



CENTRAL AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801

(213) 978-1300

www.planning.lacity.org

Determination Letter Mailing Date: JAN 12 2016

CASE: VTT-72367-SL-1A
CEQA: ENV-2013-1998-MND-REC1

Location: 2925 West Waverly Drive
Council District: 4 - Ryu
Plan Area: Hollywood
Zone: RD1,5-1XL

Applicant: Michael Rublevich
Representative: Sam Trude

Appellants: Doug Tornquist

At its meeting on **Decmeber 22, 2015**, the Central Area Planning Commission took the following action:

1. **Granted the Appeal in Part** on VTT-72367-SL.
2. **Sustained** the action of the Deputy Advisory Agency in approving VTT-72367-SL.
3. **Adopted** the Revised Findings of the Deputy Advisory Agency
4. **Adopted** Mitigated Negative Declaration No., **ENV-2013-1998-MND-REC1**.

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: Commissioner Brogdon
Seconded: Commissioner Oh
Ayes: Commissioner Chung-Kim
Absent: Commissioner Chemerinsky and Commissioner Lopez

Vote: 3 - 0

Renee Glasco, Commission Executive Assistant I
Central Area Planning Commission

Effective Date/Appeals: This action of the Central Area Planning Commission **will be final within 10 days from the mailing date on this determination unless an appeal is filed within that time to the City Council.** All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at www.planning.lacity.org.

Final Appeal Date: JAN 22 2016

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.

cc: Notification List
Jose Navarro-Romero
Amanda E. Briones

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all common access to this subdivision be named on the final map satisfactory to the City Engineer.
2. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176,354" satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easement be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
4. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
5. 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.
6. That Board of Public Works approval be 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

7. 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 April 29, 2014, Log No. 81759-01 and attached to the case file for Tract No. VTT-72367-SL.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

8. 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. 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.
 - b. Show all street dedication as required by the Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net

lot area after all dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.

- c. Resubmit the map to provide and maintain a minimum 20-foot common access for frontage, driveway and egress/ingress purposes all the way to the public street. No projection is allowed in the 20-foot wide easement. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning for a reduced width.

Notes:

Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map. Separate easement covenant shall be recorded with City Planning and provided to Plan Check prior to permit issuances for the reciprocal private easement for pedestrian and driveway egress and ingress, utilities, drainage, and back up space.

This property is in the RD1.5 Zone within the Hillside Grading Area and may require to comply with the Hillside Ordinance (Section 12.21A.17 LAMC)

This property is within the 1XL Height District and is restricted to a 30 ft. height limit.

The proposed buildings 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.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfaction of LADBS at the time of plan check.

Back up space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

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

9. That 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 or to the satisfaction of the Department of Transportation.

- 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.

That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

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. For an appointment, call (213) 482-7024.

FIRE DEPARTMENT

10. This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.
- a. Mitigating measures should be considered. These measures shall include, but not be limited to, the following:
- Boxed-in eaves.
 - Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
 - Non-wood siding.
 - Exposed wooden members shall be two inches nominal thickness.
 - Noncombustible finishes.
- b. Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.
- c. All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.
- d. All homes shall have noncombustible roofs. (Non-wood)
- e. The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's Association under supervision to the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.
- f. All "Small Lot" Subdivisions are required to have automatic Fire Sprinklers installed as a part of any new or future construction.

- g. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- h. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width. If the vehicular access easement is less than 20 feet, obtain approval by the Advisory Agency.
- j. Submit plot plans indicating access road and turning area for Fire Department approval.
- k. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- l. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- n. 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.
- o. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- p. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- q. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- r. 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.
- s. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- t. Site plans shall include all overhead utility lines adjacent to the site.
- u. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- v. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

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 receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

11. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District. Implementing the measures for demolition and construction contained in the LAUSD letter dated June 2, 2014 attached to the tract file. The project site is located on the pedestrian and bus routes for students attending Ivanhoe Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/motorists with the LAUSD Transportation Branch (phone no. 213-580-2950), and the principals or designees of Ivanhoe Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

Note: LAUSD recommends conditions that have been added to Construction Mitigation Measures nos. CM-21 through CM-33.

