

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

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
APCSV-2016-120-ZC-SPPA-SPP	ENV-2016-121-MND	2 – Krekorian
<b>PROJECT ADDRESS:</b>		
5137 – 5149 ½ North Colfax Avenue		
<b>APPLICANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Peterberg Companies 3401 Grande Vista Drive #672 Newbury Park, CA 91601  <input type="checkbox"/> New/Changed	(818) 715-0417	kfox@peterberginc.com
<b>APPLICANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Adam Goldberg 3401 Grande Vista Drive #672 Newbury Park, CA 91319	(818) 715-0417	adam@peterberginc.com
<b>APPELLANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
N/A		
<b>APPELLANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
N/A		
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Peggy Malone-Brown, City Planning Associate	(818) 374-5036	pegggy.malone-brown@lacity.org
<b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>		
Zone Change		

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

<b>ATTACHMENTS:</b>	<b>REVISED:</b>	<b>ENVIRONMENTAL CLEARANCE:</b>	<b>REVISED:</b>
<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 checked="" type="checkbox"/> Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/> Mitigation Monitoring Program	<input type="checkbox"/>
<input checked="" 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):**

N/A

**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

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
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October 26, 2017

4 - 1

<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
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December 11, 2017

N/A

<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
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Renee A. Glasco

12-14-2017



# SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

MAILING DATE: NOV 20 2017

Case No.: APCSV-2016-120-ZC-SPPA-SPP

Council District: 2 – Krekorian

CEQA: ENV-2016-121-MND

Plan Area: North Hollywood - Valley Village

Project Site: 5137 - 5149½ North Colfax Avenue

Applicant: Peterberg Companies  
Representative: Adam Goldberg

At its meeting of **October 26, 2017**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of an existing office building, restaurant, four (4) residential dwelling units, and an off-site sign (billboard), and the construction, used, and maintenance of 12, three-story, single-family dwellings with 28 parking spaces (including four (4) guest spaces), in a Small Lot Subdivision.

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-2016-121-MND (“Mitigated Negative Declaration,”) 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. **Approved** and recommended that the City Council approve a Zone Change from the [Q]C2-1VL (Commercial Zone) to (T)(Q)RAS3-1VL (Residential/Accessory Services Zone), subject to the attached (Q) and (T) Conditions of Approval;
3. **Approved** a Specific Plan Adjustment from Section 6.B.1.b of the Valley Village Specific Plan to permit a maximum building height of 32 feet, 9 3/8 inches (a 9.2 percent increase), in lieu of the 30-foot maximum height otherwise permitted;
4. **Approved** a Project Permit Compliance for consistency with the Valley Village Specific Plan and;
5. **Adopted** the attached Findings.

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

This action was taken by the following vote:

Moved: Dierking  
Seconded: Bishop  
Ayes: Beatty, Cochran  
Nays: Mather

**Vote: 4 – 1**



\_\_\_\_\_  
Renee Glasco, Commission Executive Assistant I  
South Valley Area Planning Commission

**Effective Date/Appeals:** The South Valley Area Planning Commission’s decision, as it relates to the Specific Plan Adjustment and the Project Permit Compliance, is appealable to the Los Angeles City Council within 20 days after the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department’s Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys, or 1828 Sawtelle Boulevard, Second Floor, Los Angeles.

**FINAL APPEAL DATE:** DEC 11 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: Ordinance, Map, (T) Tentative Conditions, and Findings

c: Peggy Malone-Brown, City Planner Associate

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

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

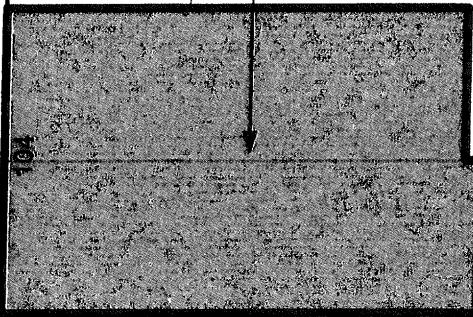
THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

