

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
CEQA Appeal	ENV-2018-2765-CE	4 - Ryu
PROJECT ADDRESS:		
4511 West Russell Avenue		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Gevork George Afifi 3430 Lambeth St Los Angeles, CA 90027 <input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Mihran Keolyan StudioMK Design + Drafting Company 907 N Kenmore Ave Los Angeles, CA 90029		
APPELLANTS	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. Concerned Citizens of Los Feliz 5424 Russell Avenue Los Angeles, CA 90027	323-839-9155	robinson.ang@gmail.com
2. Los Feliz Improvement Association P.O. Box 29395 Los Angeles, CA 90036	323-839-9155	zoning-all@lfia.org kondracke@mac.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
1. David Lawrence Bell The Law Offices of David Bell 4317 Kingswell Ave Los Angeles, Ca 90027	213-814-9127	dlawrencebell@gmail.com
2. Jamie T. Hall Channel Law Group, LLP 8200 Wilshire Blvd, Ste 300 Beverly Hills, CA 90211	310-982-1760	jamie.hall@channelawgroup.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Jason Hernandez	213-978-1276	jason.hernandez@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
N/A – CEQA Appeal		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

CEQA Appeal

ATTACHMENTS:**REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- Letter of Determination
- Findings of Fact
- Staff Recommendation Report
- Conditions of Approval
- Ordinance
- Zone Change Map
- GPA Resolution
- Land Use Map
- Exhibit A - Site Plan
- Mailing List
- Land Use
- Other _____

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- Categorical Exemption
- Negative Declaration
- Mitigated Negative Declaration
- Environmental Impact Report
- Mitigation Monitoring Program
- Other _____

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NOTES / INSTRUCTION(S):

Related Case: Case No. DIR-2018-2764-SPP-1A

FISCAL IMPACT STATEMENT: Yes No

*If determination states administrative costs are recovered through fees, indicate "Yes".

PLANNING COMMISSION:

- City Planning Commission (CPC)
- Cultural Heritage Commission (CHC)
- Central Area Planning Commission
- East LA Area Planning Commission
- Harbor Area Planning Commission

- North Valley Area Planning Commission
- South LA Area Planning Commission
- South Valley Area Planning Commission
- West LA Area Planning Commission

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
November 27, 2018	3 - 0
LAST DAY TO APPEAL:	APPEALED:
N/A CEQA Appeal	CEQA Appeal
TRANSMITTED BY:	TRANSMITTAL DATE:
Commission Office	January 14, 2019



CENTRAL LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: DEC 12 2018

Case No. DIR-2018-2764-SPP-1A
CEQA: ENV-2018-2765-CE
Plan Area: Hollywood

Council District: 4 – Ryu

Project Site: 4511 West Russell Avenue

Applicant: Gevork George Afifi
Representative: Mihran Keolyan

Appellants: David Bell and Victoria Vantoch; Lucinda Faraido; Alexandra Kondracke and Angela Robinson; Turi Meyer; Rene Navarette; Standolyn Robertson; Ian Shorr; Jennifer Lazo, Brian Spence and Michelle Jackson; Mayda Tchakmakjian

At its meeting of **November 27, 2018**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of two single-family dwellings, and the construction, use and maintenance of a three-story, 4,816 square-foot, four-unit, residential building within Subarea A (Neighborhood Conservation) of the Vermont/Western Station Neighborhood Area Plan ("SNAP").

1. **Determined**, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 2 (Apartments, duplexes, and similar structures designed for no more than six dwelling units in an urbanized area), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeals and sustained the Planning Director's determination to approve with conditions, pursuant to Section 11.5.7 C of the Los Angeles Municipal Code and the Vermont/Western SNAP, a Project Permit Compliance Review for the Project.
3. **Adopted** the Conditions of Approval and findings of the Planning Director.

