DEPARTMENT OF CITY PLANNING

200 N. SPRING STREET, ROOM 525 LOS ANGELES, CA 90012-4801 **AND** 6262 VAN NUYS BLYD., SUITE 351 VAN NUYS, CA 91401

CITY PLANNING COMMISSION

RENEE DAKE WILSON PRESIDENT
DANA M. PERLMAN
VICE-PRESIDENT
ROBERT L. AHN
DAVID H. J. AMBROZ
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
MARIA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA



EXECUTIVE OFFICES

MICHAEL J. LOGRANDE DIRECTOR (213) 978-1271

ALAN BELL, AICP DEPUTY DIRECTOR (213) 978-1272 LISA M. WEBBER, AICP

DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR

FAX: (213) 978-1275

(213) 978-1273

INFORMATION www.planning.lacity.org

Decision Date: August 22, 2014

Appeal End Date: September 2, 2014

Mega Home, LLC (A)(O) c/o Tony Tang 7000 East Slauson Avenue Commerce, CA 90400 RE: Tentative Tract No. 72551

2925-2951 West Leeward Avenue

Wilshire Planning Area

Zone: R4-2 D.M.: 132B197

C.D. : 1

CEQA: ENV-2013-3086-MND

Legal Description: Fulmer Tract, Lots 54-57

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Mitigated Negative Declaration ENV-2013-3086-MND as the environmental clearance and approved Tentative Tract No. 72551 composed of 1-lot, located at 2929 West Leeward Avenue for a maximum 80-unit condominium as shown on map stamp-dated January 13, 2014 in the Wilshire Community Plan. This unit density is based on the R4 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.) The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

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

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. 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 February 7, 2014, Log No. 64737-02 and attached to the case file for Tract No. 72551

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

- 3. <u>That prior to recordation of the final map</u>, 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 prior to obtaining the Zoning clearance.
 - b. Show all street dedication as required by the Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication.

Notes:

There is a 10 ft. Building Line along Leeward Avenue on this Subdivision.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

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

4. <u>That prior to recordation of the final map</u>, satisfactory arrangements shall be made with the Department of Transportation to assure:

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation.
- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.
- d. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3. For an appointment, call (213) 482-7024.

FIRE DEPARTMENT

- 5. 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. All homes shall have noncombustible roofs. (Non-wood)
 - b. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.
 - c. During demolition, the Fire Department access will remain clear and unobstructed.
 - d. 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.
 - e. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - f. Entrance to the main lobby shall be located off the address side of the building.

Note: 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

<u>APPOINTMENT ONLY</u>, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

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, implementing the measures for demolition and construction contained in the LAUSD letter dated February 25, 2014 attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Hoover Street Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950, and the principals or designees of Hoover Street 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

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

BUREAU OF SANITATION

8. 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

9. 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 Los Angeles Municipal Code Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the R4 Zone.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 11. <u>Prior to the recordation of the final map</u>, 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 80 dwelling units.
 - b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus ¼ guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

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

c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. <u>That prior to issuance of a certificate of occupancy</u>, 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. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- 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 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.
- h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- i. 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.
- 12. That prior to the issuance of the building permit or the recordation of the final map, a copy of DIR-2013-3085-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2013-3085-SPR is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 13. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 14 and 15 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
- 14. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - MM-1. All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

- MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
- MM-3. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-4. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- MM-5. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- MM-6. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
- MM-7. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- MM-8. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.
- MM-9. (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- MM-10. (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

- MM-11. (Polychlorinated Biphenyl Commercial and Industrial Buildings)
 Prior to issuance of a demolition permit, a polychlorinated biphenyl
 (PCB) abatement contractor shall conduct a survey of the project site to
 identify and assist with compliance with applicable state and federal
 rules and regulation governing PCB removal and disposal.
- MM-12. All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- MM-13. All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- MM-14. All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- MM-15. Concrete, not metal, shall be used for construction of parking ramps.
- MM-16. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-17. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.
- MM-18. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.
- MM-19. (Subdivision) Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.
- MM-20. Driveway Access and Circulation. The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated

as soon as possible with DOT's Citywide Planning Coordination Section (201 N. Figueroa, 4th Floor Station 3, @ 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent last minute building design changes, it is highly imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for driveway width and internal circulation requirements. This would ensure that traffic flow considerations are designed and incorporated early into the building and parking plan layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. All pick-up and drop-off activities should tale place on-site. All driveway plans should be Case 2 driveways and 30 feet wide for two-way operations. Any proposed gates should have a minimum 40 foot reservoir space from the property line.