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

MAGNOLIA BLVD

**(T)(Q)RAS3-1VL**

ALLEY

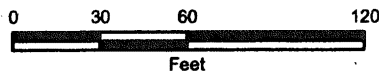


COLFAX AVE

52

HARTSOOK ST

60

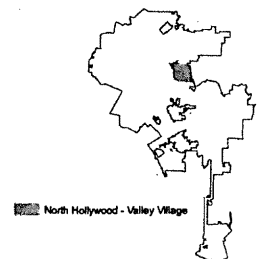


APCSV-2016-0120-ZC-SPPA-SPP

AAV/

121416

City of Los Angeles





## QUALIFIED CONDITIONS OF APPROVAL

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

### **A. Development Conditions:**

1. **Use.** The property shall comply with the use, restrictions/limitations, and area provisions of the RAS3 Zone, pursuant to LAMC Section 12.10.5, unless modified by herein conditions or subsequent action.
2. **Density.** A maximum of twelve (12) Small Lot homes.
3. **Height.** No building or structure shall exceed 32 feet, 9 3/8 inches in height, as defined by Section 12.21.1 of the LAMC, and as shown on the project plans dated August 18, 2017, and labeled "**Exhibit A**", attached to the subject case file.
4. **Site Development. Plot/Site Plan.** Prior to the issuance of any building permits for the subject project, detailed development plans, including site and elevation plans, and including complete landscape and irrigation plans prepared by a licensed landscape architect or architect, shall be submitted for review and approval by the Department of City Planning for verification of compliance with the imposed conditions. The plans submitted to the Department of Building and Safety shall be revised in conformance with this approval, and shall be in substantial conformance with the plans dated August 18, 2017, and labeled "**Exhibit A**", attached to the subject case file. Minor deviations may be allowed in order to comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.
5. **Off-street Parking.** Automobile and bicycle parking shall be provided on-site as required by L.A.M.C. Sections 12.21 A.4 and 12.21 A.16, respectively. Four (4) guest automobile parking spaces shall be provided, in accordance with the requirement imposed by Vesting Tentative Tract No. VTT-74024-SL.
6. **Landscaping (Open Areas).** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning. The front, side, and rear yard landscaping shall be provided as identified on Sheet L1 of the Plan set labeled Exhibit A and dated August 18, 2017.
7. **Living Roof.** A landscaped living roof shall be provided on the roof deck of each Small Lot home, as identified on Sheet L2 of the Plan set labeled Exhibit A and dated August 18, 2017.

8. **Entrances.** Locate the primary entrance of the Small Lot homes located on lots 6 and 12 facing the street (Colfax Avenue), and provide a pedestrian access gate and walkway leading from the public right-of-way along Colfax Avenue to each home fronting along Colfax Avenue. Place entrances for all Small Lot homes at grade level, or slightly above, and provide a porch for each entrance.
9. **Access.** Resident and guest vehicular access (i.e., automobile) shall be prohibited from Colfax Avenue, and shall be provided only off the alley at the rear (west side) of the subject property. Vehicular access (i.e., automobile) off of Colfax Avenue shall be limited to Fire Department emergency vehicles only, via a crash gate equipped with a knock box, and shall be provided to the satisfaction of the Fire Department. In the event the Fire Department does not require a curb cut along Colfax Avenue, none shall be provided.
10. **Architectural Treatments.** Architectural treatments shall include the use of smooth, hardi-panel siding with reveals, horizontal wood railing, anodized bronze aluminum window moldings, stained wood lap siding, wood garage doors, standing seam metal roof, wood entry doors with steel pulls, overhangs with metal fascia and tongue-and-groove wood, as shown on Sheet A0.3 of the Plan set dated August 18, 2017.
11. **Guest Parking.** Locate guest parking toward the rear of the site, adjacent to the alley.
12. **Pedestrian Paths.** Provide distinguishable pedestrian paths having a minimum width of 2 feet 6 inches and delineated by contrasting paving materials to connect the guest parking area adjacent to the alley, and the sidewalk along Colfax Avenue, to each individual home. The pedestrian walkways may be located within the 20-foot wide common access driveway.
13. **Permeable Pavers.** Permeable pavers shall be used for all pedestrian pathways and driveways, in lieu of concrete or asphalt.
14. **Front Yard Fence Height.** The height of the front yard fence along Colfax Avenue shall not exceed 3.5 feet.
15. **Guard Railing Setback.** The guard railing located on the rooftop decks of the Small Lot homes closest to the alley (lots 1 and 7) shall be located at least 25 feet 2 5/8 inches from the westerly property lines. The guard railing located on the rooftop decks of the Small Lot homes on lots 1-6 shall be located a minimum of eight (8) feet 6 inches from the northerly property lines. The guard railing located on the rooftop decks of the Small Lot homes on lots 7-12 shall be located a minimum of eight (8) feet 6 inches from the southerly property lines.



16. **Prior to submitting final plans to Building and Safety**, revised plans shall be submitted to the Planning Department for approval demonstrating compliance with the following:

- a. **Lighting.** All guest parking areas and pedestrian walkways shall be illuminated with ornamental low-level lighting.
- b. **Lighting Fixtures.** Lighting fixtures shall be installed to accent and complement the Small Lot homes' architectural details at night, utilizing uniform, and glare-free lighting, such as dark-sky compliant fixtures, to avoid uneven light distribution, harsh shadows, and light spillage.
- c. **Walls.** Vines shall be planted to screen walls along the northerly and southerly property lines. Walls shall be decorative and include a change in color, material and texture.
- d. **Pedestrian Access.** In addition to the front yard access gates provided for the Small Lot homes located on lots 6 and 12, provide a separate pedestrian access gate (adjacent to the Fire Department crash gate) for pedestrians accessing the development from Colfax Avenue.
- e. **Decorative Gates.** Establish a continuous visual presence at the street level by providing decorative gates for side yard and pedestrian access along the Colfax Avenue frontage.
- f. **Utility Location.** Utilities such as gas, electric, and water meters shall be placed in side yard setbacks or in landscaped areas and out of the line-of-sight from or sidewalks. Utilities such as power lines and transformers shall be placed underground, or on rooftops appropriately screened by a parapet.
- g. **Mechanical/Electrical Equipment.** Mechanical or electrical equipment not located within a building shall be buffered by planting materials.
- h. **Rooftop Equipment.** Rooftop equipment such as air conditioning units, antennas and communication equipment, mechanical equipment, and vents shall be screened from the public right-of-way.
- i. **Trash Enclosures.** Trash enclosures shall be screened using vine pockets planted along walls facing guest parking spaces, designed to be consistent with the architectural character of the Small Lot homes, and located adjacent to the alley so that they are out of the line-of-sight from sidewalks.
- j. **Windows.** Windows shall either project, or be inset from the exterior building walls.

