

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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<http://planning.lacity.org>

Decision Date: October 30, 2017

Appeal End Date: November 14, 2017

Joe Bednar (A)(O)
Agoura Oaks, LLC
5506 Colodny Drive
Agoura Hills, CA 91301

RE: Vesting Tentative Tract No. 72967-CN-M1
Related Case: VTT-72967-CN
939 S. Broadway
Central City Community Planning Area
Zone: [Q]C2-4D-CDO
District Map: 126A209, 127-5A209
Council District: 14
CEQA No.: ENV-2014-2827-CE
Legal Description: Lot 8, Block B, John G.
Downey Tract

LETTER OF MODIFICATION

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency approved the **MODIFICATION** of Vesting Tentative Tract Map No. 72967-CN for the merger of an underground airspace lot with Lot 1, located at 939 South Broadway for a maximum of 151-unit joint living and work quarters condominium and a maximum of 7-unit commercial condominium as shown on revised map stamp dated March 21, 2017. (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 Development Services Center call (213)482-7077, (818)374-5050, or (310)231-2598.

This modification is being submitted to include a Below Grade Airspace Merger of a portion of the existing structure that was discovered to have been constructed underneath the existing side walk into the existing right-of-way of Broadway. There are no other modifications being requested. Therefore, the Advisory Agency's approval is subject to the following modified conditions:

BUREAU OF ENGINEERING – SPECIFIC CONDITIONS**Add new Condition No. 17 and 18 to the Decision Letter dated February 24, 2016, to read as follows:**

17. That the portion of the below grade **Broadway** public right-of-way from 8-inch below finished sidewalk surface and 5-foot wide from the adjoining property line and as shown on the revised map stamp-dated March 21, 2017, be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the Applicant and administered by the City Engineer:
 - a. That consents to the public right-of-way being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
18. That any surcharge fee in conjunction with the alley merger request be paid.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**MODIFY CONDITION NO. 3 to read:**

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of CPC cases CPC-2014-2711-CDO-DN-ZC and CPC-2014—2947-TDR-ZV-CDO-SPR. Show compliance with all conditions/requirements of the CPC case as applicable.
 - b. Provide a copy of ZA case ZA-2014-2877-ZAD. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - c. Provide a copy of the [Q] conditions. Show compliance with all the conditions as applicable or Department of City Planning approval is needed.
 - d. Show all street/alley dedications as required by the Bureau of Engineering and provide net lot area after dedication. Comply with all the FAR requirements for existing building if dedications are required by BOE.
 - e. Provide a copy of affidavit AFF-3619, AFF-9412, AFF-50269 and AF-801244757. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

- f. Obtain approval from the Bureau of Engineering for the below surface street merger.
- g. Record a Covenant and Agreement to treat the buildings and structures located in an Air Space Subdivision as if they were within a single lot.
- h. Provide a copy of the Draft Final prior to obtain Zoning clearance.

Notes:

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Add a new Condition No. 19 to the Decision Letter dated February 24, 2016, to read as follows:

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

All other conditions and findings of Vesting Tentative Tract No. 72967-CN shall remain as originally written.

Vincent P. Bertoni, AICP
Advisory Agency



KEVIN S. GOLDEN
Deputy Advisory Agency

VPB:KSG:IR

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 Planning Department's Public Offices, located at:

Figueroa Plaza
201 N. Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91405
(818) 374-5050

West Los Angeles
1828 Sawtelle Blvd.
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

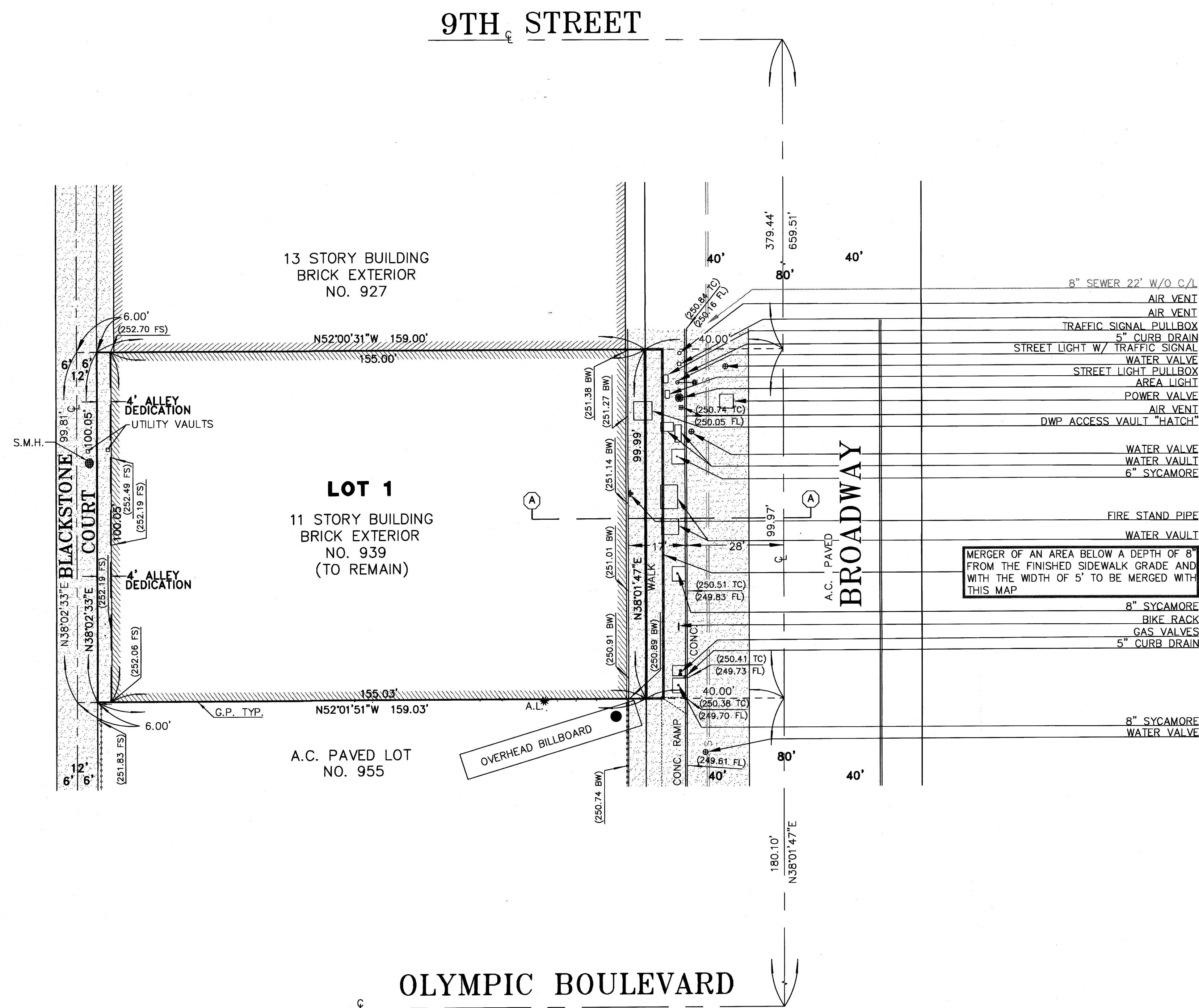
The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the 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.

