

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

<b>CITY PLANNING CASE:</b>	<b>ENVIRONMENTAL DOCUMENT:</b>	<b>COUNCIL DISTRICT:</b>
VTT-74730-SL-1A	ENV-2016-4903-CE	4 – Ryu
<b>PROJECT ADDRESS:</b>		
1710, 1718, 1720 North Berendo Street; 4765, 4767, 4773 West Hollywood Boulevard		
<b>APPLICANT</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
J. Randolph Poag PH/T & T Master One, LLC P.O. Box 12409 Newport Beach, CA 92619 <input type="checkbox"/> New/Changed	(949) 294-6376	N/A
<b>APPLICANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Paul Garry Psomas 555 S. Flower St., Unit 4300 Los Angeles, CA 90071	(213) 223-1451	<a href="mailto:paul.garry@psomas.com">paul.garry@psomas.com</a>
<b>APPELLANTS</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Abraham Sogohomonian Concerned Citizens of Los Feliz PO. Box 27516 Los Angeles, CA 90027	(323) 661-8765	N/A
Alex Kondracke Concerned Citizens of Los Feliz PO. Box 27516 Los Angeles, CA 90027	(323) 661-8765	<a href="mailto:kondracke@gmail.com">kondracke@gmail.com</a>
<b>APPELLANT'S REPRESENTATIVE</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
<b>PLANNER CONTACT INFORMATION:</b>	<b>TELEPHONE NUMBER:</b>	<b>EMAIL ADDRESS:</b>
Nuri Cho City Planning Associate	(213) 978-0195	<a href="mailto:nuri.cho@lacity.org">nuri.cho@lacity.org</a>
<b>ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION</b>		
TENTATIVE TRACT		

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

TENTATIVE TRACT

**ATTACHMENTS:**

**REVISED:**

**ENVIRONMENTAL CLEARANCE:**

**REVISED:**

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

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

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**NOTES / INSTRUCTION(S):**

**FISCAL IMPACT STATEMENT:**

- Yes                       No

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

**PLANNING COMMISSION:**

- |  |  |
|--|--|
| <input type="checkbox"/> City Planning Commission (CPC)              | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC)          | <input type="checkbox"/> South LA Area Planning Commission     |
| <input checked="" type="checkbox"/> Central Area Planning Commission | <input type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission            | <input type="checkbox"/> West LA Area Planning Commission      |
| <input type="checkbox"/> Harbor Area Planning Commission             |  |

<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
JULY 24, 2018	5-0
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
AUGUST 13, 2018	Yes – 8/13/18
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
ROCKY WILES	8/15/18



# CENTRAL LOS ANGELES 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: AUG 01 2018

**Case No. VTT-74730-SL-1A**

CEQA: ENV-2016-4903-CE

Plan Area: Hollywood

Related Case: ZA-2016-4902-ZAA-SPPA-SPP-DI-1A

Council District: 4 - Ryu

**Project Site:** 1710, 1718, 1720 North Berendo Street  
4765, 4767, 4773 West Hollywood Boulevard

**Applicant:** J. Randolph Poag, PH/T & T Master One, LLC  
Representative: Paul Garry, Psomas

**Appellant:** Alex Kondracke, Abraham Soghomonian, Concerned Citizens of Los Feliz

At its meeting of **July 24, 2018**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

Demolition of an existing two-story commercial building; subdivision of three (3) lots comprising 28,409 net square feet of lot area into 18 small lots; and construction, use and maintenance of a three-story, single-family dwelling with an attached two-car garage on each of the 18 subdivided lots. Four (4) guest parking spaces will be provided. The floor area of each dwelling will range from 1,794 to 2,969 square feet, totaling 31,245 square feet for all 18 dwellings. Three (3) non-protected trees on the property and four (4) non-protected street trees will be removed. Approximately 2,000 cubic yards of earth material will be exported, requiring a haul route approval.

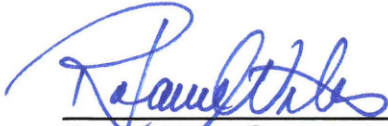
1. **Determined** based on the whole of the administrative record, that the project is exempt from CEQA pursuant to State CEQA Guidelines Section 15332 (Class 32 Infill Development) and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **sustained** the Deputy Advisory Agency's determination to approve a Vesting Tentative Tract Map pursuant to Los Angeles Municipal Code Sections 17.03 and 12.22 C.27, for the subdivision of three (3) lots into a maximum of 18 lots including a haul route to export 2,000 cubic yards of earth material;
3. **Adopted** the attached modified Conditions of Approval as recommended by Staff; and
4. **Adopted** the attached amended Findings as recommended by Staff.

