#### DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

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ERIC GARCETTI

EXECUTIVE OFFICES 200 N. Spring Street, Room 525 Los Angeles, CA 90012-4801 (213) 978-1271

VINCENT P. BERTONI, AICP DIRECTOR

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LISA M. WEBBER, AICP DEPUTY DIRECTOR

Decision Date: November 9, 2020

Appeal Period Ends: November 20, 2020

1868 N Western LLC (O) 9030 National Boulevard Los Angeles, CA 90034

Damon Porter (A) Western & Franklin, LLC 30700 Russell Ranch Road, Suite 250 Westlake Village, CA 91362

Craig Lawson/Alex Irvine (R) Craig Lawson & Co., LLC 3221 Hutchinson Avenue, Suite D Los Angeles, CA 90034 RE: Vesting Tentative Tract No. 74169-M1 CEQA: ENV-2016-1955-MND Related Case: CPC-2016-1954-CU-MCUP-DB-SPP-SPR Project Address: 1860, 1868 N. Western and 5440, 5446, 5448 W. Franklin Avenue Council District: 13 – O'Farrell Existing Zone: C4-1D and R3-1 D.M.: 150A193 Community Plan: Hollywood Specific Plan: Vermont/Western Station Neighborhood Area Plan (SNAP) – Subareas A and B Legal Description: Lots: PT LT 27 (Arbs: 1, 2, 3, 4, 5, 6, 7); Block: None; and Tract: West Portion of the Lick Tract = Los Felis RO

In accordance with provisions of Sections 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency FOUND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. ENV-2016-1955-MND, adopted on April 24, 2018; and pursuant to CEQA Guidelines Section 15162 and 15164, and supported by the addendum dated November 2020, no major revisions are required to the Mitigated Negative Declaration; and no subsequent EIR or negative declaration is required for approval of the Project; and APPROVED **Vesting Tentative Tract Map No.74169-M1** composed the merger and re-subdivision of the project site into a single ground lot and the merger of 4.5 feet of previously dedicated area along Franklin Avenue for a maximum of 96 dwelling units (including 41 density bonus units or 75% density bonus) as shown on revised map stamp-dated April 28, 2020 in the Hollywood Community Plan. This unit density is based on the Vermont/Western Specific Plan Subareas A and B designation.

The subdivider is hereby advised that <u>the Municipal Code may not permit this maximum</u> <u>approved density</u>. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this

particular property. For an appointment with the Development Services Center call (213) 482-7077, (818) 374-5050 or (310) 231-2901.

The Advisory Agency's approval is subject to the following revised 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.

# BACKGROUND

The project site, located at 1860,1868 N. Western and 5440, 5446, 5448 W. Franklin Avenue is a level, rectangular-shaped, parcel of land consisting of seven contiguous lots totaling 38,138 net square feet with a frontage of 167 feet on the east side of Western Avenue and 187 feet on the south side of Franklin Avenue. The subject site is located on the southeast corner of Western Avenue and Franklin Avenue. The subject site is zoned C4-1D and R3-1 and designated Neighborhood Office Commercial in the Hollywood Community Plan. The project site is also located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards).

On March 31, 2017, the Advisory Agency approved the Vesting Tentative Tract Map No. 74169 for the merger and re-subdivision of the project site into a single ground lot and the merger of 4.5 feet of previously dedicated area along Franklin Avenue for a maximum of 96 dwelling units (including 41 density bonus units or 75% density bonus).

The Deputy Advisory Agency's determination to approve the Vesting Tentative Tract received eleven appeals. At its February 8, 2018 hearing, the Los Angeles City Planning Commission (CPC) denied both appeals and sustained the Deputy Advisory Agency's determination to approve the Vesting Tentative Tract. The CPC also approved the related Case No. CPC-2016-1954-CU-MCUP-DB-SPR-SPP at the same meeting. Second level appeals of the tract were filed, as well as an appeal of the CPC case. The City Council dismissed the appeals and upheld the CPC's determinations for both the tract and CPC cases. The decisions were final on April 25, 2018 for the tract and May 14, 2018 for the CPC case.

