

## APPLICATIONS



### APPEAL APPLICATION Instructions and Checklist

#### RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

#### PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC, as well as first-level Building and Safety Appeals and Housing Appeals.

#### APPELLATE BODY

**Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.**

- ☐ Area Planning Commission (APC)      ☐ City Planning Commission (CPC)      ☒ City Council  
☐ Zoning Administrator (ZA)      ☐ Director of Planning (DIR)

#### CASE INFORMATION

**Case Number:** VTT-84089-SL-HCA-1A

**APN:** 4302-020-003; 4302-020-006

**Project Address:** 1904 – 1906 South Preuss Road

**Final Date to Appeal:** 9-16-2024

#### APPELLANT

**For main entitlement cases, except for Building and Safety Appeals and Housing Appeals:  
Check all that apply.**

- ☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved  
☐ Representative      ☐ Property Owner      ☐ Applicant      ☐ Operator of the Use/Site

**For Building and Safety Appeals only:**

**Check all that apply.**

- ☐ Person claiming to be aggrieved by the determination made by **Building and Safety**<sup>1</sup>  
☐ Representative      ☐ Property Owner      ☐ Applicant      ☐ Operator of the Use/Site

**For Housing Appeals only:**

**Check all that apply.**

- ☐ Person claiming to be aggrieved by the determination made by **Housing**  
☐ Representative      ☐ Property Owner      ☐ Applicant      ☐ Interested Party      ☐ Tenant

**APPELLANT INFORMATION**

**Appellant Name:** Concerned Residents of Shenandoah Street

**Company/Organization:** \_\_\_\_\_

**Mailing Address:** 16255 Ventura Blvd., Ste. 950

**City:** Encino      **State:** CA      **Zip Code:** 91436

**Telephone:** 818-907-8755      **E-mail:** kkropp@lunaglushon.com

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

☒ Self      ☐ Other: \_\_\_\_\_

Is the appeal being filed to support the original applicant's position?      ☐ YES      ☒ NO

**REPRESENTATIVE / AGENT INFORMATION**

**Representative/Agent Name (if applicable):** Kristina Kropp

**Company:** Luna & Glushon

**Mailing Address:** 16255 Ventura Blvd., Suite 950

**City:** Encino      **State:** CA      **Zip Code:** 91436

**Telephone:** 818-907-8755      **E-mail:** kkropp@lunaglushon.com

<sup>1</sup> Pursuant to LAMC Section 13B.2.10.B.1. of Chapter 1A, Appellants of a Building and Safety Appeal are considered the Applicant and must provide the Noticing Requirements identified on page 4 of this form at the time of filing. Pursuant to LAMC Section 13B.10.3 of Chapter 1A, an appeal fee shall be required pursuant to LAMC Section 19.01 B.2 of Chapter 1.

## JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?

☒ Entire

☐ Part

Are specific Conditions of Approval being appealed?

☐ YES

☒ NO

If Yes, list the Condition Number(s) here: \_\_\_\_\_

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

## APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

**Appellant Signature:** Kristina Kropp

Digitally signed by Kristina Kropp  
Date: 2024.09.04 14:49:57 -07'00'

**Date:** 9.4.24

## GENERAL NOTES

*A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.*

*The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

### THIS SECTION FOR CITY PLANNING STAFF USE ONLY

**Base Fee:** \$172

**Reviewed & Accepted by (DSC Planner):** Ruben Vasquez

**Receipt No.:** 200145573735

**Date :** 09/10/2024

☒ Determination authority notified

☐ Original receipt and BTC receipt (if original applicant)

## GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

### APPEAL DOCUMENTS

#### 1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal
- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

#### 2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Appeal Form”, “Justification/Reason Statement”, or “Original Determination Letter”). No file should exceed 70 MB in size.

#### 3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b).

#### 4. Noticing Requirements (Applicant Appeals or Building and Safety Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning’s mailing contractor (BTC).

See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

- ☐ Not applicable for Housing Appeals.

## SPECIFIC CASE TYPES

### ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

#### DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 12.22 A.25(g) of Chapter 1.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
- ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

#### WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

#### [VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

#### BUILDING AND SAFETY APPEALS AND HOUSING APPEALS

##### First Level Appeal

Procedures for an appeal of a determination by the Los Angeles Department of Building and Safety (LADBS) (i.e., Building and Safety Appeal, or BSA) and Housing (LAHD) are pursuant LAMC Section 13B.10.2. of Chapter 1A.

- The Appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

## 1. Appeal Fee

- ☐ Appeal fee shall be in accordance with LAMC Section 19.01 B.2 of Chapter 1 (i.e., the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code, plus surcharges).

## 2. Noticing Requirement

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C. of Chapter 1A. Appellants for BSAs are considered Original Applicants. (Not applicable for Housing appeals).
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).
- ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

## Second Level Appeal

Procedures for a appeal of the Director's Decision on a BSA Appeal and LAHD appeals are pursuant to LAMC Section 13B.10.2.G. of Chapter 1A. The original Appellant or any other aggrieved person may file an appeal to the APC or CPC, as noted in the LOD.

## 1. Appeal Fee

- ☐ *Original Applicant.* Fees shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

## 2. Noticing Requirement

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per LAMC Section 13B.10.2.C of Chapter 1A. Appellants for BSAs are considered Original Applicants.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning's mailing contractor (BTC).
- ☐ Not applicable for Housing Appeals.

