



SOUTH LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: NOV 21 2017

Case No.: AA-2014-3308-PMLA-1A

Council District: 9 - Price

CEQA: ENV-2014-3310-MND

Plan Area: South Los Angeles

Related Case: ZA-2014-3309-CU-SPP-CCMP-1A

Project Site: 1227 West 27th Street

Applicant: Henry Fan, Ursa Major Holdings, LLC
Representative: Aaron Belliston, BMR, Enterprises.
Ellia Thompson, Ervin, Cohen and Jessup, LLP

Appellants: James Childs, West Adams Heritage Association (WAHA); Craig Fajnor

At its meeting of **November 7, 2017**, the South Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

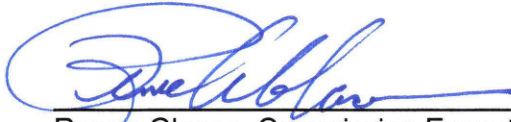
Small Lot subdivision for a maximum of four (4) small lots.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2014-3310-MND (Mitigated Negative Declaration) and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Mitigated Negative Declaration reflects the independent judgement and analysis of the City; **found** the mitigated measures have been made enforceable conditions on the project; and **adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Granted** the appeal in part and **sustained** in part the Deputy Advisory Agency's determination to approve the Preliminary Parcel map;
3. **Adopted** the attached modified Conditions of Approval and;
4. **Adopted** the attached amended Findings.

This action was taken by the following vote:

Moved: Orozco
Seconded: Stern
Ayes: Bates
Absent: Anderson, Willis

Vote: 3 - 0



Renee Glasco, Commission Executive Assistant I
South Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date /Appeal Status: The decision of the South Los Angeles Area Planning Commission is final upon the date of this determination letter, and it is not further appealable.

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

Attachments: Modified Conditions and Amended Findings

c: Ira Brown, City Planner Associate
Griselda Gonzalez, City Planner

CONDITIONS

(As modified the South Area Planning Commission on November 7, 2017)

BUREAU OF ENGINEERING

1. That a 5-foot wide strip of land be dedicated along Orchard Avenue adjoining the subdivision to complete a 30-foot wide half right-of-way dedication, including a 10-foot by 10-foot corner cut, or a 15-foot radius property line return at the intersection with 27th Street.
2. That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed public right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
3. That if necessary and for street address purposes, if this parcel map approved as "Small Lot Subdivision", then all the common access area to this subdivision be named on the final map.
4. That if this parcel map is approved as small lot subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance 176354".
5. That any necessary public sanitary sewer easement with sufficient width be dedicated within the common access area on the final map based on an alignment approved by the Central Engineering District Office.
6. That if necessary and for street address purposes, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. At the discretion of the Bureau of Engineering and consistent with North University Park Specific Section F.1.I, improve Orchard Avenue adjoining the subdivision by the re-construction of the following:
 - (1) A concrete curb, a concrete gutter, a concrete sidewalk and trees and landscaping in the parkway.
 - (2) The necessary transition to join the existing improvements.
 - b. Improve 27th Street adjoining the subdivision by repairing or replacing any broken or offgrade curb, gutter, and sidewalk; planting trees and and landscaping of the parkway area.
 - c. Construct the necessary mainline sewer in the provided sewer easement, including house connections to serve each parcel, or any other arrangement acceptable to the Central Engineering District Office.

Any questions regarding this report should be directed to Ray Saidi of the Land Development Group, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3492.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

8. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

9. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of ZA case ZA-2014-3309-CU-SPP-CCMP. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - c. Show 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 dedications. Front and side yard requirements shall be required to comply with current code as measured from new property line after dedication.
 - d. After required street dedication is taken, a minimum 50 ft. lot width is required to be maintained in the **RD1.5 Zone**. Obtain written approval from the Department of City Planning Advisory Agency to allow the minimum lot width to be less than 50 ft.
 - e. Proposed Parcel C of the Map does not comply with the minimum 15 ft. front yard setback fronting (facing) along Orchard Avenue as required for the **RD1.5-1 Zone**. Revise the Map to show compliance with the above requirement as measured after the required street dedication is taken or obtain written approval from the Department of City Planning Advisory Agency to allow the reduced setback as indicated in the Setback Matrix.
 - f. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress final map.

Notes:

The project is within the North University Park Specific Plan Area.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements for Small Lot Subdivision.

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

Backup space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

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.

***NOTE TO PLAN CHECKER:** The Advisory Agency also approved, pursuant to Section 17.53 J of the Los Angeles Municipal Code, the following variations from the Code as it applies to this subdivision: Forty eight (48) feet wide lot in lieu of the required 50 feet.

DEPARTMENT OF TRANSPORTATION

10. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. In addition, the following items shall be satisfied:
 - a. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

11. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:
 - a. All homes shall have noncombustible roofs. (Non-wood)
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. All "Small Lot" Subdivisions are required to have automatic Fire Sprinklers installed as a part of any new or future construction.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans, or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting, please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

12. That the Quimby fee be based on the RD Zone.

BUREAU OF STREET LIGHTING-SPECIFIC CONDITIONS

13. 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.