The vote proceeded as follows:

Moved: Schultz
Second: Gold
Ayes: Chung Kim
Absent: Barraza, DelGado

Vote: 3 - 0

Rocky Wiles,
Commission Office Manager

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

Effective Date/Appeals: The decision of the Central Los Angeles Area Planning Commission is not further appealable and shall become final at the expiration of the next five meetings of the Council after the mailing date of this determination during which the Council has convened in regular session, pursuant to Charter Section 245.

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final**. The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

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: Planning Director's determination dated September 18, 2018

c: Christina Toy Lee, Senior City Planner
Tina Vacharkulksemsuk, City Planner
Jason Hernández, City Planning Associate

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

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PRESIDENT

VAHID KHORSAND
VICE-PRESIDENT

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ROCKY WILES
COMMISSION OFFICE MANAGER
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**CITY OF LOS ANGELES
CALIFORNIA**



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MAYOR

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<http://planning.lacity.org>

**VERMONT/WESTERN NEIGHBORHOOD AREA PLAN (SNAP) SPECIFIC PLAN
PROJECT PERMIT COMPLIANCE REVIEW**

September 18, 2018

Owner/Applicant

Gevork George Afifi
3430 Lambeth St.
Los Angeles, CA 90027

Representative

Mihran Keolyan
StudioMK Design + Drafting
Company
907 N. Kenmore Ave.
Los Angeles, CA 90029

Case No. DIR-2018-2764-SPP

CEQA: ENV-2018-2765-CE

Specific Plan Subarea: A-Neighborhood
Conservation

Location: 4511 W. Russell Ave.

Council District: 4 – David Ryu

Neighborhood Council: Los Feliz

Community Plan Area: Hollywood

Land Use Designation: Low Medium I Residential

Zone: R2-1XL

Legal Description: Lot 61, Croake and
Mc Cann's Gem Of
Hollywood Tract

Last Day to File an Appeal: October 3, 2018

DETERMINATION

Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7 C and the Vermont/Western Station Neighborhood Area Specific Plan Ordinance No. 184,888, I have reviewed the proposed project and as the designee of the Director of Planning, I hereby:

Approve with Conditions a Project Permit Compliance Review for the demolition of two single-family dwellings, and the construction, use and maintenance of a three-story, 4,816 square-foot, four-unit residential building within Subarea A (Neighborhood Conservation) of the Vermont/Western Station Neighborhood Area Plan.

DETERMINE that based on the whole of the administrative record, the project is exempt from CEQA pursuant to City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 2 (apartments, duplexes, and similar structures designed for no more than six dwelling units in an urbanized area), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

The project approval is based upon the attached Findings, and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL

1. **Site Development.** Except as modified herein, the project shall be in substantial conformance with the plans and materials submitted by the applicant, stamped "Exhibit A," and attached to the subject case file. No change to the plans will be made without prior review by the Department of City Planning, Central Project Planning Division, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code, the project conditions, or the project permit authorization.
2. **Parks First.** Prior to the issuance of a building permit, the applicant shall complete the following:
 - a. Make a payment to the Department of Recreation and Parks (RAP) for the required Park Fee pursuant to LAMC Section 17.12. Contact RAP staff by email at rap.parkfees@lacity.org, by phone at (213) 202-2682 or in person at the public counter at 221 N. Figueroa St., Suite 400 (4th Floor), Los Angeles, CA 90012 to arrange for payment.
 - b. The applicant shall pay \$8,600 to the Parks First Trust Fund for the net increase of two (2) residential dwelling units. The amount of Parks First Trust Fund Fee shall be off-set by the Park Fee, as determined by the Department of City Planning (DCP), Central Project Planning Division staff. The applicant shall provide proof of payment for the Park Fee to the Department of City Planning (DCP), Central Project Planning Division staff to determine the resulting amount of Parks First Trust Fund Fee to be paid. DCP staff shall sign off on the Certificate of Occupancy in the event there are no resulting Parks First Trust Fund Fee to be paid. In the event there are remaining Parks First Trust Fund Fee to be paid, the applicant shall make a payment to the Office of the City Administrative Officer (CAO), Parks First Trust Fund. Contact Jennifer Shimatsu of the CAO directly at (213) 978-7628 or Jennifer.Shimatsu@lacity.org to arrange for payment. The applicant shall submit proof of payment for the Parks First Trust Fund Fee to DCP staff, who will then sign off on the Certificate of Occupancy.
3. **Density.** Density shall be limited to four (4) dwelling units.
4. **Building Height.** Buildings shall not exceed 30 feet in height, as measured from grade to the highest point of the roof. Architectural rooftop features may be erected up to 10 feet above the transitional height limit, if the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level.
5. **Open Space.** The project shall provide a minimum of 700 square feet of common open space, of which 350 square feet must be located at grade level or first habitable room level. The common open space shall be open to the sky, must be at least 600 square feet in size, and have a minimum dimension of 20 feet when measured perpendicular from any point on each of the boundaries of the open space area. Balconies shall have a minimum dimension of six feet.
6. **Automobile Parking.** The project shall provide no less than six (6) residential parking spaces and one (1) guest parking space for a total of seven (7) parking spaces; and no more than eight (8) residential parking spaces and one (1) guest space for a total of nine (9) parking spaces.
7. **Bicycle Parking.** The project shall provide a minimum of two (2) bicycle parking spaces on site, as shown in Exhibit "A."

8. **Street Trees.** Street trees must be installed and maintained prior to issuance of the building permit or suitably guaranteed through a bond and all improvements must be completed prior to the issuance of a Certificate of Occupancy.
 - a. Two (2), 24-inch box shade trees shall be provided in the public right-of-way along Russell Avenue, subject to the Bureau of Street Services, Urban Forestry Division requirements. The project site currently includes one existing tree within the 50 feet of frontage along Russell Avenue. Whether the street tree should remain or should be replaced is subject to the Bureau of Street Services, Urban Forestry Division.
 - b. The applicant shall be responsible for new street tree planting and pay fees for clerical, inspection, and maintenance per the Los Angeles Municipal Code Section 62.176 for each tree.
 - c. An automatic irrigation system shall be provided.

Note: Contact the Urban Forestry Division staff at (213) 847-3088 for site inspection prior to any street tree work.

9. **Utilities.** All new utility lines which directly service the lot or lots shall be installed underground. If underground service is not currently available, then provisions shall be made by the applicant for future underground service.
10. **Trash, Service Equipment and Satellite Dishes.** Trash, service equipment and satellite dishes, including transformer areas, shall be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. The trash area shall be enclosed by a minimum six-foot high decorative masonry wall. Each trash enclosure shall have a separate area for recyclables. Any transformer area within the front yard shall be enclosed or screened
11. **Roof-top Appurtenances.** All rooftop equipment and building appurtenances shall be screened from any street, public right-of-way, or adjacent property with enclosures or parapet walls constructed of materials complimentary to the materials and design of the main structure.

Administrative Conditions

12. **Final Plans.** Prior to the issuance of any building permits for the project by the Department of Building and Safety, the applicant shall submit all final construction plans that are awaiting issuance of a building permit by the Department of Building and Safety for final review and approval by the Department of City Planning. All plans that are awaiting issuance of a building permit by the Department of Building and Safety shall be stamped by Department of City Planning staff "Plans Approved". A copy of the Plans Approved, supplied by the applicant, shall be retained in the subject case file.
13. **Notations on Plans.** Plans submitted to the Department of Building and Safety, for the purpose of processing a building permit application shall include all of the Conditions of Approval herein attached as a cover sheet, and shall include any modifications or notations required herein.
14. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review of approval, plans, etc., as may be required by the

subject conditions, shall be provided to the Department of City Planning prior to clearance of any building permits, for placement in the subject file.

