

DEPARTMENT OF  
**CITY PLANNING**  
 200 N. SPRING STREET, ROOM 525  
 LOS ANGELES, CA 90012-4801  
 AND  
 6262 VAN NUYS BLVD., SUITE 351  
 VAN NUYS, CA 91401

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ  
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**CITY OF LOS ANGELES**  
 CALIFORNIA



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

**Filing Notification and Distribution**

<p><b>ADDRESS:</b> 1415-1417 N. Avenue 45</p> <p><b>COMMUNITY:</b> Northeast Los Angeles</p> <div style="background-color: black; color: white; text-align: center; padding: 10px; font-weight: bold; font-size: 1.2em;">       EXPEDITED        PROCESSING SECTION     </div>	<p><b>DATE OF FILING AND MAP STAMP</b>  <b>DATE:</b> 01/14/2015</p> <p><b>VTT- MAP NO:</b> 73291-SL  <b>ENV-2015-251-EAF</b></p> <p><b>DEEMED COMPLETE AND DISTRIBUTION</b>  <b>DATE:</b> 01/21/2015</p> <p>Hillside: ( ) Yes (X) No</p>
<p>(X) COUNCIL DISTRICT NO: 1          (X) Neighborhood Planning (Check Office below)</p> <p style="padding-left: 20px;">( ) Valley          ( ) West Los Angeles          ( ) Harbor          (X) Metro E/S</p> <p>Department of Public Works</p> <p style="padding-left: 20px;">(X) Bureau of Engineering          (X) Bureau of Sanitation</p> <p>Department of Building and Safety</p> <p style="padding-left: 20px;">(X) Grading Engineer          (X) Zoning Engineer</p> <p>(X) Department of Transportation</p> <p>Department of Water and Power</p> <p style="padding-left: 20px;">( ) Underground Design          (X) Real Estate          (X) Water System          (X) Fire Department (mark "Fire")</p>	<p>( ) Community Plan Revision          (X) Department of Recreation and Parks          (X) Street Tree Design          (X) Bureau of Street Lighting (No. P.S.)          ( ) Animal Regulation (Hillside)          (X) Housing Department          (X) Board of Education (No P.S.)          (X) Los Angeles County Health Department          (No P.S.)          ( ) City of Beverly Hills          (See Counter Map) (No P.S.)          ( ) Valley DOT – Kevin Ecker          (X) Imaging Services          (X) GIS - c/o Fae Tsukamoto          (X) Eagle Rock Neighborhood Council          N.C. please respond with comments within 90 days          from "deemed complete and distribution date"          (LISTED ABOVE).</p>

The above tract has been filed with the Advisory Agency.

The Advisory Agency will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of distribution, we will assume that you have no report to make.

Michael J. LoGrande  
 Director of Planning

*Jae Kim*  
 Jae Kim  
 Deputy Advisory Agency  
 CP-6300 (1/21/09)

RECOMMENDATION REPORTS

DUE BY 03/02/2015

Please forward reports to the following e-mail address:

planning.expedited@lacity.org

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INFORMATION  
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Decision Date: June 2, 2015

Appeal Period Ends: June 12, 2015

Avenue 45, LLC (A)(O)  
7065 Indiana Avenue, #300  
Riverside, CA 92506

Art Simonian (R)(E)  
Metro Investments  
501 West Glen Oaks Blvd. #556  
Glendale, CA 91202

RE: Vesting Tentative Tract Map No. VTT-73291-SL  
Address(s): 4490 East Lincoln Avenue and  
1415-1417 North Avenue 45  
Related Case(s): N/A  
Planning Area: Northeast Los Angeles  
Zone : RD1.5  
D. M. : 156A221  
C. D. : 1  
CEQA : ENV-2015-0251-MND

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.15 and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 73291-SL, located at 4490 East Lincoln Avenue and 1415-1417 North Avenue 45 for a **maximum of 10 small lots** for the purposes of a Small Lot Subdivision as shown on revised map stamp-dated April 30, 2015 in the Northeast Los Angeles Community Plan. This unit density is based on the RD1.5 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 10-foot wide strip of land be dedicated along Lincoln Avenue adjoining the tract to complete a 30-foot wide half right-of-way including a 15-foot radius property line return at the intersection with Avenue 45.
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 any fee deficit under Work Order No. EXT00594 expediting this project be paid.
7. That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

8. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit, including an approved geological fault investigation, a soil engineering report, and an approved project site plan.

