

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
VTT-74112-1A	ENV-2013-2994-MND	14 – Huizar
PROJECT ADDRESS:		
1525 East Industrial Street; 1549 East Industrial Street; 656-660 South Alameda Street		
APPLICANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Ben Brosseau, Camden USA, Inc.		
<input type="checkbox"/> New/Changed		
APPLICANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
Matt Dzurec, Armbruster Goldsmith & Delvac LLP		
APPELLANT	TELEPHONE NUMBER:	EMAIL ADDRESS:
Arts District Community Council (ADCCLA) Yuval Bar-Zemer 1855 Industrial Street, Suite 106 Los Angeles, CA 90021		info@adccla.org yuval@linear-city.com
APPELLANT'S REPRESENTATIVE	TELEPHONE NUMBER:	EMAIL ADDRESS:
John Given Law Office of John Given 2461 Santa Monica Boulevard, #438		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Michael Sin	(213) 978-1345	michael.sin@lacity.org
ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION		
Vesting Tentative Tract (VTT)		

FINAL ENTITLEMENTS NOT ADVANCING:

N/A

ITEMS APPEALED:

Vesting Tentative Tract (VTT)

ATTACHMENTS:	REVISED:	ENVIRONMENTAL CLEARANCE:	REVISED:
<input checked="" type="checkbox"/> Letter of Determination	<input type="checkbox"/>	<input type="checkbox"/> Categorical Exemption	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input type="checkbox"/>	<input type="checkbox"/> Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/>
<input type="checkbox"/> Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map	<input type="checkbox"/>	<input type="checkbox"/> Other _____	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>		
<input type="checkbox"/> Land Use Map	<input type="checkbox"/>		
<input type="checkbox"/> Exhibit A - Site Plan	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Mailing List	<input type="checkbox"/>		
<input type="checkbox"/> Land Use	<input type="checkbox"/>		
<input type="checkbox"/> Other _____	<input type="checkbox"/>		

NOTES / INSTRUCTION(S):

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:
August 10, 2017	9 - 0
LAST DAY TO APPEAL:	APPEALED:
September 7, 2017	Yes, September 7, 2017
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas	September 7, 2017



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: AUG 28 2017

Case No.: VTT-74112-1A

Council District: 14 – Huizar

CEQA: ENV-2013-2994-MND

Plan Area: Central City North

Related Case: CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR

Project Site: 1525 East Industrial Street;
1549 East Industrial Street;
656-660 South Alameda Street

Applicant: Ben Brosseau, Camden USA, Inc.
Representative: Matt Dzurec, Armbruster Goldsmith & Delvac LLP

At its meeting on **August 10, 2017**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

A Vesting Tentative Tract for the merger of two lots and resubdivision into one master ground lot and 13 airspace lots for a maximum 344 live-work units and 29,544 square feet of commercial space.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2013-2994-MND (“Mitigated Negative Declaration”), as circulated on July 21, 2016 and Errata, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **found** the mitigation measures have been made enforceable conditions on the project; and **adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Denied** the appeal and **sustained** the decision of the Advisory Agency, pursuant to Section 17.03 of the Los Angeles Municipal Code (LAMC), to approve the Vesting Tentative Tract Map; and
4. **Adopted** the attached Conditions of Approval as modified by the Commission; and
5. **Adopted** the attached Findings

The vote proceeded as follows:

Moved: Ambroz
Second: Dake Wilson
Ayes: Choe, Katz, Mack, Millman, Mitchell, Padilla-Campos, Perlman

Vote: 9 - 0



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

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

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is further appealable to the Los Angeles City Council within 10 days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: SEP 07 2017

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: Modified Conditions of Approval, Findings

cc: Blake Lamb, Senior City Planner
Jennifer Caira, City Planner
Michael Sin, City Planning Associate

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a one-foot to 3-foot variable width strip of land be dedicated along Industrial Street adjoining the tract to complete a 33-foot wide half right-of-way in accordance with **Collector Street** Standards of LA Mobility Plan and additional 15-foot by 15-foot property line cut corner be dedicated at the intersection with Alameda Street. That the above cut corner dedication shall be limited to a height of 20 feet measured from the finished sidewalk surface.
2. That a 10-foot wide strip of land be dedicated along Alameda Street adjoining the tract to complete a 50-foot wide half right-of-way in accordance with **Avenue I** of LA Mobility Plan.
3. That a 3-foot wide strip of land be dedicated along Mill Street adjoining the tract to complete a 33-foot wide half right-of-way in accordance with **Collector Street** Standards of LA Mobility Plan.
4. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
5. That a set of drawings for airspace lots be submitted to the City Engineer showing the following:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
6. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

7. 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. Provide a copy of CPC case CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.