15. **Code Compliance.** Use, area, height, and yard regulations of the zone classification of the subject property shall be complied with, except where granted conditions differ herein.
16. **Department of Building and Safety.** The granting of this determination by the Director of Planning does not in any way indicate full compliance with applicable provisions of the Los Angeles Municipal Code Chapter IX (Building Code). Any corrections and/or modifications to plans made subsequent to this determination by a Department of Building and Safety Plan Check Engineer that affect any part of the exterior design or appearance of the project as approved by the Director, and which are deemed necessary by the Department of Building and Safety for Building Code compliance, shall require a referral of the revised plans back to the Department of City Planning for additional review and sign-off prior to the issuance of any permit in connection with those plans.
17. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning.
18. **Expiration.** In the event that this grant is not utilized within three years of its effective date (the day following the last day that an appeal may be filed), the grant shall be considered null and void. Issuance of a building permit, and the initiation of, and diligent continuation of, construction activity shall constitute utilization for the purposes of this grant.
19. **Recording Covenant.** Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center at the time of Condition Clearance for attachment to the subject case file.
20. **Indemnification and Reimbursement of Litigation Costs.** The 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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
 - (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - (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 \$50,000. 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.

FINDINGS

The subject property consists of a rectangular lot with a 50-foot frontage along the northerly side of Russell Avenue between Rodney Drive and Hillhurst Avenue, and a uniform depth of approximately 135 feet for a total lot size of 6,749.9 square feet. The project site is located within the Hollywood Community Plan and Subarea A (Neighborhood Conservation) of the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan. The site is zoned R2-1XL, designated for Low Medium I Residential land uses and currently improved with two (2) single-family dwellings.

The applicant requests a Project Permit Compliance to permit the demolition of the two (2) existing single-family dwellings, and the construction, use and maintenance of a three-story, 4,816 square-foot, four-unit residential building measuring 30 feet in height. The project consists of four (4) three-bedroom units served by 700 square feet of open space and nine (9) parking spaces composed of two (2) spaces per unit within private garages and one uncovered guest parking space located in the rear. A new six-foot tall gate is proposed along the southerly and westerly side of the lot.

The surrounding area is characterized by level topography, improved streets and commercial, retail and residential developments. Properties to the west are zoned R2-1XL, located within Subarea A of the SNAP, and developed with single- and multi-family dwellings. Properties to the east, north and south are zoned C4-1D, located within Subarea B (Mixed Use Boulevards) and developed with retail and commercial buildings.

1. The project substantially complies with the applicable regulations, findings, standards, and provisions of the specific plan.

- A. Parks First.** Section 6.F of the Vermont/Western Specific Plan requires the applicant to pay a Parks First Trust Fund of \$4,300 for each new residential unit, prior to the issuance of a Certificate of Occupancy. The project proposes the demolition of two (2) single-family dwellings, and the construction, use and maintenance of a three-story, four-unit residential building, resulting in a net increase of two (2) residential units thus requiring a payment of \$8,600 to the Parks First Trust Fund. As conditioned, the project complies with Section 6.F of the Specific Plan.
- B. Residentially Zoned Properties.** Section 7.A of the Vermont/Western Specific Plan states that residential uses allowed by the existing residential zoning classification of any lot located within Subarea A shall be permitted, provided that no more than two lots have a total combined lot area of 15,000 square feet may be tied together to form a single building site. Furthermore, parking shall be prohibited in the required front yard areas. The proposed project is located within the R2-1XL Zone, which permits one dwelling unit for every 2,500 square feet of lot area. However, when a lot has a side lot line adjoining a lot in a commercial or industrial zone, the density of the RD1.5 Zone shall apply. The subject site is approximately 6,750 square feet in size, allowing a maximum of four (4) dwelling units. The project proposes one, four-unit residential building, which does not exceed the density allowed per the underlying zone. In addition, all parking is located within a ground level garage, except for an uncovered guest parking space, located at the rear of the lot. Therefore, the project complies with Section 7.A of the Specific Plan.
- C. Commercially Zoned Properties.** Section 7.B of the Vermont/Western Specific Plan states that commercial uses on commercially zoned properties are limited to those uses defined as “Neighborhood Retail” and “Neighborhood Serving” in LAMC Section 13.07 and limited to the ground floor only. The project site is not commercially zoned

and does not propose commercial uses. Therefore, Section 7.B of the Specific Plan does not apply.