The action was taken by the following vote:

Moved: Mendez  
Second: Chung Kim  
Ayes: Barraza, DelGado, Gold



**Vote: 5 - 0**



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Rocky Wiles, Commission Office Manager  
Central Los Angeles Area 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 Central Los Angeles Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the Central Los Angeles Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center 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:** AUG 13 2018

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

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Amended Findings

c: Mindy Nguyen, City Planner  
Nuri Cho, City Planning Associate

## Conditions of Approval

As modified by the Central Area Planning Commission on July 24, 2018

### BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 20-foot radius property line return or 15-foot by 15-foot property line cut corner be dedicated at intersection of Hollywood Boulevard and Berendo Street.
2. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
3. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
4. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
5. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
6. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
7. That all pedestrian common access easements be shown on the final map.

### DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

8. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated August 16, 2017, Log No. 96258-01 and attached to the case file for Vesting Tentative Tract No. 74730-SL.

### DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

9. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Provide a copy of ZA Case No. ZA-2016-4902-ZAA-SPPA-SPP-DI. Show compliance with all the conditions/requirements of the ZA case as applicable.
  - c. Lot 15 does not comply with the minimum 20-foot front yard setback along Berendo Street as required by the 20-foot Building Line. Revise the Map to show compliance with the above requirement or obtain approval to remove the Building Line.
  - d. Lot 6 to comply with a minimum five-foot side yard setback along Berendo Street for a two-story structure plus one (1) additional foot for each story above the

second story. Revise the map or obtain approval from the Department of City Planning.

- e. Show all street dedication 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.
- f. Provide and dimension the reciprocal private easement for driveway egress and ingress in the final map.

Notes:

There is a 20-foot Building Line along Berendo Street on this Subdivision.

There is a maximum height limit of 30 feet within the RD1.5-1XL Zone.

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

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

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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

#### DEPARTMENT OF TRANSPORTATION

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

#### FIRE DEPARTMENT

- 11. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.

- c. The entrance 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.
- d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- f. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- g. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
- h. Submit plot plans indicating access road and turning area for Fire Department approval.
- i. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- j. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- k. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- l. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- p. 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.
- q. Site plans shall include all overhead utility lines adjacent to the site.
- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- s. 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.



- t. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- u. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- v. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. Any consultant representing the subdivider shall be notified of this requirement as well.

#### **LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)**

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

#### **DEPARTMENT OF WATER AND POWER**

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

#### **BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS**

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

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

#### **BUREAU OF SANITATION**

- 15. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the

sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated June 27, 2017. 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**

16. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [cabletv.ita@lacity.org](mailto: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 three people in case the applicant/owner has any additional questions.

#### **DEPARTMENT OF RECREATION AND PARKS**

17. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.  
Note:

Park fees are now paid at 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012. If you have any questions or comments regarding this information please feel free to contact the RAP Park Fee staff at (213) 202-2682.

#### **URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

18. 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 stanrads. 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:

Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at 213-847-3077 for permit information.

#### **DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS**

19. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- a. Limit the proposed development to a maximum of 18 lots.
  - b. Limit the number of parking spaces to no more or no less than 36 spaces for the 18 dwelling units, and no more or no less than four (4) guest parking spaces pursuant to the Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan Subareas A and B.

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.
  - i. The Vesting Tentative Tract Map dated August 21, 2017 shows a westerly side yard setback of 13.5 feet, which does not comply with the 16-foot setback requirement per the SNAP. The final map shall show a 16-foot setback on the map as well as the setback matrix.
  - ii. The project shall comply with the setbacks as indicated in the table below. Architectural features may project into the required setbacks pursuant to LAMC Section 12.22 C.20.

Lot	Front Yard (Feet)	Rear Yard (Feet)	East Side Yard (Feet)	West Side Yard (Feet)
1	0	10	0.3	0.2
2	0	10	0.2	0.2
3	0	10	0.2	0.2
4	0	10	0.2	0.2
5	0	10	0.2	0.2
6	0	10	0.2	1.3
7	10	0.2	0.2	4.5
8	10	0.2	16.8	0.2
9	10	0.2	0.2	15.1
10	10	0.2	9.1	0.2
11	12.5	0.2	9.1	0.2
12	12.5	0.2	0.2	7.3
13	12.5	0.2	9	0.2
14	12.5	0.2	0.2	4.5
15	7.5	5	0.2	16
16	7.5	5	0.2	0.2
17	7.5	5	0.2	0.2
18	7.5	5	9.1	0.2

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. That 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.

- h. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance.

The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.