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

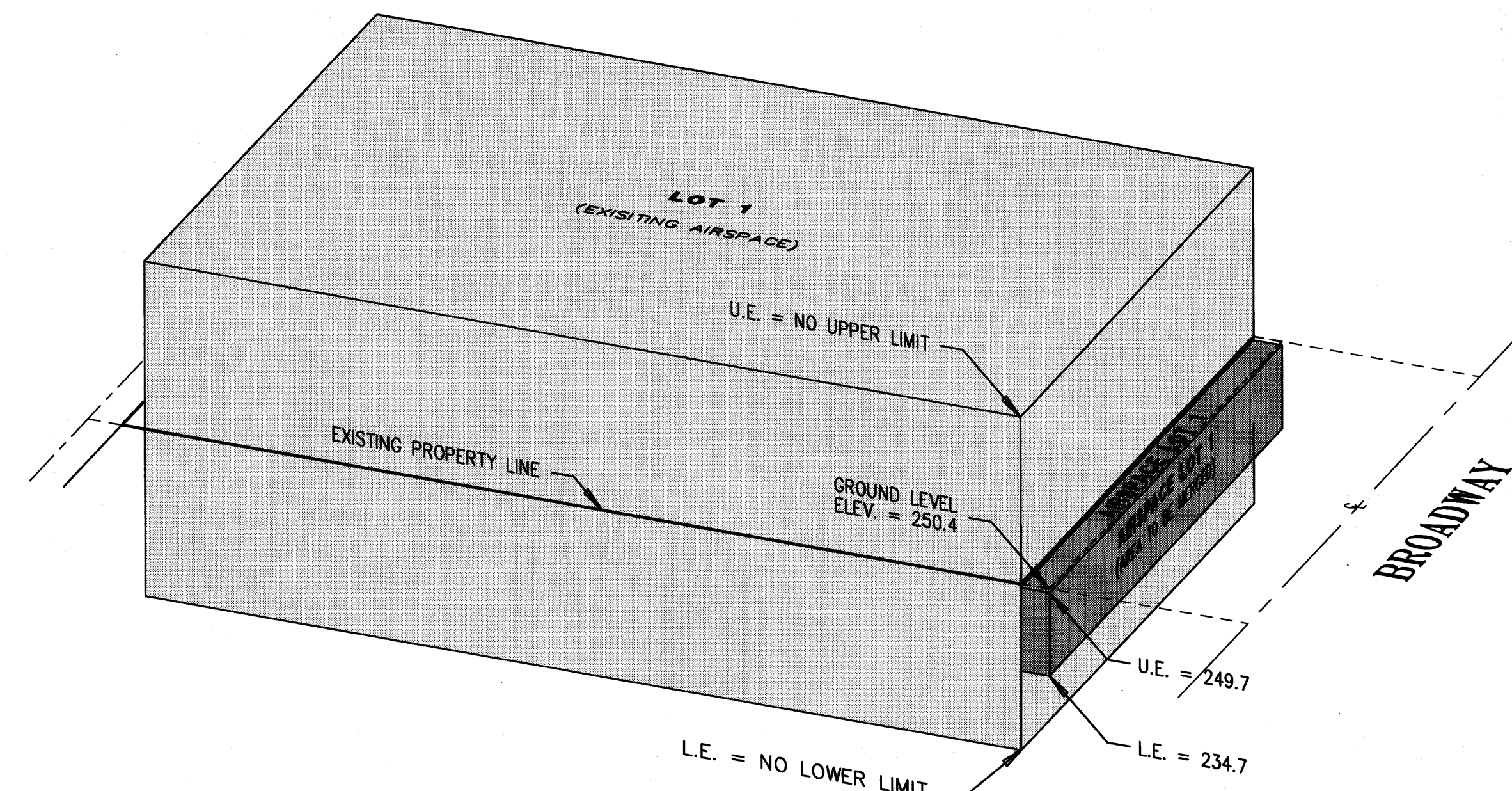
REVISED VESTING TENTATIVE TRACT NO. 72967

FOR AIRSPACE MERGER & RESIDENTIAL & COMMERCIAL CONDOMINIUM PURPOSES AND ADAPTIVE REUSE, LIVE/WORK PROJECT

LEGAL DESCRIPTION:
 LOTS 8 AND 9, IN BLOCK "B", OF THE JOHN G. DOWNEY TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5, PAGE 222 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