**B. Environmental Conditions (ENV-2016-121-MND):**

**17. Aesthetic (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.

**18. Tree Removal (Non-Protected Trees)**

Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

-Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

**19. Green House Gas Emissions**

Low and non-VOC containing paints, sealants, adhesives, solvents, asphalt primer, and architectural coatings (where used), or pre-fabricated architectural panels shall be used in the construction of the Project to reduce VOC emissions to the maximum extent practicable.

**20. Increased Noise Levels (Demolition, Grading and Construction Activities)**

Construction and demolition shall be restricted to the hours of 7:00 am and 6:00 pm, Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

**21. Severe Noise Levels (Residential Fronting on Major or Secondary Highway, or adjacent to a Freeway)**

All exterior windows having a line of sight of a Major Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.

The applicant, as an alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

**22. Public Services (Fire)**

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: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and 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.

**23. Public Service (Police – Demolition / Construction Sites)**

Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

**24. Public Services (Police)**

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.

**25. Public Services (Construction Activity Near School)**

The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets adjacent to the school hours.

The developer and contractors shall maintain ongoing contact with the administrator of North Hollywood High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project

site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323) 342-1400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

## 26. **Safety Hazards**

The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.

The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

## 27. **Transportation/Traffic**

Applicant shall plan construction and 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 of scaffolding, etc.) from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

Temporary pedestrian facilities should 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.

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

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.

## 28. **Tribal Cultural Resources**

Impacts to cultural resources from the proposed project shall be mitigated through the salvage and disposition of tribal resources that result from all ground-disturbing activities. Ground-disturbing activities include, but are not limited to, drilling, excavation, and trenching. The applicant shall retain one Native American Monitor who shall be present during all ground-disturbing activities. Should a tribal cultural resource be encountered, a qualified archeologist shall be contacted to assess the find.

## **C. Administrative Conditions:**

29. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.
30. **Code Compliance.** The area, height and use regulations of the (T)(Q)RAS3-1VL zone classification of the subject property shall be complied with, except where conditions herein are more restrictive.
31. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
32. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.
33. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.
34. **Building Plans.** Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

35. **Indemnification.**

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 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 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.

36. **Mitigation Monitoring.** The applicant shall identify mitigation monitors who shall provide periodic status reports on the implementation of the Environmental Conditions specified herein, as to area of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the Environmental Conditions.



## **CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL**

Pursuant to Section 12.32 G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

1. Dedication(s) and Improvement(s). Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary).
2. Installation of tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvements may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information at (213) 847-3077.
3. Responsibilities/Guarantees.
  - a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.
  - b. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Planning Department, the applicant/developer shall provide written verification to the Planning Department from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Planning Department.
4. Construction of necessary sewer facilities to the satisfaction of the Bureau of Engineering. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.
5. Construction of necessary drainage facilities to the satisfaction of the Bureau of Engineering.

6. Construction of tree wells and planting of street trees and parkway landscaping to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
7. Preparation of a parking area and driveway plan to the satisfaction of the appropriate Valley District Office of the Bureau of Engineering and the Department of Transportation. The driveway, parking and loading area(s) shall be developed

T-2

substantially in conformance with the provisions and conditions of the subject Department of Transportation authorization. Emergency vehicular access shall be subject to the approval of the Fire Department and other responsible agencies.

8. Any unnecessary driveways on Colfax Avenue shall be closed and subsequently improved with appropriate curb, gutter, and sidewalk to the satisfaction of the Bureau of Engineering.
9. Installation of street lights to the satisfaction of the Bureau of Street Lighting.
10. That street lighting modifications be required at an intersection if there are improvements by the Department of Transportation (also for off-site improvements).
11. Preparation of a plot plan to the satisfaction of the Fire Department.
12. Making any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05N, to the satisfaction of the Department of Telecommunications.
13. Police Department. Preparation of a 'plot plan in conformance with the Design Out Crime Guideline Booklet and guidelines defined in the Crime Prevention Through Environmental Design (CPTED) handbook to mitigate impacts on police services. Police recommendations may include but are not limited to secured parking, security fencing, security lighting, information signs, building design and landscaping to reduce places of potential concealment. The plans shall be to the satisfaction of LAPD Crime Prevention Section Personnel.
14. Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.
15. Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

16. Covenant. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.
  
17. Recreation and Parks. Per Section 12.33 of the Los Angeles Municipal Code, the applicant shall dedicate land for park or recreational purposes or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

## FINDINGS

### A. General Plan Findings

1. **General Plan Land Use Designation.** The subject property is located within the North Hollywood-Valley Village Community Plan, last updated and adopted by the City Council on May 14, 1996. The existing Plan designates the subject lots as Neighborhood Office Commercial, which corresponds to the CR, C1, C1.5, RAS3, RAS4, and P. zones.

The staff recommended zone change to the (T)(Q)RAS3-1VL zone **IS** consistent with the land use designation on the Plan map and is therefore in substantial conformance with the purposes, intent and provisions of the General Plan, as reflected in the adopted Community Plan.