INFORMATION TECHNOLOGY AGENCY

12. 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

13. That the Quimby fee be based on the RD1.5-1XL Zone.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

1. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213) 847-3077 upon completion of construction to expedite tree planting.

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 five (5) small lots.
 - b. Provide a minimum of two (2) covered off-street parking spaces per dwelling unit.
 - c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. 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.
15. **Indemnification.** 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 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.
16. **Small Lot Subdivision – Note to City Engineer and Plan Check.**

Pursuant to Ordinance No. 176,354 (Small Lot Subdivisions) and Section 17.03 of the Los Angeles Municipal code as it applies to this subdivision and the proposed development on the site:

- (1) **Setbacks.** The project shall comply with the setbacks as indicated in the table below:

SETBACK MATRIX				
Lot	Front	Side	Side	Rear
1	15.00'	0.25'	5'	16.00'
2	0.25'	0.25'	8.65'	21.32'
3	0.25'	8.04'	5'	15.89'
4	8.37'	132.00'	5'	0.25'
5	12.37'	122.58'	0.25'	5'

- (2) **Trash.** The project site shall contain one centralized trash area to serve all five lots.

- (3) **Driveway Width.** The width of the driveway access easement shall be no less than 15.89 feet.
- (4) **Lot Coverage.** All structures on any one parcel shall occupy no more than 80% of the lot area for that parcel.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

17. 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. 18 and 19** 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.
18. 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. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type and general condition of all trees on the site and within the adjacent public rights-of-way.
 - MM-2. 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, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
 - MM-3. Removal or planting on 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(s) of-way, shall be provided per the current standards of the Urban Forestry Division, the Department of Public Works, Bureau of Street Services.
 - MM-4. If any archaeological materials are encountered during the course of project development, all further development activity shall halt and the services of an archaeologist shall then be secured by contacting the South Central Coastal information Center (657-278-5395) located at California State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist, who shall assess the discovered material(s) and prepare a survey, study or report evaluating the impact.
 - MM-5. The archaeologist's survey, study or report shall contain a recommendation(s), if necessary, for the preservation, conservation, or

relocation of the resource. The applicant shall comply with the recommendations of the evaluating archaeologist, as contained in the survey, study or report. Project development activities may resume once copies of the archaeological survey, study or report are submitted to SCCIC Department of Anthropology, McCarthy Hall 477, CSU Fullerton, 800 North State College Boulevard, Fullerton, CA 92834.

MM-6. Prior to the issuance of any building permit, the applicant shall submit a letter to the case file indicating what if any, archaeological reports have been submitted, or a statement indicating that no material was discovered. A covenant and agreement binding the applicant to this condition shall be recorded prior to issuance of a grading permit.

MM-7. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

- a. Stop immediately and contact the County Coroner: 1104 N. Mission Road, Los Angeles, CA 90033, 323-343-0512. (8 a.m. to 5 p.m. Monday through Friday) or 323-343-0714 (after hours, Saturday, Sunday and Holidays).
- b. The coroner has two working days to examine remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.
- c. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- d. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity of the human remains and grave goods.
- e. If the descendant does not make recommendations, within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance.
- f. If the owner does not accept the descendant's recommendations, the owner or the descendant may request mediation by the Native American Heritage Commission.

