

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

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Decision Date: September 16, 2016

Appeal End Date: September 26, 2016

IML Properties (O/A)
Attn: Ilan Levy
16542 Ventura Blvd., #308
Encino, CA 91436

Jerome Buckmelter Associates, Inc. (R)
Planning & Zoning Consultants
Attn: Jerome Buckmelter
23534 Aetna Street
Woodland Hills, CA 91367

Re: VTT-73759-CN
Related Case: DIR-2015-4331-DB-SPP
5022 North Whitsett Avenue
North Hollywood - Valley Village Plan Area
Valley Village Specific Plan
Zone : RD1.5-1
D.M. : 171-B-165
C.D. : 2
CEQA: ENV-2015-4332-MND
Legal Description: Lot 20; Tract 11714

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03 of the, the Advisory Agency approved Vesting Tentative Tract Map No. 73759-CN composed of one-lot, located at 5022 North Whitsett Avenue for a new maximum **9-unit residential condominium** (6 by-right and 3 density bonus) as shown on map stamp-dated November 25, 2015 in the North Hollywood-Valley Village Community Plan. This unit density is based on the RD1.5-1 Zone and Case No. DIR-2015-4331-DB-SPP. (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.) If you have any questions or for an appointment with the Development Service 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 3-foot wide strip of land be dedicated along Whitsett Avenue adjoining the subdivision to complete a 43-foot wide half public street right-of-way in accordance with Avenue II LA Mobility Standards.

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

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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 January 13, 2016 Log No. 91254 and attached to the case file for Vesting Tract No. VTT-73759-CN.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. 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. Density is based on lot area after dedication is taken.
 - b. Provide a copy of DIR-2015-4331-DB-SPP. Show compliance with all the conditions/requirements of the DIR as applicable.
 - c. There is a 25 ft. Building Line along Whitsett Avenue on this Subdivision. Show compliance to the 25 ft. Building Line (22 ft. after the 3 ft. required dedication) or obtain approved to remove the Building Line.
 - d. Provide a minimum lot area of 9,000 SF (after required dedication is taken) for a maximum of 6 units. A 35% Density Bonus is required to allow the proposed 9 units.

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

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. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, to the satisfaction of DOT.
 - b. A two-way driveway width of $W=18$ feet is required.
 - c. A parking area and driveway plan should 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 6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401. (MM)
 - d. That the subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 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.

Note: If you have any questions, you may contact me at taghi.gharagozli@lacity.org or 818-374-4691.

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. Submittal of a plot plan for Fire Department review and approval prior to recordation of Tract Map Action. 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. (MM)

DEPARTMENT OF WATER AND POWER

6. 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

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

BUREAU OF SANITATION

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

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the RD1.5 Zone.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

11. Prior to the issuance of any permit, a plot plan shall be prepared by a reputable tree expert, indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right-of-way shall be submitted for approval by the Department of City Planning.

All five 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 and to the satisfaction of the Advisory Agency. Net, new trees, located within the parkway of the adjacent public right-of-way, may be counted toward replacement tree requirements. (MM)

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

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the proposed development to a maximum of nine (9) dwelling units (6 by-right and 3 density bonus).
 - b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.

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 (200 North Spring Street, Room 750).
 - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
 - d. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
 - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - f. That the subdivider 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.
 - g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - h. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. (MM)
13. Prior to the issuance of the building permit or the recordation of the final map, a copy of DIR-2015-4331-DB-SPP shall be submitted to the satisfaction of the Advisory Agency.

Note to City Zoning Engineer and Plan Check. Two incentives were granted under DIR-2015-4331-DB-SPP as follows:

- (a) A 20 percent decrease is the required front yard setback to allow a 17.6-foot front yard setback and encroachment into the 22-foot building line (after dedication); and,
 - (b) Parking Option 1, requiring a total of 18 parking spaces and no guest parking.
14. Prior to the issuance of a building permit, grading permit and the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the Valley Village Specific Plan (DIR-2015-4331-DB-SPP).
15. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

16. That 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 Nos. 4c, 5a, 11, 12h, 17 and 18 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, post-construction / maintenance) to ensure continued implementation of the above mentioned mitigation items.
17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a

manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.
- MM-2. The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.
- MM-3. The project will result in the removal of vegetation and disturbances to the ground and therefore may result in take of nesting native bird species. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA).
 - a. Proposed project activities (including disturbances to native and non-native vegetation, structures and substrates) should take place outside of the breeding bird season which generally runs from March 1- August 31 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).
 - b. If project activities cannot feasibly avoid the breeding bird season, beginning thirty days prior to the disturbance of suitable nesting habitat, the applicant shall:
 - (1) Arrange for weekly bird surveys to detect any protected native birds in the habitat to be removed and any other such habitat within properties adjacent to the project site, as access to adjacent areas allows. The surveys shall be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work.
 - (2) If a protected native bird is found, the applicant shall delay all clearance/construction disturbance activities within 300 feet of

suitable nesting habitat for the observed protected bird species until August 31.