- g. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

20. Prior to the recordation of the final map, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the building(s) shall not be issued until the final map has been recorded.
21. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Letter of Determination for Case No. ZA-2016-4902-ZAA-SPPA-SPP-DI shall be submitted to the satisfaction of the Advisory Agency. In the event Case No. ZA-2016-4902-ZAA-SPPA-SPP-DI is not approved, the subdivider shall submit a tract modification.
22. That the subdivider shall record and execute a Covenant and Agreement to comply with the **Vermont/Western Station Neighborhood Area Plan (SNAP) Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
23. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
  - a. Streets to be used are limited to Berendo Street and Hollywood Boulevard.
  - b. Hours of operation shall be from 7:00 a.m. to 4:00 p.m.
  - c. Days of the week shall be Monday through Saturday.

- d. Total trips per day shall be 54.
- e. Duration of project hauling shall be three (3) days.
- f. Trucks shall be restricted to 10-wheel dump trucks or smaller for streets with a width of 25 feet or less. Eighteen-wheel dump trucks are permitted on streets with a width greater than 25 feet. **There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets.**
- g. The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.
- h. Streets shall be cleaned of spilled materials at the termination of each work day.
- i. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- j. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- k. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- l. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- m. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- n. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- o. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- p. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- q. A Truck Crossing warning sign shall be placed 300 feet in advance of the exit in each direction.
- r. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of Work Area Traffic Control Handbook.
- s. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- t. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and



Enforcement Division at (213) 847-6000 before the change takes place.

- u. The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- v. A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central Los Angeles District Engineering Office, 201 N. Figueroa Street, Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Valley District Engineering Office, 6262 Van Nuys Blvd, Suite 251, Van Nuys CA, 91401. Further information regarding the bond may be obtained by calling (818) 374-5082.

#### **DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS**

SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

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

SF-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

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

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate

System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.
  - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
  - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The one-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 percent.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

- (d) All improvements within public streets, private 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 are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - a. Construct one (1) new street light on Berendo Street.
  - b. No street lighting improvements if no street widening per S-3 (i) on Hollywood Boulevard. Otherwise, relocate and upgrade one (1) light on Hollywood Boulevard.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3(i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

- a) Improve Hollywood Boulevard adjoining the subdivision by the construction of a 10-foot wide concrete sidewalk with tree wells adjoining the curb and landscaping of the remainder approximately 10-foot wide public sidewalk area including any necessary removal and reconstruction of existing improvements.
- b) Improve Berendo Street adjoining the subdivision by the removal of existing sidewalk and construction of a 5-foot wide concrete sidewalk and landscaping of parkway, or a full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements.
- c) Improve all newly dedicated corner cuts with concrete sidewalks.
- d) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

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

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

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

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

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

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

## Findings

As Amended by the Central Area Planning Commission on July 24, 2018

### FINDINGS OF FACT (CEQA)

The Advisory Agency determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15332 (Class 32 Infill Development) and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to State CEQA Statutes and Guidelines, Section 15300.2 applies.

The applicant is requesting a Vesting Tentative Tract Map for the subdivision of three (3) lots into 18 small lots to construct a three-story, single-family dwelling with an attached two-car garage on each lot and four (4) guest parking spaces on the project site.

Class 32 consists of projects characterized as in-fill development meeting the following criteria:

- a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- c. The project site has no value as habitat for endangered, rare or threatened species;
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e. The site can be adequately served by all required utilities and public services.

The following outlines how the project meets the five conditions to qualify for the Class 32 Categorical Exemption:

- a) **The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.**

The subject site is 28,409 square feet, or 0.65 acres, in size (post-dedication) and wholly within the City of Los Angeles. The site is zoned RD1.5-1XL and C2-1D and has a General Plan Land Use Designation of Low Medium II Residential and Highway Oriented Commercial, respectively. The site is also located within the adopted Hollywood Community Plan area and Subareas A (Neighborhood Conservation) and B (Mixed Use Boulevards) of the SNAP. As shown in the case file, the project is in substantial conformance with the Hollywood Community Plan land use designation, all applicable zoning designations density and floor area regulations, and the SNAP provisions, in conjunction with the approval of Case No. ZA-2016-4902-ZAA-SPPA-SPP-DI. The project site is located in an urbanized area, and all of the surrounding properties are developed with single- and multi-family residential developments, commercial and retail stores, surface parking lots, institutions, park, and an elementary school. The site is currently improved with a two-story commercial building and surface parking lot and has no value as a habitat for endangered, rare or threatened species. There are seven (7) non-protected trees on the site, which will be removed as part of the proposed project.