- MM-21. Construction Impacts. DOT recommends that a construction work site traffic control plan be submitted to DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs, and access to abutting properties. DOT also recommends that all construction related traffic be restricted to off-peak hours.
- MM-22. Highway Dedication and Street Widening Requirements Highway Dedication and widening may be required along the streets that front the proposed project. Leeward Avenue is classified as a Local Street. The developer must check with the Bureau of Engineering's (BOE) Land Development Group to determine the highway dedication, street widening, and sidewalk requirements for this project.
- MM-23. Highway dedication and widening may be required along the streets that front the proposed project. Along the project's frontage, Leeward Avenue is classified as a Local Street. According to the standard street dimensions of the Department of Public Works, Bureau of Engineering (BOE), a Local Street requires a 20-foot half-width right-of-way. The developer must check with BOE's Land Development Group to determine the highway dedication, street widening and sidewalk requirements for the project.
- MM-24. Parking Requirements. The developer should check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.
- MM-25. Implementing measures detailed in said Department's communication to the Planning Department dated February 13, 2014 and attached shall be complies with. Such report and mitigation measures are incorporated herein by reference.
- MM-26. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation

measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

- MM-27. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
 - Weather-based irrigation controller with rain shutoff
 - Matched precipitation (flow) rates for sprinkler heads
 - Drip/microspray/subsurface irrigation where appropriate
 - Minimum irrigation system distribution uniformity of 75 percent
 - Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
 - Use of landscape contouring to minimize precipitation runoff
 - A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.
- MM-28. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- MM-29. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- MM-30. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- MM-31. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- MM-32. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)
- MM-33. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- MM-34. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units

- and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- MM-35 Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- MM-36. The project shall include a holding tank large enough to hold three times the project daily wastewater flow so that the tank would hold all project wastewater during peak wastewater flow periods for discharge into the wastewater collection system during off-peak hours.
- MM-37. A grey water system to reuse wastewater from the project.
- MM-38. Offset excess wastewater generation by restricting the wastewater generation of other land uses within the same service area (e.g., by dedicating open space).
- MM-39. New wastewater treatment or conveyance infrastructure, or capacity enhancing alterations to existing systems.
- MM-40. (Operational) 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.
- MM-41. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- 15. Construction Mitigation Conditions Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility
 of the applicant to assure that the notice is firmly attached,
 legible, and remains in that condition throughout the entire
 construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.
- CM-2. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-3. The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-4. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-5. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-6. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. Trucks having no current hauling activity shall not idle but be turned off.
- CM-9. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- CM-10. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional

provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:

- a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-11. A deputy grading inspector shall be on-site during grading operations, at the owner's expense, to verify compliance with these conditions. The deputy inspector shall report weekly to the Department of Building and Safety (LADBS); however, they shall immediately notify LADBS if any conditions are violated.
- CM-12. "Silt fencing" supported by hay bales and/or sand bags shall be installed based upon the final evaluation and approval of the deputy inspector to minimize water and/or soil from going through the chain link fencing potentially resulting in silt washing off-site and creating mud accumulation impacts.
- CM-13. "Orange fencing" shall not be permitted as a protective barrier from the secondary impacts normally associated with grading activities.
- CM-14. Movement and removal of approved fencing shall not occur without prior approval by LADBS.
- CM-15. Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.
- CM-16. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-17. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- CM-18. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-19. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

- CM-20. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-21 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-22. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-23. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-24. A cash bond or security ("Bond") shall be posted in accordance with terms, specifications, and conditions to the satisfaction of the Bureau of Engineering and shall remain in full force and effect to guarantee that any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, is properly repaired by the applicant.
- CM-25. Prior to the issuance of a Certificate of Occupancy, any damage incurred to the roadway adjacent to the property, which may result from any construction activity on the site, shall be properly repaired by the applicant to the satisfaction of the Bureau of Engineering. The applicant is hereby advised to obtain all necessary permits to facilitate this construction/repair.
- CM-26. (Construction/Demolition) Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- CM-27. (Construction/Demolition) To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONDITIONS

C-1 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final

map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

- 1. <u>Prior to recordation of the final map</u>, 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 offstreet parking. The sales office must be within one of the model buildings.
- 2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2 Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

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

C-4 In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

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

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 Municipal Code.
 - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
 - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
 - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

- S-2 That the following provisions be accomplished in conformity with the improvements constructed herein:
 - (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private 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 <u>prior to recordation of the final map</u>.
- S-3 That the following improvements be either constructed <u>prior to recordation of the final map</u> 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.

No street lighting improvements if no street widening per Bureau of Engineering improvement conditions. Otherwise relocate and upgrade street light; one (1) on Leeward Avenue.

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 planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

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.

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.

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)

A Mitigated Negative Declaration, ENV-2012-3086-MND, was prepared for the proposed project and was published on May 8, 2014 for a period of 20 days. The Advisory Agency found that potential negative impact could occur from the projects's implementation due to:

additional demand on the City's sewer system. increasing demand on available water resources. additional traffic generation. existing ambient air pollution levels. potential loss of significant trees. excessive illumination and glare from the project site. noise from the site. potential seismic activity. green house gas emissions. toxic/hazardous construction materials. additional solid waste. need for landscaping. lack of open space.