- (3) Alternatively, the Qualified Biologist could continue the surveys in order to locate any nests. If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. The buffer zone from the nest shall be established in the field with flagging and stakes. Construction personnel shall be instructed on the sensitivity of the area.
- (4) The applicant shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds. Such record shall be submitted and received into the case file for the associated discretionary action permitting the project.

MM-4. Human Health Hazard (Vector Control):

- a. The property shall be maintained in a neat, attractive, and safe condition at all times.
- b. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties.
- c. Trash and garbage bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times.
- d. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter.
- e. Trash and garbage collection containers shall be emptied a minimum of once per week.
- f. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

MM-5. Parking Structure Ramps:

- a. Concrete, not metal, shall be used for construction of parking ramps.
- b. The interior ramps shall be textured to prevent tire squeal at turning areas.

- c. Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

MM-6. Noise Levels (Residential Fronting on Secondary Highway):

- a. All exterior windows having a line of sight of a Major or Secondary Highway shall be constructed with double-pane glass and use exterior wall construction which provides a Sound Transmission Class (STC) value of 50, as determined in accordance with ASTM E90 and ASTM E413, or any amendment thereto.
- b. The applicant, as an alternative, may retain an acoustical engineer to submit evidence, along with the application for a building permit, any alternative means of sound insulation sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

MM-7. Police: The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

MM-8. Safety Hazards: The developer shall install appropriate traffic signs around the site to ensure pedestrian, bicycle, and vehicle safety.

18. **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.**

- a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.

- b. 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.
 - c. 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.
 - d. 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-2. Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.
- CM-3. 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-4. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-5. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-6. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-7. 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-8. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-9. 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-10. 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-11. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-12. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-13. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-14. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-15. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- CM-16. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-17. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-18. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-19. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-20. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-21. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

- CM-22. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.
- CM-23. There shall be no parking of construction vehicles, including vehicles to transport workers in front of the Hesby Street cul-de-sac properties. (Note: There are 10 single-family residences with garages located along the 12500 block.)
- CM-24. Off-street parking shall be provided for all construction-related employees generated by the proposed project. No employees, contractors, or sub-contractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owners' base of operations.
- CM-25. A 24-hour "hot-line" phone number for the receipt of construction-related complaints from the community shall be provided to immediate neighbors and the local neighborhood association, if any. The applicant shall be required to respond within 24 hours of any complaint received on this hotline.

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. 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.
 - 2. 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.
- 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 LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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 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 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private streets, 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:
 - a. 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 development into a Street Lighting Maintenance Assessment District.
 - b. Construct new street light: one (1) on Whitsett Avenue.
 - (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 Whitsett Avenue adjoining the subdivision by the construction of the followings:

- (1) A concrete curb, a concrete gutter, and a full-width concrete sidewalk with tree wells or 5-foot concrete sidewalk and landscaping of the parkway.
- (2) Suitable surfacing to join the existing pavements and to complete a 33-foot to 35-foot variable width half roadway. Half roadway adjoining northerly of this tract is 33-foot wide and half roadway adjoining the southerly tract is 35-foot wide.
- (3) Any necessary removal and reconstruction of existing improvements.
- (4) The necessary transitions to join the existing improvements.

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.

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 Section 17.05-N of the LAMC.

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-2015-4332-MND on February 10, 2016. The Planning Department found that potential negative impact could occur from the project's implementation due to:

Aesthetics (landscape plan, light, glare);
Biological Resources (habitat modification, tree removal);
Geology and Soils (construction);
Hazards and Hazardous Materials (vector control, liquefaction);
Noise (construction, operational);
Public Services (fire, police); and
Transportation/Circulation (safety hazards).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2015-4332-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. 4c, 5a, 11, 12h, 17 and 18 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, 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. 16.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

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, California 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 73759-CN 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 adopted North Hollywood-Valley Village Community Plan designates the subject property for Low Medium II Residential land use with the corresponding zones of RD2 and RD1.5 and Height District 1 (Footnote No. 1). The property

contains approximately 0.21 net acres (9,184 net square feet after required dedication) and is presently zoned RD1.5-1. The proposed development of a 9-unit, 36-foot tall, condominium (six by-right units and three density bonus units including one unit for Very Low Income household) is allowable under the current adopted zone and the land use designation as permitted by Los Angeles Municipal Code (LAMC) Section 12.22-A.25.