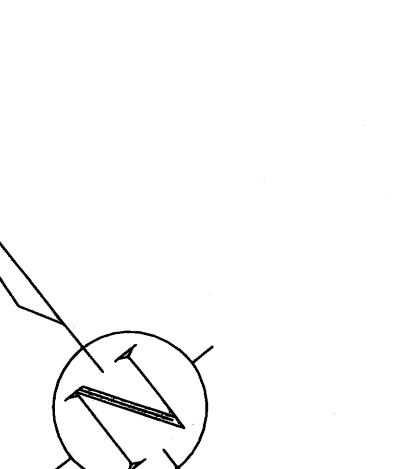
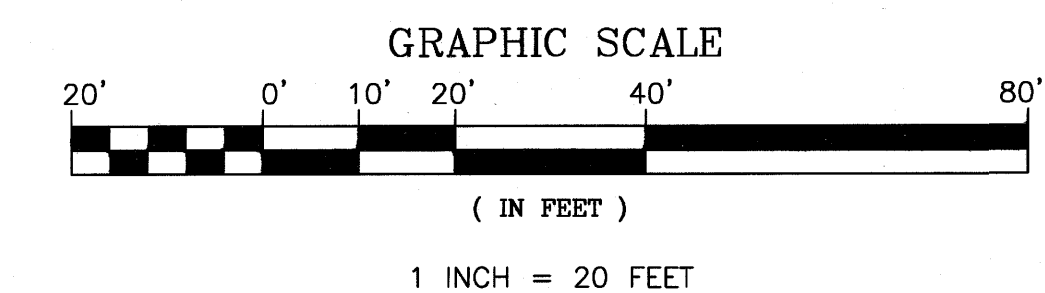
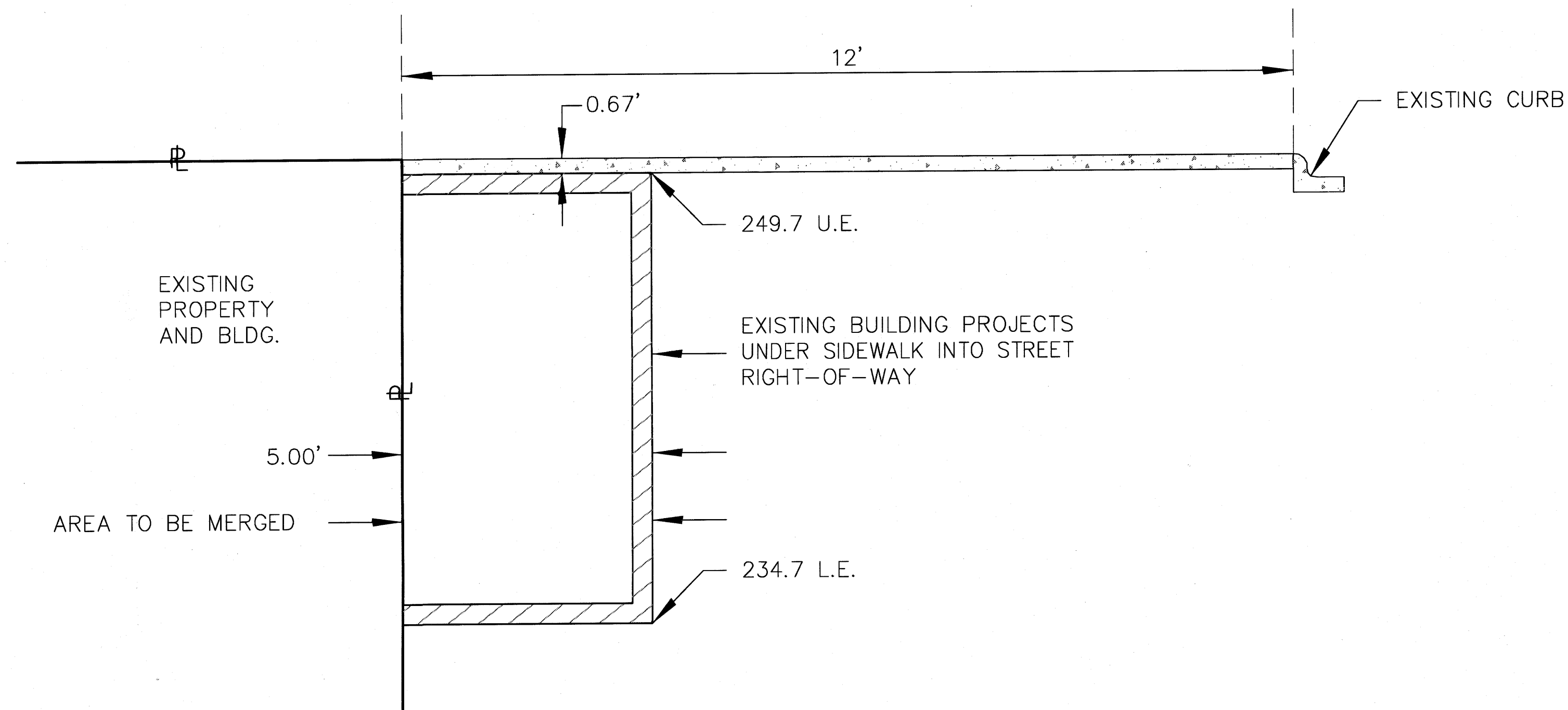
ISOMETRIC VIEW OF PROPOSED AIRSPACE MERGER



NOTES:

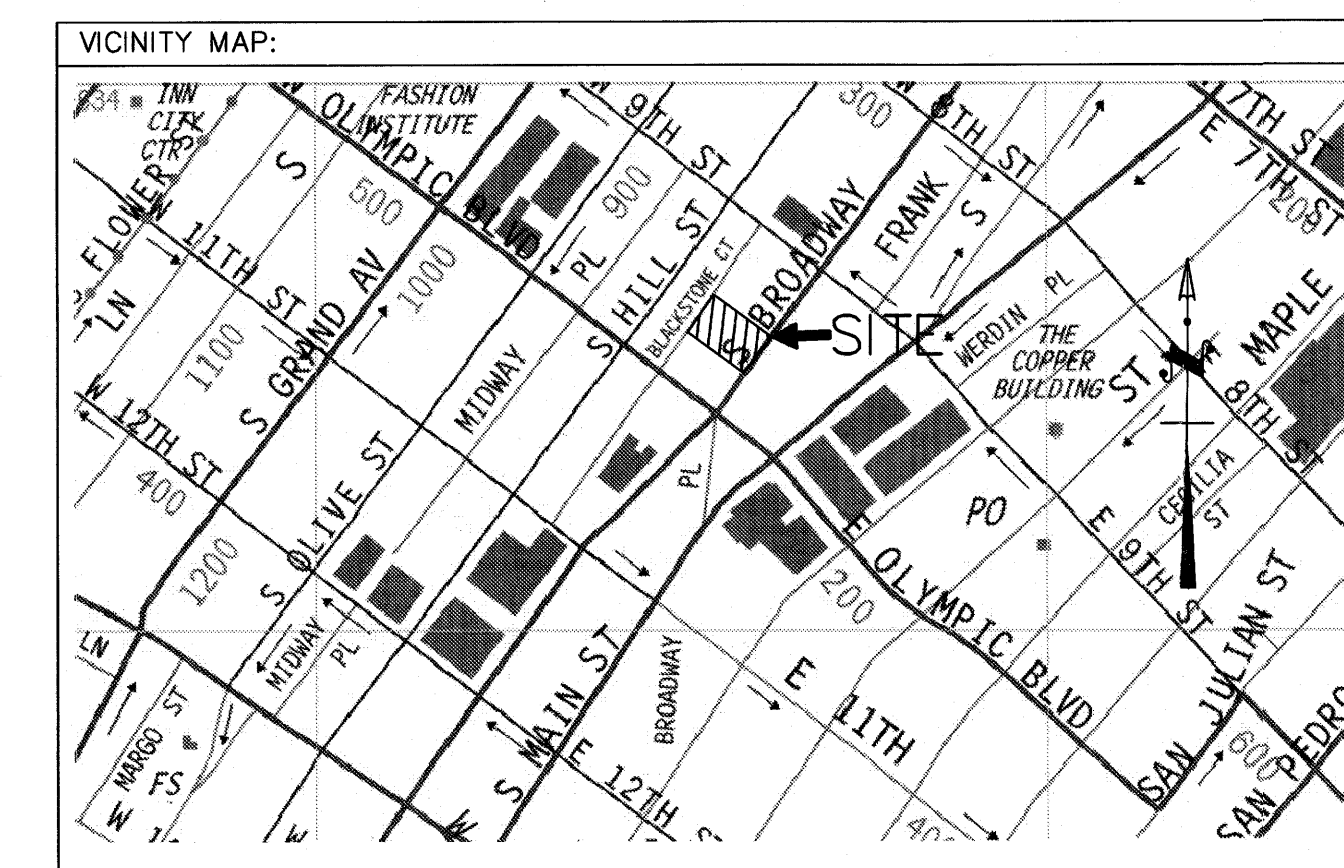
- SURVEYOR**
 BRYAN GENTRY, L.S. 6345
 GENTRY SURVEYING CO.
 255 E. EASY ST., UNIT B
 SIMI VALLEY, CA 93065
 805-527-5299
- OWNER/SUBDIVIDER**
 AGOURA OAKS LLC
 5506 COLONY DRIVE
 AGOURA HILLS, CA, 91301
 (818) 991-9898
- NOTES:**
- DATE OF SURVEY: MAY 2013
 - TENTATIVE MAP PREPARED: JUNE 2014
 - AREAS:
 PROJECT GROSS AREA: 19,459.13 SQ. FT. OR 0.4467 ACRES
 NET AREA: 15,468.17 SQ. FT. OR 0.3551 ACRES
 - SITE ADDRESS: 939 SOUTH BROADWAY
 LOS ANGELES, CA 90015
 - THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SUBJECT SITE.
 - EXISTING ZONING: C2-4D-CDO
 PROPOSED ZONING: NO CHANGE
 - DISTRICT MAP NO.: 126-A-209 AND 127-5A-209
 - COMMUNITY PLAN: CENTRAL CITY
 - REGIONAL CENTER COMMERCIAL
 COMMUNITY PLAN DESIGNATION PROPOSED: SAME
 - BENCHMARK: CITY OF LOS ANGELES BENCHMARK NO. 12-061061
 CUT SPIKE IN E CURB MAIN ST, 10.6FT N. OF BCR OLYMPIC BL. N. END CB
 ELEV. = 247.749 (NAVD 1988) (ADJ. 2000)
 - SITE LOCATED WITHIN FLOOD ZONE COMMUNITY NUMBER 060137 PANEL NO. 1620F, FIRM ZONE X.
 NOTE: ZONE X IS NOT A FLOOD ZONE AREA.
 - SEWERS ARE IN AND AVAILABLE.
 - PROPOSED PROJECT:
 LOT 1 ADAPTIVE REUSE CONDOMINIUM PURPOSE /S/ RESIDENTIAL CONDOMINIUM UNITS.
 7 COMMERCIAL CONDOMINIUM UNITS.
 0 PROPOSED PARKING SPACES.
- MERGER OF EXISTING BELOW GRADE BUILDING AIRSPACE WITHIN BROADWAY TO LOT 1

SECTION A - VERTICAL CROSS SECTION (NOT TO SCALE)



ABBREVIATION LEGEND:

A.C.	= ASPHALT CONCRETE	G.P.	= GUARD POST
A.L.	= AREA LIGHT	L.E.	= LOWER ELEVATION
BW	= BACK OF WALK	N	= NORTH
C.L.	= CENTER LINE	S.M.H.	= SEWER MANHOLE
CONC.	= CONCRETE	TC	= TOP OF CURB
E	= EAST	S	= SOUTH
ELEV.	= ELEVATION	U.E.	= UPPER ELEVATION
FL	= FLOWLINE	W	= WEST
FS	= FINISH SURFACE	W.I.F.	= WROUGHT IRON FENCE



LOS ANGELES DEPT. OF CITY PLANNING
 SUBMITTED FOR FILING
 VESTING TENTATIVE MAP
 MAR 21 2017

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

3	ADDED ISOMETRIC VIEW	02/17/17
2	AIRSPACE MERGER	01/03/17
1	UPDATED CULTURE AND BOUNDARY	11/21/16
No Revisions / Submissions		Date

GENTRY SURVEYING CO.
 255 E. EASY STREET UNIT B • SIMI VALLEY • CA • 93065
 (805) 527-5299 • FAX (805) 527-2349 • GISURVEY@AOL.COM

PREPARED FOR:
AGOURA OAKS LLC.

DRAWING TITLE: **REVISED VESTING TENTATIVE TRACT NO. 72967 FOR AIRSPACE MERGER & RESIDENTIAL & COMMERCIAL CONDOMINIUM PURPOSES AND ADAPTIVE REUSE LIVE/WORK PROJECT**

SEAL	DRAWING NAME: 14-117-11th SHEET	PROJECT NO. 14-117
	DRAWN BY: NONE	SCALE: 1" = 20'
	CHECKED BY: C.C. & J.G.	DRAWING NO. TTM 1
	DATE: 02-17-17	

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(213) 978-1273

FAX: (213) 978-1275

INFORMATION
<http://planning.lacity.org>

Decision Date: February 24, 2016

Appeal Period Ends: March 7, 2016

Joe Bednar
Agoura Oaks, LLC
5506 Colodny Drive
Agoura Hills, CA 91301

RE: Vesting Tract Map No. 72967-CN
939 South Broadway
Central City Planning Area
Zone: [Q]C2-4D-CDO
District Map: 126A209, 127.5A209
Council District: 14
CEQA No.: ENV-2014-2827-CE
Legal Description: Lot 8, Block B, John G.
Downey Tract

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Tentative Tract No. 72967 composed of two lots, located at 939 South Broadway for a **maximum 151-unit joint living and work quarters condominium and a maximum 7-unit commercial condominium** as shown on map stamp-dated August 4, 2014, in the Central City Community Plan. This unit density is based on the conversion of an existing nonresidential building into residential use, as permitted by the Adaptive Reuse ordinances. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 4-foot wide strip of land be dedicated along the alley adjoining the subdivision to complete a 10-foot wide half alley dedication.
2. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve the alley adjoining the subdivision by the construction of a suitable surfacing to complete a 10-foot wide half alley including any necessary removal and reconstruction of the existing improvements.