IMPROVEMENT CONDITION: Construct new street light: one (1) on 27th Street. If street widening per BOE improvement conditions, relocate and upgrade street light; one (1) on Orchard Avenue.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

14. 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. Use. Limit the proposed development to a maximum of 4 units on 4 parcels, for a maximum of 1 unit on each parcel.
 - b. Parking. That a minimum of two (2) parking spaces per dwelling unit shall be provided, for a minimum of eight (8) on-site parking spaces. All exterior parking area lighting shall be shielded and directed onto the site.
 - c. **Landscape Plans**. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. *And -- if volunteered at hearing by applicant-- The landscape plan shall be submitted to Council District Nine (9) Office for its review and comment to the Advisory Agency prior to the submittal of the landscape plan to the Advisory Agency for approval.* The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
- ii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
- iii. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.

- d. Advisory Agency additional development requirements and/or limitations as follows: N. A.
- e. **Fence.** 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. The wall shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.
- f. **Energy Conservation.** 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. **Air Filtration.** The applicant shall install 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.
- h. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

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

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

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

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

For purposes of this condition, the following definitions apply:

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

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

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

- i. **Height.** The height of structures shall not exceed 45 feet.
- j. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the following location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site:

This is an approval of the development a forty eight (48) feet wide lot (after dedication) in lieu of the required fifty (50) feet.

Tenant Relocation Conditions

15. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final

action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

- 16. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.
- 17. That prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2014-3309-CU-SPP-CCMP shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2014-3309-CU-SPP-CCMP is not approved, the subdivider shall submit a parcel map modification.
- 18. That the subdivider shall record and execute a Covenant and Agreement to comply with the North University Park **Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
- 19. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the buildings shall not be issued until the final map has been recorded.
- 20. **Small Lot Subdivision -note to City Zoning Engineer and Plan Check.** Pursuant to Ordinance Number 176,354 (Small Lot Subdivisions) of the Los Angeles Municipal Code, the Advisory Agency has approved the following setbacks as it applies to this subdivision and the proposed development on the site:

a.

PARCEL #	SETBACK NORTH	SETBACK EAST	SETBACK SOUTH	SETBACK WEST
A (1,776.53 SF*)	11.00'	0.17'	15.06'	5.34'*
B (1,792.96 SF)	11.00'	5.00'	15.06'	0.17'
C (1,558.75 SF*)	5.00'	0.17'	11.00'	5.05'*
D (1,551.49 SF)	5.10'	5.00'	11.00'	0.17'
*AFTER DEDICATION				

All structures on any one parcel shall occupy no more than 80% of the lot area for that parcel; and

- b. A Maintenance Association shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the parcel map file.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

21. 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 **Condition Nos. 22 and 23** of the Parcel Map 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, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
22. Prior to recordation of the final map, a Covenant and Agreement shall be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2014-3308-MND:
 - 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 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.
 - MM-3 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - MM-4 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.
 - MM-5 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.

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

Air Quality

- CM-1 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-2 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-3 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-4 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-5 All clearing, grading, 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-6 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- CM-7 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-8 Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-10 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

- CM-11 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.

Grading

- CM-12 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-13 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 shall shield and bind the soil.
- CM-14 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- CM-15 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-16 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 shall shield and bind the soil.
- CM-17 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 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.

FINDINGS
**(As amended by the South Los Angeles Area Planning
Commission on November 7, 2017)**

The Planning Department issued, on September 23, 2015, the proposed project Mitigated Negative Declaration No. ENV-2014-3310-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2014-3310-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Aesthetics;
- Geology and Soils;
- Public Services;

The Advisory Agency, to mitigate the above impacts, required **Condition Nos. 22 and 23**, as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are 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 impacts on all projects.

Per Section 21081.6 of the Public Resources Code, the Advisory Agency has assured that the above identified mitigation measures shall be implemented by requiring reporting and monitoring as specified in **Condition No. 21**.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2014-3308-PMLA-SL, pursuant to Section 66474 of the State of California Government Code (the Subdivision Map Act), the Advisory Agency of the City of Los Angeles makes the prescribed findings as follows:

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

The adopted General Plan Land Use Element is made up of 35 Community Plans. The subject project is within the South Los Angeles Community. The South Los Angeles Community Plan Land use Designation for the subject property is Low Medium II Residential, with the corresponding zones of RD2 and RD1.5. This requires at least 1500 square feet of lot area per dwelling unit. The subject 6,682 net square foot parcel is zoned RD1.5-1 which corresponds with Low Medium II Residential. Based on the square footage of the subject parcel, the maximum density allowed by right is 4 dwelling units. The proposed project is for a 4 units. Therefore, the project is consistent with the General Plan Land Use Designation.

The project is within the South Los Angeles Alcohol Sales Specific Plan area. The Los Angeles Alcohol Sales Specific Plan does not address residential development issues. It requires Planning Commission approval for alcohol sales.