The General Plan Land Use Designation of Low Medium II Residential and Highway Oriented Commercial correspond to the C2-1D and RD1.5-XL Zones of the subject property. The SNAP allows one (1) dwelling unit per 800 square feet of lot area for the portion of the site located in Subarea B, and one (1) dwelling unit per 1,500 square feet of lot area for the portion of the site located in Subarea A. The project site consists of 6,736 square feet of land in Subarea A (post-dedication) and 21,673 square feet of lot area in Subarea B (post-dedication), thereby allowing a total of 31 units (4 units in the Subarea A and 27 units in Subarea B). The proposed project

includes 4 units in Subarea A and 14 units in Subarea B.

The project complies with the regulations of the Zoning Code, which allow for the granting of Zoning Administrator's Adjustments per LAMC Section 12.28 and Project Permit Adjustments per LAMC Section 11.5.7 E. for slight modifications to the applicable development standards. Therefore, the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations.

**b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.**

The subject property consists of three (3) existing parcels totaling approximately 28,409 square feet, or 0.65 acres, in area. The subject property is located in a highly urbanized area within the Hollywood Community Plan that is characterized with residential, commercial, institutional, light industrial and recreational uses and buildings ranging from one to four stories in height in RD1.5-1XL, R3-1, C4-1D, C2-1D, and PF-1XL Zones.

**c) The project site has no value as habitat for endangered, rare or threatened species.**

The project is currently developed with a two-story theater building and a surface parking lot without any habits within an established, fully developed, medium-density residential area in proximity to major transportation corridors and employment centers. The project site has no value as a habitat for endangered, rare or threatened species, and there are no endangered, rare, or threatened species on the site. The proposed project will consist of 18 single-family homes on small lots with paved driveways and ornamental landscaping, which is typical of urban housing developments. There will be no large open space areas that are considered a habitat for endangered, rare, or threatened species in the vicinity of the project site.

**d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

### Traffic

The project proposes the demolition of an existing commercial building and an associated surface parking lot, and construction of 18 dwelling units, which results in a net increase of 18 dwelling units on the site. The Los Angeles Department of Transportation (LADOT) utilizes a threshold guide that lists various uses within the City and identifies thresholds that would require LADOT to complete an Initial Study Assessment Form (ISAF). An ISAF involves LADOT calculating potential trip counts resulting from any proposed project in order to determine whether or not a traffic study would be required for the proposed project. The proposed project that will result in a net increase of 18 single-family homes did not reach the LADOT's threshold of 25 single-family homes that would warrant a second level review to determine the necessity of a traffic study. In addition, a Traffic Impact Analysis Report was prepared by Hirsch/Green Transportation Consulting, Inc. in February 2018 for the proposed project. The Traffic Impact Analysis Report estimates that 13 AM peak period trips and 18 PM peak period trips will be generated by the project and determined that the proposed development will not result in any significant traffic, site access, parking or public transportation-related impacts and no project-related mitigation measures are warranted. As such, it has been determined that the proposed project will not create adverse impacts to traffic.



### Noise

The project must comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 and any subsequent ordinances, which limits the emission or creation of noise levels. During construction of the proposed project, the applicant will be required to comply with the City's Noise Ordinance No. 161,574, which regulates noise from demolition and construction activities. Section 41.40 of the LAMC prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturday. All such activities are also prohibited on Sundays and all federal holidays. Section 112.05 of the LAMC also specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. The project would not result in any significant construction noise impacts with the implementation of the City's Noise Ordinances and regulations. Additionally, as a small lot subdivision for 18 single-family residences, the project is not expected to generate a significant operational noise source. Activities associated with occupancy of single-family homes would not cause significant noise impacts on the environment.

### Air Quality

The building construction phase includes the construction of the proposed building on the subject property, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM2.5 and PM10 emissions. Mobile sources, such as diesel-fueled equipment onsite and traveling to and from the project site, would primarily generate NOx emissions. The application of architectural coatings would result primarily in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Nevertheless, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

In addition, the project will not result in significant impacts related to air quality because it falls below interim air threshold that were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with SCAQMD staff, and surveying published air

quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. Therefore, the proposed development would not have a significant impact on air quality.

### Water Quality

Construction activities would not involve any significant excavation near an identified water source. In addition, the project will be required to comply with various regulatory requirements, which would reduce stormwater flows off-site. The project will comply with Chapter VI Article 4.4 of the LAMC, Stormwater and Urban Runoff Pollution Control, which requires the application of Best Management Practices (BMPs) to reduce or prevent pollutant discharges. Under the conditions of a building permit for the project, the project applicant will be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a Stormwater Pollution Prevention Plan (SWPPP) for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Therefore, development of the proposed project would not degrade the quality of stormwater runoff from the site.