2. **Community Plan Land Use Policy:** North Hollywood-Valley Village. The adopted North Hollywood-Valley Village Community Plan does not contain an Urban Design Chapter. The proposed Small Lot home project will provide fee simple homes within a Small Lot subdivision (pursuant to VTT 74024) and requires multi-family or commercial zoning, pursuant to the Small Lot enabling legislation (Ordinance No. 176,354). The proposed project, with the recommended zone change to (T)(Q)RAS31VL, conforms to the following goals, objectives and policy of the Community Plan:

**RESIDENTIAL:** The Plan's policies/objectives relative to development focus on protection from the adverse impacts caused by the development of multiple family and commercial properties, specifically state that the low-density residential character of North Hollywood-Valley Village should be preserved, and that single-family residential neighborhoods be protected from encroachment by other types of uses. Single-family housing should be made available to all persons regardless of social, economic and ethnic backgrounds.

The proposed project will meet the above objectives and policies by providing additional single-family (small-lot) housing at an appropriate density and location to meet the Plan area's needs, and by implementing the assigned Community Plan land use designation. The site is located within an area improved with multiple residential housing, and neighborhood serving commercial uses. The proposed (T)(Q)RAS31VL zone and new 12-home Small Lot subdivision would be compatible with the existing multi-family residential neighborhood character, and would not conflict with the low-density residential character of the neighborhood located west of the project site, which is separated from the project site by a 20-foot wide alley and an intervening 4-unit apartment. The proposed project will provide 12 Small Lot homes within a community which will connect with the commercial uses across Colfax Avenue to the east, and at the intersection of Colfax Avenue and Magnolia Boulevard, while providing the area with additional new housing stock located proximate (i.e., within 0.7

miles) to a major transit center (the Metro Red Line) at the intersection of Lankershim and Chandler Boulevards.

The Plan encourages the preservation and enhancement of the positive characteristics of existing residential neighborhoods, while providing a variety of compatible new housing opportunities to meet the diverse economic and physical needs of the existing residents, and the projected population of the Plan area. The proposed project provides for these objectives.

The project has also been conditioned to dedicate and improve the surrounding public right-of-ways, if required, which will serve to enhance the roadways, sidewalks, street trees and street lighting along the site, and provide for better connectivity within the neighborhood. Other utilities and public services for the site, including the availability of sewer and drainage facilities in Colfax Avenue, are appropriately mitigated by conditions required in the approval for the subject zone change. Significant traffic impacts are not expected from the project, and the site is in close proximity (i.e., within 0.5 miles of the project site) to several bus lines including the Metro Orange Line (at Chandler Boulevard and Laurel Canyon Boulevard), and a number of Metro Local Lines operating along Magnolia Boulevard, Riverside Drive, and Chandler Boulevard. Code compliant parking is provided at 2 covered spaces per unit, and a total of four guest parking spaces are also provided, exceeding the ¼ space per unit policy of the Deputy Advisory Agency (applicable to related case Vesting Tentative Tract map VTT74024-SL for the 12 lot Small Lot subdivision). Therefore, the project is not expected to cause any adverse impacts on livability, services and public facilities, parking, or traffic levels.

- 3. Valley Village Specific Plan:** In April of 1993, the Valley Village Specific Plan became effective, affording the area bounded by the Hollywood Freeway on the east, Ventura Freeway on the south, Burbank Boulevard on the north, and the Tujunga Wash on the west, protection from the adverse impacts caused by the development of multiple family and commercial properties. As such, the Specific Plan does not regulate single family development (such as the proposed project), with the exception of a height limit, which restricts one-family buildings to a maximum of 30 feet. The project as proposed would include rooftop guardrails as needed for the roof deck open space on all 12 of the Small Lot single-family homes, which extend to a height of 32 feet 9 3/8 inches, in lieu of a maximum height of 30 feet. However, the granting of an exception to this provision, as requested, will allow development of a roof deck providing 328 square feet of additional private open space for each dwelling, which, when added to the modest second floor deck area of either 38 square feet (for the 10 homes not front onto Colfax Avenue) or 92 square feet (for the two (2) homes fronting onto Colfax Avenue), will provide between 366 and 420 square feet of private open space per home. As mentioned earlier, this private open space is not required by the Specific Plan, nor the associated Small Lot Subdivision entitlement. However, the provision of such private open space can reduce the impact on local park space, as well as provide an improved quality of life benefit to the residents.

The proposed project, as recommended by staff, is consistent with and proper in scale and density with the surrounding development, provides a good transition between the lower scale multi-family residential buildings across the alley to the west and the more intensive land uses along Colfax Avenue, and will be compatible with the surrounding uses. No other provision of the Specific Plan applies to single-family development.

**4. Framework Element - Design Guidelines for Multi-Family Residential Projects:**

The applicant has requested a zone change from the [Q] C2-1VL zone to the (T)(Q)RAS3-1VL) zone. While the adopted North Hollywood-Valley Village Community Plan does not contain an Urban Design Chapter, the General Plan Framework Element's Design Guidelines for Multi-Family Residential Projects do apply to the proposed Small Lot Subdivision, until such time as the Small Lot Guidelines are adopted.

The staff recommended zone change to the (T)(Q)RAS3-1VL zone **IS** in substantial conformance with the purposes, intent and provisions of the General Plan, as reflected in the adopted Framework Element. The City's General Plan Framework Element identifies the overall form of the city, and sets forth goals with regard to urban design objectives, including a liveable City for existing and future residents, attractive to future investment, and comprised of interconnected, diverse neighborhoods that function at both the neighborhood and citywide scales. The Citywide Residential Design Guidelines were crafted as a tool to implement the General Plan Framework Element's goals, policy, and objectives within neighborhoods, and Small Lot subdivisions will be exempt from them when the Small Lot Design Guidelines are adopted, but remain applicable until such time. As conditioned, the project will be in substantial conformance with the following objectives of the Residential Citywide Design Guidelines, including:

Objective 1: Consider Neighborhood Context & Linkages in Building & Site Design.