The project is also within the North University Park Specific Plan area. As a condition of approval, Condition No. **9b** of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of case number ZA-2014-3309-CU-SPP-CCMP, which is the companion case addressing compliance with the North University Park Specific Plan. That case approval insures that the project is consistent with the North University Park Specific Plan requirements. As conditioned, the project conforms to the General Plan and applicable Specific Plans.

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

The proposed type of development is called a "Small Lot" parcel map. It would be 4 single family dwellings on 4 individual new lots that would range between approximately 1,552 square feet and 1,792 square feet in size, thereby meeting the minimum lot size requirement of 600 square feet for the Small Lot Ordinance. The site plan indicates that lot widths will be approximately 24.49 and 24.21 feet each, thereby meeting the minimum lot width requirement of 16 feet. Eight covered parking spaces would be at ground level; 2 beneath each unit.

The Bureau of Engineering has reviewed the proposed parcel map and found that the parcel map layout is generally satisfactory. As conditions of approval, the subdivider is required to make improvements on Orchard Avenue and on 27th Street abutting the site in order to meet current standards. Under Ordinance No. 184,903, the Director of Planning has authority to waive street improvements in conformance with historic resources of the LAMC Section 12.20.3.C, which reads: Any street, or portion thereof, located within or sharing a boundary with a Preservation Zone(s), is not subject to the street dedication and/or improvement requirements as set forth in Sections 12.37 A. - C. and 17.05 of the Los Angeles Municipal Code unless requested by the Director of Planning, provided that the existing sidewalk(s) is in compliance with any accessibility guidelines within the public right-of-way that are adopted to comply with Title II of the Americans with Disabilities Act. Those conditions are included in this letter. See conditions under department.

The proposed project would provide an appropriate residential development that is consistent with the RD1.5-1 Zone and the Low Medium II Residential land use designation in the South Los Angeles Community Plan. There are comparable multifamily developments, in the surrounding area.

The project is within the South Los Angeles Alcohol Sales Specific Plan area. The Los Angeles Alcohol Sales Specific Plan does not address residential development issues. It requires Planning Commission approval for alcohol sales.

The project is also within the North University Park Specific Plan area. As a condition of approval, Condition No. 9b of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of case number ZA-2014-3309-CU-SPP-CCMP, which is the companion case addressing compliance with the North University Park Specific Plan. That case approval insures that the project is consistent with the North

University Park Specific Plan requirements. As conditioned, the project conforms to the General Plan and applicable Specific Plans.

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

According to the Bureau of Engineering (BOE) letter dated April 16, 2015, there is an existing sanitary sewer available in Orchard Avenue adjoining the subdivision. The construction of mainline and house connection sewers within suitable easement will be required to serve each parcel. BOE recommends conditions of approval that include dedications and improvements along Orchard Avenue and 27th Street, and any necessary sewer repair, should this Preliminary Parcel Map be approved. Those conditions are included in this letter.

The site is level and is not located in a flood zone, liquefaction area, or landslide area. The site, however, is located in a methane zone. The project has been conditioned so 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. Standard Regulatory compliance measures will prevent potential methane gas seepage into the building.

The parcel map was circulated to various City departments and agencies for their review and recommendations. Their comments are incorporated into the project's conditions of approval. Therefore as conditioned, the site is physically suitable for a small lot subdivision.

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

The site is zoned RD1.5-1. This requires at least 1,500 square feet of lot area per dwelling unit. The subject site is approximately 6,682 square feet after dedication. Based on the square footage of the subject site, the maximum density allowed by right is 4 dwelling units. The proposed project is for 4 units. Therefore, the lot is sufficient in size to allow a density of 4 dwelling units.

The current lot width is 54 feet, but 49 feet after dedication. It has been determined by the Bureau of Engineering that the 5-foot dedication is a necessary, thus, the development of the 49 feet wide lot, in lieu of the 50 feet required, for new developments is practical. The site plan indicates that the proposed Small Lot lot widths will be approximately 24.49 and 24.21 feet each, thereby meeting the Small Lot ordinance's minimum lot width requirement of 16 feet

(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 plant life, or animal life are concerned.

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

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

There are no apparent health problems that might be caused by the design or construction of the proposed units. The Bureau of Engineering has reported that an existing sanitary sewer is available under Orchard Avenue adjoining the subdivision.

This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.

- (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. However, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed Parcel Map.

DEPARTMENT OF
CITY PLANNING

CITY PLANNING
COMMISSION

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<http://planning.lacity.org>

Decision Date: September 1, 2017

Appeal End Date: September 18, 2017

Aaron Belliston
BMR Enterprises
5405 Wilshire Blvd., Suite 300
Los Angeles, CA 90036

Kamran Kazemi
1916 Colby Avenue
Los Angeles, CA 90025

Case No. AA-2014-3308-PMLA-SL-M1
Related Case:
ZA-2014-3309-CU-SPP-CCMP
1227 W. 27th Street
South Los Angeles Planning Area
Zone : RD1.5-1-O
D. M. : 123B197
C. D. : 9
CEQA: ENV-2014-3310-MND
Legal Description: Lot 26, Tract - Miller
& Herriott's Subdivision of the Harper

MODIFICATION

On July 20, 2016, the Advisory Agency in accordance with provisions of Section 17.53 of the Los Angeles Municipal Code adopted Mitigated Negative Declaration ENV-2014-3310-MND as the environmental clearance, adopted the Mitigation Monitoring Program, and approved Parcel Map AA-2014-3308-PMLA-SL, for a maximum of four parcels with a single-family dwelling on each parcel, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamp-dated September 5, 2014.

