and the findings are that there would be no significant impact of the proposed project on any adjoining shadow sensitive uses.

The California Department of Fish and Wildlife recommended evaluation/ mitigation of potential impacts on native and non-native vegetation and migratory species. The proposed project is located in an urban area and surrounded by multi-family and commercial-office building. Nevertheless, as conditioned, the project reduces any potential impacts on habitat modification and wild life to a less than significant.

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. 20.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 71898, 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 Brentwood – Pacific Palisades Community Plan designates the subject property for Medium Residential and Community Commercial land uses and R3-1. The property contains approximately 29,453 square feet. In addition to the tract map approval, the applicant is also requesting a Density Bonus pursuant to LAMC Section 12.22-A which determination will be issued in a separate document. The project is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan. Approval of the tract map is conditioned on compliance with the Specific Plan.

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

The adopted Brentwood – Pacific Palisades Community Plan designates the subject property for Medium Residential and Community Commercial land uses and the subject site is zoned R3-1. The property contains approximately 06 net acres (29,453 net square feet) after required dedication. The subdivider has requested 49 residential condominiums, whereas the current zones only allows for 36 units. The excess number of dwelling are requested pursuant to LAMC Section 12.22-A.

The Bureau of Engineering has reviewed the proposed subdivision and found that the project requires public street and alley dedications. As a condition of approval, the subdivider is required to make dedications and improvements on Montana Avenue and adjoining alleys in order to meet current street and alley standards.

The Department of Building and Safety reviewed the proposed subdivision and found that the subdivision map may not comply with the maximum density, FAR, parking and height requirements of the R3-1 Zone. However, the project will be in compliance once the subdivider obtains Planning Department approval for a Density Bonus for the 13 additional units along with an increased in FAR, height and reduced parking, pursuant to Section 12.22-A,25 of the Los Angeles Municipal Code.

The site is within the West Los Angeles Transportation Improvement and Mitigation Specific Plan and will be subject to traffic impact mitigation measures proscribed by the Department of Transportation.

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).

As conditioned, the design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

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

The subject property is located on the west of Montana Avenue, south of Bundy Drive. Montana Avenue is oriented in an east-west direction; Bundy Drive is in a north-south direction. The site is irregular rectangular in shape with approximate frontage of 151 feet along Montana Avenue and a variable depth ranging from approximately 157 feet to approximately 210 feet. As such, the subject site is found to be physically suitable for the type of development being proposed.

The proposed project is located in a gentle sloping site, and it is not located in a slope stability study area, high erosion hazard area, or fault-rupture study zone. The site is located in a liquefaction area. Building and Safety, Grading Division, in their approval letter, states that the soil underneath the project site has the required factor of safety against potential liquefaction. The site is located in an area developed with multiple family dwellings and commercial/ office structures. The site is therefore physically suitable for the proposed type of development.

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

The site is located within an urban developed area. The development of this site is an infill of an otherwise multiple-family residential and commercial/ office neighborhood.

The proposed project is located in a gentle sloping site, and it is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map, and found the site physically suitable for the proposed density.

- (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, as well as the surrounding area, is presently developed with structures and do not appear to provide a natural habitat for either fish or wildlife. However, the California Department of Fish and Wildlife recommended evaluation/mitigation of potential impacts on native and non-native vegetation and migratory species. As conditioned, the project reduces any potential impacts on habitat modification and wild life to a less than significant.

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

There appears 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.

- (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.

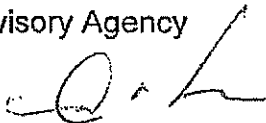
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. 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.

The unique features of this site, as well as the location of existing improvements thereon, make the request as proposed, logical, as it would allow for the functional integration of the project with existing improvements in the area.

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No 71898.

Michael J. LoGrande
Advisory Agency



JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

MJL:JC:DW:th

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 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

n:tract_letters (04-30-13)

DETERMINATION LETTER
DIR-2012-1112-DB-1A &
VTT-71898-CN-1A
MAILING DATE: 04/23/14

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