

MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING PROGRAM, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a Zone Change request for 18529 West Calvert Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 15-0858 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2014-3869-MND] filed on April 17, 2015.
2. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring Program as the Findings of Council and ADOPT the Mitigation Monitoring Program.
3. ADOPT the FINDINGS of the South Valley Area Planning Commission (SVAPC) as the Findings of the Council.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the SVAPC, effecting a Zone Change from RA-1-K-RIO to (T)(Q)R3-1-K-RIO for the proposed construction of a 24-unit apartment building, comprised of three levels of residential uses over one level of subterranean parking, located at 18529 West Calvert Street, subject to Conditions of Approval.
5. ADVISE the applicant of Q Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Armin Gahari, GA Engineering  
Representative: Eric Lieberman, QES, Inc.

Case No.: APCSV-2014-3868-ZC

Fiscal Impact Statement: The SVAPC reports that there is no General Fund impact as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

**TIME LIMIT FILE - OCTOBER 6, 2015**

**(LAST DAY FOR COUNCIL ACTION - OCTOBER 6, 2015)**

Summary:

At the public hearing held on August 25, 2015, (continued from a meeting held on August 18, 2015), the Planning and Land Use Management Committee considered a Zone Change request at 18529 West Calvert Street. After an opportunity for public comment, the Committee recommended that Council approve the report and recommendations of the SVAPC relative to Mitigated Negative Declaration and Ordinance effecting a Zone Change from RA-1-K-RIO to (T)(Q)R3-1-K-RIO for the proposed construction of a 24-unit apartment building, comprised of three levels of residential uses, over one level of subterranean parking, for property located at 18529 West Calvert Street, subject to Conditions of Approval. This matter is now forwarded to the Council for its consideration.

As indicated in Recommendation No. 5 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

"...whenever property remains in a Q Qualified classification for six years ... after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully Submitted,



PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>Members</u>	<u>Votes</u>
HUIZAR	YES
HARRIS-DAWSON	YES
CEDILLO	YES
ENGLANDER	YES
FUENTES	YES

SD/ea  
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**-NOT OFFICIAL UNTIL COUNCIL ACTS-**

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:

Sec. \_\_\_\_ The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

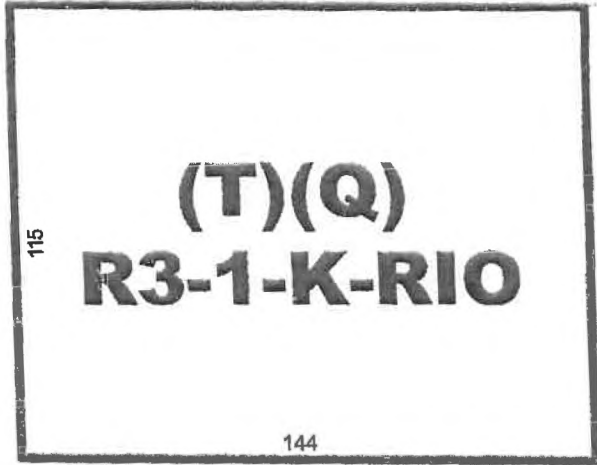
\_\_\_\_\_  
Mayor

Pursuant to Section 558 of the City Charter,  
The South Valley Area Planning Commission on  
June 11, 2015, recommended this ordinance be  
adopted by the City Council.

  
\_\_\_\_\_  
Randa M. Hanna, Commission Executive Assistant  
South Valley Area Planning Commission

File No. \_\_\_\_\_

20' ALLEY



RESEDA BLVD

100

31.41

180.01

CALVERT ST

60



50 25 0 50 Feet

C.M. 177 B 125	APCSV 2014-3868 ZC
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LH/