Objective 2: Employ Distinguishable and Attractive Building Design.

Objective 3: Provide Pedestrian Connections Within and Around the Project.

Objective 4: Minimize the Appearance of Driveways and Parking Areas.

Objective 5: Utilize Open Areas and Landscaping Opportunities to their Full Potential.

Objective 6: Improve the Streetscape Experience by Reducing Visual Clutter.

Specifically, the proposed project's building frontages will be located at the required setback to create a strong street wall, and transitions including landscaping, paving, and stoops are provided and incorporated at individual entrances, and from the

sidewalk to the front door, promoting an active neighborhood streetscape. The proposed street-fronting Small Lot homes will provide a primary entrance facing Colfax Avenue, with at grade/above grade level entries that provide shelter year-round. The proposed project is designed to provide at least 16 feet (clear to the sky) between buildings located across a common access driveway, and includes vertical and horizontal articulation along the street frontage to minimize the building's scale and massing. The building design incorporates smooth hardi-panel siding with reveals, stained wood lap siding, anodized bronze window moldings, horizontal wood railings, wood entry and garage doors, and overhangs with metal fascia and tongue and groove wood, to enhance scale and interest on the building's façade by breaking it up into distinct planes, creating layers, and emphasizing the buildings entries, corners, and composition. Balconies on the homes facing Colfax Avenue are located to face the street, providing connection and activating this private open space area. Windows will either project or be inset from the exterior building wall and incorporate well designed trim detail.

Access for residents and guests is provided off the alley to the rear of the site, while emergency vehicle access remains available from Colfax Avenue (via a crash gate), prioritizing pedestrian access first and automobile access second, reducing the number of curb cuts along Colfax Avenue (from 2 to 1), improving on-street parking options, and replacing unused curb cuts/driveways with sidewalks to maintain continuity for pedestrians. The use of patterned walkways along the sides of the common access driveway will provide a distinguishable pedestrian path leading from the guest parking area (adjacent to the alley) to each individual home.

In addition, all open areas not used for buildings, driveways, parking, or pedestrian amenities will be improved with landscaping, and hardscape areas are used to facilitate storm water capture, retention, and infiltration, and prevent runoff by using permeable or porous paving materials, in lieu of concrete or asphalt. Walls between property lines will be decorative, incorporating a change in color, material and texture, and screened with trees and vines.

Finally, the streetscape experience is enhanced and visual clutter reduced through the use of ornamental low-level lighting (i.e., dark-sky compliant fixtures) to highlight and provide security for pedestrian paths and entrances, and through the use of lighting fixtures to accent and complement the buildings architectural details at night. Utilities (i.e., gas, electric, and water meters) will be located in side yard setbacks or in landscaped areas, out of the line-of-sight from crosswalks or sidewalks. Power lines and transformers will be required to be placed either underground, or on rooftops and screened by a parapet. Mechanical and electrical equipment is required to be buffered by planting materials or other decorative screen, and all rooftop equipment (e.g., air conditioning units, antennas and communication equipment, mechanical equipment, and vents) is required to be screened from the public right-of-way. The project's trash enclosure is located next to the alley, adjacent to the guest parking and within an enclosure that is constructed consistent with the architectural character of the Small Lot homes, and screened with landscaping, so it will not create a nuisance for residents/adjacent neighbors, or be visible to passersby. As such, and through



compliance with the [Q] Conditions of the zone change, the project will be in conformance with the General Plan Framework Element, and by extension, the General Plan.

Therefore, the proposed project is permitted in the requested RAS3 Zone, and is in conformance with the provisions and intent of the General Plan through the Framework Element, North Hollywood-Valley Village Community Plan, and Valley Village Specific Plan.

## **B. Entitlement Findings**

1. **Zone Change, Sec. 12.32.F of the LAMC.** The recommended zone change is consistent with the General Plan and is in conformance with the public necessity, convenience, general welfare or good zoning practice in that it would permit a development which, as conditioned, is consistent with the General Plan land use designation, meets the objectives of the Community Plan, is in conformance with the performance goals of the Design Guidelines for Multi-Family Residential Projects, and is consistent with adjacent existing and approved multi-family residential and mixed-use development along Colfax Avenue in an area designated for Neighborhood Office Commercial land use.

The project is convenient in its proximate location to major streets, such as Colfax Avenue (immediately adjacent to the east) and Magnolia Boulevard (located approximately 50 feet to the north), and, as an infill project, will have adequate access to existing City services and infrastructure. There is a necessity for housing in all income levels and housing types, and the 12-home Small Lot project will create more opportunity for multiple, fee-simple single-family homes on an underutilized property within the community. Properties in the immediate neighborhood consist primarily of multiple residential buildings. A zone change from the [Q] C2-1VL zone to the (T)(Q)RAS3-1VL zone, and construction of a 12-home Small Lot subdivision would be compatible with the use and density of existing adjacent developments.

