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CITY PLANNING**

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Decision Date: January 11, 2019

Appeal Period Ends: January 22, 2018

Carl Steinberg (A)
ETCO Homes
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211

Sweetzer Development, LLC (O)
8447 Wilshire Boulevard, Suite 400
Beverly Hills, CA 90211

Eric Liberman (R)
QES, Inc.
14549 Archwood Street
Van Nuys, CA 91405

RE: Vesting Tentative Tract Map No.: 74129-CN
Address: 714 – 718 North Sweetzer Avenue
Community Plan: Hollywood
Existing Zone: [Q]R3-1
Council District: 5 - Koretz
CEQA No.: ENV-2018-2721-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03, the Advisory Agency will consider Vesting Tentative Tract Map No. 74129-CN (map date-stamped May 10, 2018) located at 714 – 718 North Sweetzer Avenue, for the merger and resubdivision of two (2) lots into one (1) lot and a 26-unit residential condominium building, in the Wilshire Community Plan. This unit density is based on the R3-1 Zone. (The subdivider is hereby advised that the LAMC may not permit his 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) 231-2901. The Advisory Agency's consideration of the request 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

Any questions regarding these conditions 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.

1. That 3-foot wide strip of land be dedicated along Sweetzer Avenue adjoining the subdivision to complete a 33-foot wide half right-of-way dedication in accordance with **LA Mobility Plan Collector Street Standards**.
2. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
3. That any fee deficit under Work Order No. EXT00790 expediting this project be paid.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. The structure shall be supported on a mat foundation designed to resist uplift hydrostatic pressures that would develop due to groundwater levels located at 20 feet below current grades, as recommended on page 3 of the 12/10/2015 report. The below-grade building walls shall be designed to resist the hydrostatic pressure that could develop due to groundwater levels located at 20 feet below current grades, and a subdrain system shall be located above the historically-high groundwater level located at 20 feet below current grade, as recommended on page 3 of the 12/10/2015 report.
5. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Constituent Service Division for the proposed removal of support and/or retaining of slopes adjoining to public way. (3307.3.2)
201 N. Figueroa Street 3rd Floor, LA (213) 482-7045
6. Secure the notarized written consent from all owners upon whose property proposed grading/construction access is to extend, in the event off-site grading and/or access for construction purposes is required. The consent shall be included as part of the final plans. (7006.6)
7. In the event tie-back anchors are utilized for shoring that extend beyond the property line, provide a notarized letter from all adjoining property owners allowing tie-back anchors on their property. (7006.6)
8. Approval shall be obtained from the utility company with regard to proposed construction within or adjacent to the utility easement along the east property line. (7006.6)
9. The geologist and soils engineer shall review and approve the detailed plans prior to issuance of any permits. This approval shall be by signature on the plans that clearly indicates the geologist and soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in their reports. (7006.1)
10. All recommendations of the report that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.

11. A copy of the subject and appropriate referenced reports and this approval letter shall be attached to the District Office and field set of plans. Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit. (7006.1)
12. A grading permit shall be obtained for all structural fill and retaining wall backfill. (106.1.2)
13. All man-made fill shall be compacted to a minimum 90 percent of the maximum dry density of the fill material per the latest version of ASTM D 1557. Where cohesionless soil having less than 15 percent finer than 0.005 millimeters is used for fill, it shall be compacted to a minimum of 95 percent relative compaction based on maximum dry density (D1556). Placement of gravel in lieu of compacted fill is allowed only if complying with Section 91.7011.3 of the Code. (7011.3)
14. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill. (1809.2)
15. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction. (7013.12)
16. All loose foundation excavation material shall be removed prior to commencement of framing. Slopes disturbed by construction activities shall be restored. (7005.3)
17. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the State Construction Safety Orders enforced by the State Division of Industrial Safety. (3301.1)
18. Temporary excavations that remove lateral support to the public way, adjacent property, or adjacent structures shall be supported by shoring, as recommended. Note: Lateral support shall be considered to be removed when the excavation extends below a plane projected downward at an angle of 45 degrees from the bottom of a footing of an existing structure, from the edge of the public way or an adjacent property. (3307.3.1)
19. Prior to the issuance of any permit which authorizes an excavation where the excavation is to be of a greater depth than are the walls or foundation of any adjoining building or structure and located closer to the property line than the depth of the excavation, the owner of the subject site shall provide the Department with evidence that the adjacent property owner has been given a 30-day written notice of such intent to make an excavation. (3307.1)
20. The soils engineer shall review and approve the shoring and/or underpinning plans prior to issuance of the permit. (3307.3.2)
21. Prior to the issuance of the permits, the soils engineer and/or the structural designer shall evaluate the surcharge loads used in the report calculations for the design of the retaining walls and shoring. If the surcharge loads used in the calculations do not conform to the actual surcharge loads, the soil engineer shall submit a supplementary report with revised recommendations to the Department for approval.
22. Shoring shall be designed for the lateral earth pressures specified in the section titled "Temporary Shoring" starting on page 9 of the 09/21/2015 report; all surcharge loads shall be included into the design.