#### **e) The site can be adequately served by all required utilities and public services.**

The site can be adequately served by all required utilities and public services. The site is currently and adequately served by the City's Department of Water and Power, Bureau of Sanitation, Southern California (SoCal) Gas Company, Los Angeles Police Department, Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of the proposed project, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the net addition of 18 dwelling units. Therefore, the project is not expected to have significant impacts on utilities and public services.

### **Categorical Exemption Exceptions**

There are six (6) Exceptions which must be considered in order to find a project exempt under Class 15303 and 15332: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources. The Advisory Agency determined that none of the Exceptions apply to the proposed project per the following justifications.

- a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

The project qualifies for a Class 32 Categorical Exemption. The exemption is not a Class 3, 4, 5, 6 or 11; therefore, this exception is not applicable.

- b) **Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**

There is not a succession of known projects of the same type in the same place as the proposed project in the same place. There are two mixed-use projects located at 4850 Hollywood Boulevard and 4900 that are proposed within a 500-foot radius of the project site. However, these mixed-use projects are not considered the same type of project as the proposed subdivision project with 18 single-family homes. The proposed small lot homes are not comparable to the projects cited, as the subject development is comprised of smaller lot areas with compact building footprints and massing compared to the two mixed-use projects. Additionally, the two mixed-use projects with 10,000 to 13,813 square feet of commercial space and 96 to 150 dwelling units generate higher vehicular and pedestrian trips to and from the project site compared to the proposed 18 small lot single-family homes with floor area ranging from 1,794 to 2,969 square feet per house, totaling 31,245 square feet for all 18 dwellings without any commercial use.

In addition, the proposed project is the construction of 18 residential units in an area that has been previously developed and is surrounded by residential and commercial uses. The project is entirely consistent with the existing General Plan Land Use designation, zoning and Specific Plan with the approval of Case No. ZA-2016-4902-ZAA-SPPA-SPP-DI-1A. The proposed project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality, and therefore will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. Therefore, impacts from the proposed development will be less than significant, and are not expected to contribute to cumulative impacts from other known projects in the vicinity of the subject site.

The project would also not contribute to a cumulative impact on any historic resources. As described below, Barnsdall Park and the Hollyhock House to the south of the project site are considered historic resources. The two mixed-use projects proposed at the northwest edge of the park will be taller than the proposed project and partially visible from Barnsdall Park and the Hollyhock House. However, as demonstrated by the photo simulations submitted to the City for each of these projects, neither of these projects will create a significant visual impact, because the views of these projects will be obstructed by mature trees located near the upper perimeter of Barnsdall Park at the northwest corner. A majority of the proposed project will not be visible from Barnsdall Park due to a grove of olive trees. In addition, the project site is not visible from the Hollyhock House due to the high elevation of the Hollyhock House and the slope of the hill obscuring the view of the site. Therefore, the accumulation of projects will not cause a significant cumulative impact on a historic resource.

- c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**

The project site is comprised of three (3) existing standard-sized lots located in an urbanized area of the City currently developed with a two-story theater and a surface parking lot. The project consists of residential uses and operations that are compatible with the surrounding residential development. Neither the existing uses on the site, nor proposed uses demonstrate any unusual circumstances, and the project will not generate significant traffic, air quality, or noise impacts. The project will be required to adhere to any and all building code requirements intended to reduce environmental impacts to less than significant levels. Thus, the project will not result in activity that will have a significant effect on the environment due to unusual circumstances.

- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to**

**improvements which are required as mitigation by an adopted negative declaration or certified EIR.**

The only state designated scenic highway in the City of Los Angeles is a portion of State Route 27 (Topanga Canyon Boulevard), which is located approximately 25 miles to the west of the site. The subject site is not designated as a state scenic highway, nor are there any designated state scenic highways located near the project site. There are also no existing trees, buildings, rock outcroppings or similar resources that could be considered scenic resources and therefore no impact to any scenic resources will occur. There will be no impacts on potential historic resources to Barnsdall Park and the Hollyhock House as discussed below.

**e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. Hazardous materials are defined as any solid, liquid, or gas that can harm people, other living organisms, property, or the environment. The project site is not located in Hazardous Waste/Border Zone Properties area as designated by the City of Los Angeles. There are no oils wells located on the project site. There are no elevators or in-ground hydrologic systems, monitoring or water supply wells, or above- or below-ground storage tanks on the project site. No potentially fluid-filled electrical equipment is located on or immediately adjacent to the project site. No industrial wastewater is generated on the project site, and sanitary wastewater is discharged to the City Bureau of Sanitation. The project site is not located within a Methane Zone or Methane Buffer Zone and would not be subject to the requirements of the City Methane Ordinance.

