

CITY OF LOS ANGELES  
CALIFORNIA



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MAYOR

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CITY PLANNING

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Decision Date: December 22, 2006

Appeal Period Ends: January 2, 2007

DSK Properties, LLC (A)(O)  
Woodbridge Properties, LLC  
1730 Colby Avenue, Suite 100  
Los Angeles, California 90025

Gary Safronoff (E)  
Yale Partners Ltd.  
1150 Yale Street, Suite 11  
Santa Monica, California 90403

Re: Tentative Tract No. 67339  
Address: 11549 Rochester Avenue  
1330 Federal Avenue  
Council District: 11  
Existing Zone: R3-1  
Community Plan: West Los Angeles  
Env. No.: ENV-2006-8187 MND  
Fish and Game: Exempt

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 67339 composed of one lot, located at 11549 Rochester Avenue and 1330 Federal Avenue, in the West Los Angeles Community Plan, for a maximum **26-unit condominium** as shown on map stamp-dated September 19, 2006. This unit density is based on the R3-1 Zone. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Subdivision Counter call (213) 978-1362. 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 prior to recordation of the final map, satisfactory arrangements shall be made with the Bureau of Engineering to insure the following:
  - a. That a 2-foot wide strip of land be dedicated along Federal Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with Collector Street Standards, including a 15-foot radius property line return at the intersection with Rochester Avenue all satisfactory to the City Engineer.
  - b. That the vacation of the alley proceeding under Council File No. 06-0406 be completed prior to recordation of the final map.

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

2. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Show all street/alley dedication(s) 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/alley dedication.

**Note:** 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 Del Reyes at (213) 482-6882 to schedule an appointment.

**DEPARTMENT OF TRANSPORTATION**

3. That prior to recordation of the final map, 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.
- 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. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045.

#### **FIRE DEPARTMENT**

4. 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. Submit plot plans for Fire Department approval and review prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. 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.
  - d. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

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

5. 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**

6. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c).)
  - a. New Light(s) required-on (1) on Federal Avenue and one (1) on Rochester Avenue. Prior to final recordation for this project or issuance of the certificate of occupancy, the Developer shall cause Owner to give written consent to the Bureau of Street Lighting for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

**INFORMATION TECHNOLOGY AGENCY**

7. 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 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922-8379.

**DEPARTMENT OF RECREATION AND PARKS**

8. That the Quimby fee be based on the R3-1 Zone.(MM)

**STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNING**

9. All trees in the public right-of-way shall be provided per the current Street Tree Division standards. **Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

Replacement by a minimum of 24-inch box trees in the parkway and on the site of the four trees to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. (MM)

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

10. 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 26 dwelling units.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus ½ 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 (200 No. Spring Street, Room 750).

- c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project. (MM)
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a certificate of occupancy.
- f. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

**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.

Approved Variations as follows:

1. That Rochester Avenue be designated as the front yard and that Federal Avenue be designated as the side yard.

11. That the subdivider shall record and execute a Covenant and Agreement to comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
12. That the subdivider or its successor shall record and execute a Covenant and Agreement stating that no eviction notices shall be issued within 180 days from the date of this decision letter.

#### 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 No(s). 8, 9, 10d, 10g, 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, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
  - MM-2 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
  - MM-3 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
  - MM-4 Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM 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 State and Federal rules and regulations.
- MM-5 Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.
- MM-6 Prior to the issuance of the building permit or the recordation of the final map, the subdivider shall submit the evidence of the tenant relocation (in accordance with Ordinance No. 175,980) assistance being paid to the satisfaction of the Advisory Agency.
- MM-7 The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- MM-8 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.
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 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-4 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-5 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-6 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-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8 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-9 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-10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13 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-14 Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-15 Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-16 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-17 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-18 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.

#### **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 12.22A, 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. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.
- C-3. 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-4. 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 a certificate of occupancy or before the recordation of the final map.

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-5. 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 exceed 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 Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree 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 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 Federal Avenue being dedicated and adjoining the tract by the construction of a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
- b. Improve Rochester Avenue adjoining the tract by the reconstruction of a existing concrete sidewalk to complete a 5-foot concrete sidewalk adjacent to the property line and landscaping of the parkway including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.