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of CPC cases CPC-2014-2711-CDO-DN-ZC and CPC-2014-2947-TDR-ZV-CDO-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.
 - b. Provide a copy of ZA case ZA-2014-2877-ZAD. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - c. Provide a copy of the [Q] conditions. Show compliance with all the conditions as applicable or Department of City Planning approval is needed.
 - d. Show all street/alley dedications as required by the Bureau of Engineering and provide net lot area after dedication. Comply with all the FAR requirement for existing building if dedications are required by BOE.
 - e. Provide a copy of affidavit AFF-3619, AFF-9412, AFF-50269 and AF-80-1244757. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

Notes:

The proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with

the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

4. That the project be subject to any recommendations from the Department of Transportation.

FIRE DEPARTMENT

5. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Action.
 - b. All structures shall be fully sprinklered.
 - c. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - d. Any required Fire Annunciator panel or Fire Control Room shall be located within a 50-foot visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
 - e. Entrance to the main lobby shall be located off the address side of the building.

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) 482-6502. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

6. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules

and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (c).)

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

7. **SPECIFIC CONDITION:** 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 pedestrian lights: two (2) on Broadway. If street widening per BOE improvement conditions, relocated and upgrade street light; one (1) on Broadway.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

BUREAU OF SANITATION

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

INFORMATION TECHNOLOGY AGENCY

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code (LAMC) Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the R5 Zone.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

11. 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 151-unit joint living and work quarters condominiums and 7-unit condominiums.
 - b. Parking: The required number of parking spaces shall be the same number of spaces that existed on the site by permit or Certificate of Occupancy on June 3, 1999. This project is subject to the Adaptive Reuse Ordinance No. 174,315.
 - c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.

Approved as follows:

Not Applicable

- d. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
- e. Prior to the issuance of any permit, the project shall obtain clearance from the Department of Cultural Affairs for the proposed work.
- f. The applicant shall install a MERV 12 air filtration systems to reduce the effects of diminished air quality on occupants of the project.
- g. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- h. 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.

- i. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
12. That prior to recordation of the final map, the subdivider shall apply for a building permit for change of use from commercial to a residential and commercial condominium from the Department of Building and Safety.
 13. That a Housing Inspection Report be submitted prior to recordation of the final map. Said report shall be prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect. As necessary, the inspection shall be conducted by a team of experts certified by the International Conference of Building Officials, with specialty in mechanical, electrical, plumbing and structural engineering. Said report shall show substantial compliance with applicable provisions of Chapter IX of the Los Angeles Municipal Code (LAMC) for existing residential buildings, taking into account nonconforming rights. In addition, prior to inspecting the building, the subdivider or owner shall obtain from the tenants a list of defects and necessary repairs, which in their opinion exist on the site and the common areas, unit or apartment structure. CP-6711 will not be prepared unless housing list of deficiencies and tenants= list of defects are submitted. The Advisory Agency has guidelines available at 201 N. Figueroa Street, 4th Floor, for the preparation of Housing Inspection reports.

The report shall indicate the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, other mechanical and structural systems. Prior to recordation of the final map, any deficiencies determined by the inspection shall be corrected and satisfactory evidence shall be submitted to the Advisory Agency that said corrections have been made. A certified parking plan shall be required as a part of this condition and all spaces shall be in place prior to recordation.

OR

The Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use or proof of a valid Building Permit from the Department of Building and Safety.

14. That an acoustical report prepared by a licensed acoustical engineer be submitted to the Department of City Planning for approval prior to recordation of the final map or concurrently with any required Housing Inspection Report. The acoustical report shall indicate (a) the type of construction between dwelling units and the general sound attenuation. (Note: The acoustical report may be included in the Housing Inspection Report as a separate section.)

OR

The Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use or proof of a valid Building Permit from the Department of Building and Safety.

15. That prior to the issuance of the building permit or the recordation of the final map, a copy of the tract map shall be submitted to the satisfaction of the Advisory Agency. In the event that is not approved, the subdivider shall submit a tract modification.
16. That the subdivider shall record and execute a Covenant and Agreement to comply with the [Q] Conditions per Ordinance 180,871.

DEPARTMENT OF CITY PLANNING - STANDARD JOINT LIVING AND WORK CONDITIONS

- LW-1. 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 LAMC and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- LW-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with the Broadway Theater & Entertainment District Design Guide prior to obtaining any permit. The landscape plan shall identify tree replacement, if any, on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

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

- a. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
- b. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
- c. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
- d. The developer/builder shall guarantee all trees, if any, and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.

LW-3. In order to expedite the development, the applicant may apply for a building permit for a joint living and work building. However, prior to issuance of a building permit for joint living and work units, 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 joint living and work units 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 a joint living and work building and intends to acquire a building permit for a joint living and work condominium building. Such letter is sufficient to clear this condition.

LW-4. 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:

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to

water mains, fire hydrants, service connections and public utility easements.

- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of 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.
 - (1) **SPECIFIC CONDITION:** 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.
 - (2) **IMPROVEMENT CONDITION:** Construct new pedestrian lights: two (2) on Broadway. If street widening per BOE improvement conditions, relocated and upgrade street light; one (1) on Broadway.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering condition S-3 (i), requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

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

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

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

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

FINDINGS OF FACT (CEQA)

The Environmental Staff Advisory Committee issued Categorical Exemption No. ENV-2014-2827-CE on July 28, 2015.

Adaptive reuse projects permitted “by-right” do not require environmental clearance, unless the project involves a historically significant building. The project involves a historic-cultural monument, however, the adaptive reuse proposal allows for a categorical exemption under Class 31 – Historic Resource Restoration/Rehabilitation. The project is required to comply with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 72967, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Central City Community Plan designates the subject property for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, C5, R3, R4, R5, RAS3, and RAS4. The property contains approximately 0.3642 net acres (15,468 square feet after required dedication) and is presently zoned [Q]C2-4D-CDO. The proposed adaptive reuse of a commercial building into 151 joint living and work quarters condominium units and 7 commercial condominium units is allowable under the Adaptive Reuse Ordinance (Ordinance No. 174,315).