**f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.**

The subject property is not located in a designated Historic Preservation Overlay Zone or designated as a historical resource on any federal, state or local database. The subject property has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, Los Angeles Historic-Cultural Monuments Register, and/or any other local registers. The subject property is also not found to be a potential historical resource based on the City's HistoricPlacesLA website or SurveyLA, a citywide survey identifying and documenting potentially significant historical resources. In addition, the Historical Resource Technical Report prepared by GPA Consulting and dated September 2017 has been submitted to the Department of City Planning, Office of Historic Resources, who concurred with the analysis and conclusion as of September 29, 2017. The Historical Resources Technical Report concludes that the proposed project would have no direct impacts on historical resources, as there are no historical resources on the project site and no historical resources would be demolished, destroyed, altered, or relocated as a result of the proposed project. Therefore, demolition of the existing building and associated surface parking lot would not have a significant impact on a historical resource on-site.

There are several properties in the vicinity of the subject property that have been identified as a potential historical resource or designated as a historical resource.

The abutting property at 4759 Hollywood Boulevard has been identified in SurveyLA as a potential historical resource that may be eligible for listing in National Register of Historic Places and the California Register of Historical Resources as well as local designation as an excellent example of streetcar commercial development in Los Angeles. However, per the Historical Resource Technical Report, the project would have no direct impacts on historical resources, as the

proposed project would not result in a substantial adverse change to the immediate surroundings of the historical resource to the degree that it would no longer be eligible for listing under national, state or local landmark designation programs, and no mitigation is required or recommended. Based on this information, the project will not result in a substantial adverse change to the significance of a historical resource on this abutting property.

The project site is located directly across Hollywood Boulevard, to the north of the Aline Barnsdall Complex, which was designated a National Historic Landmark in 2007 (National Register No. 71000143). There are six contributing buildings to the Aline Barnsdall Complex: the Aline Barnsdall Residence (Hollyhock House), Garage/Chauffer's Quarters, Animal Cages, Barnsdall Park Arts Center (Residence A), Spring House and Dry Streambed, and Schindler Terrace. Barnsdall Park and the Hollyhock House are listed in the National and California Registers, and designated as Historic-Cultural Monument (HCM) Nos. 34 and 12, respectively, by the City of Los Angeles. In addition, a nomination is pending for the Hollyhock House to be recognized by UNESCO's World Heritage List.

Pursuant to Section 15064.5 of the State CEQA Statutes and Guidelines, a project is considered to have a significant effect on historical resources if the project causes a substantial adverse change in the significance of an historical resources through physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Furthermore, pursuant to the City's CEQA Thresholds Guide 2006, a substantial adverse change in significance occurs if the project involves:

- Demolition of a significant resource;
- Relocation that does not maintain the integrity and significance of a significant resource;
- Conversion, rehabilitation, or alteration of a significant resource which does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; or
- Construction that reduces the integrity or significance of important resources on the site or in the vicinity.

The proposed project does not involve the demolition, relocation, conversion, rehabilitation, or alteration of Barnsdall Park or Hollyhock House. The construction of 18 new single-family dwellings will not reduce the integrity or significance of or obstruct views from Barnsdall Park and the Hollyhock House. Barnsdall Park and the Hollyhock House are situated on top of a hill that is approximately 79 feet above the adjacent streets, including Hollywood Boulevard. Additionally, Hollywood Boulevard separates the project site from the front property line of Barnsdall Park by 90 horizontal feet, and Hollyhock house is located approximately 30 vertical feet above the highest point of the roof structure of the proposed project.

In addition, a majority of the project site is obscured due to a grove of Olive trees that are planted on the northerly slope of the park between the Hollyhock House and Hollywood Boulevard as demonstrated in photo simulations submitted by the applicant. The photo simulations also demonstrate that the project site is not visible from the top of the hill where the Hollyhock House and west lawn are located due to the slope of the hill obscuring the view of the site, and that the proposed project will not block any view sheds from the park to the Griffith Observatory, Hollywood sign, or any ridgelines in the Hollywood Hills. The project site is only partially visible from the Hollyhock House museum on the north side of the house and the project is only visible at all from the view point because a number of olive trees have died or been removed along this particular view corridor. The project site is not visible from the roadway leading up to the park and is not visible from the north side of the Barnsdall Park Art Gallery. In addition, the Barnsdall Art Park Foundation submitted a letter dated February 27, 2018 stating that the Foundation supports the

project and that the project would not affect the view shed from the park.