See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

## NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

### 1. Appeal Fee

- ☐ *Applicant (Owner/Operator)*. The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- ☐ *Aggrieved Party*. The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.

## **JUSTIFICATION TO APPEAL**

**VTT-84089-SL-HCA-1A  
ADM-2023-6116-SLD  
ENV-2023-6117-CE**

Project Address: 1904-1906 South Preuss Road (the “Property”).

Appellant: Concerned Residents of Shenandoah Street, owners and residents of properties in the immediate vicinity of the proposed Project and therefore most impacted by the determination to approve the Project.

Project: The subdivision of two lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan.

Justification for Appeal:

- 1. The Findings of Fact Cannot be Made in the Affirmative with Substantial Supporting Evidence**
  - a. The Proposed Map and the Design and Improvement of the Subdivision will not be Consistent with the West Adams-Baldwin Hills-Leimert Community Plan, including the Design Guidelines.**

The West Adams-Baldwin Hills-Leimert Community Plan (“Community Plan”) sets forth the following goals and policies:

- **Ensure that new construction maintains the consistent two-story character of the existing neighborhood.**
- Preserve, conserve and enhance the positive characteristics of existing neighborhoods that are the foundation for community identity.
- Strive to protect existing single-family and low-density residential neighborhoods from encroachment by higher density residential and other incompatible uses.
- Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential, including multi-family residential densities, are proposed.
- Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character.

The Project is largely surrounded by single family homes and modest two-story multi-family residential housing which is in line with the described two story character of the area. As proposed, the Project, at its height and bulk completely fails to maintain this very important identity of the area.



Maxing out the envelope and proposing access through a hazardous alley to the detriment of adjacent property owners, the Project fails to protect the existing residential neighborhood from encroachment by higher density residential and other incompatible uses; fails to adequately consider neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels; and fails to maintain neighborhood continuity.

The design of the Project, striving for cookie cutter, least affordable option, completely fails to comply with the residential design guidelines of the Community Plan.

**b. The Site is Not Physically Suitable for the Development**

For all the reasons stated above, the site is not physically suited for the development or the Project. Most egregiously, it proposes access through a hazardous alley to the detriment of adjacent property owners.

**c. The Subdivision is Likely to Cause Substantial Environmental Damage**

For the reasons stated below, the Categorical Exemption was issued in error. Therefore, the Project is likely to cause substantial environmental damage.

**2. The Categorical Exemption was Issued in Error**

Under the California Environmental Quality Act ("CEQA"), a lead agency has the initial burden to show that substantial evidence supports its determination that the categorical exemption applies. The City has failed to do so.

A Class 32 only available where "approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality."

Here, the proposed Class 32 is not supported by substantial evidence because an increase in hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses is assessed. Notably, the provided VMT calculations do not include construction VMT, including the haul route. Under CEQA, the whole of the Project must be assessed.

Furthermore, the Project will increase hazards due to a geometric design feature or incompatible uses due to the ingress/egress at the hazardous alley.

The Categorical Exemption is also not appropriate due to cumulative impacts. One of the basic and vital informational functions required by CEQA is a thorough analysis of whether the impacts of the Project, in connection with other related projects, are cumulatively considerable. *Banning Ranch Conservancy v. City of Newport Beach* (2012) 211 Cal App.4th 1209. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *CEQA Guidelines*

§15355. Proper cumulative impact analysis is vital under CEQA because the full environmental impact of a proposed project cannot be gauged in a vacuum. Indeed, one of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually but assume threatening dimensions when considered collectively with other sources with which they interact. Therefore, cumulative effects analysis requires consideration of “reasonably foreseeable probable future projects, if any.” *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184; *Gentry v City of Murrieta* (1995) 36 Cal.App.4th 1359, 1414.

Here, the cumulative impact analysis narrowly focuses on three projects within 500 feet, missing many large multi-family residential projects and their impacts on the area immediately outside such narrow radius.



# LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300  
[www.planning.lacity.org](http://www.planning.lacity.org)

## LETTER OF DETERMINATION

**MAILING DATE: SEPTEMBER 4, 2024**

**Case No.: VTT-84089-SL-HCA-1A**

Council District: 10 – Hutt

CEQA: ENV-2023-6117-CE

Plan Area: West Adams – Baldwin Hills – Leimert

Related Cases: CPC-2023-6115-DB-HCA; ADM-2023-6116-SLD

**Project Site:** 1904 – 1906 South Preuss Road

**Applicant:** Marc & Risa Dauer, Preuss Development, LLC  
Representative: Kevin Scott, Brian Silveira & Associates

**Appellants:**

1. Arielle Mandell  
Representative: Kristina Kropp, Luna & Glushon
2. Concerned Residents of Shenandoah Street  
Representative: Kristina Kropp, Luna & Glushon
3. Howard Witkin
4. Meyer Shwarzstein & Susan Kahn
5. Shelly Rothschild

At its meeting of **August 8, 2024**, the Los Angeles City Planning Commission took the actions below in conjunction with the following Project:

A Vesting Tentative Tract Map for the subdivision of two lots into 12 small lots with one dwelling unit reserved for Very Low Income Households. One small lot home will be constructed at each of the 12 small lots. Six of the small lot homes will each have a floor area of 2,365 square feet and a building height of 45 feet (four-stories). Two of the small lot homes will each have a floor area of 2,365 square feet and a building height of 44 feet and 11 inches (four-stories). One small lot home will encompass a floor area of 2,288 square feet and a building height of 45 feet (four-stories). One small lot home will encompass a floor area of 2,288 square feet and a building height of 44 feet and 11 inches (four-stories). One small lot home will encompass a floor area of 2,281 square feet and a building height of 44 feet and 11 inches (four-stories). One small lot home will encompass a floor area of 1,341 square feet and a building height of 37 feet (three-stories). Each small lot home will provide two automobile parking spaces located on the ground-floor level, for a total of 24 automobile parking spaces. Vehicular access to the project will be located along a central driveway off of South Preuss Road and the eastern adjacent alley. The Project will provide a total of 12 bicycle parking spaces.

1. **Determined**, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;

2. **Denied** the appeals in part and **granted** the appeals in part, and **sustained** the decision of the Advisory Agency dated July 12, 2024;
3. **Approved**, pursuant to Sections 17.03, 17.15 and 12.22 C.27 of the Los Angeles Municipal Code, a Vesting Tentative Tract Map No. VTT-84089-SL-HCA to permit the subdivision of two lots into 12 small lots in the West Adams – Baldwin Hills – Leimert Community Plan;
5. **Adopted** the attached Modified Conditions of Approval; and
6. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Newhouse  
Second: Cabildo  
Ayes: Choe, Diaz, Lawshe, Mack, Zamora

**Vote: 7 – 0**



Cecilia Lamas, Commission Executive Assistant II  
Los Angeles City Planning Commission

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

**Effective Date/Appeals:** The decision of the Los Angeles City Planning Commission is further appealable to the Los Angeles City Council within 10 days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council and the decision of the City Planning Commission will become final and effective upon the close of the 10-day appeal period. All appeals shall be filed on forms provided at the Planning Department's Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles, CA 90012; 6262 Van Nuys Boulevard, Suite 251, Van Nuys, CA 91401; or 8475 S. Vermont Avenue, 1st Floor, Los Angeles, CA 90044.

**FINAL APPEAL DATE: SEPTEMBER 16, 2024**

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

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

Attachments: Modified Conditions of Approval, Findings, Appeal Filing Procedures

cc: Heather Bleemers, Senior City Planner  
Esther Ahn, City Planner  
David Woon, Planning Assistant

## **CONDITIONS OF APPROVAL**

(As Modified by the City Planning Commission at its meeting on August 8, 2024)

### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

*Any questions regarding these conditions should be directed to Quyen Phan of the Permit Case Management Division, located at 201 North Figueroa Street, Suite 290, or by e-mailing quyen.phan@lacity.org.*

1. That a 5-foot wide strip of land be dedicated along Preuss Road adjoining the tract to complete a 30-foot wide half right-of-way in accordance with Local Street standards.
2. That a 2.5-foot wide strip of land be dedicated along the alley adjoining the tract to complete 10-foot wide half alley.
3. That the 5-foot wide water easement within the tract boundary be shown on the final map.
4. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
5. That if this tract map is approved as small lot subdivisions, then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.
6. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
7. That if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment by the Central Engineering District Office.
8. That if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
9. 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.
10. That all pedestrian common access easements be shown on the final map.

### **DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

*Grading Division approvals are conducted at 221 North Figueroa Street, 12<sup>th</sup> Floor. 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.*

11. No structures for human occupancy shall be located to the east of the 5-foot fault setback zone depicted on the Site Map of the 03/24/2023 report. If structures for human occupancy are proposed in this area, submit a supplemental report to the Grading Division for review and approval.

12. The project engineering geologist shall observe all final removal excavations to verify that the conclusions of the current fault investigation are correct and that no fault trace or evidence of ground deformation are exposed in the excavation. Each panel of the shoring excavation shall be logged prior to installation of lagging and a field memo documenting that the panel has been logged shall be prepared for review by the Deputy Grading Inspector and Building inspector(s). A supplemental report that summarizes the geologist's observations shall be submitted to the Grading Division of the Department upon completion of the excavations. If evidence of faulting is observed, the Grading Division shall be notified and a site meeting scheduled.
13. The entire site shall be brought up to the current Code standard (7005.9).
14. Approval shall be obtained from the Department of Public Works, Bureau of Engineering, Development Services and Permits Program for the proposed removal of support and/or retaining of slopes adjoining to public way (3307.3.2).

201 N. Figueroa Street 3<sup>rd</sup> Floor, LA

(213) 482-7045

15. 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 (7006.6). The consent shall be included as part of the final plans.
16. 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 ).
17. All recommendations of the reports that are in addition to or more restrictive than the conditions contained herein shall be incorporated into the plans.
18. 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 (7006.1 ). Submit one copy of the above reports to the Building Department Plan Checker prior to issuance of the permit.
19. A grading permit shall be obtained for all structural fill and retaining wall backfill (106.1.2).
20. 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. Placement of gravel in lieu of compacted fill is only allowed if complying with LAMC Section 91.7011.3.
21. Existing uncertified fill shall not be used for support of footings, concrete slabs or new fill (1809.2, 7011.3).
22. Drainage in conformance with the provisions of the Code shall be maintained during and subsequent to construction (7013.12).
23. Grading shall be scheduled for completion prior to the start of the rainy season, or detailed temporary erosion control plans shall be filed in a manner satisfactory to the Grading Division of the Department and the Department of Public Works, Bureau of Engineering, 8-Permit Section, for any grading work in excess of 200 cubic yards (7007.1).