19. **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:

- 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 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**
- 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 construction 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, 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 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.
- CM-9. 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.
- 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-art noise shielding and muffling devices.
- CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code 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), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-14. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-15. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-16. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-17. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-18. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.
- CM-21. The developer and contractors shall maintain ongoing contact with administrator of Ivanhoe Elementary 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 and 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.
- CM-22. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-23. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

- CM-24. Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these street during school hours.
- CM-25. LAUSD Transportation Branch at (213) 580-2950 **must be contacted** regarding the potential impact upon existing school bus routes:
- School buses shall have unrestricted access to schools.
 - During the construction phase, truck traffic and construction vehicles may not cause traffic delays for transported students.
 - During and after construction changed traffic patterns, lane adjustment, traffic light patterns, and altered bus stops may not affect school buses' on-time performance and passenger safety.
 - Because of provisions in the California Vehicle Code, other trucks and construction vehicles that encounter school buses, using red-flashing-lights must-stop-indicators will have to stop.
 - The Project Manager or designee will have to notify the LAUSD Transportation Branch of the expected start and ending dates for various portions of the project that may affect traffic within nearby school areas.
- CM-29. Contractors must maintain ongoing communication with LAUSD school administrators, providing sufficient notice to forewarn children and parents when existing pedestrian and vehicle routes to school may be impacted.
- CM-30. Haul routes will not pass by any school, except when school is not in session.
- CM-31. Funding for crossing guards (at contractor's expense) is required when safety of children may be compromised by construction-related activities at impacted school crossings.
- CM-32. Barriers and/or fencing must be installed to secure construction equipment and to minimize trespassing, vandalism, short-cut attractions, and attractive nuisances.
- CM-33. Contractors are required to provide security patrols (at their expense) to minimize trespassing, vandalism, and short-cut attractions.

DEPARTMENT OF CITY PLANNING-STANDARD SINGLE-FAMILY CONDITIONS

- SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. 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.

SF-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. 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.

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.

SF-3. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of 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.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of 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.
- (iii) 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 (ii).
- (iv) 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 in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, 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, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes 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.

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 Section 64.11.2 of the LAMC.
- (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 un-subdivided 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 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 streets, 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.
 - (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 plantings 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:
 - a. Improve Waverly Drive adjoining the subdivision by the construction of the following
 - (1) A concrete curb, a concrete gutter, and a 4-foot concrete sidewalk.
 - (2) Suitable surfacing to join the existing pavements and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transition to join the existing improvements.
 - b. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

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.

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 Section 17.05-N of the LAMC.

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 Department of City Planning issued Mitigated Negative Declaration No. ENV-2013-1998--MND-REC1 on April 23, 2015. The Planning Department found that potential negative impact could occur from the project's implementation due to:

Air Quality (construction, operational);
Biological Resources (tree removal);
Cultural Resources (historic, archaeological);
Geology and Soils (construction, seismic);
Hazards and Hazardous Materials (asbestos);
Hydrology and Water Quality (storm water);
Land Use and Planning (zoning);
Noise (construction, operational);
Public Services (fire, schools);
and
Utilities (solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-1998-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. 18 and 19** 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. However, measures are required as part of this approval, which will mitigate the above, mentioned impacts to a less than significant level. 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.

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 Nos. 18 and 19**.

The subject site is improved with a single-family dwelling (referenced as the "Tirado House") for which a request was submitted to designate the property as a Historic-Cultural Monument. On February 6, 2014, the Cultural Heritage Commission (CHC) voted unanimously to support the Office of Historic Resources (OHR) staff recommendation that the subject property met none of the Cultural Heritage Ordinance's criteria for designation. The CHC did not declare the subject property as a Historic-Cultural Monument per Los Angeles Administrative Code Chapter 9, Division 22, Article 1, Section 22.171.1. Among the findings presented to the CHC were that the subject building does not embody the distinguishing characteristics of the Ranch style; it also found that while Gilbert Leong is unquestionably a notable architect, particularly for his role in designing New Chinatown, he does not rise to the level of a "master architect" whose "individual genius influenced his age," as would be required for designation under the Cultural Heritage Ordinance based on association with an architect.

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.