As such, the proposed project would not reduce the integrity or significance of Barnsdall Park and the Hollyhock House. The park will continue to be listed on the National Register of Historic Places and on the California Register and designated a City of Los Angeles Historic Cultural Monument. Therefore, the proposed project would have no impact on the historic resource of Barnsdall Park. Additionally, because the proposed project does not affect any views from the park, particularly any views from the west lawn. Finally, the project would not affect the setting of the Hollyhock House and would not affect the Hollyhock House's nomination for the UNESCO World Heritage List.

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract No. 74730-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Hollywood Community Plan designates the subject property for Low Medium II Residential land uses with corresponding zones of RD1.5 and R2; and Highway Oriented Commercial land uses with corresponding zones of C1, C2, P, RAS3, and RAS4. The subject property is zoned RD1.5-1XL and C2-1D, consistent with the land use designation. The Framework Element encourages stability and enhancement of multi-family residential neighborhoods that are characterized by a mix of densities and dwelling types. The Framework Element also allows for growth in areas where there is sufficient public infrastructure and services. The applicant proposes an 18-unit small lot subdivision on the site that is permitted a maximum density of 31 dwelling units in an area that is characterized by mix of low- and medium-high density residential uses, commercial and retail buildings, hospital, public park, and an elementary school. The subject property is located at the northeast corner of the Hollywood Boulevard and Berendo Street intersection. Hollywood Boulevard is designated as an Avenue I with a designated right-of-way width of 100 feet and roadway width of 70 feet. Berendo Street is designated as a Standard Local Street with a designated right-of-way width of 60 feet and roadway width of 36 feet.

The subject property is also subject to Subareas A (Neighborhood Conservation) and B (Mixed Use Boulevards) provisions in the SNAP. The applicant filed a concurrent case (ZA-2016-4902-ZAA-SPPA-SPP-DI) for the demolition of an existing two-story commercial building, and the construction of an 18-unit residential development. The requested entitlements are: 1) a Zoning Administrator's Adjustment to increase the building height limit by 19.4 percent, allowing 35 feet, 10 inches in lieu of the otherwise maximum permitted height of 30 feet in the RD1.5-1XL Zone; 2) Project Permit Adjustments to allow an increase in the transitional height limit by 8.8 percent for portions of buildings located in Subarea B within 49 feet from a lot in Subarea A, allowing 27 feet, 3 inches in lieu of the otherwise maximum permitted height of 25 feet, and an increase in the transitional height limit by 9 percent for portions of buildings located in Subarea B within 50 to 99 feet from a lot in Subarea A, allowing 36 feet in lieu of the otherwise maximum permitted height of 33 feet; 3) a Project Permit Compliance to allow the demolition of an existing two-story commercial building; and the construction, use and maintenance of 18 three-story, single-family dwellings with an attached two-car garage for each dwelling within Subareas A and B of the SNAP; and a Director's Interpretation of the Transparent Building Elements provision in the Vermont/Western SNAP Development



Standards and Design Guidelines, requiring transparent building elements to occupy at least 50 percent of the exterior wall surface of the ground floor facades for the front and side elevations, to mean that the provision is not meant to be applied to side yard elevations for residential uses in Subarea B to protect the privacy of residential occupants.

The approval of the Vesting Tentative Tract Map is subject to the approval of the concurrent ZA Case, and the applicant is required per Conditions of Approval to submit a copy of the Letter of Determination for the ZA Case prior to the issuance of the building permit or the recordation of the final map. In the event that the ZA case is not approved, the applicant is required to submit a tract modification.

One issue to note, however, is that the building on Lot 15 is subject to the Subarea A building setback requirement of the SNAP, which states that the exterior wall of the building frontage shall be located no closer to the street than the exterior wall of the adjacent building (in the same Subarea A) closest to the street, and shall be located no further from the street than the exterior wall of the adjacent building (in the same Subarea A) farthest from the street. The SNAP setback requirement supersedes the 20-foot Building Line requirement. The only adjacent building located in Subarea A is the building to the north of the project site that is set back 16 feet from the street. Therefore, the building on Lot 15 must observe a 16-foot setback from the street. The Vesting Tentative Tract Map dated August 21, 2017 shows a 15.7-foot setback and a two-foot architectural projection into the required westerly side yard setback, and the setback matrix on the Map shows the westerly side yard setback as 13.5 feet, which does not comply with the 16-foot setback requirement per the SNAP. A Condition of Approval has been imposed to require the building on Lot 15 to observe a 16-foot westerly side yard setback, and the final map shall be updated to show the correct setback requirement. Therefore, as conditioned, the proposed six-unit small lot subdivision is substantially consistent with the applicable General Plan and the SNAP Specific Plan, subject to the approval of the concurrent case (ZA-2016-4902-ZAA-SPPA-SPP-DI).