201 N. Figueroa Street 3<sup>rd</sup> Floor, LA

(213) 482-7045

24. All loose foundation excavation material shall be removed prior to commencement of framing. Slopes disturbed by construction activities shall be restored (7005.3).
25. The applicant is advised that the approval of this report does not waive the requirements for excavations contained in the General Safety Orders of the California Department of Industrial Relations (3301.1).
26. 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)
27. Prior to the issuance of any permit that 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).
28. The soils engineer shall review and approve the shoring plans prior to issuance of the permit (3307.3.2).
29. 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.
30. Shoring shall be designed for a minimum EFP of 67 PCF; all surcharge loads shall be included into the design, as recommended.
31. Shoring shall be designed for a maximum lateral deflection of 0.5 inch, as recommended.
32. A shoring monitoring program shall be implemented to the satisfaction of the soils engineer.
33. All foundations shall derive entire support from native undisturbed alluvial terrace soils, as recommended and approved by the geologist and soils engineer by inspection.
34. Foundations adjacent to a descending slope steeper than 3:1 (horizontal to vertical) in gradient shall be a minimum distance of one-third the vertical height of the slope but need not exceed 40 feet measured horizontally from the footing bottom to the face of the slope (1808.7.2).
35. Buildings adjacent to ascending slopes steeper than 3H:1V in gradient shall be setback from the toe of the slope a level distance measured perpendicular to slope contours equal to one-half the vertical height of the slope, but need not exceed 15 feet (1808.7.1).
36. Footings supported on approved compacted fill or expansive soil shall be reinforced with a minimum of four (4), ½-inch diameter (#4) deformed reinforcing bars. Two (2) bars shall be placed near the bottom and two (2) bars placed near the top of the footing.

37. The foundation/slab design shall satisfy all requirements of the Information Bulletin P/BC 2017- 116 "Foundation Design for Expansive Soils" (1803.5.3).
38. Slabs placed on approved compacted fill shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
39. Concrete floor slabs placed on expansive soil shall be placed on a 4-inch fill of coarse aggregate or on a moisture barrier membrane. The slabs shall be at least 4 inches thick, as recommended, and shall be reinforced with ½-inch diameter (#4) reinforcing bars spaced a maximum of 16 inches on center each way.
40. 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.
41. Retaining walls shall be designed for the lateral earth pressures specified in the section titled "Retaining Walls" starting on page 9 of the 03/24/2023 report. All surcharge loads shall be included into the design.
42. Retaining walls higher than 6 feet shall be designed for lateral earth pressure due to earthquake motions as specified on the wall pressure analysis of the reference report (1803.5.12).
43. All retaining walls shall be provided with a standard surface backdrain system and all drainage shall be conducted in a non-erosive device to the street in an acceptable manner (7013.11).
44. 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 soils report shall be incorporated into the foundation plan which shall be reviewed and approved by the soils engineer of record (1805.4).
45. Installation of the subdrain system shall be inspected and approved by the soils engineer of record and the City grading/building inspector (108.9).
46. Basement walls and floors shall be waterproofed/damp-proofed with an LA City approved "Below-grade" waterproofing/damp-proofing material with a research report number (104.2.6).
47. Prefabricated drainage composites (Miradrain, Geotextiles) may be only used in addition to traditionally accepted methods of draining retained earth.
48. The structures shall be connected to the public sewer system per P/BC 2020-027.
49. All roof, pad and deck drainage shall be conducted to the street in an acceptable manner in non-erosive devices or other approved location in a manner that is acceptable to the LADBS and the Department of Public Works; water shall not be dispersed on to descending slopes without specific approval from the Grading Division and the consulting geologist and soils engineer (7013.10).
50. All concentrated drainage shall be conducted in an approved device and disposed of in a manner approved by the LA DBS (7013.10).



51. 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 use in the field (7008.2, 7008.3).
52. 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 & 1705.8).
53. Prior to pouring 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 Inspector and the Contractor stating that the work inspected meets the conditions of the report. No concrete shall be poured until the LADBS 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)
54. Prior to excavation an initial inspection shall be called with the LADBS Inspector. During the initial inspection, the sequence of construction; shoring; protection fences; and, dust and traffic control will be scheduled (108.9.1).
55. Installation of shoring shall be performed under the inspection and approval of the soils engineer and deputy grading inspector (1705.6, 1705.8).
56. 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 LADBS Inspector and the Contractor stating that the soil inspected meets the conditions of the report. No fill shall be placed until the LADBS 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).
57. No footing/slab shall be poured until the compaction report is submitted and approved by the Grading Division of the Department

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

*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 or [laura.duong@lacity.org](mailto:laura.duong@lacity.org) to schedule an appointment.*

58. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
59. Lot 7 shall provide a 20 ft. setback as per the 20 ft. Building Line along Preuss Road. Revise the map to show compliance with the required setback per the 20 ft. Building Line or obtain approval from the Department of City Planning to remove the existing 20 ft. Building Line.