The applicant subsequently submitted a request to modify Bureau of Engineering section to allow a "Cash in Lieu" so the applicant could move on with the construction of the project. Also, on June 17, 2017 the Los Angeles City Council adopted Ordinance No. 184,903 which amended LAMC Section 12.20.3 intended to protect and enhance the use of buildings, structures and areas which are reminders of the City's history. LAMC Section 12.20.3-C provides that any street, or portion thereof, located within or sharing a boundary with the Preservation Zone(s) is not subject to the street dedication and or/ improvement as set forth in Sections 12.37.A-C and 17.05 unless requested by the Director of Planning.

After considering the request from the applicant, and after reviewing the above mentioned Ordinance, the Deputy Advisory Agency hereby modifies Condition 7a to read as follows:

7. **At the discretion of the Bureau of Engineering and consistent with North University Park Specific Plan Section F.1.1** ~~That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:~~
- a. Improve Orchard Avenue adjoining the subdivision by the re-construction of the following:
 - (1) A concrete curb, a concrete gutter, a 5-foot-wide concrete sidewalk ~~in a 10-foot wide border, planting and trees and landscaping of in~~ the parkway area.
 - (2) ~~Suitable surfacing to join the existing pavement and to complete a 20-foot wide half roadway.~~
 - (3) ~~Any necessary removal and reconstruction of the existing improvements.~~
 - (4) The necessary transitions to join the existing improvements.

All other conditions remain the same.

Vincent P. Bertoni, AICP
 Advisory Agency



 JOSE CARLOS ROMERO-NAVARRO
 Deputy Advisory Agency

VPB:JCR:thb

cc:

Bureau of Engineering
 Dept. of Building & Safety, Zoning
 Department of Building & Safety, Grading
 Department of Fire
 Department of Recreation & Parks
 Bureau of Street Lighting
 Department of Transportation, CPC Section
 Street Tree Division

DEPARTMENT OF
CITY PLANNING

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Decision Date: July 20, 2016

Appeal End Date: August 4, 2016

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Kamran Kazemi
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Los Angeles, CA 90025

Case No. AA-2014-3308-PMLA
Related Case:
ZA-2014-3309-CU-SPP-CCMP
1227 W. 27th Street
South Los Angeles Planning Area
Zone : RD1.5-1-O
D. M. : 123B197
C. D. : 09
CEQA: ENV-2014-3310-MND
Legal Description: Lot 26, Tract - Miller
& Herriott's Subdivision of the Harper

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Advisory Agency adopted Mitigated Negative Declaration ENV-2014-3310-MND as the environmental clearance, adopted the Mitigation Monitoring Program, and approved Parcel Map AA-2014-3308-PMLA-SL, for a maximum of four parcels with a single-family dwelling on each parcel, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamp-dated September 5, 2014. This unit density is based on the RD1.5-1-O Zone and subject to the following conditions. 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 shall legally interpret the Zoning Code as it applies to this particular property.

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. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building permit issued.

BUREAU OF ENGINEERING

1. That a 5-foot wide strip of land be dedicated along Orchard Avenue adjoining the subdivision to complete a 30-foot wide half right-of-way dedication, including a 10-foot by 10-foot corner cut, or a 15-foot radius property line return at the intersection with 27th Street.
2. That Board of Public Works approval be obtained, prior to the recordation of the final map, for the removal of any tree in the existing or proposed public right-of-way area. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.
3. That if necessary and for street address purposes, if this parcel map approved as "Small Lot Subdivision", then all the common access area to this subdivision be named on the final map.
4. That if this parcel map is approved as small lot subdivision, then the final map be labeled as "Small Lot Subdivision per Ordinance 176354".
5. That any necessary public sanitary sewer easement with sufficient width be dedicated within the common access area on the final map based on an alignment approved by the Central Engineering District Office.
6. That if necessary and for street address purposes, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Orchard Avenue adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, a concrete gutter, a 5-foot wide concrete sidewalk in a 10-foot wide border, planting trees and landscaping of the parkway area.
 - (2) Suitable surfacing to join the existing pavement and to complete a 20-foot wide half roadway.
 - (3) Any necessary removal and reconstruction of the existing improvements.
 - (4) The necessary transitions to join the existing improvements.
 - b. Improve 27th Street adjoining the subdivision by repairing or replacing any broken or offgrade curb, gutter, and sidewalk; planting trees and and landscaping of the parkway area.