23. Shoring shall be designed for a maximum lateral deflection of 1 inch, provided there are no structures within a 1:1 plane projected up from the base of the excavation. Where a structure is within a 1:1 plane projected up from the base of the excavation, shoring shall be designed for a maximum lateral deflection of ½ inch, or to a lower deflection determined by the consultant that does not present any potential hazard to the adjacent structure.
24. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer (see page 11 of the 09/21/2015 report).
25. In the event shoring soldier piles are installed using vibrating/driving equipment in the vicinity of existing structures, the following conditions shall be complied with:
 - a. Ground vibrations shall be monitored during pile/shoring installation adjacent to the pile driving operation.
 - b. Peak particle velocities (PPV) for any single axis shall be limited to ½ inch/second.
 - c. A settlement monitoring program shall be implemented until completion of shoring and the retaining walls are backfilled, as recommended on page 11 of the 09/21/2015 report.
 - d. In the event any PPV is measured above the specified threshold (½ inch/second) or any settlement is measured/detected, pile driving shall be stopped and corrective actions shall be submitted to the Department for review before resuming pile driving.
26. In the event de-watering is needed, the area shall be de-watered under the direction of the consultants prior to beginning the excavations below the groundwater level. Note, that a permit from the State of California Regional Water Quality Control Board and Department of Public Works shall be obtained to discharge the water into a storm drain.

201 N. Figueroa Street 3rd Floor, LA (213) 482-7045
320 W. 4th Street, Suite 200 (213) 576-6600 (LARWQB)
27. All foundations shall derive entire support from native undisturbed soils, as recommended and approved by the geologist and soils engineer by inspection.
28. The building design shall incorporate provisions for total anticipated differential settlements of 1.7 inches, which include 1.5 and 0.15 inches for static and seismic-induced loads, respectively (based on 213rd of the PGAm, and an allowable bearing capacity of 5000 psf for the mat foundation as shown on page 3 of the 02/22/2016 report). (1808.2)
29. Special provisions such as flexible or swing joints shall be made for buried utilities and drain lines to allow for differential vertical displacement.
30. The seismic design shall be based on a Site Class D, as recommended. All other seismic design parameters shall be reviewed by LADBS building plan check.
31. Retaining walls shall be designed for the lateral earth pressures specified in the section titled "Structural Design of Retaining Walls" starting on page 13 of the 09/21/2015 report. All surcharge loads shall be included into the design.