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, California 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 72367-SL 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 HAS NOT BEEN DETERMINED TO BE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS. THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.~~

~~The adopted Hollywood Community Plan designates the subject property for Low Medium II Residential land use with the corresponding zone(s) of RD2 and RD1.5. The property contains 16,182 gross square feet and is presently zoned RD1.5-1XL. The proposed vesting tentative tract is consistent with the Hollywood Community Plan. The subject property is not located in a specific plan. As conditioned, the project is in conformance with applicable general and specific plans.~~

The adopted Hollywood Community Plan designates the subject property for Low Medium II Residential density with corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The property is 16,182 square feet in size and is presently zoned RD1.5-1XL. Per the regulations of the RD1.5 Zone, the allowed density is one dwelling unit per 1,500 square feet of lot area. Therefore, since the allowed density on the subject site is 10 dwelling units, the proposed project density of 5 dwelling units is consistent with the RD1.5-1XL Zone and the Low Medium II density designation. The allowed height under the -1XL height limitation is 30 feet; the proposed project height is 30 feet in every single dwelling unit thus complying with the allowed height regulations.

The proposed project is setback 15 feet fronting W. Waverly Drive and consistent with RD1.5 provisions, thus consistent with the small lot subdivision ordinance and applicable zoning regulations governing front yard setback. The proposed project will incur in less than 1000 cubic yards of grading, and it will leave more than 40% of the lot area untouched thus preserving the landform and minimizing any potential impact.

The proposed project is a small lot subdivision encompassing only 5 units where 10 dwelling units are allowed; it is located next to a 54-unit condominium building, 3-stories above a car garage in the RD1.5-1XL Zone and at an existing height of 42 feet. The subject projects also adjoins a property improved with a single-family dwelling at a height of 22 feet.

The proposed project will generate 4 new peak hour trips exerting a less than significant impact on the adjoining Local Street which is required to be improved with road widening, sidewalk, curb and gutter, and is consistent with the Mobility 2035 Plan street standards.

The proposed project is not in conflict with any community plan objective, policy or standard. The City finds that the Project advances the applicable goals, objectives, policies and standards of the Hollywood Community Plan by providing much needed housing stock in an appropriately-scaled project that complies with all of the City's Small Lot Subdivision, and Los Angeles Municipal Code provisions.

The proposed project is consistent with the following objective:

"To encourage the preservation and enhancement of the varied and distinctive residential character of the community..."

The proposed project is situated in a designated multi-family residential area with a diverse development trend. Some parcels in the neighboring area are underutilized based on the RD1.5-1XL Zone; that is, are developed with a variety of densities ranging from 54 dwelling units to single-family homes. The proposed project is at 50 % of the allowed density and meets all the zoning regulation requirements per the LAMC. The purpose of the Hollywood Community Plan is to guide the future development by arranging land use, circulation, and services (infrastructure). The subject neighboring area has experienced growth, so it is in transition to meet the community plan goals and objectives. Parcels in the RD1.5 Zone within a 500 feet radius and beyond are developed with one-, two-, three, four-, 5-, up to 54-dwelling units. The subject project will not exceed the height limit and it is compatible with the character of the neighborhood.

The proposed project is consistent with the following objective:

"[To] minimize grading [in hillside residential areas] so as to retain the natural terrain and ecological balance..."

The proposed project will grade only 900 cubic yards of dirt, will leave untouched more than 40 percent of the lot area, and will develop at only 50 % of the allowed density

The proposed project is consistent with the following objective:

"[To] provide a standard of land use intensity and population density [in hillside residential

areas] which will be compatible with the street capacity, public service facilities and utilities, and topography and in coordination with the development in the remainder of the City..."

The LAMC, particularly Section 17 (Division of Land Regulations), provide for adequate street capacity, public service facilities, and topography. The Advisory Agency Letter of Decision includes conditions of approval that meet the standards of street capacity, public service facilities and utilities, and topography. Therefore, the proposed project, as conditioned, is consistent with the objectives of the Hollywood Community Plan.