- c. Construct the necessary mainline sewer in the provided sewer easement, including house connections to serve each parcel, or any other arrangement acceptable to the Central Engineering District Office.

Any questions regarding this report should be directed to Ray Saidi of the Land Development Group, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3492.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

8. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

9. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of ZA case ZA-2014-3309-CU-SPP-CCMP. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - c. Show 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 dedications. Front and side yard requirements shall be required to comply with current code as measured from new property line after dedication.
 - d. After required street dedication is taken, a minimum 50 ft. lot width is required to be maintained in the **RD1.5 Zone**. Obtain written approval from the Department of City Planning Advisory Agency to allow the minimum lot width to be less than 50 ft.
 - e. Proposed Parcel C of the Map does not comply with the minimum 15 ft. front yard setback fronting (facing) along Orchard Avenue as required for the **RD1.5-1 Zone**. Revise the Map to show compliance with the above requirement as measured after the required street dedication is taken or obtain written approval from the Department of City Planning Advisory Agency to allow the reduced setback as indicated in the Setback Matrix.
 - f. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress final map.

Notes:

The project is within the North University Park Specific Plan Area.

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements for Small Lot Subdivision.

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

Backup space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

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.

***NOTE TO PLAN CHECKER :** The Advisory Agency also approved, pursuant to Section 17.53 J of the Los Angeles Municipal Code, the following variations from the Code as it applies to this subdivision: Forty eight (48) feet wide lot in lieu of the required 50 feet.

DEPARTMENT OF TRANSPORTATION

10. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. In addition, the following items shall be satisfied:
 - a. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

11. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:
 - a. All homes shall have noncombustible roofs. (Non-wood)
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. All "Small Lot" Subdivisions are required to have automatic Fire Sprinklers installed as a part of any new or future construction.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans, or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting, please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

- 12. That the Quimby fee be based on the RD Zone.

BUREAU OF STREET LIGHTING-SPECIFIC CONDITIONS

- 13. 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.

IMPROVEMENT CONDITION: Construct new street light: one (1) on 27th Street. If street widening per BOE improvement conditions, relocate and upgrade street light; one (1) on Orchard Avenue.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 14. 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. Use. Limit the proposed development to a maximum of 4 units on 4 parcels, for a maximum of 1 unit on each parcel.
 - b. Parking. That a minimum of two (2) parking spaces per dwelling unit shall be provided, for a minimum of eight (8) on-site parking spaces. All exterior parking area lighting shall be shielded and directed onto the site.
 - c. **Landscape Plans**. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. *And -- if volunteered at hearing by applicant-- The landscape plan shall be submitted to Council District Nine (9) Office for its review and comment to the Advisory Agency prior to the submittal of the landscape plan to the Advisory Agency for approval.* The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. **Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
 - ii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - iii. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
- d. Advisory Agency additional development requirements and/or limitations as follows: N. A.
- e. **Fence.** 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. The wall shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.
- f. **Energy Conservation.** 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. **Air Filtration.** The applicant shall install 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.
- h. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of

the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$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).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those

held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

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

- i. **Height.** The height of structures shall not exceed 45 feet.
- j. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the following location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site:

This is an approval of the development a forty eight (48) feet wide lot (after dedication) in lieu of the required fifty (50) feet.

Tenant Relocation Conditions

15. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
16. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.
17. That prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2014-3309-CU-SPP-CCMP shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2014-3309-CU-SPP-CCMP is not approved, the subdivider shall submit a parcel map modification.
18. That the subdivider shall record and execute a Covenant and Agreement to comply with the North University Park **Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
19. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the buildings shall not be issued until the final map has been recorded.

20. **Small Lot Subdivision -note to City Zoning Engineer and Plan Check.** Pursuant to Ordinance Number 176,354 (Small Lot Subdivisions) of the Los Angeles Municipal Code, the Advisory Agency has approved the following setbacks as it applies to this subdivision and the proposed development on the site:

a.

PARCEL #	SETBACK NORTH	SETBACK EAST	SETBACK SOUTH	SETBACK WEST
A (1,776.53 SF*)	11.00'	0.17'	15.06'	5.34'*
B (1,792.96 SF)	11.00'	5.00'	15.06'	0.17'
C (1,558.75 SF*)	5.00'	0.17'	11.00'	5.05'*
D (1,551.49 SF)	5.10'	5.00'	11.00'	0.17'
*AFTER DEDICATION				

All structures on any one parcel shall occupy no more than 80% of the lot area for that parcel; and

- b. A Maintenance Association shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the parcel map file.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

21. 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 **Condition Nos. 22 and 23** of the Parcel Map 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, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
22. Prior to recordation of the final map, a Covenant and Agreement shall be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2014-3308-MND:
- 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 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.
- MM-3 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- MM-4 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.
- MM-5 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.
23. **Construction Mitigation Conditions** - Prior to the issuance of a grading or building permit, or the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

Air Quality

- CM-1 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-2 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-3 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-4 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-5 All clearing, grading, 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-6 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- CM-7 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-8 Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-10 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-11 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.