60. The submitted map does not comply with the maximum density (1,500 s.f. of lot area/dwelling unit) requirement of the RD1.5 Zone. A half of the alley can be used for density purposes. Revise the map to show compliance with the above requirement based on the lot area after required street dedication is taken or obtain approval from the Department of City Planning.
61. Show all street/alley dedications 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. Density and front and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication.

Notes:

There is a 20 ft. Building Line along portion of Preuss Road for Proposed Lot 7.

Owners are to record a Maintenance Agreement that runs with the land for the purpose of reciprocal private easements maintenance program to all common areas and shared facilities such as trees, landscaping, drainage, trash, parking, community driveway (ground floor width and width clear to sky above the ground floor level), including walkways as shown on the approved Small Lot Subdivision Map.

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.

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. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

## **DEPARTMENT OF RECREATION AND PARKS**

*Please contact RAP at (213) 202-2682 for any questions regarding the following:*

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

## **DEPARTMENT OF TRANSPORTATION**

*Please contact the Department of Transportation at [ladot.onestop@lacity.org](mailto:ladot.onestop@lacity.org) for any questions regarding the following.*

63. A minimum 20-foot reservoir space be provided between any security gate(s) and the property line, or as shall be determined to the satisfaction of the Department of Transportation.
64. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk (not applicable when driveways serve not more than two dwelling units and where the driveway access is to a street other than a major or secondary highway), LAMC 12.21 A.

65. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation 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, contact LADOT One Stop Counter portal at: [ladot.onestop@lacity.org](mailto:ladot.onestop@lacity.org)
66. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

## **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) 482-6543. You should advise any consultant representing you of this requirement as well.*

67. Access for Fire Department apparatus and personnel to and into all structures shall be required.
68. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
69. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
70. 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.
71. 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.
72. Fire Lane Requirements:
- a) Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
  - b) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
  - c) Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
  - d) Submit plot plans indicating access road and turning area for Fire Department approval.
  - e) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

- f) Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
  - g) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
  - h) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
  - i) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
73. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
74. Site plans shall include all overhead utility lines adjacent to the site.
75. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
76. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
77. Smoke Vents may be required where roof access is not possible; location and number of vents to be determined at Plan Review.
78. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
79. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
80. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
81. Standard cut-corners will be used on all turns.
82. 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.
83. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

## 84. FPB #105

5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

85. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

- a. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
- b. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- c. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- d. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- e. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

86. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

87. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

88. Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

89. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

90. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan
91. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

## **DEPARTMENT OF WATER AND POWER**

*Questions regarding WSO clearance should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1241.*

92. Satisfactory arrangement 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).)

### **Note:**

If improvements are proposed within existing dedicated streets, we [LADWP] must review your preliminary street improvement plans. If adjustments to water facilities are necessary, the developer may be required to pay for the cost of such adjustments. Please submit a copy of your street improvement plans after the City's District Engineer has signed them so that we can expedite determination of the need for adjustments.

## **BUREAU OF STREET LIGHTING**

93. 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**

94. The office of LA Sanitation/CWCD – Clean Water North Conveyance Division has reviewed the sewer/storm drain lines serving the subject tracts/areas, and found no potential problems to its structures and/or potential maintenance issues.

This approval is for the Tract Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering.

## **URBAN FORESTRY**

95. Native Protected Trees
  - a. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in kind at a 4: 1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native

trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.

- b. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

Note: Removal of Native Protected trees and shrubs requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of native protected trees and shrubs. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

#### 96. Street Trees

- a. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
- b. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

### INFORMATION TECHNOLOGY AGENCY

- 97. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [cabletv.ita@lacity.org](mailto: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 3 people in case the applicant/owner has any additional questions.

### DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 98. 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. 84089-SL-HCA shall not be issued until after the final map has been recorded.

- b. Limit the tract to a maximum of twelve (12) small lots.
  - c. Parking shall be provided in accordance with the LAMC.
  - d. The Advisory Agency has approved a minimum 16-foot wide common access driveway (easement) with a minimum of 10 feet in width that is clear to the sky for the approved subdivision.
  - e. A minimum of one common access walkway (easement) shall provide pedestrian access from a public street to the subdivision. The common access walkway(s) must be a minimum of 3 feet in width and remain unobstructed and open to the sky.
  - f. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
  - g. No vehicular gates shall be permitted within the development.
  - h. The applicant shall seek and obtain any necessary approvals for any proposed ADUs and JADUs. No construction or siting of any ADUs or JADUs have been authorized herein.
  - i. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - j. 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.
  - k. A utility easement shall be provided per Department of Water and Power or similar agency requirements.
  - l. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
  - m. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - n. A Maintenance Agreement shall be formed, composed of all small-lot property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each small-lot owner and future small-lot property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.
  - o. 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.
99. The approval of Vesting Tentative Tract Map No. 84089-SL-HCA shall be contingent upon the approval of Case No. CPC-2023-6115-DB-HCA.



100. Prior to the issuance of building permits, the Applicant shall explore further design modifications with the Urban Design Studio to the satisfaction of the City Planning Department, Expedited Processing Section.
101. 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.
102. If applicable, within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the LAMC relating to demolition. A copy shall be provided to each eligible tenant within five days of recordation of the covenant and agreement.
103. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
- a. Defend 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.
  - b. 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 judgment or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
  - c. 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 (b).
  - d. 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 (b).
  - e. If the City determines it necessary to protect the City's interests, execute the indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.
  - f. 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 that 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. Actions include 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.

