## PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK’S OFFICE

<table>
<thead>
<tr>
<th>CITY PLANNING CASE:</th>
<th>ENVIRONMENTAL DOCUMENT:</th>
<th>COUNCIL DISTRICT:</th>
</tr>
</thead>
<tbody>
<tr>
<td>VTT-74581-CN-1A</td>
<td>ENV-2016-3656-MND</td>
<td>14 - HUIZAR</td>
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## PROJECT ADDRESS:
400 South Alameda Street;
400-416 South Alameda Street;
407-417 South Seaton Street

### APPLICANT

- New/Changed
- Tyler Stonebreaker  
  Habita Arts District, LLC  
  547 W. 27th Street  
  New York, NY 10001  
  Phone: 310-310-5408  
  Email: tyler@creativespace.us

### APPLICANT’S REPRESENTATIVE

- Alfred Fraijo  
  Sheppard, Mullin, Richter & Hampton, LLP  
  333 S. Hope Street, 43rd Floor  
  Los Angeles, CA 90071  
  Phone: 213-620-1780  
  Email: afraijo@sheppardmullin.com

### APPELLANT

- Natalie Schuman  
  120 South Vignes Street  
  Los Angeles, CA 90014

### APPELLANT’S REPRESENTATIVE

- Gideon Kracov  
  Law Office of Gideon Kracov  
  801 South Grand Avenue, 11th Floor  
  Los Angeles, CA 90017  
  Phone: 213-629-2071  
  Email: gk@gideonlaw.net

### PLANNER CONTACT INFORMATION

- Jordann Turner  
  Phone: 213-978-4656  
  Email: jordann.turner@lacity.org

## ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION

- Vesting Tentative Tract Appeal
FINAL ENTITLEMENTS NOT ADVANCING:
N/A

ITEMS APPEALED:
Vesting Tentative Tract

<table>
<thead>
<tr>
<th>ATTACHMENTS</th>
<th>REVISED</th>
<th>ENVIRONMENTAL CLEARANCE</th>
<th>REVISED</th>
</tr>
</thead>
<tbody>
<tr>
<td>✔ Letter of Determination</td>
<td></td>
<td>◯ Categorical Exemption</td>
<td></td>
</tr>
<tr>
<td>✔ Findings of Fact</td>
<td></td>
<td>◯ Negative Declaration</td>
<td></td>
</tr>
<tr>
<td>✔ Staff Recommendation Report</td>
<td></td>
<td>◯ Mitigated Negative Declaration</td>
<td></td>
</tr>
<tr>
<td>✔ Conditions of Approval</td>
<td></td>
<td>◯ Environmental Impact Report</td>
<td></td>
</tr>
<tr>
<td>□ Ordinance</td>
<td></td>
<td>◯ Mitigation Monitoring Program</td>
<td></td>
</tr>
<tr>
<td>□ Zone Change Map</td>
<td></td>
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<tr>
<td>□ GPA Resolution</td>
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<tr>
<td>□ Land Use Map</td>
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<tr>
<td>□ Exhibit A - Site Plan</td>
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<tr>
<td>✔ Mailing List</td>
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<td>□ Land Use</td>
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NOTES / INSTRUCTION(S):
Related Case:  CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR

FISCAL IMPACT STATEMENT:

✔ Yes  □ No

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

PLANNING COMMISSION:

✔ City Planning Commission (CPC)  □ North Valley Area Planning Commission
□ Cultural Heritage Commission (CHC)  □ South LA Area Planning Commission
□ Central Area Planning Commission  □ South Valley Area Planning Commission
□ East LA Area Planning Commission  □ West LA Area Planning Commission
□ Harbor Area Planning Commission

PLANNING COMMISSION HEARING DATE: | COMMISSION VOTE:
Transmittal Rev 04/05/17
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<tr>
<th>LAST DAY TO APPEAL:</th>
<th>APPEALED:</th>
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<tbody>
<tr>
<td>October 23, 2017</td>
<td>Yes (10-20-17)</td>
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<td>TRANSMITTED BY:</td>
<td>TRANSMITTAL DATE:</td>
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<td>Rocky Wiles</td>
<td>November 2, 2017</td>
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<td>Commission Office</td>
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</tbody>
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LETTER OF DETERMINATION

