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Decision Date: January 11, 2019

Appeal End Date: January 22, 2019

Steve Gaon (A)(O)
LacD'argent, LLC
5470 Los Feliz Blvd
Los Angeles, CA 90027

Tala Associates (R)
1916 Colby Avenue
Los Angeles, CA 90025

Re: Vesting Tentative Tract No. 77138-SL
Related Case: None
904 Benton Way, 1615-2617 West
Marathon Street
Silver Lake – Echo Park – Elysian Valley
Zone: RD2-1VL
D.M.: 141A205
C.D.: 13 O'Farrell
CEQA: ENV-2017-4680-CE
Legal Description: Lot 39, Rowland
Heights Tract

In accordance with provisions of Section 17.03 and 12.22 C.27 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Class 32 categorical exemption ENV-2017-4680-CE and approved Vesting Tentative Tract No. 77138-SL, located at 904 North Benton Way for a maximum **5 lots**, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamp-dated October 15, 2018 in the Silver Lake – Echo Park – Elysian Valley Community Plan. This unit density is based on the RD2-1VL Zone (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 3-foot wide strip of land be dedicated along Benton Way adjoining the tract to complete a 33-foot wide half right-of-way in accordance with **Collector** standards of LA Mobility Plan. In addition, a 15-foot radius property line return or a 10 foot by 10 foot property line dedication at the intersection with Marathon Street.
2. That if this tract map is approved as "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
3. That if this tract map is approved as small lot subdivision then final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
4. That all common access and pedestrian access easements including vehicular access and pedestrian access easements be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the central Engineering District Office.
6. 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.
7. 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.
8. That all pedestrians' common access easements be shown on the final map.

Any questions regarding this report should be directed to Julia Li of the Land Development Section, located at 3201 N Figueroa Street, Suite 200, or by calling (213) 202-3484

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

9. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated October 11, 2017 Log No. 100039 and attached to the case file for Tract No. VTT-77138-SL.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

10. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

- a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
- b. Show all street dedication(s) 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. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- c. Resubmit the map to provide and maintain a minimum 20 ft. common access strip open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot". No projections are allowed into the 20 ft. minimum common access strip. Provide the 20 ft. wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for a reduced and/or projection into the common access strip all the way to the public street.

Notes:

This property is in the RD Zone within the Hillside Area and may require to comply with the Hillside Ordinance (Section 12.21A.17 LAMC). This property is located in a Methane Zone.

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

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

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

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.

No parking space can back up onto a street when the driveway is serving more than two

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

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

FIRE DEPARTMENT

12. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required
 - c. One or more Knox Boxes will be required to be installed for LAFD access to project location and number to be determined by LAFD Field inspector. (Refer to FPB Req # 75).
 - d. 505.1 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.
 - e. 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.
 - f. Site plans shall include all overhead utility lines adjacent to the site
 - g. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
 - h. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead

wires or other obstructions block aerial ladder access

- i. 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.

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

DEPARTMENT OF WATER AND POWER

13. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (c).)

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

14. Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

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

15. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated January 8, 2018. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

INFORMATION TECHNOLOGY AGENCY

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

DEPARTMENT OF RECREATION AND PARKS

Please Note: Park fees are now paid at 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012. If you have any questions or comments regarding this information please feel free to contact the RAP Park Fee staff at (213) 202-2682.

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

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

- 18. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the proposed development to a maximum of 5 lots.
 - b. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.
 - (i) The driveway and common access easement shall be a minimum 18 feet wide, clear to the sky.
 - (ii) The project shall comply with the setbacks as indicated in the table below:

Lot #	North	East	South	West
1	3 inches	9 feet	5 feet	15 feet *(f)
2	3 feet	9 feet	3 inches	15 feet *(f)
3	5 feet	9 feet	1 foot	15 feet *(f)
4	5 feet	15 feet	3 inches	9 feet *(f)
5	3 inches	10 feet	5 feet *(f)	9 feet

*(f) = front

- c. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high wood fence or slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- e. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- f. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City

under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

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

Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the building(s) shall not be issued until the final map has been recorded.

DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS

SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center 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 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

SF-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any 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 Los Angeles Municipal Code (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 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 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 Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications

approved by the Bureau of Engineering.

- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - a. No street lighting improvements if no street widening per S-3 (i).. Otherwise relocate and upgrade street light one (1) on Marathon Street.

Notes:

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

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division at (213)485-5675 upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Benton Way being dedicated and adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway, or a 13 foot full width concrete sidewalk with tree wells including any necessary improvements.

Improve Marathon Street adjoining the subdivision the construction of the following:

- i. A concrete curb and concrete gutter, and a 5 foot concrete sidewalk and landscaping of the parkway, or a 12 foot full width concrete sidewalk with tree wells.
 - ii. Suitable surfacing to join the existing pavements and to complete an 18 foot wide half roadway.
 - iii. Any necessary removal and reconstruction of existing improvements.
- (j) Improve all newly dedicated corner cuts with concrete sidewalks.

NOTES:

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

Any removal of the existing street trees shall require Board of Public Works approval.