On April 12, 2020, the Subdivider filed a modification requesting revisions to two conditions that collectively regard dedications and improvements. The first condition, in part, requires a 2-foot wide strip of land dedication along Western Avenue to complete a 52-foot wide half right-of-way in accordance with the LA Mobility Plan. The applicant is requesting that the condition be modified to add a 2-foot wide public sidewalk easement along the above dedication area to complete a 15-foot wide sidewalk area. The second condition requires changes to the corresponding improvements.

The reason for these modifications is because the construction of a 37-foot half roadway and 15-foot concrete sidewalk per Modified Avenue 1 of the LA Mobility Plan would require relocation and replacement of an existing underground Los Angeles Department of Water and Power (LADWP) electrical vault located near the southeast corner of Western Avenue and Franklin Avenue. Relocation of the underground LADWP vault would result in an approximately \$2,000,000 unanticipated expense and a 24-36 month delay. However, with an additional two-feet of half-roadway, (39 feet instead of 37 feet), the existing LADWP vault could remain in place. Therefore, the applicant is proposing a 39-foot half roadway, 13-foot sidewalk and to dedicate a 2-foot public sidewalk easement along Western Avenue to complete the intended 15-foot sidewalk.

This request is reasonably necessary and is in conformity with the spirit and intent of the Subdivision Map Act. In addition, the Bureau of Engineering recommending approval of the modified BOE conditions through their interdepartmental correspondence dated August 20, 2020.

Therefore, the following conditions shall be modified to read as follows (deletions in strikeout, additions in **bold and underline**):

Condition No. 1:

# **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

 That a 2-foot wide strip of land be dedicated along Western Avenue adjoining the tract to complete a 52-foot wide half right-of-way in accordance with Modified Avenue I of LA Mobility Plan and also dedicate a new 20-foot radius property line return at the intersection with Franklin Avenue after the proposed street merger along Franklin Avenue. In addition, a 2-foot wide public sidewalk easement be provided along above dedication area to complete a 15-foot wide sidewalk area.

Conditions S-3(i)

- S-3 That the following improvements be either constructed <u>prior to recordation of the</u> <u>final map</u> or that the construction be suitably guaranteed:
  - (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
    - a. Improve Western Avenue being dedicated and adjoining the subdivision by the construction of the following:
      - (1) A concrete curb, a concrete gutter, and a 15-foot concrete sidewalk with tree wells <u>(consisting of 13-foot public right</u> <u>of way and 2-foot private property easement.</u>
      - (2) Suitable surfacing to join the existing pavements and to complete a <del>37-foot</del> <u>39-foot</u> half roadway.

All other conditions shall remain unchanged and in full effect.

# FINDINGS OF FACT (CEQA)

The Deputy Advisory Agency finds that based on the independent judgement of the decision-maker, after consideration of the whole administrative record, the project was assessed in the Mitigated Negative Declaration, No. ENV-2015-3162-MND adopted on April 24, 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164, as supported by the addendum dated November 2020, no major revisions are required to the Mitigated Negative Declaration; and no subsequent EIR or negative declaration is required for the approval of the project.

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

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 221 North Figueroa Street, 13<sup>th</sup> Floor, Los Angeles, CA 90012.

# FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74169, 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 adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately .87 acres of pre-dedicated lot area (38,094 net square feet) and is presently zoned C4-1D and R3-1.

The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per Section 3.B. of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code. The subject site is 38,138 net square feet. With the two-foot dedication on Western Avenue and the inclusion of the recommended 4.5-foot merger area on Franklin Avenue, the total lot area results in 38,276 square feet. Of the 38,276 square feet of lot area, 17,974 square feet is within Subarea A and 20,302 square feet is within Subarea B.

A companion case was approved with the original tract, allowing a Conditional Use Permit to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant was granted a density increase of 75% over the entire project site in order to permit 96 dwelling units in lieu of 55 dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project was found to be consistent with the General Plan and Vermont/Western SNAP Specific Plan.

The Subdivider's present request does not change the approved Map, stamp dated April 28, 2020. The Subdivider is only requesting a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 29 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged.