061715



AREA MAP



## Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

### A. Development Conditions:

1. **Use.** The use of the subject property shall be limited to those uses permitted in the R3 Zone as defined in Sections 12.10 of the L.A.M.C.
  2. **Plans.** The use and development of the property shall be in substantial conformance with the Site Plan, Floor Plans, Building Elevations, and Landscape Plan (Exhibit No. E-5, dated June 11, 2015) of the subject case file. Deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
  3. **Parking.** Parking shall be provided in accordance with the Municipal Code. In addition, a minimum of eight parking spaces shall be provided in excess of Code requirements.
  4. **Balconies.** Balconies shall be prohibited along the western-facing building façade.
  5. **Open Space Amenities.** Project plans shall be revised to include amenities within the outdoor open space areas such as barbeque areas, benches, seating, tables, and additional planters.
  6. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.
2. **Los Angeles River Improvement Overlay.**
- a. **Landscaping.** Landscaping shall conform to the following regulations: 75 percent of any Project's newly landscaped area shall be planted with any combination of the following: native trees, plants and shrubs, or species defined as WatershedWise (Plants included in the WatershedWise Plant List published by the Council for Watershed Health and available at <http://www.watershedhealth.org>), or species listed in the Los Angeles County River Master Plan Landscaping Guidelines and Plant Palettes. In a landscaped area, horticulture such as herbs, fruit or vegetables can be used to replace up to 100 percent of the plantings that satisfy the, WatershedWise, Native or Los Angeles County River Master Plan Landscape Guidelines planting requirements.
  - b. **Screening/Fencing.** Electrical transformers, mechanical equipment, water meters and other equipment shall be screened from public view. The screening may be opaque or perforated, provided that not more than 50 percent of the face is open. The screen shall be at least 6 inches taller than the equipment and not more than 2 feet taller than the equipment.
  - c. **Exterior Site Lighting.** All site and building mounted lighting shall be designed such that it produces a maximum initial luminance value no greater than 0.20 horizontal and vertical foot candles at the site boundary, and no greater than 0.01 horizontal foot candles 15

feet beyond the site. No more than 5.0 percent of the total initial designed lumens shall be emitted at an angle of 90 degrees or higher from nadir (straight down). All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, incandescent greater than 60 watts, mercury vapor, and halogen fixtures shall be fully shielded in such a manner as to not exceed these limitations.

**B. Environmental Conditions.**

**1. Air Pollution (Demolition, Grading, and Construction Activities)**

- a. 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.
- b. 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.
- c. 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.
- d. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- e. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- g. Trucks having no current hauling activity shall not idle but be turned off.

**2. Tree Removal (Non-Protected Trees).** Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

**3. Tree Removal (Locally Protected Species).** All protected tree removals require approval from the Board of Public Works. A minimum of two trees (a minimum of 48-inch box in size if available) shall be planted for each protected tree that is removed. The canopy of the replacement trees, at the time they are planted, shall be in proportion to the canopies of the protected tree(s) removed and shall be to the satisfaction of the Urban Forestry Division. The location of trees planted for the purposes of replacing a removed protected tree shall be clearly indicated on the required landscape plan, which shall also indicate the replacement tree species and further contain the phrase "Replacement Tree" in its description.

**Bonding (Tree Survival):**

- a. The applicant shall post a cash bond or other assurances acceptable to the Bureau of Engineering in consultation with the Urban Forestry Division and the decision maker guaranteeing the survival of trees required to be maintained, replaced or relocated in such a fashion as to assure the existence of continuously living trees for a minimum of three years from the date that the bond is posted or from the date such trees are replaced or relocated, whichever is longer. Any change of ownership shall require that

the new owner post a new oak tree bond to the satisfaction of the Bureau of Engineering. Subsequently, the original owner's oak tree bond may be exonerated.

- b. The City Engineer shall use the provisions of Section 17.08 as its procedural guide in satisfaction of said bond requirements and processing. Prior to exoneration of the bond, the owner of the property shall provide evidence satisfactory to the City Engineer and Urban Forestry Division that the oak trees were properly replaced, the date of the replacement and the survival of the replacement trees for a period of three years.

4. **Liquefaction Area.** The project shall comply with the conditions contained within the in the January 23, 2015 Preliminary Soils Engineering Investigation by Subsurface Designs, Inc., and as it may be subsequently amended or modified by the Department of Building and Safety's Grading Division.

C. Administrative Conditions:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.
3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.
4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.
7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.



8. **Indemnification.** 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 relating to or 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.