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

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 and 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.

The applicant proposes a subdivision of three (3) existing lot into 18 small lots. All of the proposed lots meet the minimum 600-square-foot lot size and 16-foot lot width requirement of the Small Lot Subdivision Ordinance, as shown in the Tract Map. The lot coverage of all buildings taken together is approximately 64 percent of the lot size, which does not exceed the maximum 80 percent permitted.

The subject property will be served by an existing sanitary sewer adjoining the parcel. The applicant is required to construct necessary mainline and house connection sewers to serve the tract. The Bureau of Sanitation, Wastewater Collection System Division found no potential problems to their sewer and storm drain lines serving the subject area. Additionally, the applicant is required to construct a new street light on Berendo Street, and relocate and upgrade an existing street light on Hollywood Boulevard in the event the

street needs to be widened per BOE improvement conditions. BOE also has reviewed the proposed Vesting Tentative Tract Map and is requiring street dedication and improvements along Berendo Street and Hollywood Boulevard. The applicant is required to submit a plot plan, showing applicable fire lanes, fire hydrant, and distance from the edge of the roadway or approved fire lane to dwelling unit entrances, to the Los Angeles Fire Department for approval. All of the recommended improvements have been included as Conditions of Approval. Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the intent and purpose of the applicable General Plan and the SNAP.

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

The subject property is a slightly sloped, rectangular-shaped, record parcel, located at the northeast corner of the Hollywood Boulevard and Berendo Street intersection with street frontages of approximately 135 square feet and 211.17 square feet, respectively. The project site currently consists of three (3) lots and contains a net area of approximately 28,400 square feet, or 0.65 acres (post-dedication). The applicant proposes to subdivide Lots 13 and 14 of the Paul Place Tract into 14 lots (Lots 1-14 as shown on the Vesting Tentative Tract Map), and Lot 16 into four (4) lots (Lots 15-18 as shown on the Vesting Tentative Tract Map).

The site is zoned RD1.5-1XL and C2-1D within the Hollywood Community Plan, which designates the site for Low Medium II Residential and Highway Oriented Commercial uses. The project site is not located in any hazardous or geologically sensitive areas, including Hillside Area, Very High Fire Hazard Severity Zone, Flood Zone, Hazardous Waste/Border Zone, Methane Hazard Site, Alquist-Priolo Fault Zone, Landslide Area, Liquefaction Area, Preliminary Fault Rupture Study Area, and Tsunami Inundation Zone. Additionally, although the project site is located within the BOE Special Grading Area, the Department of Building and Safety, Grading Division has reviewed and recommended approval of the Vesting Tentative Tract Map, subject to the conditions listed in the Soils Report Approval Letter Log # 96258-01 dated August 16, 2017. As such, the project site is physically suitable for the proposed type of development.

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

The subject property is located within Subareas A and B of the SNAP. The SNAP allows R3 density (800 square feet of lot area per dwelling) for Lots 1-14 in Subarea B, and residential density (1,500 square feet of lot area per dwelling unit) permitted by the underlying RD1.5-1XL Zone for Lots 15-18 in Subarea A, and, allowing a total of 31 dwelling units by-right. The proposed project involves the construction of 14 single-family dwellings on Lots 1-14, and four (4) single-family dwellings on Lots 15-18, for a total of 18 single-family dwellings, which is less than the maximum density permitted.

As previously mentioned, the project site is not located in any hazardous or geologically sensitive areas, including Hillside Area, Very High Fire Hazard Severity Zone, Flood Zone, Hazardous Waste/Border Zone, Methane Hazard Site, Alquist-Priolo Fault Zone, Landslide Area, Liquefaction Area, Preliminary Fault Rupture Study Area, and Tsunami Inundation Zone. Additionally, although the project site is located within the BOE Special Grading Area, the Department of Building and Safety, Grading Division has reviewed and recommended approval of the Vesting Tentative Tract Map, subject to the conditions listed in the Soils Report Approval Letter Log # 96258-01 dated August 16, 2017. As such, the project site is physically suitable for the proposed density.

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

The Advisory Agency determined, based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to State CEQA Statutes and Guidelines, Section 15332 (Class 32 Infill Development) and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies (see above CEQA Findings).

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS 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). There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

The project site is a legally recorded lot that is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, park or any officially recognized public area that requires access through or within the proposed subdivision, and no such easements are known to exist. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the City prior to recordation of the proposed map.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was

filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract No. 74370-SL.