- D. Schools, Child Care and Community Facilities.** Section 7.C of the Vermont/Western Specific Plan states that public or private schools, child care facilities, parks, community gardens, community facilities, shall be permitted on any lot or lots provided that the building site for those uses has no more than two acres of combined lot area. The project does not include any school, child care or community facilities uses. Therefore, Section 7.C of the Specific Plan does not apply.
- E. Transitional Height.** Section 7.D of the Vermont/Western Specific Plan states that the maximum height of any new building within Subarea A shall not exceed a height that is within 15 feet of the height of the shortest adjacent building on any adjacent lot within the same Subarea. However, in no circumstance can the project exceed the 30-foot height limit of the underlying R2-1XL Zone. The Specific Plan further stipulates that roofs and roof structures for the purposes specified in the Los Angeles Municipal Code (LAMC) Section 12.21.1 B.3 of the Code and architectural rooftop features may be erected up to 10 feet above the transitional height limit, if the structures and features are set back a minimum of 10 feet from the roof perimeter and screened from view at street level. The adjacent property to the east is located within Subarea B and therefore is not considered. Elevations show that the adjacent residential building to the west is approximately 23 feet in height, thereby allowing a maximum transitional height limit of 38 feet on the subject property. The proposed building will have a maximum height of 30 feet, which is within the maximum transitional height limit of 35 feet per the SNAP and the maximum height limit of 30 feet per the underlying R2-1XL Zone. Therefore, the project complies with Section 7.D of the Specific Plan.
- F. Building Setback.** Section 7.E of the Vermont/Western Specific Plan states that all buildings shall face a public street. The proposed development consists of one residential structure fronting along Russell Avenue with a main pedestrian entrance located along the street frontage. Section 7.E. of the Vermont/Western Specific Plan also states that the exterior wall of the building frontage shall be located no closer to the street and no farther from the street than the exterior walls of the adjacent buildings within the same Subarea. The adjacent property to the east is located within Subarea B and therefore is not considered. The adjacent structure to the west is located approximately 22 feet, 6 inches from the front property line. The proposed development is located 22 feet, 6 inches away from the front property line. Therefore, the project complies with Section 7.E of the Specific Plan.
- G. Usable Open Space.** Section 7.F of the Vermont/Western Specific Plan states that residential Projects with two or more dwelling units must provide specified amounts of common and private open space pursuant to the standards set forth in LAMC 12.21 G.2. The Specific Plan further stipulates that 50 percent of the total open space must be provided at ground level or first habitable room level of the project. The proposed development consists of four (4) residential units containing more than three habitable rooms each, thereby requiring 175 square feet of open space per unit, for a total of 700 square feet of usable open space for the entire project site, 350 square feet of which must be located above the grade level or first habitable room. The applicant proposes 700 square feet of ground floor common open space at the rear yard. Therefore, the project complies with Section 7.F of the Specific Plan.
- H. Project Parking Requirements.** Section 7.G.1 of the Vermont/Western Specific Plan sets forth a minimum and maximum parking standard for residential projects. The residential building proposes four (4) three-bedroom units. The Specific Plan requires a minimum of one and one-half (1.5) spaces and a maximum of two (2) spaces per

dwelling unit with more than three habitable rooms, as defined by the Department of Building and Safety for parking purposes, and one-quarter (0.25) space per dwelling unit for guest parking. This equates to a no less than six (6) residential parking spaces and one (1) guest parking space for a total of seven (7) parking spaces; and no more than eight (8) residential parking spaces and one (1) guest space for a total of nine (9) parking spaces. The project proposes eight (8) residential parking spaces and one (1) guest spaces, for a total of nine (9) parking spaces, comprised of two space per unit within private garages, and one uncovered guest parking space located at the rear of the lot, therefore, satisfying the minimum parking requirements.