On October 26, 2009, Ordinance No. 180,871 (CPC-2008-874-CDO-ZC) for the Central City Community Plan changed the zone of the subject site from C2-4D to [Q]C2-4D-CDO wherein the “Q” condition pertains to the Broadway Theater and Entertainment District, a community design overlay district (CDO). The permanent “Q” conditions imposed on the site include prohibiting residential uses on the ground floor except for residential lobbies, building ground floor commercial uses to the property line or prevailing setback, limiting the building setback to less than two feet, requiring building façade treatment at ground floor, substantial compliance with the Broadway Theater & Entertainment District Design Guide, and restricting roof projections and signage. The proposed 151-unit living/work condominium and 7-unit commercial condominium is required to meet all of the stipulated “Q” conditions.

On January 30, 1989, Ordinance No. 164,307 (CPC-1986-0606-GPC) for the Central City Community Plan set “D Limitations” which assigns applicable Subarea No. 2395 to height district 4-D wherein the total floor area contained in all buildings on a lot shall not exceed six (6) times the buildable area of lot. The

total floor area of the proposed project meets the "D Limitation" for Subarea No. 2395.

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 development of this tract is a conversion of use of an existing commercial structure in a commercial area. The proposed adaptive reuse of a commercial building into 151 joint living and work quarters condominium units and 7 commercial condominium units is allowable under the Adaptive Reuse Ordinance (Ordinance No. 174,315). All units exceed the minimum unit size requirement of 450 square feet and the average size of all the joint living and work quarters is 796.91 square feet, above the minimum average size of 750 square feet.

The project does not contain any parking. Under the Adaptive Reuse Ordinance, the required number of parking spaces shall be the same as the number of spaces that existed on the site on June 3, 1999. A Parking Affidavit was erroneously issued on October 30, 1963 but was later corrected through a Termination of Covenant and Agreement issued on February 25, 1964, stating that the site does not require any parking.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make a 4-foot wide strip of land dedication and improvement of the alley adjoining the subdivision in order to meet current street standards.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance 172,081).

Therefore, as conditioned, the design and improvement of the proposed project are consistent with the General Plan and the applicable Specific Plans.

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

The development of this tract is a conversion of use of an existing commercial structure in a commercial area.

The site is level and is not located in a slope stability study area or in a high erosion hazard area. The site is within a fault-rupture study zone, however, the structure on site will be subject to California Building Code Seismic Standards by the Department of Building and Safety. Compliance with such requirements

would reduce seismic ground shaking impacts to the maximum extent practicable with current engineering practices.

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

The development of this tract is a conversion of use of an existing commercial structure in a commercial area, and therefore does not involve any new construction, nor enlarges the building. The 151 joint live work units conform to the density permitted by the zone, thus the site is physically suitable for the proposed density.

- (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.

This subdivision is part of a class of projects which the City Council has determined will not have a significant effect upon the environment.

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

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

- 1) In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate,

contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

- 2) Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) 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. 72967.

Vincent Bertoni, AICP
Advisory Agency



JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

JCR:AB:th

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

Figueroa Plaza
201 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

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

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

If you have any questions, please call Subdivisions staff at (213) 978-1328.

VESTING TENTATIVE TRACT NO. 72967

FOR RESIDENTIAL/COMMERCIAL
CONDOMINIUM PURPOSES
AND
ADAPTIVE REUSE, LIVE/WORK PROJECT

LEGAL DESCRIPTION:

LOTS 8 AND 9, IN BLOCK "B", OF THE JOHN G. DOWNEY TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 5, PAGE 222 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NOTES:

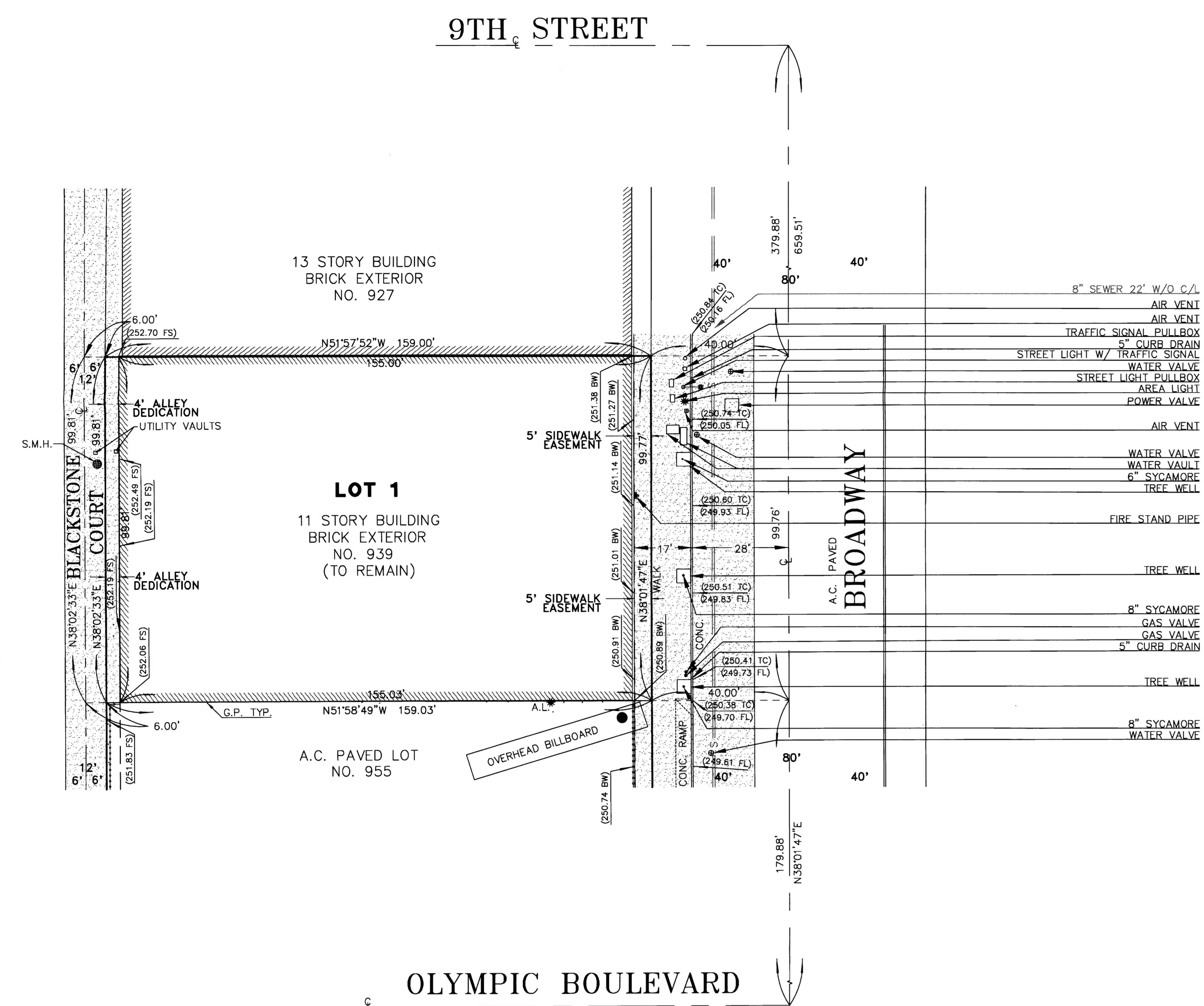
SURVEYOR
BRYAN GENTRY, L.S. 6345
GENTRY SURVEYING CO.
2515 ROYAL AVE.
SIMI VALLEY, CA 93065
805-527-5299