MAILING DATE: OCT 13 2017

Case No.: VTT-74581-CN-1A  Council District: 14 – Huizar
CEQA: ENV-2016-3656-MND
Plan Area: Central City North
Related Case: CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR

Project Site: 400 South Alameda Street;
400-416 South Alameda Street;
407-417 South Seaton Street

Applicant: Tyler Stonebreaker, Habita Arts District, LLC
Representative: Alfred Fraijo, Sheppard, Mullin, Richter & Hampton, LLP

Appellant: Natalie Schuman
Representative: Gideon Kracov, Law Office of Gideon Kracov

At its meeting on September 14, 2017, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Conversion of an existing 44,600 square-foot manufacturing warehouse into a 66-guest room boutique hotel, including an approximately 3,800 square-foot restaurant, approximately 840 square-feet of specialty retail, and an approximately 890 square-foot screening room. The hotel will also include a rooftop pool deck with bar/lounge.

1. Founded, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-3656-MND ("Mitigated Negative Declaration"), 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; founded 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 Deputy Advisory Agency, pursuant to Section 17.03 of the Los Angeles Municipal Code (LAMC), to approve the Vesting Tentative Tract Map;

3. Adopted the attached Conditions of Approval; and

4. Adopted the attached Findings.
The vote proceeded as follows:

Moved: Dake Wilson  
Seconded: Mitchell  
Ayes: Ambroz, Khorsand, Mack, Millman  
Absent: Choe, Padilla-Campos, Perlman  

Vote: 6 – 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: OCT 23 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: Conditions of Approval, Findings

cc: Nicholas Hendricks, Senior City Planner  
    Jordann Turner, City Planner
CONDITIONS OF APPROVAL

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.06 and 17.15, the Advisory Agency approved Vesting Tentative Tract Map No. 74581, located at 400 South Alameda Street (400-416 South Alameda Street, 407-417 South Seaton Street) for the merger lots into a single master lot and subdivision of airspace for condominium purposes as shown on map stamp-dated September 26, 2016 in the Central City North Community Plan. This unit density is based on the proposed C2-2-RIO Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety for legal interpretation of the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077, (818) 374-5050, or (310) 231-2598. The Advisory Agency’s approval is subject to the following conditions:

NOTE on clearing conditions: When two or more agencies must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewer in the area.

2. That any fee deficit under Work Order No. EXT00712 expediting this project be paid.

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

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

3. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

4. 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. Permits and signed inspection cards to show completion of the demolition work. Provide a copy of CPC case CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR. Show compliance with all the conditions/requirements of the CPC case(s) as applicable.

   b. Residential use is not allowed in the M3 Zone. Obtain Zone Change approval from the Department of City Planning and City Council. Comply with Zone Change requirements.
c. Zone Change must be recorded prior to obtaining Zoning clearance.

d. Provide side yard setback for the proposed hotel use (residential use) per the R4 Zone requirements or obtain City Planning approval.

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 dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

Proposed hotel use might require a CUP in the Proposed C2 Zone. Plan check will be required before any construction, occupancy or change of use.

Compliance shall be to the satisfactory of the Department of Building and Safety at the time of Plan Check.

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.

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

5. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation.

b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building
permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Room 550.

Please contact this section at (213) 482-7024 for any questions regarding the above.

FIRE DEPARTMENT

6. **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. Access for Fire Department apparatus and personnel to and into all structures shall be required.

   b. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.

   c. Where above ground floors are used for residential purposes, the access requirements shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire land to the main entrance of individual units.

   d. 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.

   **Policy Exception:**

   L.A.M.C. 57.09.03.B Exception:

   - 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 west 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.

   - 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.

   - This policy does not apply to single-family dwellings or to non-residential buildings.

   e. 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.

   f. 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 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
g. Entrance to the main lobby shall be located off the address side of the building.

h. Any required Fire Annunciator panel or Fire Control Rooms shall be located within 50 feet visual line of the site of the main entrance stairwell or to the satisfaction of the Fire Department.

i. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

j. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to the Building and Safety granting a Certificate of Occupancy.

k. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department’s review of the plot plan.

l. Site plans shall include all overhead utility lines adjacent to the site.

m. Any roof elevation changes in excess of three feet may require 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 (818) 374-4351. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