Furthermore, Section 7.G of the Vermont/Western Specific Plan requires any residential project with two or more dwelling units to provide one-half (0.5) bicycle parking space per residential unit. The proposed development consists of four (4) residential units, thus, requiring two (2) bicycle parking spaces. The project proposes two (2) uncovered bicycle spaces located within the front yard setback. Therefore, the project complies with Section 7.G of the Specific Plan.

- I. **Conversion Requirements.** Section 7.H of the Vermont/Western Specific Plan sets forth requirements pertaining to the conversion of existing structures to residential condominium uses. The project proposes to demolish two single-family dwellings and to construct a four-unit residential development, and does not include the conversion of existing structures to residential condominium uses. Therefore, Section 7.H of the Specific Plan does not apply.
- J. **Development Standards.** Section 7.I of the Vermont/Western Specific Plan requires that all Projects be in substantial conformance with the following Development Standards and Design Guidelines.

Development Standards

- K. **Landscaped Focal Point.** This Development Standard requires all new development Projects to be designed around a landscaped focal point or courtyard. The applicant has submitted a Landscape Plan showing landscaped areas within the front and rear yards of the project site. The front yard will be landscaped with Lilac Verbena shrubbery, one (1) Ginkgo Biloba tree, grass turf, and permeable pavers. Therefore, the project complies with this Development Standard.
- L. **Landscape Plan.** This Development Standard requires that all open areas not used for buildings, driveways, parking, recreational facilities, or pedestrian amenities shall be landscaped by lawns and other ground coverings. The applicant has submitted a Landscape Plan which includes a landscaped front, as described above. The rear yard will be landscaped with Lilac Verbena shrubbery and grass turf. In addition, the easterly side yard will contain permeable pavers for its common access way. Therefore, the project complies with this Development Standard.
- M. **Usable Open Space.** This Development Standard requires that common usable open space must have a dimension of 20 feet and a minimum common open space area of 400 square feet for Projects with less than 10 dwelling units. The Development Standard further stipulates that private usable open space, such as balconies with a minimum dimension of six feet may reduce the required usable open space directly commensurate with the amount of private open space provided. The applicant proposes a common open space area that measures approximately 20 feet by 35 feet with a total area of 700 square feet, located on the rear of the lot. Therefore, the project complies with this Development Standard.