The project would meet the objectives of the General Plan. More specifically, the project would meet the Housing Element objectives which would include the following: encouraging production and preservation of an adequate supply of rental and ownership housing to meet the identified needs of persons of all income levels and special needs; encouraging the location of housing, jobs, and services in mutual proximity; and accommodation of a diversity of uses that support the needs of the City's existing and future residents. Furthermore, the project would provide much-needed affordable units by creating 16 rental units for Very Low Income households.

Therefore, as conditioned, the proposed tract map modification is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately 0.88 net acres(38,138 net square feet) and is presently zoned C4-1 D and R3-1. The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per

Section 3.B. of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

The approved map merged and re-subdivided the project site into a single ground lot, to merge seven (7) feet of previously dedicated land along Franklin Avenue back into the project site and an approval of a haul route. Per Planning Staff's recommendation to submit a revised map showing a reduced merger area of 4.5 feet in order to comply with the 10-foot width sidewalk requirement of the Modified Avenue II designation on Franklin Avenue, the Applicant provided a revised map stamp dated March 23, 2017 showing a merger area of 4.5 feet along Franklin Avenue.

The Subdivider is only requesting a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 29 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. The modified map was considered by the Subdivision Committee, including the Bureau of Engineering, and found to be adequate.

Therefore, as conditioned, the revised tract map is consistent with the intent and purpose of the applicable General Plan and Vermont/Western SNAP Specific Plan.

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

The subject site is not located in a flood zone, landslide area, liquefaction area, hillside area or methane hazard area. However, the subject site is located within a Bureau of Engineering designated Special Grading Area and an Alguist-Priolo Fault Zone for the Hollywood fault. In an email from the Department of Building and Safety, Grading Division dated October 17, 2016, the issued Geology and Soils Report Approval on March 16, 2015 (Log No. 86433-01) still applies, which details conditions of approval to address the Alquist-Priolo Fault Zone for the Hollywood fault. This is included as Condition No. 6. Furthermore, specific Regulatory Compliance Measures (RCMs) in the Mitigated Negative Declaration, ENV-2016-1955-MND, regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. The RCMs require that design and construction of the building must conform to the California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division. Furthermore, RCMs require compliance with the Uniform Building Code Chapter 18 to address impacts related to liquefaction and compliance with Ordinance No. 175,790 and Section 91. 7102 of the LAMC to

address impacts related to methane. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment in which the project is located. The site is therefore physically suitable for the proposed type of development.

The present request is only proposing a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 39 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged. There are no changes to the proposed construction of the building.

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

The site is physically suitable for the proposed density of development. The project site allows 55 units as a matter of right. A companion case was approved with the original tract, allowing a Conditional Use Permit to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant was granted a density increase of 75% over the entire project site in order to permit 96 dwelling units in lieu of 55 dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project was found to be consistent with the General Plan and Vermont/Western SNAP Specific Plan. The site is relatively flat and located within an urbanized area near transit.

The present request proposes a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to329 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged. The proposed development and density remain unchanged from the original approval from the related case. Therefore, the site is physically suitable for the proposed density as previously approved and tract map modification.

(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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, waiter, plant life, animal life, or risk of upset are concerned. Furthermore, the project site, as well as the surrounding area is presently developed with residential and commercial structures that do not provide a natural habitat for either fish or wildlife. present request is only a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 29 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged. The design of the subdivision and the proposed improvements as proposed in the modification will not cause significant environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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

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

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

The present request is only a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 29 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged.

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

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

The Subdivider is only requesting a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 29 feet in order to circumvent the relocation and replacement of an LADWP vault which would incur significant financial hardship and time delay. All other conditions remain in full effect and are unchanged. All required public easements are being provided.

(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)

The original approval for the tract map found that the design of the subdivision would provide for future passive or natural heating or cooling opportunities in the subdivision. The present request is only a modification to Conditions 1, S-3(i)a.(1) and (2) to provide a 2-foot wide public sidewalk easement along the Western Avenue dedication to complete a 15-foot wide sidewalk area and increasing the half roadway from 37 feet to 39 feet. The design of the subdivision remains unchanged, except for the provision of the 2-foot dedication as an easement in lieu of a dedication All other conditions remain in full effect and are unchanged.