Grading

- CM-12 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-13 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 shall shield and bind the soil.
- CM-14 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- CM-15 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-16 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 shall shield and bind the soil.
- CM-17 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 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.

Revised Parcel Map

That the applicant submit 10 copies of a revised parcel map (a final map), satisfactory to the (Advisory Agency) (City Engineer) showing the following:

FINDINGS OF FACTFINDINGS OF FACT (CEQA):

The Planning Department issued, on September 23, 2015, the proposed project Mitigated Negative Declaration No. ENV-2014-3310-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2014-3310-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Aesthetics;
- Geology and Soils;
- Public Services;

The Advisory Agency, to mitigate the above impacts, required **Condition Nos. 22 and 23**, as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are 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 impacts on all projects.

Per Section 21081.6 of the Public Resources Code, the Advisory Agency has assured that the above identified mitigation measures shall be implemented by requiring reporting and monitoring as specified in **Condition No. 21**.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2014-3308-PMLA-SL, pursuant to Section 66474 of the State of California Government Code (the Subdivision Map Act), the Advisory Agency of the City of Los Angeles makes the prescribed findings as follows:

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

The adopted General Plan Land Use Element is made up of 35 Community Plans. The subject project is within the South Los Angeles Community. The South Los Angeles Community Plan Land use Designation for the subject property is Low Medium II Residential, with the corresponding zones of RD2 and RD1.5. This requires at least 1500 square feet of lot area per dwelling unit. The subject 6,682 net square foot parcel is zoned RD1.5-1 which corresponds with Low Medium II Residential. Based on the square footage of the subject parcel, the maximum density allowed by right is 4 dwelling units. The proposed project is for a 4 units. Therefore, the project is consistent with the General Plan Land Use Designation.

The project is within the South Los Angeles Alcohol Sales Specific Plan area. The Los Angeles Alcohol Sales Specific Plan does not address residential development issues. It requires Planning Commission approval for alcohol sales.

The project is also within the North University Park Specific Plan area. As a condition of approval, Condition No. **9b** of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of case number ZA-2014-3309-CU-SPP-CCMP, which is the companion case addressing compliance with the North University Park Specific Plan. That case approval insures that the project is consistent with the North University Park Specific Plan requirements. As conditioned, the project conforms to the General Plan and applicable Specific Plans.

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

The proposed type of development is called a "Small Lot" parcel map. It would be 4 single family dwellings on 4 individual new lots that would range between approximately 1,552 square feet and 1,792 square feet in size, thereby meeting the minimum lot size requirement of 600 square feet for the Small Lot Ordinance. The site plan indicates that lot widths will be approximately 24.49 and 24.21 feet each, thereby meeting the minimum lot width requirement of 16 feet. Eight covered parking spaces would be at ground level; 2 beneath each unit.

The Bureau of Engineering has reviewed the proposed parcel map and found that the parcel map layout is generally satisfactory. As conditions of approval, the subdivider is required to make improvements on Orchard Avenue and on 27th Street abutting the site in order to meet current standards. Those conditions are included in this letter. See conditions under department.

The proposed project would provide an appropriate residential development that is consistent with the RD1.5-1 Zone and the Low Medium II Residential land use designation in the South Los Angeles Community Plan. There are comparable multifamily developments, in the surrounding area.

The project is within the South Los Angeles Alcohol Sales Specific Plan area. The Los Angeles Alcohol Sales Specific Plan does not address residential development issues. It requires Planning Commission approval for alcohol sales.

The project is also within the North University Park Specific Plan area. As a condition of approval, Condition No. **9b** of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of case number ZA-2014-3309-CU-SPP-CCMP, which is the companion case addressing compliance with the North University Park Specific Plan. That case approval insures that the project is consistent with the North University Park Specific Plan requirements. As conditioned, the project conforms to the General Plan and applicable Specific Plans.

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

According to the Bureau of Engineering (BOE) letter dated April 16, 2015, there is an existing sanitary sewer available in Orchard Avenue adjoining the subdivision. The construction of mainline and house connection sewers within suitable easement will be required to serve each parcel. BOE recommends conditions of approval that include dedications and improvements along Orchard Avenue and 27th Street, and any necessary sewer repair, should this Preliminary Parcel Map be approved. Those conditions are included in this letter.

The site is level and is not located in a flood zone, liquefaction area, or landslide area. The site, however, is located in a methane zone. The project has been conditioned so 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. Standard Regulatory compliance measures will prevent potential methane gas seepage into the building.

The parcel map was circulated to various City departments and agencies for their review and recommendations. Their comments are incorporated into the project's conditions of approval. Therefore as conditioned, the site is physically suitable for a small lot subdivision.

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

The site is zoned RD1.5-1. This requires at least 1,500 square feet of lot area per dwelling unit. The subject site is approximately 6,682 square feet after dedication. Based on the square footage of the subject site, the maximum density allowed by right is 4 dwelling units. The proposed project is for 4 units. Therefore, the lot is sufficient in size to allow a density of 4 dwelling units.