32. Retaining walls higher than 6 feet shall be designed for lateral earth pressure due to earthquake motions as specified on page 13 of the 09/21/2015 report (1803.5.12). Note: Lateral earth pressure due to earthquake motions shall be in addition to static lateral earth pressures and other surcharge pressures. The height of a stacked retaining wall shall be considered as the summation of the heights of each wall.
33. Basement walls and other walls in which horizontal movement is restricted at the top shall be designed for at-rest pressure as specified on page 13 of the 09/21/2015 report (1610.1). All surcharge loads shall be included into the design.
34. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted to the street in an acceptable manner and in a non-erosive device. (7013.11)
35. With the exception of retaining walls designed for hydrostatic pressure, all retaining walls shall be provided with a subdrain system to prevent possible hydrostatic pressure behind the wall. Prior to issuance of any permit, the retaining wall subdrain system recommended in the soil report shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record. (1805.4)
36. Installation of the subdrain system shall be inspected and approved by the soils engineer of record and the City grading/building inspector. (108.9)
37. Basement walls and floors shall be waterproofed/damp-proofed with an L.A. City approved "Below-grade" waterproofing/damp-proofing material with a research report number. (104.2.6)
38. Prefabricated drainage composites (Miradrain, Geotextiles) may be only used in addition to traditionally accepted methods of draining retained earth.
39. Where the ground water table is lowered and maintained at an elevation not less than 6 inches below the bottom of the lowest floor, or where hydrostatic pressures will not occur, the floor and basement walls shall be damp-proofed. Where a hydrostatic pressure condition exists, and the design does not include a ground-water control system, basement walls and floors shall be waterproofed. (1803.5.4, 1805.1.3, 1805.2, 1805.3)
40. The structure shall be connected to the public sewer system. (P/BC 2014-027)
41. All roof and pad drainage shall be conducted to the street in an acceptable manner. (7013.10)
42. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LADBS. (7013.10)
43. An on-site storm water infiltration system at the subject site shall not be implemented, as recommended.
44. Any recommendations prepared by the geologist and/or the soils engineer for correction of geological hazards found during grading shall be submitted to the Grading Division of the Department for approval prior to utilization in the field. (7008.3)
45. The geologist and soils engineer shall inspect all excavations to determine that conditions anticipated in the report have been encountered and to provide recommendations for the correction of hazards found during grading. (7008 & 1705.6)

46. Prior to the pouring of concrete, a representative of the consulting soils engineer shall inspect and approve the footing excavations. The representative shall post a notice on the job site for the LADBS Building Inspector and the Contractor stating that the work so inspected meets the conditions of the report, but that no concrete shall be poured until the City Building Inspector has also inspected and approved the footing excavations. A written certification to this effect shall be filed with the Grading Division of the Department upon completion of the work. (108.9 & 7008.2)
47. Prior to excavation, an initial inspection shall be called with LADBS Inspector at which time sequence of construction, shoring, underpinning, pile installation, protection fences and dust and traffic control will be scheduled. (108.9.1)
48. Installation of shoring, underpinning and/or pile installation shall be performed under the inspection and approval of the soils engineer and deputy grading inspector. (1705.6)
49. The installation and testing of tie-back anchors shall comply with the recommendations included in the report or the standard sheets titled "Requirement for Tie-back Earth Anchors", whatever is more restrictive. (Research Report #23835)
50. Prior to the placing of compacted fill, a representative of the soils engineer shall inspect and approve the bottom excavations. The representative shall post a notice on the job site for the City Grading Inspector and the Contractor stating that the soil inspected meets the conditions of the report, but that no fill shall be placed until the LADBS Grading Inspector has also inspected and approved the bottom excavations. A written certification to this effect shall be included in the final compaction report filed with the Grading Division of the Department. All fill shall be placed under the inspection and approval of the soils engineer. A compaction report together with the approved soil report and Department approval letter shall be submitted to the Grading Division of the Department upon completion of the compaction. In addition, an Engineer's Certificate of Compliance with the legal description as indicated in the grading permit and the permit number shall be included. (7011.3)

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

Building and Safety approvals are conducted by appointment only at 201 North Figueroa Street. Contact Laura Duong at (213) 482-0434 to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.

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:

51. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.

Notes:

This Proposed Project is subject to Density Bonus Ordinance to increase the maximum allowed density.

This property is located in a Liquefaction Zone.

The submitted Map may not comply with the number of parking spaces required by Section 12.21 A.4 (a) based on number of habitable rooms in each unit. If there are insufficient numbers of parking spaces, obtain approval from the Department of City Planning.

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

The existing or 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.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and 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 Eric Wong at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

Please contact DOT, Taimour Tanavoli at (213) 482-7024 for any questions regarding the following.

52. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
- b. Vehicular access to the site shall be limited to the alley only.
- c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, call (213) 482-7024.

FIRE DEPARTMENT

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) 482-6504. You should advise any consultant representing you of this requirement as well.

53. 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 review and approval prior to recordation of Tract Map Action.
- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. One or more Knox Boxes will be required to be installed for LAFD access to the project location and number to be determined by the LAFD Field Inspector. (Refer to FPB Req #75)
- d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane
- e. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- f. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

Policy Exception: LAMC 57.09.03.B Exception:

- When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- This policy does not apply to single-family dwellings or to non-residential buildings.