- c. Provide a copy of the case PMEX-4036. Show compliance with all the conditions/requirements of the case as applicable.
- d. Zone Change must be recorded prior to obtaining Zoning clearance.
- e. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front, side and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- f. The submitted map does not comply with the maximum density (400 s.f. of lot area/dwelling unit) requirement for the proposed C2 Zone. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.
- g. Provide and record a Covenant and Agreement (affidavit) regarding Maintenance of Building on Air Space Lots. Provide Metes and Bounds to establish and identify the boundaries of the parcel with the correct legal description.

Notes:

This property is located in River Improvement Overlay District, ZI-2358.

This property is located in Transit Priority Area in the City of Los Angeles, ZI-2452.

This property is located in a Methane Buffer Zone.

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

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 John Francia at (213) 482-0010 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

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

FIRE DEPARTMENT

9. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.
 - d. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
 - e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - f. 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.
 - g. 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.
 - h. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - i. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - j. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public

- street, private street or Fire Lane. This stairwell shall extend unto the roof.
- k. Entrance to the main lobby shall be located off the address side of the building.
 - l. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
 - m. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
 - n. Policy Exception – L.A.M.C. 57.09.03.B Exception:
 - (1) When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - (2) It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - (3) This policy does not apply to single-family dwellings or to non-residential buildings.
 - o. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
 - p. Adequate public and private fire hydrants shall be required.
 - q. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.
 - r. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing pads are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing pad.

s. SECTION 510 - EMERGENCY RESPONDER RADIO COVERAGE

5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

- t. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- u. 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.
- v. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- w. Site plans shall include all overhead utility lines adjacent to the site.
- x. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

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)

10. 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. The project site is located on the pedestrian and bus routes for students attending Metropolitan High 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 Metropolitan High 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).

DEPARTMENT OF WATER AND POWER

11. Satisfactory arrangements shall be made with the Los Angeles Department of

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

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

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

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

BUREAU OF SANITATION

13. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

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 344 live-work units and 29,544 square feet of commercial floor area.
 - b. Residential parking shall be provided per LAMC Section 12.22-A.25(d). Commercial parking shall be provided per LAMC Section 12.21-A.4(x)(3).

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (201 N. Figueroa Street, 4th Floor).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code

as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- h. **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, 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. Action 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.

15. That prior to the issuance of the building permit or the recordation of the final map, a copy of Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING - ENVIRONMENTAL MITIGATION MEASURES

16. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation **Condition**

Nos. 17 and 18 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

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

MM-1. The applicant shall comply with the following recommendations as specified in the Phase I Environmental Site Assessment (ESA) in the design and construction of the Industrial Street Lofts Project to the satisfaction of the Department of Building and Safety:

- a. Based on the results of the ESA no further inquiry and/or investigation of the subject property is considered practical at this time, and thus none are recommended. However, the Applicant should be aware that isolated pockets of impacted subsurface soil may be encountered during construction and, if encountered, are likely to affect the construction schedule for the planned development. In addition, the unknown underground feature, encountered by BAS, will require further assessment and removal. Should this feature be confirmed to be an underground storage tank, a specialized contractor shall be retained to handle the decommissioning and removal of the tank and associated impacted soil, if any, to the satisfaction of the Los Angeles Fire Department.
- b. In the event that the current owners leave the facility "as is" (i.e., all existing equipment, chemicals, debris, waste, etc., will remain at the site and thereby become the property of Camden upon taking possession of the property), the applicant shall retain the services of a qualified demolition contractor, experienced in handling items, which may contain regulated substances and thus require proper draining/containerization and subsequent disposal/recycling.
- c. Should existing engineered fill under Freezer #5 be re-used at the site (based on geotechnical recommendations), the fill soil shall be tested in order to assess whether it meets the residential land use criteria.

MM-2. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

- MM-3. Wall and floor-ceiling assemblies separating commercial tenant spaces, live/work units, and public places, shall have a Sound Transmission Coefficient (STC) value of at least 50, as determined in accordance with ASTM E90 and ASTM E413.
- MM-4. Concrete, not metal, shall be used for construction of parking ramps.
- MM-5. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-6. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features:
- a. Fire lanes, where required, shall be a minimum of 20 feet in width;
 - b. All structures must be within 300 feet of an approved fire hydrant; and
 - c. Entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-7. Prior to plan check review, the Project Applicant shall consult with the Los Angeles Fire Department regarding the installation of public and/or private fire hydrants, sprinklers, access, and/or other fire protection features within the Project. All required fire protection features shall be installed to the satisfaction of the Los Angeles Fire Department.
- MM-8. The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

- MM-9. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- a. Weather-based irrigation controller with rain shutoff.
 - b. Matched precipitation (flow) rates for sprinkler heads.
 - c. Drip/microspray/subsurface irrigation where appropriate.
 - d. Minimum irrigation system distribution uniformity of 75 percent.
 - e. Proper hydro-zoning, turf minimization and use of native/drought tolerant plant materials.
 - f. Use of landscape contouring to minimize precipitation runoff.
- MM-10. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 square feet and greater.
- MM-11. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- MM-12. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-13. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- MM-14. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- MM-15. All commercial restroom faucets shall be of a self-closing design.
- MM-16. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-17. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be

incorporated into the lease agreement, and the Applicant shall be responsible for ensuring compliance.