#### **DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT HOME CONDITIONS**

SL-1. That approval of this vesting tentative tract map constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract map 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.

SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.

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.

#### **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) No street lighting improvements if no street widening per BOE improved conditions. Otherwise, relocate and upgrade street light: one (1) on Preuss Road.

(d)

1) Native Protected Trees

- i. All tree and shrub preservation measures shall be considered to retain all protected native species whenever possible. Project should include feasible alternatives in project design to retain native trees and shrubs. A permit is required for the removal of any native protected tree and shrub. Removal of any on site native tree or shrub shall be replaced in kind at a 4: 1 ratio as approved by the Board of Public Works and Urban Forestry Division. The tree replacement plan shall include all retained native trees and shrubs. All on-site tree and shrub replacements shall be planted in locations favorable to the long term survival of the species.
- ii. The applicant shall submit a Protected Tree Report with an acceptable tree and shrub replacement plan prepared by a reputable Tree Expert, as required by Ordinance No. 186,873 for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report (PTR) shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide their species, health, size, and condition. The PTR shall include a topographical map (construction drawing) identifying tree and shrub location, drip line, and correctly numbered and plotted.

2) Street Trees

- i. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A

permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.

- ii. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.
- (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:
  - a) Improve Preuss Road being dedicated and adjoining the subdivision by the construction of the following:
    - a. A concrete curb, a concrete gutter, and a 12-foot wide concrete sidewalk with tree wells or a 5-foot wide concrete sidewalk and landscaping of the parkway.
    - b. Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
    - c. Any necessary removal and reconstruction of existing improvements.
    - d. The necessary transitions to join the existing improvement.
  - b) Improve the alley adjoining the subdivision by the construction of a new 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 10-foot wide half alley, including any necessary removal and reconstruction of the existing improvements.
  - c) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

#### NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However, the existing or proposed zoning may not permit this number of units.

Approval from Board of Public Works may be necessary before removal of any street trees in

conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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

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

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

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

## FINDINGS

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 84089-SL-HCA the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Project site consists of two lots encompassing a total lot area of approximately 17,124 square feet (0.39 acres) in the La Cienega Heights neighborhood. The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan with a land use designation of Low Medium II Residential with corresponding zones RD1.5 and RD2. The subject property is zoned RD1.5-1, thus it is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is not located within the boundaries of any relevant specific plan or interim control ordinance, and is currently developed with two single-family homes and accessory structures.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing General Plan Land Use Designation of Low Medium II Residential and RD-1.5 zoning of the site. Single-family and multi-family family residences, including apartment houses, condominiums, and small lot homes are permitted in the RD1.5-1 Zone and Low Medium II Residential land use designation. Therefore, the proposed construction of a small lot development on the subject property is permitted. The proposed Project will subdivide the Project site, consisting of two lots into 12 small lots (Lots A-L) for the construction of a new 12-unit small lot development. The unit density is based on the RD1.5-1 Zone. The R1.5-1 Zone permits a density of one unit per 1,500 square feet of lot area, therefore the applicant would be permitted to construct a maximum of 12 dwelling units on the subject property ( $17,924.4 \text{ SF} / 1,500 \text{ SF} = 11.95$  or 12 units, rounded up to whole number; lot area includes  $\frac{1}{2}$  area of the adjacent alley and the dedication of land to be provided).

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 West Adams – Baldwin Hills – Leimert Community Plan addresses subdivisions in its goals and objectives for Residential land uses as follows:

- |          |   |
|----------|---|
| Goal LU7 | A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.   |
| LU7-1    | Address Diverse Resident Needs. Strive for the conservation/preservation of existing assisted affordable and non-assisted housing stock and in particular rent-stabilized units, and for the development of new housing, including restricted affordable housing, to address the diverse economic and physical needs of the existing residents and projected population of the Community Plan |

Area to the year 2030.

LU7-3	Compliance with Design Guidelines. Recommend that new multifamily residential development be designed in accordance with the adopted Citywide Residential Design Guidelines.
Goal LU9	A community that promotes an environment of safe, inviting, secure and high-quality multi-family neighborhoods for all segments of the community.
LU9-1	Affordability. Prioritize housing that is affordable to a broad cross-section of income levels and that provides the ability to live near work and achieve homeownership.
Goal LU10	A community that supports cohesive neighborhoods and lifecycle housing to promote health, well-being and safety.
LU10-6	Increase Homeownership. Provide for development of townhouses and other similar condominium type housing units to increase homeownership options.

The Project will be consistent with the aforementioned goals and policies as the subdivision will allow for the construction of 12 single-family residences in a predominantly single- and multi-family residential neighborhood. Of the 12 small lot homes proposed, one (1) unit will be reserved for Very Low Income Households thereby expanding affordable housing and homeownership opportunities in the neighborhood. In addition, the Project will be consistent with the Citywide Design Guidelines and Small Lot Design Guidelines.

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"). LAMC Section 17.06 B lists the map requirements for a tentative tract map. 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 LAMC. In addition, Section 12.22 C.27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. The LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. The proposed 12-unit small development is contingent upon the approval of Case No. CPC-2023-6115-DB-HCA.