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

9. 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. Provide a copy of affidavit AFF-36580. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - b. 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.
  - c. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map. Separate easement covenant shall be recorded by City Planning and provided to Plan Check prior to permit

issuances for the reciprocal private easement for pedestrian and driveway egress and ingress, utilities, drainage, and back up space.

#### DEPARTMENT OF TRANSPORTATION

10. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A 20-foot reservoir space shall be provided between any security gate(s) and the property line.
  - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation (DOT) for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. All driveways should be Case 2 driveways and 30 feet and 16 feet wide for two-way and one-way operations, respectively, or to the satisfaction of DOT.

#### FIRE DEPARTMENT

11. 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. 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.
  - b. Site plans shall include all overhead utility lines adjacent to the site.
  - c. Any roof elevation changes in excess of three feet may require the installation of ships ladders.

#### DEPARTMENT OF WATER AND POWER

12. 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

13. 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.

14. Construct one new street light on Lincoln Avenue and two on Avenue 45.

#### **BUREAU OF SANITATION**

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

#### **INFORMATION TECHNOLOGY AGENCY**

16. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, 213 922-8363.

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

17. That the Quimby fee be based on the RD1.5-1 Zone.

#### **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. The developer shall plant a maximum of three 24-inch box Weeping bottle brush (*Calistemon Viminalis*) tree in the public right-of-way. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting. Note: Removal of Protected Tree requires the Board of Public Works approval. Contact Urban Forestry Division at 213-847-3077 for tree removal permit information.

**Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

#### **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 10 small lot homes.

- b. Provide a minimum of two covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)
- c. Zero (0) guest parking will be required.
- d. The use and development of the property shall be in substantial conformance with the plans submitted with the application and the corresponding Exhibit "A", except as may be revised as a result of this action.
- e. Prior to issuance of a certificate of occupancy, a minimum six-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.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- i. 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 or can be seen from above.
- j. A Maintenance Agreement shall be signed by all property owners to maintain all common areas such as trees, landscaping, trash, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become part of the agreement and shall be subject to a proportionate share of the maintenance. The 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.
- k. 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.
- l. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site:

- i. Approved variations are as follows:

Lot No.	Setbacks			
	Setback North	Setback South	Setback East	Setback West
1	5' (Front)	0' (Rear)	5'	10'
2	0'	0'	5' (Front)	10' (Rear)
3	0'	0'	5' (Front)	10' (Rear)
4	0'	0'	5' (Front)	10' (Rear)
5	0'	10'	5' (Front)	10' (Rear)
6	5' (Front)	0' (Rear)	10'	5'
7	0'	0'	10' (Rear)	5' (Front)
8	0'	0'	10' (Rear)	5' (Front)
9	0'	0'	10' (Rear)	5' (Front)
10	0'	10'	10' (Rear)	5' (Front)

- ii. The Deputy Advisory Agency approved the following deviations:
  - a. Lot 10 may observe a 10.5 percent reduction in lot area consisting of 1,343 in lieu of the otherwise required 1,500 square feet.
  - b. Architectural trellises are permitted within the side, rear, and front yards, with a maximum height of 10 feet, as shown in Exhibit A.
  - c. Architectural projections are permitted up to 12 inches onto the common access driveway, as shown in Exhibit A.

- 20. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
- 21. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

**DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

- 22. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 23 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction / maintenance) to ensure continued implementation of the above mentioned mitigation items.

23. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following: (MM)

- CM-1. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-2. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-3. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

#### **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:

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

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

- (a) All areas of the property not covered by buildings, driveways, or walkways shall be landscaped with low-water, drought-tolerant, and non-invasive plant materials and ground cover, in place of turf grass.
- (b) Any existing natural features and topography shall be incorporated into a proposed landscaping, where appropriate.
- (c) Any proposed trees shall be shade bearing and spaced between 15- to 20-feet apart from each other.
- (d) Landscape plans shall organize plants into groupings in accordance to proposed water needs.
- (e) Landscape plans shall incorporate shade trees and ornamental landscaping that define an edge and increases visual interest in the public and private realms of the development.



- (f) Shrubs located immediately adjacent to the public sidewalk shall maintain a height of less than four (4) feet.
- (g) Fences and shrubbery shall be less than 3'6" tall in areas located adjacent to, or within five (5) feet of, the sidewalk and common public areas.
- (h) Parkways shall be planted with ground cover, low-growing vegetation, or permeable materials that accommodate both pedestrian movement and clearance for car doors.
- (i) Provide planting areas in private open spaces for residents to maintain.
- (j) Landscape plans shall exhibit techniques that will be used to maintain privacy among all proposed dwelling units.
- (k) Trees, shrubs, and vines shall be planted between property lines so as to screen building walls and enhance privacy.

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

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

- S-1.
- (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
  - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
  - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.
  - (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.

- (i) That one-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 one-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 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the 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 Street Tree Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a) Improve Lincoln Avenue being dedicated adjoining the subdivision by the construction of the following:
    - (1) A concrete curb, a concrete gutter, and a five-foot concrete sidewalk and landscaping of the parkway or 10-foot wide concrete sidewalk with tree wells.
    - (2) Suitable surfacing to join the existing pavements and to complete a 20-foot half roadway.
    - (3) Any necessary removal and reconstruction of existing improvements.
    - (4) The necessary transitions to join the existing improvements.
  - b) Improve Avenue 45 adjoining the subdivision by the construction of the following:
    - (1) A concrete curb, a concrete gutter, and a five-foot concrete sidewalk and landscaping of the parkway or 10-foot wide concrete sidewalk with tree wells.
    - (2) Suitable surfacing to join the existing pavements and to complete a 20-foot half roadway.
    - (3) Any necessary removal and reconstruction of existing improvements including the existing block wall separating the adjacent property in the public right-of-way.
    - (4) The necessary transitions to join the existing improvements.
  - c) Construct the necessary on-site mainline 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 density.

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

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

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

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

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

### **FINDINGS OF FACT (CEQA)**

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2015-0251-MND on April 9, 2015. The Department found that potential negative impact could occur from the project's implementation due to noise during the construction phase of the project.

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2015-0251-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No. 23 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Landscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 22. The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

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

In connection with the approval of Vesting Tentative Tract Map No. 73291-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 WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Small Lot Subdivision Ordinance allows for the subdivision of underutilized land in

multi-family areas into fee-simple homes. Intended as an infill development and a smart-growth alternative to traditional, suburban style single-family subdivisions, small lot homes have smaller lot areas with compact building footprints and reduced yard setbacks, street frontages, passageways between buildings, and open space. As such, small lot subdivisions oftentimes create parcels with a unique set of design and spatial complexities.

The subject site is located in the Northeast Los Angeles Community Plan, which designates the subject property for Low Medium II Residential land uses with the corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The property is not located within a Specific Plan. The property contains approximately 14,843 net square feet (0.34 net acres) after the required dedications. The applicant is proposing to develop 10 small lot homes on a site consisting of 10 small lots, per the Small Lot Ordinance and the Subdivision Map Act.

The Northeast Los Angeles Community Plan, a part of the Land Use Element of the City's General Plan, states the following goal and policies relevant to the current project:

Goal 1: A safe, secure and attractive residential environment for all economic, age and ethnic segments of the community.

Policy 1-6.1: Promote individual choice in type, quality, price, and location of housing.

Coordination Opportunities for Public Agencies: Encourage new and alternative housing concepts, as well as alternative materials and methods of construction, which are found to be compatible with City Codes.

The project will meet the intent of the aforementioned Community Plan language and will provide much needed new home ownership opportunities for the Northeast Los Angeles Community Plan area in the form of single-family dwellings rather than residential condominiums. The Small Lot Ordinance allows for the creation of fee simple parcels without the need to establish a homeowner's association.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). As such, the Advisory Agency concludes that the proposed tract map is consistent with the intent and purpose of the General Plan.