- g. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; but, in no case greater than 150 feet horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend onto the roof.
- h. Entrance to the main lobby shall be located off the address side of the building.
- i. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 feet visual line of the site of the main entrance stairwell or to the satisfaction of the Fire Department.
- j. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- k. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

DEPARTMENT OF WATER AND POWER

54. 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

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

BUREAU OF SANITATION

56. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or any potential maintenance problems, as stated in the memo dated December 4, 2017. 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

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

DEPARTMENT OF RECREATION AND PARKS

Please contact RAP, Melinda Gejer at (213) 202-2657 for any questions regarding the following:

58. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

59. Plant street trees and remove existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. Parkway trees removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedited tree planting.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

60. 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. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract Map No. VTT-74129-CN shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of 26 residential condominium units.
 - c. Parking. As per Case No. DIR-2014-4762-DB, vehicle parking shall be provided consistent with LAMC Section 12.22 A.25, Parking Option 1, which permits one on-site parking space for each residential unit with one or fewer bedrooms; two on-site parking spaces for each residential unit with two to three bedrooms; and two-and-one-half parking spaces for each residential unit with four or more bedrooms. Based upon the number and type of dwelling units proposed, at least 44 automobile parking spaces shall be provided for the project
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
 - g. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
 - 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, in whole or in part, 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, in whole or in part, 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 \$50,000. 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.

61. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 2. All other conditions applying to Model Dwellings under Section 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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

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

OR

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That one-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 one-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 one-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 percent.

- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private 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) Construct one new street light on Sweetzer Avenue.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry 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 (213-485-5675) upon completion of construction to expedite tree planting.
 - (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
 - (f) Construct access ramps for the handicapped as required by the City Engineer.
 - (g) Close any unused driveways satisfactory to the City Engineer.
 - (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 2010.

- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Sweetzer Avenue being dedicated and adjoining the subdivision by the construction of a 5-foot concrete sidewalk and landscaping of the parkway. Including any necessary removal and reconstruction of existing improvements.

NOTES:

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

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.

FINDINGS OF FACT (CEQA)

The Department of City Planning, on November 6, 2018, issued ENV-2018-2721-CE, and determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section 1, Class 32.

The proposed project and potential impacts were analyzed in accordance with the California Environmental Quality Act (CEQA) Guidelines and the City's L.A. CEQA Thresholds Guide. These two documents establish guidelines and thresholds of significant impact, and provide the data for determining whether or not the impacts of a proposed project reach or exceed those thresholds. Analysis of the proposed project determined that it is Categorical Exempt from environmental review pursuant to Article III, Section I, and Class 32 of the CEQA Guidelines. The Class 32 Exemption is intended to promote infill development within urbanized areas.

The proposed project qualifies for a Categorical Exemption because it conforms to the definition of "In-fill Projects" as follows:

- (a) **THE PROJECT IS CONSISTENT WITH THE APPLICABLE GENERAL PLAN DESIGNATION AND ALL APPLICABLE GENERAL PLAN POLICIES AS WELL AS WITH APPLICABLE ZONING DESIGNATION AND REGULATIONS.**

The project site is located within the adopted Hollywood Community Plan area, and is designated for Medium Residential land uses corresponding to the R3 Zone. The property is zoned [Q]R3-1. This permits a maximum residential density of one dwelling unit per 800 square feet of lot area in areas designated for Medium Residential Land Uses and the

overall required minimum lot size is 5,000 square feet. The proposed density of 26 dwelling units on an approximately 14,612 square-foot lot is greater than what is allowed under the [Q]R3-1 Zone, however the building that is currently under construction was approved for a Density Bonus pursuant to Case No. DIR-2014-4762-DB to allow for a maximum density of 26 units along with a maximum building height of 56 feet and a Floor Area Ratio (FAR) of 3.971:1. As proposed, the project would comply with all other applicable regulations of the Zoning Code.

Consistent with the Community Plan, the proposed 26-unit condominium development would add new, multi-family housing to Los Angeles' housing supply, in a neighborhood which is conveniently located to a variety of community services.