The proposed project is consistent with the following development standards:

"The intensity of residential land use in this plan... shall be limited in accordance with the following criteria:

The adequacy of the existing and assured circulation and public transportation systems within the area.

The steepness of the topography of the various parts of the area and the suitability of the geography of the area of development."

The proposed small lot subdivision project, as conditioned, is consistent with RD1.5-1XL Zone (it is proposed at 50 % of the allowed density); it is consistent with the Local Street Standards and circulation capacity in the area (it requires improvements to Local Street Standards, including road widening, sidewalk, curve and gutter); it minimizes grading and impacts on landforms due to the steepness of the topography and the suitability of the geography of the area of development (it will grade less than 1000 cubic yards of dirt and leave more than 40 % of the lot unimproved). Therefore, the proposed project, as conditioned, is consistent with the Hollywood Community Plan.

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

~~The adopted Hollywood Community Plan designates the subject property for Low-Medium II Residential land use with the corresponding zone(s) of RD2 and RD1.5. The property contains 16,182 gross square feet and is presently zoned RD1.5-1XL.~~

~~The proposed project is to create five lots for the construction of five single-family dwellings under the Small Lot Ordinance. Lot sizes will range from 1,884 square feet to 5,093 square feet, thereby meeting the minimum lot size requirement of 600 square feet per the Small Lot Ordinance. All five (5) lots exceed the minimum lot width of 16 feet. The project will maintain a 15-foot front yard setback along Waverly Drive, consistent with the requirements of the RD1.5 zone. As required by the Small Lot Ordinance, the subdivision will maintain, at a minimum, a 5-foot setback from adjoining properties. As required by the Ordinance, the proposed project is consistent with the density requirements of the RD1.5 zone.~~

~~The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As required by the Bureau of Engineering, the subdivider shall make improvements on Waverly Drive in order to meet current street standards, and also construct mainline and house connection sewers within suitable~~

~~easements. Subdivision committee agencies provided input which is reflected in the various sections of this letter of decision.~~

~~Therefore, as conditioned, the design and improvement of the proposed vesting tentative tract is consistent with the intent and purpose of the applicable General Plan and specific plans.~~

The adopted Hollywood Community Plan designates the subject property for Low Medium II Residential land use with the corresponding zoning of RD2, RD1.5, RW2, and RZ2.5. The property contains 16,182 square feet of lot area, and it is presently zoned RD1.5-1XL.

The proposed Project is to create 5 lots for the construction of 5 single-family dwellings under the Small Lot Subdivision Ordinance. Lot sizes will range from 1,844 square feet to 5,093 square feet, thereby meeting the minimum lot size requirement of 600 square feet per the Small Lot Ordinance. All 5 lots exceed the minimum lot width of 16 feet. Lot coverage range is consistent with the Small Lot Ordinance, significant less than the permitted 80 percent. Grading will be 900 cubic yards of dirt. Unimproved land area within the subject property will exceed 40 % of the lot area, thus preserving existing land form. The Project will maintain a 15-foot front yard setback along W. Waverly Drive consistent with the requirements of the Small Lot Subdivision Ordinance and the RD1.5 Zone.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. The Bureau of Engineering also required that any necessary sewer easement be provided, and the following street improvements be secured:

- Improve Waverly Drive adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 4-foot concrete sidewalk.
 - (2) Suitable surfacing to join the existing pavements and to complete an 18-foot half roadway.
 - (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transition to join the existing improvements.
- Construct the necessary on-site mainline sewers satisfactory to the City

The project access easement is adequate for vehicular ingress and egress and emergency purposes. The Department of Transportation and the Fire Department reviewed the project design and issued conditions of approval consistent with Departments' rules and policies. The Department of Recreation & Parks has also reviewed the project proposal and a conditions of approval has been included regarding Park Land dedication.

Therefore, as conditioned, the design and improvement of the proposed project are consistent with the General Plan and applicable Specific Plans.