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

The design and improvement of the proposed subdivision are consistent with the Northeast Los Angeles Community Plan and is not subject to any Specific Plan requirements. The project site is located on the southwest side of Lincoln Avenue and Avenue 45 in Eagle Rock neighborhood of Los Angeles. The subject site is currently vacant.

For the purposes of approving a small lot subdivision, the "design" of the tract map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. The project was reviewed by various city agencies that have the authority to make improvement recommendations. Staff received

recommendations from the Bureau of Engineering that included a 10-foot dedication along Lincoln Avenue. The Bureau of Street Lighting is requiring that one new street light on Lincoln Avenue and two new street lights on Avenue 45 be constructed as part of the project. In addition, all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990.

As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The site is currently vacant. A mix of commercial, institutional, and residential uses, including single-family and multi-family residential structures, makes up the general character of the surrounding neighborhood. Properties on the same block face between Eagle Rock Boulevard to the west and Avenue 45 to the east are zoned RD1.5-1 and [Q]C2-1VL-CDO and are developed with single- and multi-family units with commercial uses lining the easterly side of Eagle Rock Boulevard. Properties to the north, across Lincoln Avenue, are zoned M1-1 and PF-1 and are developed with a recording studio, medical offices, a shopping center, and a city water building. Properties to the east are zoned M1-1 and are developed with the Sparklets water facility. Properties to the south, across Toland Way, are zoned R1-1 and are developed with single-family homes.

The proposed project is considered an infill development in a neighborhood that has a mix of residential, commercial, and institutional uses and is consistent with the density and height district of the RD1.5-1 Zone.

The project site is within the Raymond Fault, a Type B fault. The site is not within a Hillside Area per the Zoning Code, a Very High Fire Severity Zone. The site is within a liquefaction zone and it is part of the Bureau of Engineering's Special Grading Area. The Grading Division of the Department of Building and Safety is requiring additional studies relating to tectonic setting of the local segment of the Raymond fault prior to issuing any recommendations for the proposed project. The site is not in a Methane Zone or a landslide area, a tsunami-inundation zone, flood-prone area, or a High Wind Velocity Area. The site is not identified as having hazardous waste or past remediation. The site is not within a flood zone. As conditioned, the site will be physically suitable for the proposed type of development.

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

Adjacent properties consist of commercial, institutional, and residential uses. The project proposes the development of 10 small lot homes. This unit density is based on the RD1.5 Zone which requires 1,500 square feet of lot area per dwelling unit. Given that the Small Lot Subdivision Ordinance allows lots of 600 square feet or greater, the site will be physically suitable for proposed density of the project.

The proposed project would activate a vacant site and would provide an appropriate infill development between the single- and multi-family dwellings to the south and the manufacturing and commercial uses to the north. The proposed project will comply with all LAMC requirements for parking and yards in accordance with Ordinance No. 176,354. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site is located in a highly urbanized area and the surrounding area is presently developed with structures and does not provide a natural habitat for fish. On April 9, 2015, the Department of City Planning issued Mitigated Negative Declaration No. ENV-2015-0251-MND. This Mitigated Negative Declaration reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts are mitigated to a less than significant level. The custodian of the documents or other material which constitute the record of proceedings upon which the decision is based are located with the City of Los Angeles, Planning Department located at 200 North Spring Street, Room 750, Los Angeles, California 90012.

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

No such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to the recordation of the proposed tract.

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

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

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

The 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 Vesting Tentative Tract Map No. 73291-SL.

Michael J. LoGrande  
Advisory Agency



JORDANN TURNER  
Deputy Advisory Agency

JT:HB:jq

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the East Los Angeles Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213 482-7077

Marvin Braude San Fernando Valley  
Constituent Service Center  
6262 Van Nuys Blvd., Room 251  
Van Nuys, CA 91401  
818 374-5050

**Forms are also available on-line at <http://cityplanning.lacity.org/>.**

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.

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.