The site is also located within the Valley Village Specific Plan (Ordinance No. 168,613 effective April 4, 1993), which has provisions for the development of multiple-family and was found in compliance as conditioned in the grant of Case No. DIR-2015-4331-DB-SPP on March 25, 2016. The subdivision of land is to allow these 9-units to be development for-sale and individual owned in lieu of rental apartments.

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located outside the flood zone. Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

Whitsett Avenue is designated an Avenue II and dedicated to an 83-foot width at the project's street frontage. The Bureau of Engineering is requiring a 3-foot dedication to complete a 43-foot wide half street and improve the curb, gutter and sidewalk in accordance with Mobility Plan Standards. This project is subject to the Valley Village Specific Plan requirements and was approved on March 25, 2016 under Case No. DIR-2015-4331-DB-SPP. The proposed project will provide 18 parking spaces in conformance with LAMC Section 12.22-A.25 (Parking Option 1) for density bonus projects.

Further, the project has been conditioned to under Case No. DIR-2015-4331-DB-SPP for compliance with the Valley Village Specific Plan which incorporates site design, open space, lighting, height and landscaping. Therefore, as conditioned the design and improvements of the proposed project will be consistent with the applicable General and Specific Plans.

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

The site is currently developed with a one story single-family dwelling with attached garage. It is one of the four under-improved properties along the block face between Otsego Street and Addison Street. The development of this tract is an infill of an otherwise mixed-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The project will involve the grading and export of approximately 2,500 cubic yards of dirt to accommodate one-level of subterranean parking. The soils reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety and the tract was acceptable provided conditions in a letter dated January 13, 2016 (Log #91254) are complied with during site development.

The greater Los Angeles region is facing a housing shortage. The subdivision provides much needed new for-sale housing in a desirable neighborhood. By incorporating one unit set aside for Very Low Income, it will help to reduce issues of gentrification and displacement in other parts of the region.

This subdivision is directly served by DASH Van Nuys bus service, and is less than a quarter mile from Metro bus service (Route 183) on Magnolia Boulevard. Further the Orange Line Busway is less than a mile away at Laurel Canyon Boulevard, where additional Metro service (Route 230) is also available. There are many desirable neighborhood amenities like retail and restaurants are in easy walking and cycling distance. Being in close proximity to employment centers in Sherman Oaks and Van Nuys, this site is a good location for housing.

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

Surrounding properties are within the R3-1, RD1.5-1 and R1-1 Zones, and are characterized by generally level topography and improved streets. The property adjoining the subject property to the north is within the RD1.5-1 zone and improved with a 10-unit apartment building, two-story over semi-subterranean parking. Further north are RD1.5-1-zoned properties improved with a mix of single-family homes and low-rise apartment buildings, one- and two-stories. The property adjoining the subject site to the south is a 6-unit apartment building, two-story over semi-subterranean parking, and zoned RD1.5-1. Properties further south are zoned RD1.5-1 (on the subject block) and R3-1 (south of Addison Street) and improved with multi-family residential uses, both two-story over semi-subterranean parking. The properties adjoining the westerly side of Whitsett Street opposite the subject property are single-family residences within the R1-1 zone (fronting the Hesby Street cul-de-sac) with two-story multi-family residential buildings in the RD1.5-1 Zone to the north and south of those single-family zoned lots. The property behind the project site to the east at the intersection of Hesby Street and Wilkinson Avenue are single-story single-family residences, zoned R1-1. There are no parks or schools within the vicinity of the project site.

The proposed project would provide an appropriate transitional development between the single-family dwelling to the east along Wilkinson Avenue, the apartment uses to the north and south, and the single-family located along the cul-de-sac to the west across Whitsett Avenue to the west. The project site is currently improved with one single-family residence originally constructed in 1947. The proposed project would provide nine condominium units. The proposed project will

comply with all LAMC requirements for parking, yards, and open space and complies with LAMC Section 12.22-A.25(9a-d) and State Density Bonus Law 65915(C)(2) with regards to restricted affordable units. 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 development a single-family dwelling and the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife as mitigated. On February 10, 2015, the City Planning Department issued a Mitigated Negative Declaration No. ENV-2015-4332-MND with appropriate mitigation measure to reduce any potential impacts to less than significant levels. There could be potential public health problems caused by the improvement of the proposed subdivision without mitigation. However, all are being mitigated through the environmental document and further measures were added within the Conditions of Approval, which need to be satisfied prior to completion of the project. Including the replacement of non-protected trees on a 1:1 basis for the five scheduled for removal as stated in the Arborist Report dated September 18, 2015. Additional construction conditions were added herewith to limit construction vehicles and workers not park on surrounding single-family neighborhoods and that construction hours are posted with a 24-hour hotline and responded to within 24-hours.