On April 22, 2024, an administrative clearance was issued for the proposed project after determining project compliance with the Small Lot Design Standards. The Small Lot



Design Standards establish specific and enforceable design rules to ensure a small lot subdivision's compatibility with existing by-right zoning and neighborhood contexts. These standards address numerous design components including building orientation, primary entryways, façade articulation, roofline variation, building modulation, pedestrian pathways, landscaping, and common open space areas. Pedestrian access to the front entrances of each small lot home will be located along the northern and southern walkways. The northern walkway will provide access to Units A – F and the southern walkway will provide access to the Units G – L. Vehicular access to each of the 12 small lot homes will be located along a center driveway accessible along South Preuss Road and the eastern adjacent alley. In addition, each small lot home will also feature balconies and a roof deck orientated towards the center driveway away from the adjacent residential properties. Therefore, the small lot homes will minimize vehicular and residential noise impacts on the surrounding neighborhood and the outdoor residential spaces will prevent direct views of abutting residential neighbors. Compliance with the Small Lot Design Standards is a requirement established by the Small Lot Subdivision Ordinance.

Therefore, the proposed map is substantially consistent with the applicable General Plan affecting the Project site and demonstrates compliance with Sections 17.01, 17.05 C, 17.06 B and 12.22 C.27 of the Los Angeles Municipal Code.

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

The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The subject property consists of a two lots fronting South Preuss Road and is zoned RD1.5-1. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones; thus, the subject property is consistent with the existing land use designation. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The Project site is also adjacent to a 15-foot alley to the east. The Project site is not located within the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone. The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone, and is currently developed with a two (2) single-family houses.

Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other 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”). LAMC Section 17.06 B lists the map requirements for a tentative tract map. 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 LAMC. In addition, Section 12.22 C.27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small-lot subdivisions. The LAMC requires that the proposed small lot subdivision comply with the required minimum lot width of 18 feet; lot area of 600 square feet; lot coverage limitation of 75 percent; and 5-foot setback requirements for the rear (when the rear lot line abuts an alley), 5-foot side yard setback requirements, and setback requirements aligning with those of the underlying zone for the front boundaries of the subdivision. Concurrent with the subject subdivision, the Project also requests an On-Menu Incentive for an increase in maximum building height and a Waiver of Development Standard for a reduction in the front building line setback through the State Density Bonus Law under Case No. CPC-2023-6115-DB-HCA. Therefore, the proposed subdivision will be consistent with the applicable General Plan affecting the Project site and will comply with Sections 17.01, 17.05 C, 17.06 B and 12.22 C.27 of the Los Angeles Municipal Code.

The design and improvement of the proposed subdivision are consistent with the West Adams – Baldwin Hills – Leimert Community Plan and are not subject to any Specific Plan requirements. For the purposes of approving a small lot subdivision, the “design” of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and “improvements” refer to the infrastructure facilities serving the subdivision. Several public agencies, including the Department of Building and Safety, the Bureau of Engineering, the Los Angeles Department of Transportation, the Bureau of Street Lighting, the Department of Recreation and Parks, the Department of Water and Power, and the Los Angeles Fire Department have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the vesting map, building permit, grading permit, or certificate of occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the Community Plan and the General Plan.

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

The subject property consists of two rectangular-shaped lots encompassing approximately 17,124 square feet. The property is located midblock along the east side of South Preuss Road between West Sawyer Street and West Guthrie Avenue. The Project site contains a frontage of approximately 105 feet along the eastern side of South Preuss Road and a depth of approximately 160 feet. The site is currently developed with two (2) single-family houses. No protected trees or shrubs will be removed on the project site or in the public right-of-way adjacent to the subject property.

The Project site is located within the West Adams – Baldwin Hills – Leimert Community Plan, one of 35 Community Plans which form the land use element of the General Plan. The Community Plan designates the subject property for Low Medium II Residential land uses corresponding to the RD1.5 and RD2 Zones. The site is zoned RD1.5-1 and therefore is consistent with the existing land use designation. The Project site is not located within

the boundaries of any relevant specific plan or interim control ordinance, nor is it located within any other special hazard zone, flood, landslide, or tsunami inundation zone.

The Project site is located within the Alquist-Proto Earthquake Fault Zone and Methane Buffer Zone.

As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. The reports also determined that the “proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction”. The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. In a letter dated May 1, 2024, the Grading Division of the Department of Building and Safety stated that they had reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development.

As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City’s methane regulations and will implement a passive methane mitigation system.

The Project proposes to subdivide the subject property into 12 lots for the construction of a 12-unit small lot development. The Project will provide two (2) vehicular parking spaces per dwelling unit, for a total of 24 parking spaces. The Project is required to have common access driveway with a minimum 16 feet in width (with a minimum of 10 feet in width clear and open to the sky); the tentative tract map displays a common access driveway with a width of 20 feet off of South Preuss Road with a minimum of 10 feet open to the sky.

The Project site is located in a long-developed, predominantly residential neighborhood in the La Cienega Heights community. The surrounding area is developed with single- and multi-family residences. Within 600 feet of the Project site, two Vesting Tentative Tract Maps involving the construction of two small lot developments were approved by the City. Both projects are located along South Preuss Road, south of the Project site. Approximately 500 feet west of the Project site is South Robertson Boulevard, a major arterial road which connects to other neighborhoods in the community and is developed with commercial businesses and residential structures. As a similar use, the proposed subdivision and construction of 12 small lot homes at the Project site will be compatible with the surrounding area.