7. 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

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

Improvement Condition: Construct new street lights: Three (3) on Alameda Street and two (2) on Seaton. Construct new pedestrian lights: four (4) on Alameda Street, two (2) on Seaton Street and one (1) on 4th Street.
BUREAU OF SANITATION

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

INFORMATION TECHNOLOGY AGENCY

10. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

URBAN FORESTRY DIVISION

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

Note: All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at 213-847-3077.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. 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. The proposed development shall be limited to the maximum density approved per CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR.

b. Parking shall be provided in compliance with 12.21-A,4 and 16.

c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

d. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
e. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

f. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

g. For the purposes of this subdivision, the Lot Lines along Alameda Street, 4th Street, and Seaton Street shall be designated as Front Lot Lines and the remaining Lot Line shall be designated as Side Lot Lines.

13. Prior to the issuance of the building permit or the recordation of the final map, a copy of CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR is not approved or is modified by the City Planning Commission or City Council, the subdivider shall submit a tract modification.

14. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

15. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

a. 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.

b. 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.

c. 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 (b).

d. 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. (b)
e. If the City determines it necessary to protect the City’s interests, 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, commission, 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.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

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

MM-1. Aesthetics (Light). Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

MM-2. Aesthetics (Glaire) The exterior of the proposed structure shall be constructed of materials such as, but not limited to high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

MM-3. Utilities (Water Infrastructure) as required by the LADPW Bureau of Sanitation, prior to the issuance of building permits, the project engineer shall request from LAFD the
required fire flow requirements for the project. Following receipt of the required fire flow requirements from LAFD, the project applicant shall apply for a Service Advisory Request ("SAR/Fire Flow Report"). The LADWP shall then determine whether the existing system is capable of meeting these requirements. Water main replacement may be required if fire flow requirements cannot be met. Any water main replacements needed for the project would be required as part of the project conditions of approval.

DEPARTMENT OF CITY PLANNING-STANDARD CONDITIONS

SC-1. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site and shall include the following features.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract complies with the width and area requirements of the
Vesting Tentative Tract Map No. 74581-CN-1A

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 Transportation with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) Construct new street lights as determined by the Bureau of Street Lighting.

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry 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 (213-485-5675) upon completion of construction to expedite tree planting.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

   i. Improve all the streets adjoining the tract with reconstruction of the existing full-width concrete sidewalks if necessary with tree wells.

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 density.

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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

The final map must record within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

FINDINGS OF FACT (CEQA)
The Department of City Planning issued Mitigated Negative Declaration No. ENV-2016-3656-MND on June 14, 2017. The Department found that potential negative impact could occur from the project’s implementation due to:

Aesthetics  
Utilities

The Deputy Advisory Agency adopts that Mitigated Negative Declaration No. ENV-2016-3656-MND and finds that it reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No. 17 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.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by adopting the attached Mitigation Monitoring Program of ENV-2016-3656-MND.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 74581, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

(a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Specifically, Section 17.05-C requires that the tentative tract map be designed in compliance with the zoning applicable to the project site. The project site is located within the Central City North Community Plan, one of 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the site with a Heavy Manufacturing land use designation and the size is currently zoned M3-1-RIO. The applicant has requested a General Plan Amendment to change the land use designation to Community Commercial and the zoning to C2-2-RIO under Case No. CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR in conjunction with the development of a 66-guest room hotel. Thus, the requested C2 Zone would be consistent with the requested land use designation of Community Commercial.

In addition to LAMC Section 17.05-C, LAMC Section 17.06-B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. As defined by the Subdivision Map Act and LAMC Section 17.02, design includes, but is not limited to, street alignments (grades and widths), utilities, location of easements, and lot size and configuration. The tract map indicates the location of vehicular access and meets the minimum lot size and width requirements of LAMC Section 12.10 and 12.14.
Additionally the map indicates the location of utilities and public right-of-ways. The tract map was prepared by Psomas and contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way. As the project site is a legal lot which has frontage and access from Alameda Street, 4th Street and Seaton Street, an easement is not required for the purposes of access. The tract map indicates the tract number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06-B. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05-C and 17.06-B and is consistent with the applicable General Plan.

With the approval Case No. CPC-2016-3655-GPA-ZC-HD-CUB-ZAA-SPR, the tract will be substantially consistent with the applicable General Plan affecting the project site and demonstrates compliance with Sections 17.06 of the Los Angeles Municipal Code as well as with the intent and purpose of the General Plan.