- (b) THE PROPOSED DEVELOPMENT OCCURS WITHIN CITY LIMITS ON A PROJECT SITE OF NO MORE THAN FIVE ACRES SUBSTANTIALLY SURROUNDED BY URBAN USES.

The subject property is located in a highly urbanized area within the Hollywood Community Plan Area. The subject property is comprised of two lots with a total of approximately 15,006 square feet of lot area (0.34 acres), which is well within the five-acre threshold. The subject property is substantially surrounded by urban uses. The entire site is surrounded by properties which are similarly zoned [Q]R3-1, R2-1XL, and C4-1XL and are generally developed with single-family residences, multi-family residential buildings, and commercial buildings. The property abutting the subject property to the north is zoned [Q]R3-1 and is developed a single- a two-story multi-family residential apartment building. Properties abutting the subject property to the east are zoned R2-1XL and developed with duplexes. The property abutting the subject property to the south, across the alley, is zoned C4-1XL and developed with a three-story commercial building. Properties to the west, across Sweetzer Avenue, are zoned [Q]R3-1 and developed with a three-story multi-family residential buildings.

- (c) THE PROJECT SITE HAS NO VALUE AS HABITAT FOR ENDANGERED, RARE OR THREATENED SPECIES.

The project is located within an established, fully developed, medium-density residential area in proximity to large boulevards and other large employment centers. The project site has no value as a habitat for endangered, rare or threatened species. Furthermore no protected trees are present on the project site or on any of the surrounding properties immediately adjacent to the property lines.

- (d) APPROVAL OF THE PROJECT WOULD NOT RESULT IN ANY SIGNIFICANT EFFECTS RELATING TO TRAFFIC, NOISE, AIR QUALITY, OR WATER QUALITY.

Traffic

The proposed project involves the construction, use, and maintenance of a new four-story, 26-unit condominium building with ground floor and subterranean parking. Based upon the existing mobility and circulation networks in direct proximity to the proposed project, the introduction of 26 units to the community will result in no traffic impacts. The project will generate well under 500 daily trips, which is the established CEQA threshold. Furthermore, the project falls under the 36 unit threshold established by the Los Angeles Department of Transportation (DOT) for the preparation of a traffic impact study. Based on the trip factor of 0.7 trips per unit for condominium projects defined in the LADOT

Transportation Referral Form, the proposed project would generate approximately 18 trips during peak hours. The project will generate well under 500 daily trips, which is the established CEQA threshold.

Noise

The project must comply with the adopted City of Los Angeles Noise Ordinances Nos. 144,331 and 161,574, as well as any subsequent Ordinances, which prohibit the emission or creation of noise beyond certain levels. These Ordinances cover both operational noise levels (i.e., post-construction), and any construction noise impacts. As a result of this mandatory compliance, the proposed project will not result in any significant noise impacts.

Air Quality

The building construction phase includes the construction of the proposed building on the subject property, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. These construction activities would temporarily create emissions of dusts, fumes, equipment exhaust, and other air contaminants. Construction activities involving grading and foundation preparation would primarily generate PM2.5 and PM10 emissions. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NOx emissions. The application of architectural coatings would result primarily in the release of ROG emissions. The amount of emissions generated on a daily basis would vary, depending on the amount and types of construction activities occurring at the same time.

Nevertheless, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas.

Best Management Practices (BMP) will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

The proposed project, which is replacing three previously demolished multi-family residences with 26 residential condos would result in a net increase of 12 dwelling units on the subject property. Possible project-related air quality concerns will derive from the mobile source emissions generated from the proposed residential uses for the project site. Operational emissions for project-related traffic will be less than significant. In addition to

mobile sources from vehicles, general development causes smaller amounts of "area source" air pollution to be generated from on-site energy consumption (natural gas combustion) and from off-site electrical generation. These sources represent a small percentage of the total pollutants. The inclusion of such emissions adds negligibly to the total significant project-related emissions burden generated by the proposed project. The proposed project will not cause the SCAQMD's recommended threshold levels to be exceeded. Operational emission impacts will be at a less-than-significant level.

Water Quality

The development of the project would not result in any significant effects relating to water quality. The project is not adjacent to any water sources and construction of the project will not create any impact to water quality. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70.