The action, as recommended, has been made contingent upon compliance with the “(T)” and “(Q)” conditions imposed herein. Such limitations are necessary to protect the best interests of, and to assure a development more compatible with, surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

2. **Specific Plan Adjustment, Sec. 11.5.7 E of the LAMC.**
  - a. **Pursuant to Section 11.5.7 E of the LAMC, there are special circumstances applicable to the project site which make the strict application of the specific plan regulations impractical.**

As a Small Lot subdivision, the project possesses some attributes of single-family construction and some attributes similar to multi-family construction. The proposed dwellings are arranged with six (6) dwellings on one side of a common access driveway, and six (6) dwellings on the other side of the common access driveway. Though all 12 of the proposed homes are detached, fee simple dwellings, each appears attached due to minimal separation between the dwellings, the continuous and repeating massing/form, and the continuous and repeating application of building finish materials. The resulting massing of the proposed structures is similar to the construction of a single multi-family dwelling on either side of the common access driveway.

While the Specific Plan provides a height limit for both single-family and multiplefamily structures (30-feet and 36-feet, respectively), the Specific Plan does not contain any specific language with regard to how height is measured. As such, building height is regulated by the Planning and Zoning Code. If the proposed dwellings were to be built as apartments rather than Small Lot subdivision singlefamily dwellings, then the maximum allowable height would be 36 feet, pursuant to Specific Plan Section 6.B.1.a., with the exception that rooftop guardrails would not be considered in determining the height of a building, subject to specified limitations including:

- i. The guardrail shall not exceed the minimum height required pursuant to Section 91.0509 of the LAMC;
- ii. The guardrail shall be located at least 5 feet from the perimeter of the roof;
- iii. The guardrail shall be of an open design and a minimum 75 percent open;
- iv. Only areas on the roof designated for open space, including access areas thereto, and areas providing access to equipment necessary for the operation of the building shall be enclosed with guardrails.

However, because each dwelling is technically a single-family dwelling (with no required open space), the maximum allowable height is 30 feet, pursuant to Valley Village Specific Plan Section 6.B.1.b., with no exceptions. The Specific Plan came into effect in 1993, while the Small Lot Ordinance came into effect in 2005. As such, the Specific Plan could not anticipate nor address the unique nature of Small Lot projects.

The requested increase in height to 32 feet 9 3/8 inches is an increase of less than 10 percent over the 30-foot height limit. The grant herewith is to allow additional height for rooftop guard railing for each of the private roof decks on the 12 Small Lot homes. This rooftop open space area proposed for each home totals 328 square feet, and allows for greatly enhanced livability/quality of life for residents, which when combined with the modest 2nd floor deck area of either 38 square feet (for the 10 homes not front onto Colfax Avenue) or 92 square feet (for

the two (2) homes fronting onto Colfax Avenue), will provide between 366 and 420 square feet of private open space per home. As mentioned earlier, this private open space is not required by the Specific Plan, nor the associated Small Lot Subdivision entitlement. However, the provision of such private open space can reduce the impact on local park space, as well as provide an improved quality of life benefit to the residents.

- b. Pursuant to Section 11.5.7 E of the LAMC, in granting the Project Permit Adjustment, the Director has imposed project requirements and/or that the proposed project will substantially comply with all the applicable Specific Plan regulations.**

The proposed project is a Small Lot development which possesses some attributes of single-family construction, and some attributes of multi-family apartment construction. The proposed height is approximately three (3) feet less than the 36 feet allowed for apartment buildings, which could be developed within the Specific Plan on adjacent properties in the same zone. Because of the type of housing proposed, the additional height is not allowed, resulting in an unnecessary impracticality, and limit on open space onsite.

As noted above, the project is for the development of single-family homes, and as such, a 30-foot height limit is the only provision of the Specific Plan which applies to the proposed project. As conditioned, complies with all of the other regulations within the Valley Village Specific Plan. The project will comply with the use, the lighting, and signage regulations of the Specific Plan.

- c. Pursuant to Section 11.5.7 E of the LAMC, in granting the Project Permit Adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties and public rights-of-way.**

While the adjustment in height allows the structure to go above the height limit, the height is less than 45 feet which is what would be allowed for a multi-family dwelling erected on the same site. The project has been designed to provide increased privacy by locating the rooftop decks on the units closest to the alley (west side of the subject property) at least 25 feet 2 5/8 inches from the adjacent property line to the west, and a minimum of 45 feet 2 5/8 inches from the next closest property line to the west across the 20-foot alley, and approximately 50 feet from the duplex apartment building developed on the adjacent property to the west. The roof deck railings will be a minimum of eight (8) feet 6-inches from the property lines on the north and south sides of the subject property, and none of the roof-top decks will overlook an adjacent rear yard. The project has also been conditioned to require that these minimum guardrail setbacks be provided (see Condition No. 15). The height increase does not reach a height that would require a shade-shadow analysis (60 feet), and would not otherwise impact surrounding properties or the public right-of-way. The adjustment for height also allows the property to provide private open space, which may reduce impacts to public parks.

Therefore, the adjustment is not detrimental to the surrounding properties or rights-of-way.

- d. **The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.**

See Finding No. C – CEQA Findings and ENV-2016-121-MND.