OWNER/SUBDIVIDER
AGOURA OAKS LLC.
5506 COLONY DRIVE
AGOURA HILLS, CA, 91301
(818) 991-9898

NOTES:

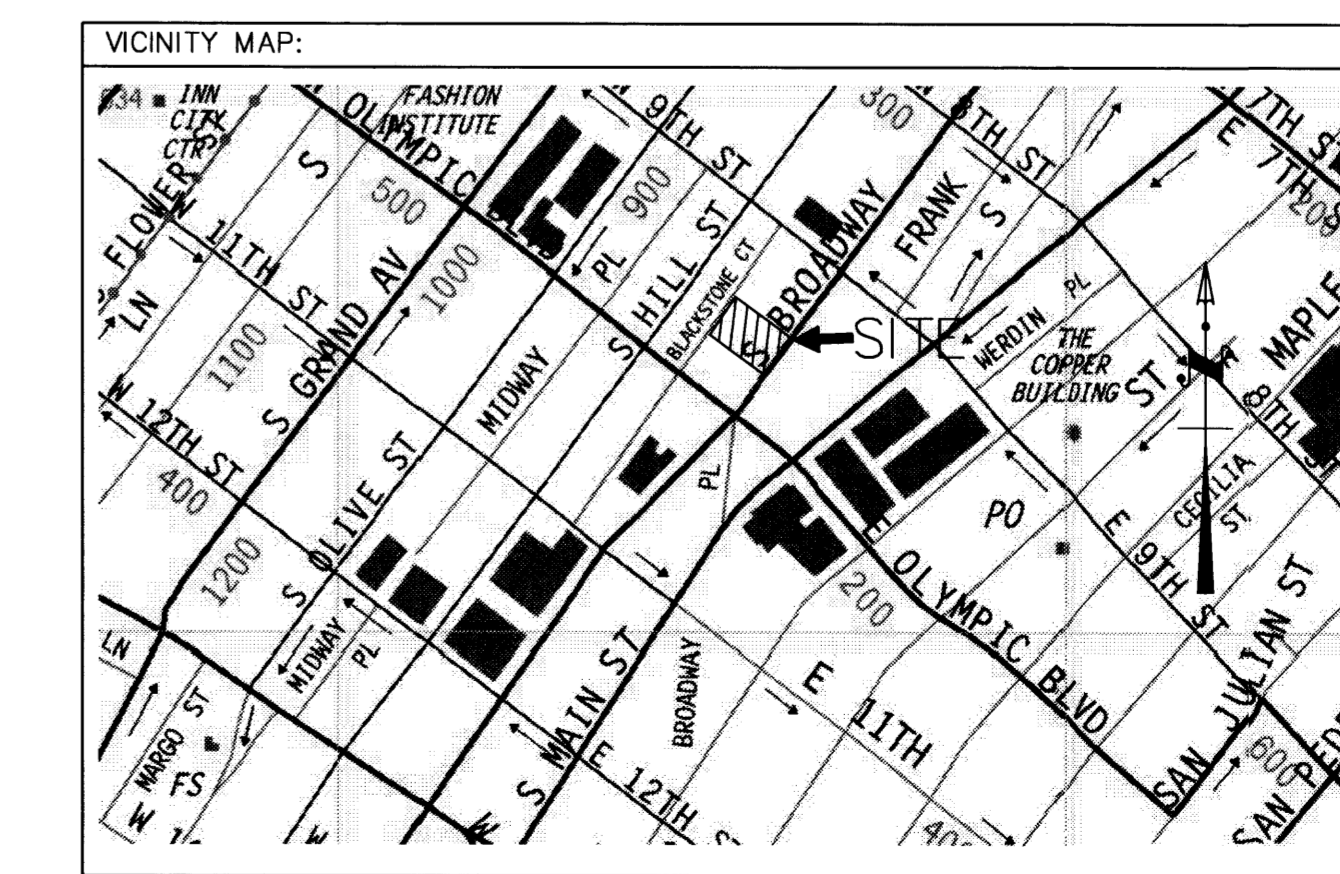
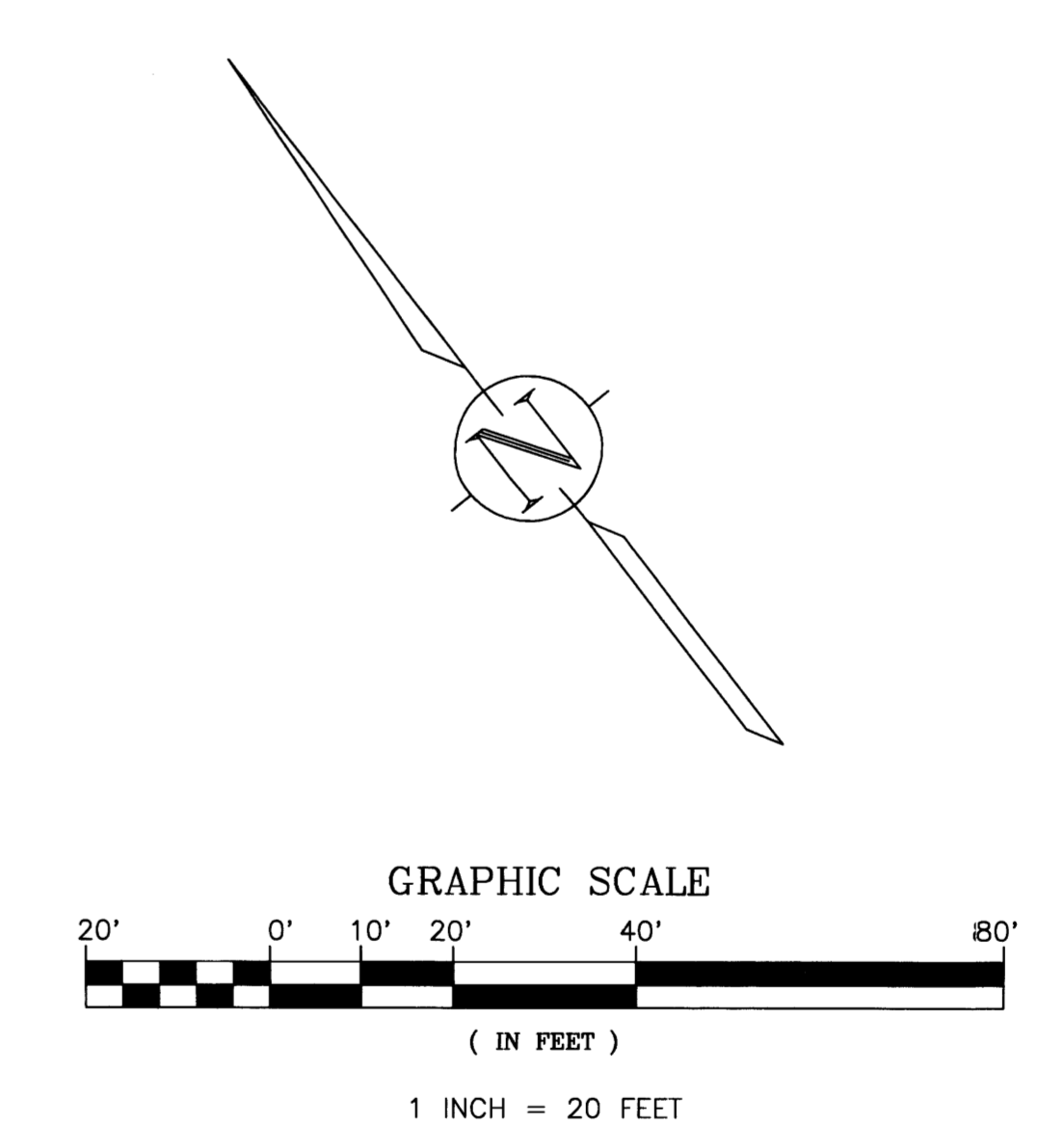
- DATE OF SURVEY: MAY 2013
- TENTATIVE MAP PREPARED: JUNE 2014
- AREAS:
PROJECT GROSS AREA: 19,459.13 SQ. FT. OR 0.4467 ACRES
NET AREA: 15,468.17 SQ. FT. OR 0.3551 ACRES
- SITE ADDRESS: 939 SOUTH BROADWAY
LOS ANGELES, CA 90015