(e) **THE SITE CAN BE ADEQUATELY SERVED BY ALL REQUIRED UTILITIES AND PUBLIC SERVICES.**

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California (SoCal) Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the neighborhood for more than 50 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these new building codes, which are required of all projects, it can be anticipated that the proposed project will not create any impact on existing utilities and public services through the addition of 26 dwelling units.

Exceptions to the use of Categorical Exemptions:

Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed project listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project as described below:

- A. Location. *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

N/A: The project has been issued a Class 32 Exemption.

- B. Cumulative Impact. *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The development of the project site with 26 dwelling units is consistent with the zone and land use designation of the site, as designated by the Hollywood Community Plan. The Community Plan's designation of the site for medium residential density and uses was completed in anticipation of environmental impacts based on the maximum allowable density for the project site and the surrounding area. The proposed project is not*

requesting any deviations from what is otherwise permitted by the underlying zoning of the site or what was previously granted under Case No. DIR-2014-4763-DB. Similarly, other by-right projects in the surrounding area would have been analyzed for their environmental impacts during the preparation of the Community Plan and are not subject to further CEQA review. Any project proposing to deviate from the Community Plan and underlying zone would require a CEQA clearance and impacts would be mitigated for the project individually.

A successive project of the same type and nature would reflect a development that is consistent with the underlying land use designation and Los Angeles Municipal Code. Any such project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will reduce potential impacts to less than significant and would, therefore, not create a cumulative impact.

- C. Significant Effect Due to Unusual Circumstances. *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

There is no reasonable possibility that the proposed project will have a significant effect due to unusual circumstances. Construction of the project would be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, building code and regulated construction methods, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff, among others. The project is an infill project located in an existing multiple- and single- family developed residential neighborhood, with no identifiable unusual circumstances that present a likelihood of significant effects on the environment.

- D. Scenic Highway. *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

The project will not damage scenic resources within a designated scenic highway. The project is not located on a designated scenic highway and will not impact any identified scenic resources, such as trees, buildings, rock outcroppings, or similar resources.

- E. Hazardous Waste Site. *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The project site has not been identified as a hazardous waste site. In addition, a number of existing state and federal laws and programs apply to hazards and hazardous materials and would apply to subsequent future individual development projects. These include the Resource Conservation and Recovery Act, California Fire Codes, Senate Bill 1082 (Facilities Subject to Corrective Action), Department of Health Services regulations, and Department of Housing regulations. Finally, Municipal Code Section 54.05 requires that a hazardous substance clearance report, including provisions for site remediation if warranted, be approved by the County Health Department and recorded with the County for sale or transfer of any property, upon which there has been an unauthorized disposal or release of a hazardous substance.

- F. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

There are no existing structures on-site.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 74129-CN the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant and site address information as required by the Los Angeles Municipal Code ("LAMC"). The Vesting Tentative Tract Map has been filed for the purposes of the merger and resubdivision of two (2) lots into one (1) lot in conjunction with the construction, use, and maintenance of a proposed five-story, 26-unit residential condominium building.

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The adopted Wilshire Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with corresponding zones. The subject property is designated for Medium Residential land uses corresponding to the R3 Zone. The project site is zoned [Q]R3-1, consistent with the zone under the site's land use designation. The construction of 26 dwelling units on the project site would be consistent with the land use designation of the site and the applicable zoning of the site. The Community Plan's designation of the site for medium residential density and uses was completed in anticipation of environmental impacts based on the maximum allowable density for the project site and the surrounding area. The proposed project is not requesting any deviations from what is otherwise permitted by the underlying zoning of the site or what was previously granted under Case No. DIR-2014-4763-DB.

The Vesting Tract Map for the proposed development of a residential condominium building is allowable under the current adopted zone and the land use designation, consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is not governed by a specific plan.

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

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including

alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). The requested map meets the required components of a Vesting Tentative Tract Map. The project site is not located in a flood zone, very high fire hazard severity zone, liquefaction or a landslide area.

The design and layout of the Vesting Tract Map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Department of Building and Safety, Bureau of Engineering, and Bureau of Sanitation) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. Therefore, as conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General and Specific Plans.