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. 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.

- (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 (in a memo dated January 14, 2016) 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 recordation of the proposed tract. Once developed the street will be widened, a curb, gutter and sidewalk added, and one of the driveway aprons will be removed which will provide of additional street parking which is no permitted in front of the subject site currently.

- (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 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 site's configuration and orientation does not offer any distinct advantages for passive solar opportunities. However, the development has been designed for optimum energy efficiency in compliance with the State of California Energy Conservation Standards for new residential buildings (California Administrative Code Title 24) and in compliance with the City's Green Building Ordinance. The building walls will be a light colored stucco, the proposed flat roofs could be retrofitted with solar devices (although not proposed currently), windows are to be double glazed, automatic thermostats, electronic ignition devices, water-saving devices and energy-saving appliances will be installed in each unit, tree will be planted in the west setback and the addition of a street tree to provide shade. 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. 73759-CN.

VINCENT P. BERTONI, AICP
Director of Planning



SARAH HOUNSELL
Deputy Advisory Agency

SH:mkc

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 South Valley 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., 4th 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

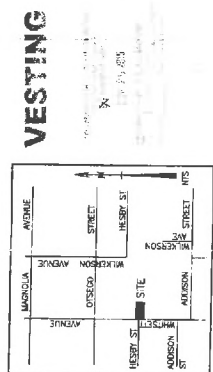
***Please note the cashiers at the public counters close at 3:30 PM.**

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.

VESTING
TENTATIVE TRACT NO. 73759

FOR CONDOMINIUM PURPOSES
BEING A SUBDIVISION OF LOT 20 OF
TRACT NO. 11714 M.B. 214 PGS 21 AND 22,
RECORDS OF LOS ANGELES COUNTY.
ADDRESS: 5022 N. WHITSETT AVENUE



VESTING

VICINITY MAP

OWNER/SUBOWNER
ILAN LEVY
C/O IAL PROPERTIES
16542 VENTURA BLVD,
EMERYV, CA. 91436
(818) 385-0467

LAND PLANNING
JEROME BUCKMELTER ASSOCIATES
23514 AETNA STREET
WOODLAND HILLS, CA. 91357



CIVIL ENGINEER
ROBERT K. KAMEOKA
5011 ACACIA ST.
SAN GABRIEL, CA 91764
(626) 285-8127

LEGEND

INDICATES THE BOUNDARY OF THE LAND
BEING SUBDIVIDED BY THIS MAP

A. INDICATES LANDSCAPE AREA

NOTES:

1. TOTAL AREA: 12,279 SF. (0.28 AC) APPROX TO CL STREET
0.04 SF/SY. (0.21 AC) NET
2. ZONING EXISTING AND PROPOSED: MD 15-1
3. USE: 9 CONDOMINIUM UNITS
4. PARKING SPACES: 16 TENANT
5. EASEMENT: PROPOSED BY UNDERGROUND SINKER SYSTEM.
6. SURFACE: CONTRIBUTORY DRAINAGE TO BE CONVERTED
TO STREET.
7. NO. OF ACRES: WESTERN SITE: 0.047 AC; BLACK WALNUT
TRUSS ON PROPERTY: EXIST. TRUSS TO BE REMOVED.
8. SITE HAS 1 SINGLE FAMILY RESIDENCE TO BE REMOVED.
9. THERE ARE NO EASEMENTS ON THE SUBJECT PROPERTY
EXCEPT AS SHOWN.
10. SITE IS IN LUMBERFAC AREA.
11. THERE ARE NO OTHER HAZARDOUS OR HAZARDOUS MATERIALS

INTERESTING NOTES.

1. BUILDING HEIGHT: 35'-7 1/4"
2. BUILDING AREA: 15,283 SQ. FT.
3. TOTAL PARKING SPACES: 16 TEN
4. ACCESS FROM WHITSETT AVENUE

5 JUL 2015