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

The design and improvement of the proposed subdivision are consistent with the Central City North Community Plan. Section 17.05-C of the Los Angeles Municipal Code enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (“net area”). The requested map meets the required components of a tentative map.

The site has approximately 207 feet of frontage along Alameda Street, 203 feet of frontage along Seaton Street, and 59 feet of frontage along 4th Street. Alameda Street is designated as an Avenue I with a designated right-of-way width of 100-feet. 4th Street is a designated as an Avenue III, with a designated right-of-way-width of 72-feet. Seaton Street is a designated as a Collector Street, with a designated width of 66 feet. The Bureau of Engineering has recommended improvement requirements for Alameda Street, 4th Street, and Seaton Street consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

Pursuant to Section 66418 of the Subdivision Map Act, “design” of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the “design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects.”
The design and layout of the tentative map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Department of Building and Safety, Bureau of Engineering, and Bureau of Sanitation) have reviewed the originally-submitted map. Those comments that have been included as conditions of approval.

The project was reviewed by various city agencies that have the authority to make improvement recommendations. In addition, the project will be required to comply with providing necessary public access to the on-site easements. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the intent and purpose of the applicable General and Specific Plans.

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

The project site is triangular-shaped lot, approximately 0.37 acres in size and consists of four parcels. The site is located is bounded by 4th Street on the north, Alameda Street on the west and Seaton Street on the south. The project site is currently developed with a three-story 44,600 square-foot manufacturing warehouse constructed in 1911. There are no existing residential uses on site. The proposed project conversion of the existing warehouse into a 66-room boutique hotel with a 3,800 square foot restaurant, approximately 840 square feet of specialty retail, and an approximately 890 square foot screening room.

The project site is located 1.64 kilometers from the Puente Hills Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or BOE Special Grading Area. The site is not located within a high fire hazard severity zone. Additionally, the site is not located within a flood zone, landslide, liquefaction, tsunami inundation zone, but is located within a methane zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation.

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The General Plan identifies (through its Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning applying to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.
The adopted Central City North Community Plan currently designates the subject property for Heavy Manufacturing land uses, corresponding to the M3 Zone. The site is zoned M3-1-RIO which is consistent with its current land use designation. The applicant has requested a General Plan Amendment to the Central City North Community Plan from a Heavy Manufacturing to Community Commercial land use designation and a Zone Change and Height District Change to C2-2-RIO under Case No. CPC-2016-3655-GPA-ZC-HD-CUB-SPR. The requested Community Commercial land use designation corresponds to the CR, C2, C4, RAS3, and RAS4. Thus, the requested C2 Zone would be consistent with the requested land use designation of Community Commercial. The C2-2-RIO permits hotel and commercial uses.

The project site is triangular-shaped lot, approximately 0.37 acres in size and consists of four parcels. The site is located is bounded by 4th Street on the north, Alameda Street on the west and Seaton Street on the south. The project site is currently developed with a three-story 44,600 square-foot manufacturing warehouse constructed in 1911. There are no existing residential uses on site. The proposed project conversion of the existing warehouse into a 66-room boutique hotel with a 3,800 square foot restaurant, approximately 840 square feet of specialty retail, and an approximately 890 square foot screening room.

There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. Therefore, the project site is physically suitable for the proposed density of development.

(e) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE OR THEIR HABITAT.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. The project site is located in the Arts District, on the eastern edge of downtown Los Angeles. Surrounding land uses in the project site area are characterized by a mix of industrial, warehouse, wholesale, commercial, institutional, and residential uses. Some buildings in the area have been adaptively remodeled for restaurant, commercial, and residential uses. The proposed project conversion of the existing warehouse into a 66-room boutique hotel with a 3,800 square foot restaurant, approximately 840 square feet of specialty retail, and an approximately 890 square foot screening room.

Therefore, the design of the subdivision and proposed improvements will not cause environmental damage or injure fish, wildlife or their habitats.

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

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements,
as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed commercial and industrial uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Alameda Street, 4th Street and Seaton Street which are public streets. The project site consists of a legally recorded lot identified as Lots 1, 2, 3, and 4 in Block “A” of F. P. Howard and Co’s Subdivision of the Bliss Tract and is identified by the Assessor Parcel Map No. 5163-026-001. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed parcel map.

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 the property within the proposed subdivision.

(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The 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.