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

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

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

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

FINDINGS OF FACT (CEQA)

On December 13, 2018, the Department of City Planning found, based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines Section,15032 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

A project qualifies for a Class 32 Categorical Exemption No. ENV-2017-4680-CE if it is developed on an infill site and meets the following 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.

The project is for the subdivision of one lot into 5 small lots through a vesting tentative tract to construct 5 single family homes. As vesting tentative tract and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption(s).

The site is zoned RD2-1VL and has a General Plan Land Use Designation of Low Medium II Residential. As shown in the case file, the project is consistent with the applicable Silver Lake – Echo Park – Elysian Valley Community Plan designation and policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately 0.245 acres. Lots adjacent to the subject site are developed with Low Medium II Residential uses including, Single and multi-family dwellings. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are 0 protected trees on the site, as identified in the Tree Report prepared by David Godshall of Terre Motto on October 2, 2017 1 Pittosporum tree that is proposed to be removed from the subject site. The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions,

consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of a five single family homes will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

There are five (5) Exceptions which must be considered in order to find a project exempt under Class 32: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes a small lot subdivision for 5 lots to be improved with townhomes in an area zoned and designated for such development. All adjacent lots are developed with single and multifamily dwellings, and the subject site is of a similar size and slope to nearby properties. The project proposes a Floor Area Ratio (FAR) of 1.2:1 on a site that is permitted to have a maximum FAR of 3:1. The proposed buildings will feature three stories (40' in height), and two vehicle parking spaces according the statements by the applicant in the administrative record. The lots will range in size from 1,819.20 square feet to 2,476.09 square feet. The developer will feature three floor plans that will range in floor area from 1,741 square feet to 2,143 square feet of net living space per dwelling unit which is not unusual for the vicinity of the subject site, and is similar in scope to other existing Low Medium II Residential uses in the area. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The project site is not located near state route 27. Therefore the subject site will not create any impacts within a designated as a state scenic highway. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of (Vesting) Tentative Tract No. VTT-77138-SL the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The site is zoned RD2-1VL and has a designated land use of Low Medium II Residential corresponds to RD.1.5, RD2, RW2, RZ2.5 Zones. The RD2-1VL zone allows a minimum lot area per dwelling unit of 2,000 square feet. The minimum lot size for the zone is 5,000 square feet. Based on the 10,403.94 square foot lot, 5 units could be constructed. This application is for 5 small lots pursuant to LAMC Section 17.03 and The Small Lot Ordinance 176,354. The project shall provide 2 parking spaces per unit as required by the Small Lot Ordinance, 10 parking space total will be provided.

The project is consistent with the Silver Lake – Echo Park – Elysian Valley Community Plan and is not located within a Specific Plan Area. The site is within the RD2-1VL Zone where multiple family dwellings as well as single family dwellings are permitted.

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

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make 3-foot wide strip of land be dedicated along Benton Way in accordance with Mobility Plan. In addition, a 15 foot radius property line return or a 10 by 10 foot property line cut corner will be dedicated at the intersection of Benton Way and Marathon Street as condition under Bureau of Engineering.

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

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General plan and is not subject to any specific plan.

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

The site is not located in a hillside area, not in a Very High Fire Hazard Severity Zone and not in a Flood Zone. The site is identified in Special Grading Area (BOE Basic Grid map A-13372).

The Grading Division of the Los Angeles Bureau of Engineering reported in a letter dated October 11, 2017 that a referenced report that provides recommendation on five 3 story residential units. Furthermore, the project has been conditioned as such through the recommendation listed under Bureau of Engineering. Therefore, the site is suitable for the development as conditioned.

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

The site is under improved with three dwelling units contained in a single family home and a duplex on a site that can bear up to 5 dwelling units as proposed. The development of this tract is an infill of an otherwise mix-density residential neighborhood.

The site is zoned RD2-1VL with adjacent single family and multi-family developments. The site allows for 5 dwelling units in terms of density, as proposed the project will comply with all LAMC requirements for parking, yards, and open space. As conditioned, the proposed tract map is physically suitable for the proposed density of development.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map, in accordance with the Grading Regulations, Section 91.3000 of the Los Angeles Municipal Code (LAMC) relative to Division 70 of the Building Code.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of Building and Safety.

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

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

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

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

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

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

public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant. The Bureau of Sanitation has reviewed the proposed scope of the subdivision and eventual development and found no problems relating to subterranean structures or potential maintenance problems. The project will also comply with conditions imposed by the Los Angeles Fire Department including the installation of one or more Knox boxes for fire department access to the property, and requirements for additional roof access via the installation of ships ladders.

The project proposes a 24 foot wide common access driveway leading to the fully improved Marathon Street. The second level overhang between units adjacent to the common access driveway shall be separated by no less than 18 feet. The common access driveway will provide Fire access to the site, and provide a suitable vehicular turnaround so as to avoid vehicles backing onto any street adjacent to the subdivision. Therefore the design of the subdivision and its improvements are not likely to cause serious public health problems.