- N. Street Trees.** This Development Standard requires one, 24-inch box shade tree to be planted and maintained in the public right-of-way for every 20 feet of street frontage. The subject site occupies 50 feet of street frontage along Russell Avenue, requiring two (2) street trees in the public right-of-way. The Development Standard further requires that an automatic irrigation system be provided within the tree well. The project site currently includes one existing tree within the 50 feet of frontage along Russell Avenue. Whether the street tree should remain or should be replaced is subject to the Bureau of Street Services, Urban Forestry Division. The project is conditioned herein to provide two (2) street trees and an automatic irrigation system to the satisfaction of Bureau of Street Services, Urban Forestry Division. Therefore, as conditioned, the project complies with this Development Standard.
- O. Utilities.** This Development Standard requires all new utility lines which directly service the lot or lots to be installed underground. In the event that utilities be installed in the future, a Condition of Approval has been included requiring all proposed utilities on the project site to be placed underground. If underground service is not currently available, provisions shall be made for future underground service. Therefore, as conditioned, the project complies with this Development Standard.
- P. Pedestrian Access.** This Development Standard requires that pedestrian access shall be in the form of walks provided from the public street to the main building entrance and that they provide a view into any existing interior courtyard or landscaped open area. The proposed development offers pedestrian access via a direct path to the main building entrance along Russell Avenue. The front yard and pathway are landscaped with trees, grass turf, and shrubbery. Furthermore, the westerly side yard will provide a common access way to the rear yard's open space area via a six-foot permeably paved path. Therefore, the project complies with this Development Standard.
- Q. Alley Access.** This Development Standard requires vehicle and pedestrian access from existing alleys or side streets to be preserved and enhanced. The subject site is not accessible via an alley. Therefore, this Development Standard does not apply.
- R. Curb Cuts.** This Development Standard allows no more than one curb cut per lot or 100 feet of lot frontage and further requires curb cuts to be a maximum of 20 feet in width unless more is required by the Department of Transportation (DOT) or the Department of Building and Safety (DBS). There is an existing, approximately 12-foot driveway that will remain along the easterly side of the property which will be widened to 16 feet. Therefore, the project complies with this Development Standard.
- S. Driveways.** This Development Standard requires that the first 25 feet in length of driveways to be constructed of Portland cement concrete, pervious cement, grass-crete, or any other porous surface that reduces heat radiation and/or increases surface absorption, thereby reducing runoff. The proposed development is accessible from Russell Avenue via an existing approximately 12-foot common driveway that will remain and be widened to 16 feet, has a length of approximately 135 feet, and proposes permeable pavers. Therefore, the project complies with this Development Standard.
- T. Parking Lots and Structures.** This Development Standard requires surface parking lots, structures, garages and carports to be located at the rear of buildings. Furthermore, surface parking lots shall be paved with Portland cement concrete, pervious cement, grass-crete, or any other porous surface that will reduce the heat radiation and/or increase the surface absorption. The project includes parking spaces within private garages and an uncovered guest parking space located at the rear of

the lot. The uncovered guest parking space will have permeable pavers. Therefore, the project complies with this Development Standard.

- U. **Trash, Service Equipment and Satellite Dishes.** This Development Standard requires that trash, service equipment and satellite dishes to be located away from streets and enclosed or screened by landscaping, fencing or other architectural means. Additionally, the trash area shall be enclosed by a minimum six-foot high decorative masonry wall. The applicant proposes a screened trash and recycling area within each garage space. However, the plans submitted as part of this application do not indicate the location of service equipment and satellite dishes. In the event that any service equipment or satellite dishes are installed in the future, a Condition of Approval has been included requiring that they be located away from Russell Avenue. Therefore, as conditioned, the project complies with this Development Standard.
- V. **Roofs and Rooftop Appurtenances.** This Development Standard requires that all rooftop equipment be screened from public view or architecturally integrated into the design of the building. No rooftop equipment is proposed at this time. However, in the event that additional rooftop mechanical equipment is proposed in the future, a Condition of Approval has been included requiring said equipment and ducts be screened from view from any street, public right-of-way or adjacent property and the screening wall be solid and match the exterior materials, design and color of the building. Therefore, as conditioned, the project complies with this Development Standard.
- W. **Roof Lines.** This Development Standard requires that all roof lines in excess of 40 feet in horizontal length must be broken up through the use of gables, dormers, plant-ions, cutouts or other appropriate means. The north and south elevations of the building measure 30 feet in horizontal length, therefore, not meeting the minimum length requirement for this development standard. The east and west elevations of the building measure approximately 93 feet in horizontal length and provide 4-foot, 9-inch cutouts, consisting of white ash stained wood slats, and four distinctive pitched roofs. Therefore, the project complies with this Development Standard.
- X. **Privacy.** This Development Standard requires that buildings be arranged to avoid windows facing windows across property lines, or the private open space of other residential units. The project abuts residential uses to the west. The applicant has provided elevations which depict the windows of existing adjacent structure to the west superimposed onto the proposed project. The elevation shows that none of the windows of adjacent residential properties will overlap with the new construction. Therefore, the project complies with this Development Standard.
- A. **Façade Relief.** This Development Standard requires that all exterior building elevations, walls or fences provide a break in the plane for every 20 feet in horizontal length, and every 15 feet in vertical length created by an architectural detail or a change in material. The Specific Plan further requires architectural treatments on the building front elevation to be continued on the sides and back of buildings. All facades of the proposed building comply with the requirement by providing breaks in the plane through the use of varied building material, color, recessed plan breaks, and balconies. Therefore, the project complies with this Development Standard.

