DEPARTMENT OF CITY PLANNING

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Decision Date: March 13, 2018

Appeal Period Ends: March 23, 2018

AA Wilton PL, Inc (A)(O) 3171 Olympic Boulevard, No. 525 Los Angeles, CA 90006

Taik Kim (R)(E) TKIM Engineers 3000 West 6th Street, Suite 90020 Los Angeles, CA 90020 RE: Vesting Tentative Tract Map No.: 73780-CN

Address: 816 & 820 South Wilton Place

Community Plan: Wilshire

Existing Zone: R3-1 Council District: 4 - Ryu

CEQA No.: ENV-2017-4716-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03 and 17.15 the Advisory Agency approved Vesting Tentative Tract Map No. 73780-CN, located at 816 & 820 South Wilton Place for a maximum of **18 residential condominiums** as shown on the revised map stamp-dated November 14, 2017 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 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.) Pursuant to Government Code Section 66456.1, "multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map. The filing of a final map on a portion of an approved or conditionally approved tentative map shall not invalidate any part of such tentative map. For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

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.

- That a one-foot wide strip of land be dedicated along Wilton Place adjoining the subdivision to complete a 36-foot wide half right-of-way dedication in accordance with Avenue III of LA Mobility Plan Standards.
- 2. That any fee deficit under Work Order No. EXT00756 expediting this project be paid.
- 3. 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.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

- 4. Per Section 17.56 of the LAMC, each approved Tract Map recorded with the County Recorder shall contain the following statement: "The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.
- 5. Comply with any requirement with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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.

- 6. <u>That prior to recordation of the final map</u>, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.

Notes:

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.

DEPARTMENT OF TRANSPORTATION

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

- 7. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. Driveways and vehicular access to projects shall be provided from a single curbcut with a width of W=24-foot Case 2 design or the satisfaction of the Department of Transportation.
 - d. 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.

- 8. 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.

- Access for Fire Department apparatus and personnel to and into all structures shall be required.
- 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 Reg #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 west 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.
- 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

9. 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

10. 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

11. 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

12. 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:

13. 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

14. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban

Forestry Division of the Bureau of Street Services. A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. The canopy of the oak trees planted shall be in proportion to the canopies of the oak trees removed per Ordinance No. 177,404, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency. **Note**: All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 15. <u>Prior to the recordation of the final map</u>, 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-73780-CN shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of 18 residential condominium units.
 - c. Parking. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus ¼ guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.
 - 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, of 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.

16. <u>Prior to the clearance of any tract map conditions</u>, 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. <u>Prior to recordation of the final map</u>, 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.

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.
 - (I) 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 <u>prior to recordation of the final</u> <u>map</u>.
- S-3. That the following improvements be either constructed <u>prior to recordation of the final map</u> 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) No street lighting improvements if no street widening per BOE improvements conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Wilton place.
 - (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 Wilton Place being dedicated and adjoining the tract by the construction of an additional concrete sidewalk to complete a full-width concrete sidewalk with tree wells or 5-foot concrete sidewalk and landscaping of the parkway including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.

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 March 1, 2018, issued ENV-2017-4716-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 Categorically 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 Wilshire Community Plan area, and is designated for Medium Residential land uses corresponding to the R3 Zone. The property is zoned R3-1. This would permit a maximum of 18 dwelling units on the project site. As proposed, the project would comply with all other applicable regulations of the Zoning Code.

Consistent with the Community Plan, the proposed 18-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 Wilshire Community Plan Area. The subject property is a legal lot 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 R3-1 and R3-1-HPOZ that are improved with single-and multi-family developments. Surrounding uses are within the R3-1 and R3-1-HPOZ Zones and are generally developed with single-family residences and multi-family residential buildings. Properties to the north of the subject property are zoned R3-1 and are developed a single-family residence and a two-story multi-family residential building. Properties abutting the subject property to the east are zoned R3-1 and developed with two- and three-story multi-family residential buildings. The property abutting the subject property to the south in zoned R3-1 and developed with a single-family residence. Properties to the west, across Wilton Place, are zoned R3-1-HPOZ and developed with two-, three-, and four-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, a letter prepared by a registered landscape architect, dated November 18, 2015, was submitted indicating that 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, 18-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 18 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 13 trips during peak hours. The project will generate well under 500 daily trips, which is the established CEQA threshold.

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 two previously demolished single-family residences with 18 residential condos would result in a net increase of 16 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 net addition of six 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. <u>Location</u>. 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. <u>Cumulative Impact.</u> 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 18 dwelling units is consistent with the zone and land use designation of the site, as designated by the Wilshire 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. 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. <u>Significant Effect Due to Unusual Circumstances</u>. 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 an 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. <u>Scenic Highway.</u> 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. <u>Hazardous Waste Site.</u> 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. <u>Historical Resources</u>. 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. 73780-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 <u>MAP</u> 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 four-story, 18-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 R3-1, consistent with the zone under the site's land use designation. The construction of 18 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 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 <u>DESIGN AND IMPROVEMENT</u> 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 <u>TYPE</u> OF DEVELOPMENT.

The subject property is a relatively flat, rectangular-shaped interior parcel of land comprised of two contiguous lots consisting of approximately 15,006 square feet of lot area having a frontage of 120 feet along the east side of South Wilton Place. The subject property is zoned R3-1 within the Wilshire 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. The subject property is also located within the Transit Priority Area in the City of Los Angeles (ZI-2452) and a Los Angeles State Enterprise Zone (ZI-2374).

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 R3-1 and R3-1-1HPOZ Zones and are generally developed with single and multi-family residential uses Surrounding uses are within the R3-1 and R3-1-HPOZ Zones and are generally developed with single-family residences and multi-family residential buildings. Properties to the north of the subject property are zoned R3-1 and are developed a single-family residence and a two-story multi-family residential building. Properties abutting the subject property to the east are zoned R3-1 and developed with two- and three-story multi-family residential buildings. The property abutting the subject property to the south in zoned R3-1 and developed with a single-family residence. Properties to the west, across Wilton Place, are zoned R3-1-HPOZ and developed with two-, three-, and four-story multi-family residential buildings. Therefore, the construction, use and maintenance of a four-story residential condominium building would be a compatible use.

The proposed residential development is an allowable use under the 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 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 18 dwelling units on an approximately 15,006 square-foot lot is consistent with the general provisions and area requirements of the Planning and Zoning Code.

Surrounding uses are within the R3-1 and R3-1-1HPOZ Zones and are generally developed with single and multi-family residential uses Surrounding uses are within the R3-1 and R3-1-HPOZ Zones and are generally developed with single-family residences and multi-family residential buildings. Properties to the north of the subject property are zoned R3-1 and are developed a single-family residence and a two-story multi-family residential building. Properties abutting the subject property to the east are zoned R3-1 and developed with two- and three-story multi-family residential buildings. The property abutting the subject property to the south in zoned R3-1 and developed with a single-family residence. Properties to the west, across Wilton Place, are zoned R3-1-HPOZ and developed with two-, three-, and four-story multi-family residential buildings. Therefore, the construction, use and maintenance of a four-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. 73780-CN.

Vincent P. Bertoni, AICP Advisory Agency

Nicholas Hendricks Deputy Advisory Agency

NH: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 West
Figueroa San Fernando Valley Developm
Constituent Service Center 1828 Saw
A 90012 6262 Van Nuys Boulevard, 2nd Floor
Room 251 Los Angel
Van Nuys, CA 91401 (310) 231(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.