The current lot width is 54 feet, but 49 feet after dedication. It has been determined by the Bureau of Engineering that the 5-foot dedication is a necessary, thus, the development of the 49 feet wide lot, in lieu of the 50 feet required, for new developments is practical. The site plan indicates that the proposed Small Lot lot widths will be approximately 24.49 and 24.21 feet each, thereby meeting the Small Lot ordinance's minimum lot width requirement of 16 feet

(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 plant life, or animal life are concerned.

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

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

There are no apparent health problems that might be caused by the design or construction of the proposed units. The Bureau of Engineering has reported that an existing sanitary sewer is available under Orchard Avenue adjoining the subdivision.

This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.

- (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. However, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed Parcel Map.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

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

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau, located at 200 N. Main Street Room 1255, regarding the cable television franchise holder for this area, or by calling (213) 978-0856.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the South Los Angeles Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769, must be submitted, accepted as complete, and appeal fees paid by **August 4, 2016*** at one of the City Planning Department Public Counters, 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 Bl., Room 251
Van Nuys, CA 91401
(818) 374-5050

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

Appeal forms are available on-line at www.lacity.org/pln.

There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before **5:00 p.m. July 20, 2019**.

No requests for time extensions or appeals received by mail shall be accepted.

If you have any questions, please call Kevin Golden at (213) 978-1396.

Vincent P. Bertoni, AICP
Advisory Agency



JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

VPB:JCR:KSG:thb

cc:

Bureau of Engineering
Dept. of Building & Safety, Zoning
Department of Building & Safety, Grading
Department of Fire
Department of Recreation & Parks
Bureau of Street Lighting
Department of Transportation, CPC Section
Street Tree Division

CP-1809 (03-01-01)

PRELIMINARY PARCEL MAP

FOR 4 UNIT SMALL LOT SUBDIVISION

AA 2014-3308

LOTS 26 OF MILLER AND HARRIOT'S SUB OF THE HARPER TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MICSELANEOUS RECORD 22 PAGE 24 INCLUSIVE OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.

APN: 5055-026-032

TWO (2) STOREY RESIDENTIAL BLDG.
HIGHEST POINT OF BLDG.=219.42'

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
 PARCEL MAP

SEP 05 2014

REVISED MAP EXTENSION OF TIME
 FINAL MAP UNIT MODIFIED
DEPUTY ADVISORY AGENCY

SCALE: 1"=10'

TRACT MAP NOTES

OWNER
BMR ENTERPRISES
5405 WILSHIRE BLVD. SUITE 300
LOS ANGELES, CA. 90036
(323) 677-2500
ATTN: MR. AARON BELLISTON

ADDRESS SITE:
1227 W 27TH STREET
LOS ANGELES, CA. 90007

GROSS AREA: 7,418.62 SQ. FT. = 0.170 ACRE

NET- AREA AFTER DEDICATION:
6,682.77 SQ. FT. = 0.153 ACRES PIQ ONLY

NOTES:

1. NO AREA IS SUBJECTED TO FLOODING.
2. NO PROTECTED SPECIES ON THE SITE.
3. ALL UTILITIES ARE AVAILABLE TO SITE.
4. PROPOSED PROJECT: 4 PARCELS
5. EXISTING ZONE: RD-1.5-1 PROPOSED ZONE: SAME
6. NO EASEMENT EXCEPT SHOWN HEREON.
7. PROPOSED PARKING SPACES: 16 PARKING SPACES
4 PARKING SPACES FOR EACH PARCEL
8. NO GEOLOGICAL HAZARDOUS AREA.
9. SEWER IS AVAILABLE TO THE SITE.
10. ALL EXISTING STRUCTURES TO BE DEMOLISHED.
11. SITE IS NOT IN LIQUEFACTION.

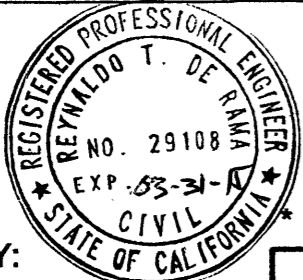
ORCHARD AVENUE

25' 25'