The Department of City Planning, on April 24, 2024, 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 I, Class 32. The Class 32 exemption is for infill developments meeting the following five criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. Planning

staff has determined that the project meets all of these criteria and thus qualifies for a Class 32 Categorical Exemption. Planning staff also evaluated the exceptions to the use of categorical exemptions for the proposed project listed under "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project. Therefore, material evidence supports that the project site is physically suitable for the proposed type of development.

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

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating 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 West Adams – Baldwin Hills – Leimert Los Angeles Community Plan designates the site for Low Medium II Residential land uses. The site is zoned RD1.5 and is consistent with the range of zones under the corresponding land use designation.

The zoning and land use designation of the Project site permits a maximum residential density of one (1) dwelling unit per 1,500 square feet of lot area. As such, at 17,927.4 square feet in size (inclusive of lot area plus  $\frac{1}{2}$  area of the adjacent alley and dedication of land being provided), the Project site will allow for 12 dwelling units. With the requested Vesting Tentative Tract Map, the Project site consisting of two lots would be subdivided into 12 lots for the construction of 12 small lot residences (one residence per lot). As such, the Project will be consistent with the land use designation and the applicable zoning of the site.

The Project site is located in a long-developed, predominantly residential neighborhood. The surrounding area is characterized by a mixture of flat and hillside terrain and is developed with a variety of buildings and improved streets. Approximately 400 feet west of the Project site is South Sepulveda Boulevard, a major arterial road which connects to other communities in the West Adams – Baldwin Hills – Leimert Community Plan area and is developed with a variety of uses including commercial businesses and residential structures. Surrounding properties are primarily developed with single- and multi-family developments in the R1V2, R1R3-RG, RD1.5-1, RD2-1, and R3-1-CPIO Zones. Abutting the property to the north and south are single-family homes located in the RD1.5-1 Zone. Across South Preuss Road and the eastern adjacent alley are single- and multi-family homes located in the RD1.5-1 Zone. Therefore, the proposed 12-unit small lot development would be compatible with the surrounding area.

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 is located in an urbanized and developed area in the City of Los Angeles.

The site and the surrounding area are currently developed with residential land uses, and does not provide natural habitat for either fish or wildlife. The project was identified as being Categorically Exempt from further CEQA review pursuant Class 32 for infill development. As such, the design of the subdivision and the proposed improvements will not cause substantial environmental damage or injury to wildlife or their 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 site is not located on a hazardous materials site and is located outside a flood zone. The Project site is also located within the Alquist-Priolo Earthquake Faultline Zone and a Methane Buffer Zone. As discussed in the Addendum Soils Engineering Exploration Report prepared by Schick Geotechnical, Inc. (dated March 24, 2023) and the approved Fault Study and SGI report, a trace of the fault is not located onsite. It was also determined in the reports that the "proposed structures is feasible from a soils engineering standpoint provided the advice and recommendations contained in this report are included in the plans and are properly implemented during construction". The Project will be consistent with the requirements of the 2023 City of Los Angeles Building Code. The Grading Division of the Department of Building and Safety has reviewed the referenced reports and finds that the analysis is acceptable provided that a list of 47 conditions are complied with during site development. As discussed in the Site Methane Investigation Report for the proposed small lot subdivision dated November 22, 2022, measurable levels of methane were not detected while testing at the Project site and therefore no methane mitigation system is required. Nevertheless, the Project is required to comply with the City's methane regulations and will implement a passive methane mitigation system.

The area surrounding the property is fully developed with similar residential uses indicating that sewers and other services are available. Additionally, the project has been determined to be statutorily exemption from CEQA which indicates that no adverse impacts to the public health or safety would occur as a result of the design and improvements are not likely to cause serious public health problems. Therefore, the design of the subdivision and the proposed improvements will not 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 will comply with the required easements outlined in the Bureau of Engineering - Specific Conditions in this report and the letter dated December 11, 2023. The site is surrounded by private properties that adjoin improved public streets, alleys, 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 natural habitat, public park, or any officially recognized public recreation area. The design of the

subdivision and the improvements proposed by the project will not conflict with access through or use of property within the proposed subdivision. Necessary 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.

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. 84089-SL-HCA.



## **LOS ANGELES CITY PLANNING APPEAL FILING PROCEDURES**

Entitlement and CEQA appeals may be filed using either the Online Application System (OAS) or in person Drop Off at DSC (Development Services Center).

**Online Application System:** The OAS (<https://planning.lacity.org/oas>) allows appeals to be submitted entirely electronically online; fee payment is by credit card or e-check.

**Drop off at DSC:** Appeals of this determination can be submitted in person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at <http://planning.lacity.org/development-services/forms>. Public offices are located at:

### **Metro DSC**

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

### **Van Nuys DSC**

(818) 374-5050  
6262 Van Nuys Boulevard  
Van Nuys, CA 91401

### **West Los Angeles DSC**

(CURRENTLY CLOSED)  
(310) 231-2901  
1828 Sawtelle Boulevard  
West Los Angeles, CA 90025

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable Los Angeles Municipal Code provisions.

**An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination.** Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure that DSC staff members have adequate time to review and accept the documents, and to allow appellants time to submit payment.



QR Code to Online  
Appeal Filing



QR Code to Forms  
for In-Person Filing