MM-18. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the Applicant shall be responsible for ensuring compliance.

MM-19. The power contractor shall use either plug-in electric or solar powered on-site generators to the extent feasible.

18. **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 it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.

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. A construction contingency plan for dealing with both anticipated and potential occurrences of environmentally sensitive situations during site redevelopment shall be established and adhered to during construction.

CM-3. 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 and national holidays.

- CM-4. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-5. All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices.
- CM-6. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.
- CM-7. Barriers such as, but not limited to, plywood structures or flexible sound control curtains extending eight feet in height shall be erected around the perimeter of the construction site to minimize the amount of noise during construction on the nearby noise-sensitive uses.
- CM-8. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- CM-9. A Construction work site traffic control plan shall be submitted to DOT for review and approval in accordance with the LAMC prior to the start of any construction work. The plans shall show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction related traffic shall be restricted to off-peak hours.
- CM-10. All delivery truck loading and unloading shall take place on site.
- CM-11. The Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical

separation (including utilization of barriers such as K-Rails or scaffolding, etc) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

CM-12. Temporary pedestrian facilities shall be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.

CM-13. Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.

CM-14. Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

DEPARTMENT OF CITY PLANNING - STANDARD JOINT LIVING AND WORK CONDITIONS

LW-1. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the LAMC and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

LW-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- a. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
- b. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
- c. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.

- d. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.

LW-3. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building. However, prior to issuance of a building permit for joint living and work units, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

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

LW-4. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

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 Los Angeles Municipal Code (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 unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private 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.
 - a. Construct one new street light on Alameda Street.
 - b. Construct five new street lights on Industrial Street.
 - c. Construct one new street light on Mill Street.
- Notes:
- The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.
- Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.
- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree 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 Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Alameda being dedicated and adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, and a 15-foot full-width concrete sidewalk with tree wells.
 - (2) Suitable surfacing to join the existing pavement and to complete 35-foot half roadway.
 - (3) The necessary transitions to join the existing improvement.
 - (4) Relocation of the existing catch basin along Alameda Street satisfactory to the City Engineer.
 - b. Improve Industrial Street and Mills Street being dedicated and adjoining the tract by the construction of additional concrete sidewalks within the newly dedicated areas to complete full-width concrete sidewalks with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

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

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

The final map must be recorded 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 project was issued Mitigated Negative Declaration ENV-2013-2994-MND on July 21, 2016. Potential negative impacts could occur from the project's implementation due to:

- Hazardous Materials Site
- Land Use / Planning
- Increased Noise Levels (Demolition, Grading, and Construction Activities)
- Increased Noise Levels (Mixed-Use Development)
- Increased Noise Levels (Parking Structure Ramps)
- Public Services (Fire Protection)
- Public Services (Police – Demolition / Construction Sites)
- Public Services (Police)
- Transportation / Traffic
- Utilities (Local Water Supplies – Landscaping)
- Utilities (Local Water Supplies – All New Construction)
- Utilities (Local Water Supplies – New Commercial or Industrial)
- Utilities (Local Water Supplies – New Residential)

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-2994-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of **Condition Nos. 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 16.

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

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74112, 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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Central City North Plan designates the subject property for heavy manufacturing land use with the corresponding zone of M3. The property contains approximately 2.59 net acres (112,842 net square feet) after required dedication and is presently zoned M3-1-RIO. The proposed 14-lot airspace subdivision is allowable under the current adopted zone and the land use designation. The project site is within the River Improvement Overlay (RIO) District.

Related Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR includes a general plan amendment to change the land use designation from Heavy Industrial to Regional Commercial, a vesting zone change / height district change from M3-1-RIO (Heavy Manufacturing) to C2-2D-RIO (Commercial). The requested Community Commercial land use correlated C2 Zone would allow the proposed residential and commercial development on the property. The tract map approval is conditioned on the approval of the General Plan Amendment and Zone Change / Height District Change (Condition No. 15).

Residential parking will be provided as required by the LAMC. The project will provide 397 resident parking spaces and 80 guest parking spaces for the 344 live-work apartment units.

The project site is located within the Los Angeles State Enterprise zone. Per LAMC 12.21-A.4(x)(3), areas within any Enterprise Zone only need to provide two parking spaces for every 1,000 square feet of commercial space. Based on this requirement, the 29,544 square foot site is required to provide 59 commercial parking spaces.