### **3. Project Permit Compliance, Sec. 11.5.7.C of the LAMC.**

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

The proposed project complies with all applicable development requirements of the Valley Village Specific Plan, as follows:

- a. **Section 5: Uses.** Section 5 of the Specific Plan is silent about uses on a multifamily zoned lot, however the use of a single-family residential (i.e., Small Lot) development on a multi-family zoned property is in conformance with the North Hollywood-Valley Village Community Plan, the Specific Plan (with the exception of the requested Specific Plan Adjustment for height), and the Small Lot Subdivision regulations (Ordinance No. 176,354).
- b. **Section 6.A.2: Lighting.** Section 6.A.2 of the Specific Plan requires that all lighting for the project shall be low-illumination safety lighting of a color similar to incandescent light, which is shielded and directed onto the property on which the project is located. As per Condition of Approval No. 26, the project will comply with this requirement.
- c. **Section 6.B: Building Height.** Section 6.B.1.b of the Specific Plan requires that single family dwellings shall not exceed 30 feet in height. As per the Project Permit Adjustment and Condition of Approval No. 3, the height will be limited to 32 feet 9 3/8 inches, which is below a 10 percent increase.
- d. **Section 7: Signage.** Section 7 of the Specific Plan prohibits commercial off-site signs, sign support structures, or roof signs within in the Specific Plan area. This project does not propose any signs or sign support structures, and therefore complies with the Specific Plan.
- e. **Sections Relating to Multi-Family and Commercial Projects.** Sections 6.A.1, 6.B.2, 6.C, 6.D, 6.E, 8, and 9 of the Specific Plan relate to multi-family and commercial projects, and do not apply to this project as it is a small-lot, singlefamily development.

- f. The project incorporates mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.

See Finding No. C – CEQA Findings and ENV-2016-121-MND.

### C. CEQA Findings.

ENV-2016-121-MND was initially circulated for 20 days ending on April 27, 2016, subsequently circulated for 20 days ending on September 14, 2016, and most recently from February 2, 2017 to February 22, 2017. While no comments were received during the most recent circulation period (ending February 22, 2017), one comment was received from Joyce Dillard on April 28, 2016, following the initial circulation period. The State CEQA Guidelines require a lead agency to consider comment letters submitted during the public review period of an MND (CEQA Guidelines Section 15208) prior to adopting a proposed MND. It is noted that this comment was received after the public comment period closed. While the lead agency is required to provide written notification to any public agency which comments on a proposed MND during the public comment period, CEQA does not mandate that written responses be provided in the same manner as required for EIRs. Nonetheless, the lead agency provides the following responses below to address such comments received, for consideration by the decision maker.

Provided below are the transcribed comments (shown in *italics*) contained in the comments submitted by Joyce Dillard, and staff responses to each of the comments. A copy of the original communication is included in the case file.

Comment:

*Environmental Factors that may be affected should include:*

*Geology and Soils  
Hydrology and Water Quality  
Utilities and Service Systems*

Response: The Initial Study and Checklist (pages 16-51) discussed these categories in detail and provides full explanations as to the project's less-than-significant impact for each category cited. The commenter provides no basis for inclusion of the above environmental categories. No comments pertaining to the adequacy of the environmental analysis is provided; therefore no specific response is warranted. The comment is noted for the record.

Comment: *"The project is within a LIQUEFACTION AREA. Soils and Geology Report is necessary, as an Environmental Impact Report may be warranted."*

Response: The Initial Study and Checklist (VII.c. Geology and Soils, pages 25-26) does identify the project as being within a Liquefaction Zone. As discussed, the standard regulatory requirements of the Department of Building and Safety, which includes seismic standards, will be applied to the project during the Plan Check phase of review. With conformance to such regulatory measures, a less than a significant impact determination was made with respect to geology and soils. The comment is noted for the record.

Comment: *“Current regulatory watershed quality and degradation issues have not been addressed.*

*LA Regional Water Quality Control Board issued Municipal Separate Storm Sewer Systems Permit ORDER NO. R4-2012-0175 NPDES PERMIT NO. C. It reads as follows:*

*D. Permit Coverage and Facility Description*

*The Los Angeles County Flood Control District, the County of Los Angeles, and 84 incorporated cities within the Los Angeles County Flood Control District with the exception of the City of Long Beach (see Table 5, List of Permittees), hereinafter referred to separately as Permittees and jointly as the Dischargers, discharge storm water and non-storm water from municipal separate storm sewer systems (MS4s), also called storm drain systems. For the purposes of this Order, references to the "Discharger" or "Permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger, or Permittees herein depicting the major drainage infrastructure within the area covered under this Order are included in Attachment C of this Order. Upper Los Angeles River Watershed Group is in the Upper Los Angeles River Watershed Management Area with the City of Los Angeles as the Lead Agency in the preparation of the EWMP Enhanced Watershed Management Plans and the CIMP Coordinated Integrated Monitoring Program. There exists responsibility for the Receiving Water compliance issues:*

- Los Angeles River Watershed Trash TMDL*
- Los Angeles River Nitrogen Compounds and Related Effects TMDL Los Angeles River and Tributaries Metals TMDL*
- Los Angeles River Watershed Bacteria TMDL*
- Los Angeles Area Lakes TMDLs”*

Response: The proposed project would be developed in conformance with all applicable laws and regulations pertaining to surface water quality and surface water runoff. Specifically, as discussed in response to Checklist Questions a. through j. of IX. Hydrology and Water Quality on pages 32 through 35, the proposed project would comply with water quality standards and wastewater discharge requirements set forth by the Standard Urban Stormwater Mitigation Plan (SUSMP) for Los Angeles County and Cities in Los Angeles County and approved by the Los Angeles Regional Water Quality Control Board (LARWQCB). The proposed project would also comply with provisions set forth by the LID Ordinance. Full compliance with the SUSMP, Low

Impact Development (LID) Ordinance, and implementation of design-related BMPs would ensure that the operation of the proposed project would not violate any water quality standards or discharge requirements or otherwise substantially degrade water quality. The comment is noted for the record.