Design Guidelines

- B. **General Building Design.** This Design Guideline recommends that buildings should be compatible in form with the existing neighborhood atmosphere. The surrounding area is currently developed with single and multi-family residential developments

varying from one to three-stories in height. The proposed three-story residential building and incorporates pitched roof elements on the façade and flat roofs, and is consistent with the height and massing of the surrounding area. Therefore, the project satisfies this Design Guideline.

- C. **Architectural Features.** This Design Guideline recommends that courtyards, roof gardens, porches, balconies, arbors and trellises be used to add interest to the buildings. The project includes open landscaped areas in the front and rear yards with various landscaping elements, including trees, shrubs, and groundcover. The project also proposes façade materials such as wood slats, aluminum or vinyl windows, and smooth stucco. Therefore, the project satisfies this Design Guideline.
 - D. **Shade.** This Design Guideline recommends that canopies, building overhangs and arbors be incorporated into the design of new structures to provide shade. The building includes projecting balconies on the southern elevation, thus providing shade. Therefore, the project satisfies this Design Guideline.
 - E. **Building Color.** This Design Guideline encourages buildings be painted three colors: a dominant color, a subordinate color and a “grace note” color. While the project does not propose three colors, it does use colors and materials to provide a variety of articulation and textures, such as white stucco as its dominant color, white ash stained colored wood slats as its subordinate color, and black matte colored window trim as its grace note façade color. Therefore, the project satisfies this Design Guideline.
2. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

On September 11, 2018, the Planning Department determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under the City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 2, (Apartments, duplexes, and similar structures designed for no more than six dwelling units in an urbanized area), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the Director's Determination shall be fulfilled before the use may be established. The instant authorization is further conditioned upon the privileges being utilized within **three years** after the effective date of this determination and, if such privileges are not utilized, building permits are not issued, or substantial physical construction work is not begun within said time and carried on diligently so that building permits do not lapse, the authorization shall terminate and become void.

TRANSFERABILITY

This determination runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. If any portion of this approval is utilized, then all other conditions and requirements set forth herein become immediately operative and must be strictly observed.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 11.00 of the LAMC states in part (m): "It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Code. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this Code shall be guilty of a misdemeanor unless that violation or failure is declared in that section to be an infraction. An infraction shall be tried and be punishable as provided in Section 19.6 of the Penal Code and the provisions of this section. Any violation of this Code that is designated as a misdemeanor may be charged by the City Attorney as either a misdemeanor or an infraction.

Every violation of this determination is punishable as a misdemeanor unless provision is otherwise made, and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment."

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code, or the approval may be revoked.

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing of the Notice of Director's Determination unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of this Determination, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. Forms are available on-line at <http://planning.lacity.org>.

Planning Department public offices are 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

West Los Angeles
1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Verification of condition compliance with building plans and/or building permit applications are done at the Development Services Center of the Department of City Planning at either Figueroa Plaza in Downtown Los Angeles or the Marvin Braude Building in the Valley. In order to assure that you receive service with a minimum amount of waiting, Applicants are encouraged to schedule an appointment with the Development Services Center either through the Department of City Planning website at <http://planning.lacity.org>, or by calling (213) 482-7077, (818) 374-5050, or (310) 231-2901. The applicant is further advised to notify any consultant representing you of this requirement as well.


The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedures 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.

VINCENT P. BERTONI, AICP
Director of Planning

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