VE

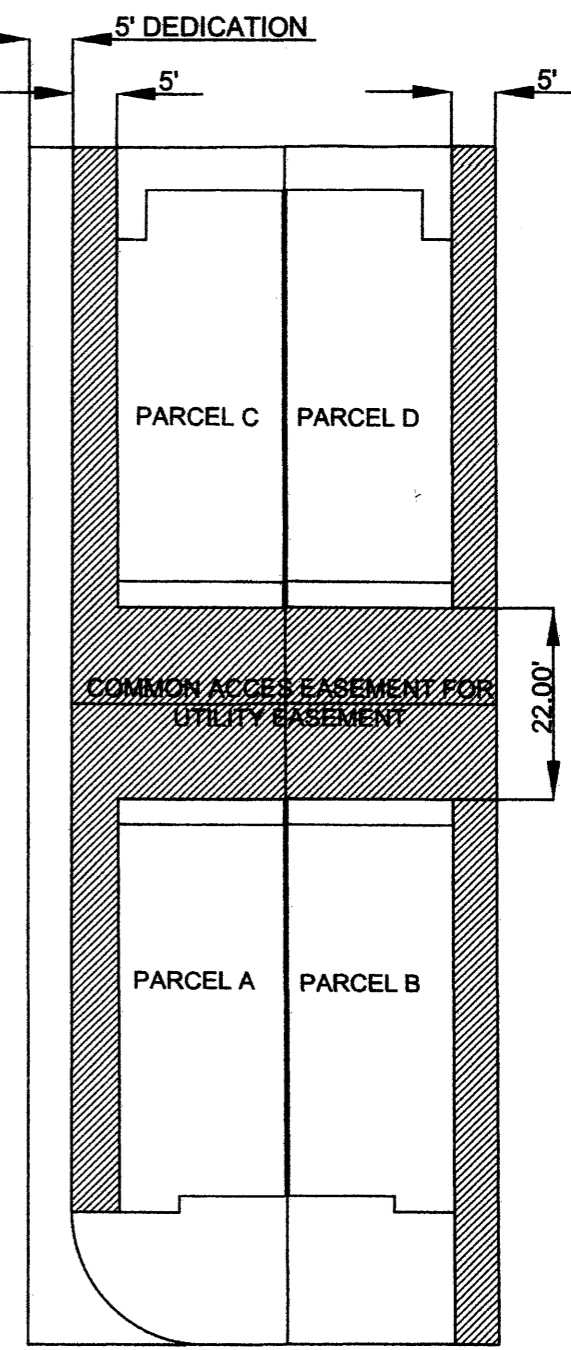
VE

PLANS PREPARED BY:
TALA ASSOCIATES
REYNALDO T DE RAMA
R.C.E. 29108
1916 COLBY AVENUE
LOS ANGELES, CA 90025
PHONE (424) 832-3455
FAX (310) 473-5968
JN3075 DATE: SEPTEMBER 02, 2014



AFTER DEDICATION

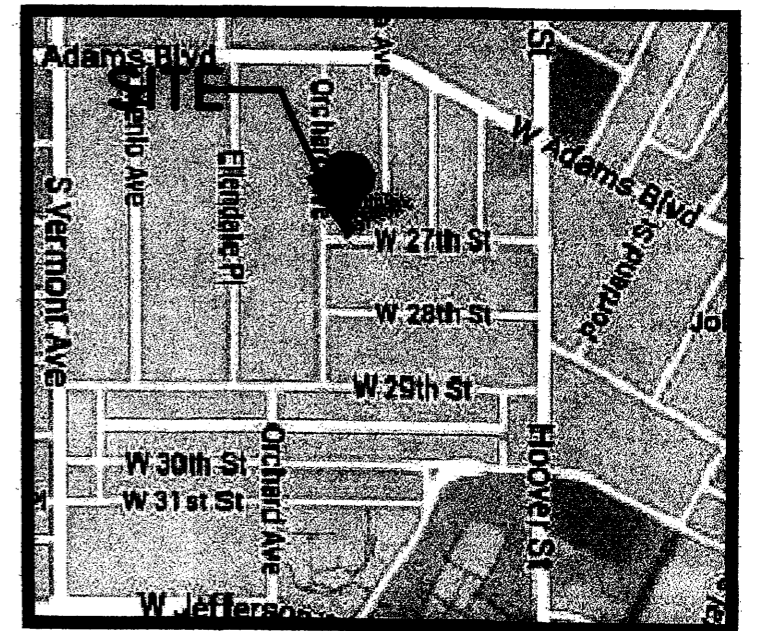
PROPERTY DESCRIPTION					
PARCEL #	LOT AREA	SETBACK NORTH	SETBACK EAST	SETBACK SOUTH	SETBACK WEST
A	1,776.53 SF *	11.00'	0.17'	15.06'	5.34' *
B	1,792.96 SF	11.00'	5.00'	15.06'	0.17'
C	1,558.75 SF *	5.00'	0.17'	11.00'	5.05' *
D	1,551.49 SF	5.10'	5.00'	11.00'	0.17'



27TH STREET

DETAIL - A
N.T.S.

VICINITY MAP
N.T.S.



27TH STREET

30' 30'

60'

192.98

193.46

MH DRAINAGE
192.97

MANHOLE
192.81

WATER VALVE
192.94TC
192.26FL

192.92TC
192.26FL

191.92TC
192.96FL

192.92TC
191.89FL

WATER METER

193.10TC
192.54FL

GRASS

CCTV POST

194.25
194.29

194.08
194.08

193.75
193.75

194.50
194.36

194.47
194.10

194.51
194.15

194.55
194.55

194.48
194.45

194.09
194.35

194.22

193.56

192.34TC

192.85TC
192.25FL

192.96TC
192.20FL

193.08TC
192.61FL

193.17
193.18TC
192.65FL

192.79TC
192.71FL

193.54TC
193.03FL

193.62
193.53TC
192.95FL

193.55TC
192.99FL

193.62
193.53TC
192.95FL

193.62
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