- THERE ARE NO OAK, WESTERN SYCAMORE, CALIFORNIA BAY OR SOUTHERN CALIFORNIA BLACK WALNUT TREES ON THE SUBJECT SITE.
- EXISTING ZONING: C2-4D-CDD
PROPOSED ZONING: NO CHANGE
- DISTRICT MAP NO.: 126-A-209 AND 127-5A-209
- COMMUNITY PLAN: CENTRAL CITY
- COMMUNITY PLAN DESIGNATION EXISTING:
REGIONAL CENTER COMMERCIAL
- COMMUNITY PLAN DESIGNATION PROPOSED: SAME
- BENCHMARK: CITY OF LOS ANGELES BENCHMARK NO. 12-061061
CUT SPIKE IN E CURB MAIN ST, 10.6FT N. OF BCR OLYMPIC BL. N. END CB
ELEV. = 247.749 (NAVD 1988) (ADJ. 2000)
- SITE LOCATED WITHIN FLOOD ZONE COMMUNITY NUMBER 060137 PANEL NO. 1620F, FIRM ZONE X.
DATE OF FIRM INDEX SEPTEMBER 28, 2008
NOTE: ZONE X IS NOT A FLOOD ZONE AREA.
- SEWERS ARE IN AND AVAILABLE.
- PROPOSED PROJECT:
LOT 1 ADAPTIVE REUSE CONDOMINIUM PURPOSE
160 RESIDENTIAL CONDOMINIUM UNITS,
7 COMMERCIAL CONDOMINIUM UNITS,
0 PROPOSED PARKING SPACES.



ABBREVIATION LEGEND:

A.C.	= ASPHALT CONCRETE	FS	= FINISH SURFACE
A.L.	= AREA LIGHT	G.P.	= GUARD POST
BW	= BACK OF WALK	N	= NORTH
C.L.	= CENTER LINE	S.M.H.	= SEWER MANHOLE
CONC.	= CONCRETE	TC	= TOP OF CURB
E	= EAST	S	= SOUTH
ELEV.	= ELEVATION	W	= WEST
FL	= FLOWLINE	W.I.F.	= WROUGHT IRON FENCE



LOS ANGELES COUNTY PLANNING
SUBMITTED FOR FILING
TENTATIVE MAP
AUG 04 2014

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

No	Revisions / Submissions	Date

GENTRY SURVEYING CO.
255 E. EASY STREET UNIT B • SIMI VALLEY • CA • 93065
(805) 527-5299 • FAX (805) 527-2349 • G1SURVEY@AOL.COM

PREPARED FOR:
AGOURA OAKS LLC.

DRAWING TITLE: **VESTING TENTATIVE TRACT NO. 72967
FOR RESIDENTIAL/COMMERCIAL
CONDOMINIUM PURPOSES AND
ADAPTIVE REUSE LIVE/WORK PROJECT**

SEAL	DRAWING NAME: 14-117-11th SHEET1	PROJECT NO: 14-117
	DRAWN BY: NONE	SCALE: 1" = 20'
	CHECKED BY: C.M.	DRAWING NO: TTM 1
	DATE: 6-13-14	

BRYAN GENTRY L.S. 6345