**NOTES:**

The Advisory Agency approval is intended to provide the current tenants of the existing apartment buildings with a level of security against immediate eviction by requiring that the subdivider file a covenant and agreement to withhold any eviction notices for a minimum of 180 days from the date of this letter.

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 17.05N 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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

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 ENV-2006-8187 MND on November 1, 2006. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character, light, shade/shadow);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Geology and Soils (construction, seismic);
- Hazards and Hazardous Materials (asbestos);
- Hydrology and Water Quality (stormwater);
- Noise (construction, operational);
- Population and Housing (tenant relocation);
- Public Services (fire, schools, street improvements);
- Recreation (parks);
- Transportation/Circulation (emergency access, West LA TIMP);
- Utilities.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV 2006-8187 MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No(s). 8, 9, 10d, 10g, 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.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned. Furthermore, the project site, as well as the surrounding area is presently developed with multi-family structures and does not provide a natural habitat for either fish or wildlife. In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158)

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. 12.

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.

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

In connection with the approval of Tentative Tract No. 67339, 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 proposed project is located in the West Los Angeles Community Plan area in the Medium Residential land use category with the corresponding zone of R3. The project is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan and eligible for a 35% density bonus. The site is located within an area that is subject to hillside grading. The project site is located within a parking congested area of the city. The project will provide much needed new home ownership opportunities within the West Los Angeles Community Plan area. The existing tenants will be provided with relocation assistance pursuant to the Los Angeles Housing Department's applicable ordinances.

The proposed development of 26 residential dwelling units and 65 parking spaces is allowable under the current adopted zone and the land use designation. 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.

The proposed 26-unit residential project complies with the maximum density permitted in the R3-1 Zone site. The proposed project will provide 52 resident parking spaces and 13 guests parking spaces in conformance with the Los Angeles Municipal Code and the Deputy Advisory Agency's parking policy for condominium projects in parking congested areas.

The property contains approximately 0.487 1 net acres (21,239 net square feet after required dedication) and is presently zoned R3-1. Rochester Avenue is a local street and Federal Avenue is a collector street in the community plan. The Bureau of Engineering is requiring a 2-foot width strip of land be dedicated along Federal Avenue adjoining the subdivision to complete a 32-foot wide half right-of-way dedication in accordance with collector street standards, all satisfactory to the City Engineer.

A requested has been made to designate Rochester Avenue as the front yard and that Federal Avenue be designated as the side yard. The granting of the request to designate Rochester Avenue as the front yard would result in the proposed project's compliance with all area provisions of the R3-1 Zone and the community plan.

The site is 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).

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

Currently, the site is developed with a couple of two-story multi-family buildings. The proposed site is bounded along the northerly property line by an alley that will be vacated prior the recordation of the final tract map. The site is one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise multiple-family neighborhood.

The site is mostly level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map subject to control of on-site drainage in a manner acceptable to that Department.

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

Adjacent land uses are multi-family to the east, west and south and located within the R3-1 Zone. A United States Air National Guard facility is located north of the site. The site currently contains a total of 21 dwelling units, and the proposed project provides 26 residential condominium units. The proposed project would provide an appropriate infill development between the existing multi-family uses. The proposed project will comply with all L.A.M.C requirements for parking, yards, and open space. The proposed density is suitable for the project site as the number of units complies with the maximum density permitted for the 21,239 net square feet site.

- (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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of



upset are concerned. Furthermore, the project site, as well as the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife.

In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158).

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

There appear 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 is currently being upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

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

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

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

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

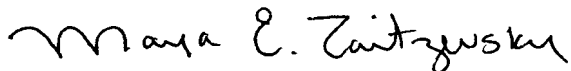
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

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

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

These findings shall apply to both the tentative and final maps for Tract No. 67339.

S. Gail Goldberg  
Advisory Agency



MAYA ZAITZEVSKY  
Deputy Advisory Agency

SGG:MZ:TLI

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 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Bl., Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

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 90<sup>th</sup> day following the date on which the City's decision becomes final.

If you have any questions, please call Subdivision staff at (213) 978-1414.