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

The subject property is a relatively flat, rectangular-shaped interior parcel of land comprised of two contiguous lots consisting of approximately 14,612 square feet of lot area having a frontage of 85 feet along the east side of North Sweetzer Avenue and a frontage of 170 feet along the north side of an alley. The subject property is zoned [Q]R3-1 within the Hollywood Community Plan Area with a Medium Residential land use designation. The subject site has a Height District 1 designation that establishes a height limit of 45 feet and restricts any the floor area ratio of the development to a maximum of three to one.

After reviewing the request, the Department of City Planning issued a Class 32 Infill Categorical Exemption which considered the physical characteristics of the site and the surrounding area. The development of the proposed project is consistent with existing development and urban character of the surrounding community. Surrounding uses are within the [Q]R3-1, R2-1XL, and C4-1XI Zones and are generally developed with single-family residences, multi-family residential buildings, and commercial buildings. The property abutting the subject property to the north is zoned [Q]R3-1 and is developed a single- a two-story multi-family residential apartment building. Properties abutting the subject property to the east are zoned R2-1XL and developed with duplexes. The property abutting the subject property to the south, across the alley, in zoned C4-1XL and developed with a three-story commercial building. Properties to the west, across Sweetzer Avenue, are zoned [Q]R3-1 and developed with a three-story multi-family residential buildings. Therefore, the construction, use and maintenance of a five-story residential

condominium building would be a compatible use.

The proposed residential development is an allowable use under the [Q]R3-1 Zone and the building will be consistent with the regulations of the underlying zone with regard to floor area, height, and density. In addition, the site is not located in a very high fire hazard severity zone, flood zone, slope stability study area, methane hazard zone, high erosion hazard area, or Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Therefore, material evidence supports that the site will be physically suitable for the proposed type of development.

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

The General Plan identifies, through its Community and Specific Plans, geographic locations where planned and anticipated densities are permitted. Zoning applying to the sites throughout the city, are allocated based on the type of land use, physical suitability and future population growth expected to occur. The [Q]R3-1 Zone applying to the subject site permits a maximum residential density of one dwelling unit per 800 square feet of lot area in areas designated for Medium Residential Land Uses and the overall required minimum lot size is 5,000 square feet. The proposed density of 26 dwelling units on an approximately 14,612 square-foot lot is greater than what is allowed under the [Q]R3-1 Zone, however the building that is currently under construction was approved for a Density Bonus pursuant to Case No. DIR-2014-4762-DB to allow for a maximum density of 26 units along with a maximum building height of 56 feet and a Floor Area Ratio (FAR) of 3.971:1. Therefore, the proposed project is consistent with the general provisions and area requirements of the Planning and Zoning Code.

Surrounding uses are within the [Q]R3-1, R2-1XL, and C4-1XI Zones and are generally developed with single-family residences, multi-family residential buildings, and commercial buildings. The property abutting the subject property to the north is zoned [Q]R3-1 and is developed a single- a two-story multi-family residential apartment building. Properties abutting the subject property to the east are zoned R2-1XL and developed with duplexes. The property abutting the subject property to the south, across the alley, in zoned C4-1XL and developed with a three-story commercial building. Properties to the west, across Sweetzer Avenue, are zoned [Q]R3-1 and developed with a three-story multi-family residential buildings. Therefore, the construction, use and maintenance of a five-story residential condominium building would be a compatible use.

Based on the density calculation and land uses in the vicinity, this subdivision involves a density consistent with the General Plan and Zoning affecting the site. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.

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

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife. Therefore, the project would have no impact on sensitive biological species or habitat.

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

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (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.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains legally recorded lots identified by the Assessor Parcel Record and Assessor Parcel Map: 5092-026-015,016. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved to the specific requirements of the Los Angeles Municipal Code for providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially recognized public recreation area. Needed public access for roads and utilities will be acquired by the City prior to the recordation of the proposed tract map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at-large for access through or use of the property within the proposed subdivision.

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

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

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

filed.

The lot layout of the subdivision has taken into consideration the maximizing of the east/west orientation.

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74129-CN.

Vincent P. Bertoni, AICP
Advisory Agency



Jordann Turner
Deputy Advisory Agency

JT:NA:bk

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 East Los Angeles Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Appeal Application 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

West Los Angeles
Development Services Center
1828 Sawtelle Boulevard,
2nd Floor
Los Angeles, CA 90025
(310) 231-2598

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

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