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

~~The project site contains 16,182 gross square feet, rectangular in shape, and has a~~

~~uniform depth of 295 feet. It slopes upward to the north and is improved with a one-story single family dwelling that would be demolished. The site is one of the under improved properties in the vicinity. The development of this tract is an infill of an otherwise mix density neighborhood. Access to the site would be from Waverly Drive.~~

~~Although the property slopes upward to the north from Waverly Drive, the property is not located in a slope stability study area, high erosion hazard area or fault-rupture study zone. However, the site is located in an established landslide area. The project site is suitable for the propose development contingent on the recommendations of the Building and Safety Grading Division.~~

The project site contains 16,182 square feet, is rectangular in shape, and has a uniform depth of 295 feet. It slopes upward to the north and is improved with a one-story single family dwelling that would be demolished. The development of this tract is an infill of an otherwise mix density neighborhood. Access to the site would be from Waverly Drive.

Although the property slopes upward to the north from Waverly Drive, the property is not located in a slope stability study area, high erosion hazard area or fault-rupture study zone. However, the site is located in an established landslide area. Only 900 cubic yards will be graded in a lot area of 16, 182 square feet. Less than 60 percent of the lot area will be improved. Since only the portion fronting W. Waverly Drive will be developed, the Fire Department does not required a Fire Lane for emergency access.

The Grading Division of the Department of Building and Safety has reviewed the Geology and Soils Report for the proposed Project and has approved the VTTM subject to all requirements and conditions contained in Inter-Departmental Letter dated April 29, 2014, Log No. 81759-01, and as conditioned by the Advisory Agency Letter of Decision (Condition No. 7). The subject site is physically suitable for the proposed 5 Small Lot Subdivision development. The Project site is located in an area developed with single- and multi-family units. The project will be subject to safe construction practices which would require compliance with the Building Code, including buildings foundation requirements appropriate to site conditions.

The proposed height of 30 feet is consistent with the -1XL height district applicable to any development within this hillside neighborhood where properties are zoned RD1.5-1XL. The height limitation is suitable for multi-family developments in this hillside area having shade and shadow impacts on adjoining properties at a level of less than significant. Therefore, the Project site is determined to be suitable for the proposed small lot subdivision.

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

~~Adjoining property to the north is improved with a service station in the CM-1VL Zone. Adjoining property to west is improved with a 54-unit condominium building in the RD1.5-1XL Zone. Adjoining property to the east is improved with a single family dwelling in the RD1.5-1XL Zone. Properties to the south across Waverly Drive are improved primarily with single family dwellings in the RD1.5-1 Zone. In addition, on the south side of Waverly Drive other properties are improved with apartment units and condominiums in the RD1.5-1XL Zone. The proposed development of five single family dwellings is below the maximum density permitted in the RD1.5 zone which would permit a total of 10 units on~~

~~the property.~~

The subject property is currently developed with a single-family dwelling which will be demolished. Adjoining property to the north is improved with a service station in the CM-1VL Zone. Adjoining property to the west is improved with a 54-unit condominium building in the RD1.5-1XL Zone. Adjoining property to the east is improved with a single family dwelling in the RD.1.5-1XL Zone. Parcels in the RD1.5 Zone within a 500 feet radius and beyond are developed with one-, two-, three, four-, 5-, 6-, 14-dwelling units and higher densities. The proposed development of five single family dwellings is below the maximum allowed by the zone. Therefore, as the Project would be less than the maximum permitted density for the Project site, the Project site is sufficient in size for a 5-lot small lot subdivision and physically suitable for the proposed density of 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 Deputy Advisory Agency certified that Mitigation Negative Declaration No. ENV-2013-1998-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 that the potential impacts identified above are mitigated to a less than significant level through implementation of conditions nos. 17 and 18 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 Deputy Advisory Agency certified that Mitigation Negative Declaration No. ENV-2013-1998-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 that the potential impacts identified above are mitigated to a less than significant level through implementation of conditions nos. 17 and 18 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 Project will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Based on the analysis contained in the MND, with the implementation of identified mitigation measures, where applicable, the proposed Project would not degrade the quality of the environment and the Project does not have the potential for substantial environmental damage.~~