The project will include 391 on-site bicycle parking spaces, meeting requirements of the Bicycle Ordinance (Ordinance No. 182,386). The live-work units require 379 bicycle parking spaces, including 35 short-term and 344 long-term spaces. The commercial area requires 12 bicycle parking spaces, including 5 short-term and 7 long-term spaces.

Therefore, the proposed map will be consistent with the applicable General Plan upon approval of the General Plan Amendment and the Zone Change.

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

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory and that there are existing sewers in the streets adjoining the subdivision. As a condition of approval, the subdivider is required to make dedications and improvements on Industrial Street, Alameda Street and Mill Street in order to meet current street standards. The Bureau of Street Lighting has also reviewed the proposed subdivision and has conditioned the subdivision approval to construct new street lights on Industrial Street, Alameda Street and Mill Street in order to meet current street lighting standards. This tract will connect to the public sewer system and will not result in violation of the California Water Code. The Bureau of Sanitation reviewed the sewer/storm drain lines serving the proposed subdivision and found no potential problems to their structures or potential maintenance problems.

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

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

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The Department of Building and Safety, Grading Division, has tentatively approved the tract map without conditions.

The site is not subject to the Flood Hazard Specific Plan (Ordinance No. 172081, effective July 3, 1998) for floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas. This plan qualifies property owners for greater coverage limits and generally lower flood insurance premium rates.

A tree letter dated February 12, 2016, certified that there are no protected trees on the project site.

The project engineer has certified that the subject site is not located in a flood hazard, a hillside, or a mud-prone area. However, the project is located in a Methane Buffer Zone. Prior to the issuance of a building permit, a qualified engineer will be required to investigate and design a methane mitigation system in compliance with the Department of Building and Safety Methane Mitigation Standards for the appropriate Site Design Level, which will prevent or retard potential methane gas seepage into the building.

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

The approximately 2.59 acre site is currently zoned M3-1-RIO. The proposed map includes an accompanying request for a general plan amendment to change the Central City North land use designation from Heavy Manufacturing to Regional Commercial, a vesting zone change / height district change from M3-1-RIO (Heavy

Manufacturing) to C2-2D-RIO (Commercial), On- and Off-Menu Density Bonus Incentives for reduced open space and reduced side yard setbacks respectively, a master conditional use permit for the sale of alcohol for on-site restaurant consumption, and an approval of Site Plan Review findings (Case No. CPC-2013-2993-GPA-VZC-HD-DB-MCUP-SPR). The current plan designation of Heavy Manufacturing and the M3-1-RIO Zone would not allow residential and commercial uses on the site. The land use designation change and zone change would allow the C2 Zone to be developed at the R5 density which is 200 square feet of lot area per dwelling unit. The proposed 344 dwelling units is consistent with R5 density.

The Height District Change from Height District No. 1 to Height District No. 2D would allow an increase in the Floor Area Ratio (FAR) from 1.5:1 to 6:1. Although Height District No. 2 allows an FAR of 6:1, the D limitation reduces the maximum FAR to 3:1. The project will be built at or less than 2.98:1 FAR. This would allow for a mix of commercial and residential uses as permitted by LAMC Section 12.22 A.18(a).

The project site is currently served by two MTA Rapid Bus Lines, including lines 720 and 760, and five MTA Local Bus Lines, including lines 18, 28, 53, 60 and 62. These lines provide connections to the downtown subway stations, which include Pershing Square and 7th Street/Metro Center. Additionally, the Greyhound Bus Terminal is located one block south of the project site on 7th Street, which provides inter-city bus services to various locations outside of the Los Angeles area.

The project is also served by the Metro Gold Line rail system located at the Little Tokyo/Arts District station near 1st Street and Alameda Street. The Metro Gold Line offers service to East Los Angeles to the east and Pasadena to the northeast. The Metro Gold Line connects to Union Station, providing access to Metrolink, the Metro Silver Bus Line, and Metro Rail Red and Purple Lines.

- (e) THE DESIGN OF THE SUBDIVISION OR 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 Mitigated Negative Declaration No. ENV-2013-2994-MND 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.

The Initial Study, prepared for the project by Parker Environmental Consultants (published on July 21, 2016), identifies potential adverse impact on fish or wildlife resources as far as earth, air, and plant life 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 is presently developed with structures and does not provide a

natural habitat for either fish or wildlife.

Any demolition, grading, and construction will be conducted per the requirements of the Los Angeles Municipal Code and associated permits needed to perform such work. These permits also restrict work hours to mitigate noise pollution.

- (f) **THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.**

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains legally recorded lots identified by the Assessor Parcel Record. The site is surrounded by private and public properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any officially recognized public recreation area. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- (h) **THE DESIGN OF THE PROPOSED SUBDIVISION SHALL 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.

These findings shall apply to both the tentative and final maps for Tract No. 74112.