Two comment letters were received: one comment letter from the South Coast Air Quality Management District (SCAQMD) addressing the potential air quality impacts of the proposed project and a comment letter from a private citizen addressing a broad range of potential impacts (including impacts associated with methane gas, grading and excavation, public services and utilities, and transportation). An Air Quality Study was prepared by Frey Environmental, INC, dated July 29, 2014. The Study analyzed the potential construction (short-term) and operational (long-term) emissions resulting from the proposed project using the California Emissions Estimator Model (CalEEMod) 2013. Based on the results of the analysis, the estimated construction and operational emissions generated fall below the South Coast Air Quality Management District (SCAQMD) Air Quality Significance Thresholds as well as the Localized Significance Thresholds (LSTs). The Study recommended watering the site twice daily during grading activities, which is part of the City's standard mitigation measures and has been included in this document (Condition No. CM-2). The Mitigated Negative Declaration prepared for the project has incorporated all of the mitigation measures, recommended by the South Coast Air Quality Management District, as standard mitigation measures to reduce any potential impacts related to "fugitive dust" (in conjunction with construction and demolition, materials handling, unpaved roads, and storage piles). Furthermore, the Mitigated Negative Declaration includes mitigation measures to address any potential impacts related to methane gas, grading and excavation, public services and utilities. and transportation.

The proposed 80-unit residential project is well within the height, floor area, and density permitted on the site. However, the 65-foot structure was required to submit a Shade and Shadow Analysis to assess the potential impact of a structure over 60 feet in height. An analysis was prepared by CAJA Environmental Services, LLC, dated August 8, 2014. The City of Los Angeles CEQA Thresholds Guide states that a project impact would occur if sensitive-receptors (shadow-sensitive uses) would be shaded by

project-related structures for more than three hours between 9:00 a.m. and 3:00 p.m. during the Spring Equinox and Winter Solstice, or more than four hours between 9:00 a.m. and 5:00 p.m. during the Summer Solstice. The Shade and Shadow Study showed that no sensitive uses would be shaded for more than three or four hours as specified in the thresholds, therefore, less than significant impacts are expected. This document includes mitigation measures to further reduce any impacts related to the aesthetics of the building (Condition Nos. MM-1 - MM-3).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-3086-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 14 and 15 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 13.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract No. 72551, 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 Wilshire Community Plan designates the subject property for High Medium Residential land use with the corresponding zone of R4. The subject site contains 0.83 net acres (36,000 net square feet) and is presently zoned R4-2. The applicant is not requesting an amendment to the Community Plan. The proposed project is not located within a specific plan area. The tentative tract map is therefore consistent with the Wilshire Community Plan.

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

The adopted Wilshire Community Plan designates the subject property for High Medium Residential land use with the corresponding zone of R4. The property contains approximately 0.83 net acres (36,000 net square feet) and is presently zoned R4-2. Based on a minimum requirement of 400 square feet per dwelling unit in the R4 Zone, a maximum of 90 dwelling units are permitted on the site. The proposed development of 80 condominium units is therefore allowable under the current adopted zone and the land use designation.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. The subdivider is not required to make any street dedication or improvements on Leeward Avenue. The proposed subdivision complies with the 10-foot building line along Leeward Avenue.

The Bureau of Street Lighting has also reviewed the proposed subdivision and is not requiring street lighting improvements.

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).

The proposed tract map is therefore consistent with the intent and purpose of the applicable General and Specific Plans.

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

The site is level and is not located in a slope stability study area, high erosion hazard area, or fault-rupture study zone. The site is located in an area developed with multiple family dwellings and commercial retail uses. The proposed project is located within a quarter-mile of several transit corridors that include: 8th Street, 7th Street, Wilshire Boulevard, Vermont Avenue, and Hoover Street. The Metro Red/Purple Line Station is also located at the intersection of Vermont Avenue and Wilshire Boulevard. The site is therefore physically suitable for the proposed type of development.

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

The site is one of the underimproved properties in the vicinity. The proposed project is the development of a five-story, 80-unit multi-family residential building with 113,688 square feet of floor area or a floor area ratio (FAR) of 3.06:1, which is below the 6:1 FAR limit for Height District No. 2. Based on a minimum requirement of 400 square feet per dwelling unit in the R4 Zone, a maximum of 90 dwelling units are permitted on the site. The proposed 80-unit residential building is below the permitted density on the site.

The Grading Division of the Department of Building and Safety reviewed the soil and geology report for the proposed subdivision and found it acceptable subject to site development conditions (Condition No. 2).

The site is therefore physically suitable for the proposed density of development.

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

The Deputy Advisory Agency, has certified that Mitigated Negative Declaration No. ENV-2013-3086-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 14 and 15 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

(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.

A five-foot easement exists along the northern property line. During plan check the Department of Building and Safety will review the plans to ensure that no structures encroach on the easement and right-of-way, and thereby causing no conflict.

- (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.
 - 2) 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.

- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) 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. 72551.

Michael J. LoGrande

Advisory Agency

JOSE CARLO ROMERO-NAVARRO Deputy Advisory Agency

JCRN:JV

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 City 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 North Figueroa Street 4th Floor Los Angeles, CA 90012 (213) 482-7077 Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050

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

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