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

~~There are no apparent health problems that might be caused by the design or construction of the proposed single family units. This development is required to be connected to the City's sewer system where the sewage will be directed to the Los Angeles 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 under Waverly Drive and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.~~

There are no apparent health problems that might be caused by the design or construction of the proposed single family units. This development is required to be connected to the City's sewer system where the sewage will be directed to the Los Angeles 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 under Waverly Drive and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

With implementation of the recommended mitigation measures and conditions of approval, the proposed subdivision would not result in any unmitigated environmental impacts; therefore, the subdivision would not have the potential to result in serious public health problem.

- (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.

~~The subdivision includes easements for sewer access and pipe lines. Furthermore, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. The Bureau of Engineering has included conditions of approval which requires that the applicant record a covenant and agreement to maintain all elements of those areas being merged with the public right-of-way, that the construction be guaranteed, and waivers of any damages that may occur as a result of such improvements.~~

The subdivision includes easements for sewer access and pipe lines. Furthermore, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. The Bureau of Engineering has included conditions of approval which requires that the applicant record a covenant and agreement to maintain all elements of those areas being merged with the public right-of-way, that the construction be guaranteed, and waivers of any damages that may occur as a result of such improvements.

During plan check and prior to recordation of the final tract map, the Department of Building and Safety will review the plans to ensure that no structures encroach on the easements and right-of-way, and thereby cause no conflict. In addition, the Bureau of Engineering will require approval of the final tract map from the Bureau of Sanitation which is responsible for maintenance of the sanitary sewers. Therefore, the design of the subdivision and the proposed improvements will not conflict with easements.

- (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 design of the subdivision will provide the following features to allow for passive or natural heating or cooling opportunities:

- 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.
- 2) 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.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) 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. 72367-SL.

Michael J. LoGrande
Advisory Agency

JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency
JR:dm:ab

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 West Los Angeles Area 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 <http://cityplanning.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 Subdivision staff at (213) 978-1456.

<p>DETERMINATION LETTER VTT-72367-SL-1A MAILING DATE: 01/12/16</p>	<p>Brad Torgan, Representative Silverstein Law Firm 215 North Marengo Ave. 3rd Fl. Pasadena, California 91101</p>	<p>Appellant: Doug Tornquist 2923 Waverly Drive Los Angeles, California 90039</p>
<p>Wayne Avrashow, Esq 16133 Ventura Boulevard, PH-A Encino, California 91436-2447</p>	<p>Sam Trude, Representative 1515 Park Row Venice, California 90291</p>	<p>Jerome Courshon 2811 Waverly Drive Los Angeles, California 90039</p>
<p>Doug Haines P.O. Box 93596 Los Angeles, California 90093</p>	<p>Silver Lake Neighborhood Council 2658 Griffith Park Blvd # 377 Los Angeles, CA 90039</p>	<p>Suriye Prasad 5419 La Mirada Avenue Los Angeles, California 90029</p>
<p>Joe Ferrell Silver Lake Neighborhood Council 2923 Waverly Drive Los Angeles, California 90039</p>	<p>Rubgi LLC 1515 Park Row Venice, California 90291</p>	<p>Tirru Avgi 6566 Colgate Avenue Los Angeles, California 90048</p>
<p>Paul Hult 1166 ½ North Hobart Boulevard Los Angeles, California 90029</p>	<p>Council District 4 City Hall, Room 465 Mail Stop 223</p>	<p>Jose Navarro-Romero City Planner City Hall, Room 721 Mail Stop 395</p>
<p>GIS/Fae Tsukamoto City Hall, Room 825 Mail Stop 395</p>	<p>Amanda E. Briones Planning Assistant City Hall, Room 720 Mail Stop 395</p>	