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

No such easements are known to exist. Marathon Street adjoins the project to the south and Benton Way adjoins the project site to the West. A 3 foot wide strip will be dedicated and improved along Benton way and a 10 by 10 cut out at the corner of Marathon Street and Benton, and said dedications are consistent with LA Mobility Plan. Therefore, the design will 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 SHALL 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 parcel(s) to be subdivided and other design and improvement requirements.

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

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or

natural heating and cooling opportunities.

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

These findings shall apply to both the tentative and final maps for Tract No. VTT-77138.

VINCENT P. BERTONI, AICP
Advisory Agency



Kevin Golden
Deputy Advisory Agency



Jane Choi, AICP
Senior City Planner

VPB: JCC: KSG: HPD

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

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

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

West Los Angeles Office
Development Services Center
1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

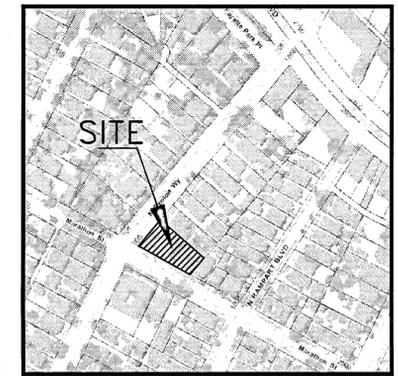
Forms are also available on-line at <http://cityplanning.lacity.org>

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

VESTING TENTATIVE TRACT MAP NO. 77138 FOR 5 UNIT SMALL LOT SUBDIVISION

LOT 39 OF ROWLAND HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7, PAGE 178 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY.
APN: 5402-013-001

SCALE: 1"=16'



VICINITY MAP
N.T.S.

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

OCT 15 2018

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



MARATHON ST

TRACT MAP NOTES

OWNER SUBDIVIDER:
LSD D'ARGENT/ STEVE GAON
5470 LOS FELIZ BLVD.
LOS ANGELES, CA. 90027
(213) 705-1500
ATTN: STEVEN_GAON@YAHOO.COM

SITE ADDRESS:

904 N BENTON WAY
LOS ANGELES, CA. 90026

GROSS AREA: 18,973.93 SQ. FT. 0.435 ACRES
PIQ + HALF OF BENTON WAY + HALF OF MARATHON ST

NET AREA:
10,403.94 SQ. FT. 0.239 ACRES

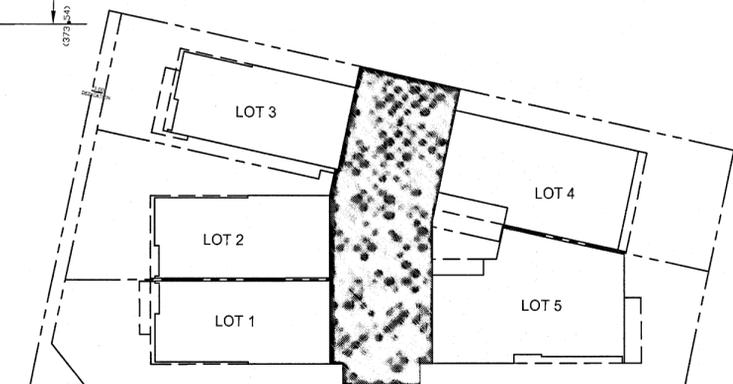
NOTES:

- NO PROTECTED SPECIES ON THE SITE.
- ALL UTILITIES ARE AVAILABLE TO SITE.
- PROPOSED PROJECT: 5 SMALL LOT SUBDIVISION
- EXISTING ZONE: RD2-1VL PROPOSED ZONE: SAME
- PROPOSED PARKING SPACES: 10 PARKING SPACES
2 PARKING FOR EACH PARCEL
- NO GEOLOGICAL HAZARDOUS AREA.
- SEWER IS AVAILABLE TO THE SITE.
- ALL EXISTING STRUCTURES TO BE DEMOLISHED.
- SITE IS NOT IN LIQUEFACTION.
- PROPOSED TRASH: CITY TRASH CONTAINER WILL BE INSIDE EACH PROPOSED UNIT FOR EACH PROPOSED LOT
- SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD2-1VL ZONE, PURSUANT TO ORDINANCE NO. 176,354

PROPERTY DESCRIPTION

PARCEL <input type="checkbox"/>	PARCEL AREA	NORTH	EAST	SOUTH	WEST
1	1,819.20 SF	0' - 3"	9' - 0"	5' - 0"	15' - 0"
2	1,964.08 SF	3' - 0"	9' - 0"	0' - 3"	15' - 0"
3	1,831.76 SF	5' - 0"	9' - 0"	1' - 0"	15' - 0"
4	2,312.82 SF	5' - 0"	15' - 0"	0' - 3"	9' - 0"
5	2,476.09 SF	0' - 3"	10' - 0"	5' - 0"	9' - 0"

ACCESS DRIVEWAY	TO STREET	INTERNAL
WIDTH CLEAR-TO-SKY	18' - 0"	18' - 0"



DETAIL - A - DRIVEWAY AND COMMON AREA
N.T.S.



PLANS PREPARED BY:
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