Comment

*“WATER SUPPLY*

*Water supplies have not been identified after the Drought Declaration and lack of water. Cessation of water deliveries from the Department of Water Resources to the Metropolitan Water District occurred on January 31, 2014, with reduced delivery to the LADWP. Metropolitan has requested water rights for Feather River, but LADWP has not readdressed if any allocation is available under their jurisdiction. This source was not in any Integrated Resource Plan. On January 17, 2014 and April 25, 2014, Governor Jerry Brown's California Drought Proclamations and Executive Orders of December 22, 2014, April 1, 2015 and November 13, 2015 along with the regulations approved by the State Water Resources Board need to be taken into consideration.”*

Response: Water supplies and availability is addressed within the MND on page 48 under XVII.d. Utilities and Service Systems. The explanation indicates that LADWP conducts water planning based on forecasted population growth, and that the proposed increase in residential population resulting from the proposed project (which is consistent with planned density for the project site as set forth in the adopted North Hollywood-Valley Village Community Plan) is consistent with planned Citywide growth, and therefore would not be considered substantial. Further, that project demand for water is not anticipated to require new water supply entitlements and/or require the expansion of existing or construction of new water treatment facilities beyond already considered in the LADWP 2010 Urban Water Management Plan. Therefore, it is anticipated that the proposed project would not create any new water system capacity issues and existing water systems would provide sufficient reliable water supplies. In addition, the applicant and all occupants must comply with the statewide measures for water conservation during and after the construction of the project as does all other water customers within the City of Los Angeles. The comment is noted for the record.

Comment:

*“CIRCULATION ELEMENT*

*There is no adopted Circulation Element which is a comprehensive infrastructure plan addressing the circulation of people, goods, energy, water, sewage, storm drainage, and communications. The Circulation Element is required by the State of California.”*

Response: The Mobility Element 2035 has been adopted by the City Council and has become effective. The element discusses the circulation of people goods through various modes and means. Water, sewage, storm drainage,



communications, and other utility functions are addressed in the adopted Services Systems Element. The comment is noted for the record.

Comment:

*"FRAMEWORK ELEMENT*

*The project is not consistent with Framework Element Policy No. 3.3.2. Framework Element Policy No. 3.3.2 is the monitoring aspect of CEQA for the General Plan. It reads:*

*3.3.2 Monitor population, development, and infrastructure and service capacities within the City and each community plan area, or other pertinent service area. The results of this monitoring effort will be annually reported to the City Council and shall be used in part as a basis to:*

*a. Determine the need and establish programs for infrastructure and public service investments to accommodate development in areas in which economic development is desired and for which growth is focused by the General Plan Framework Element.*

*b. Change or increase the development forecast within the City and/or community plan area as specified in Table 2-2 (see Chapter 2: Growth and Capacity) when it can be demonstrated that (1) transportation improvements have been implemented or funded that increase capacity and maintain the level of service, (2) demand management or behavioral changes have reduced traffic volumes and maintained or improved levels of service, and (3) the community character will not be significantly impacted by such increases. Such modifications shall be considered as amendments to Table 2-2 and depicted on the community plans.*

*c. Initiate a study to consider whether additional growth should be accommodated, when 75 percent of the forecast of any one or more category listed in Table 2-2 (see Chapter 2: Growth and Capacity) is attained within a community plan area. If a study is necessary, determine the level of growth that should be accommodated and correlate that level with the capital, facility, or service improvements and/or transportation demand reduction programs that are necessary to accommodate that level.*

*d. Consider regulating the type, location, and/or timing of development, when all of the preceding steps have been completed, additional infrastructure and services have been provided, and there remains inadequate public infrastructure or service to support land use development. (P42, P43)*

*The 2014 Growth and Infrastructure Report do not engage the infrastructure needs in today's regulatory framework and those needs are not addressed in this document.*

Attachment:

*Order R4-2012-0175-Attachment O"*

Response: The comment references the monitoring of mitigation measures for projects as well as a varied number of policies on development and growth. The context of the policies is geared towards a change or increase in capacity from the

existing general plan population, development and infrastructure and service capacities that is not the case for the subject property and proposed project. There is no request for a General Plan Amendment, or for additional density or other capacities beyond those corresponding to the subject property's current General Plan land use designation. The applicant is requesting a zone change within the planned density permitted on the site, as established and adopted by the City. Therefore, the comment is out of context and is noted for the record.

FIND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including Mitigated Negative Declaration, No. ENV-2016-121-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the proposed project will have a significant effect on the environment; FIND the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; FIND the mitigation measures have been made enforceable conditions on the project; and ADOPT the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration.

Other identified potential impacts not specifically mitigated by these conditions are already subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Landscape Ordinance, Stormwater Ordinance, etc.), which are specifically intended to mitigate such potential impacts on all projects.

D. **Other Required Findings.**

1. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
2. **Fish and Wildlife.** The subject project, which is located in Los Angeles County, will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.
3. Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.