These findings shall apply to Vesting Tentative Tract Map No. 74169-M1. All other conditions of approval and mitigation measures from the previously approved VTT-74169 shall remain unchanged.

VINCENT P. BERTONI, AICP Advisory Agency

Deborah Kahen

DEBORAH KAHEN, AICP Deputy Advisory Agency

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

Figueroa Plaza 201 North Figueroa Street 4th Floor Los Angeles, CA 90012 (213) 482-7077 Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard Room 251 Van Nuys, CA 91401 (818) 374-5050 West Los Angeles Development Service Center 1828 Sawtelle Boulevard 2nd Floor Los Angeles, CA 90025 (310) 231-2901

# Forms are also available on-line at <u>www.planning.lacity.org</u>

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.

If you have any questions, please call Public Counter staff at (213) 482-7077.



# LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 528, Los Angeles, California, 90012, (213) 978-1300 planning.lacity.org

### LETTER OF DETERMINATION

Mailing Date: MAR 0 1 2018

Case No.: VTT-74169-1A CEQA: ENV-2014-1955-MND Plan Area: Hollywood Related Case: CPC-2016-1954-CU-MCUP-DB-SPP-SPR Council District: 13 - O'Farrell

Project Site: 1860, 1868 North Western Avenue; 5440, 5446, 5448 West Franklin Avenue

Applicant:Damon Porter, Western & Franklin, LLCRepresentatives: Craig Lawson, Craig Lawson & Co., LLC; and<br/>Aaron Green, Afriat Consulting

Appellants: Ronald Ostrow; William and Rebecca Beech; Christina Khanjian; Gary Khanjian; Nuel Tate; Karen De La Carriere; Jeffrey Augustine; and Drew Murphy (Franklin & Western Improvement Association) Representative: Rob Glushon, Attorney

> George Abrahams and Alexandra Kondrake Representative: David Bell

Nyla Arslanian, Los Feliz Improvement Association Representative: Marian Dodge, Los Feliz Improvement Association

Mark Mauceri

At its meeting on **February 8, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

The demolition of a gas station, a one-story single-family residence and a one-story duplex; and the construction of a 97,334 square-foot, five-story mixed-use project that includes 87 residential units and approximately 6,000 square feet of ground floor commercial, measuring 60 feet in height. Of the 87 units, 20 percent or 11 units will be set aside as Restricted Affordable Units for Very Low Income households. The project provides a total of 112 parking spaces located on the ground level and in one subterranean parking level. The project is located in the C4-1D and R3-1 Zones within Subareas A (Neighborhood Conservation) and B (Mixed Use Boulevards) of the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan.

- 1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-1955-MND ("Mitigated Negative Declaration"), Errata 1 dated March 23, 2017, Errata 2 dated January 16, 2018, and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **found** the mitigation measures have been made enforceable conditions on the project; and **adopted** the Mitigated Negative Declaration;
- 2. **Denied** the appeals and **sustained** the Deputy Advisory Agency's determination to **approve** the Vesting Tentative Tract;
- 3. **Adopted** the Conditions of Approval as modified by the Commission including Staff's Technical Modification dated February 7, 2018; and
- 4. **Adopted** the Findings of the Deputy Advisory Agency.

This action was taken by the following vote:

Moved:	Perlman
Seconded:	Dake Wilson
Ayes:	Ambroz, Khorsand, Millman, Mitchell, Padilla-Campos
Absent:	Choe, Mack

Vote:

7 - 0

James K. Williams, Commission Executive Assistant II 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 <u>10 days</u> after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council. 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; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

#### FINAL APPEAL DATE:



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 90<sup>th</sup> 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

c: Shana Bonstin, Principal City Planner Jane Choi, Senior City Planner Mindy Nguyen, City Planner Monique Acosta, City Planning Associate

# **Conditions of Approval**

As modified by the City Planning Commission February 8, 2018

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

- 1. That a 2-foot wide strip of land be dedicated along Western Avenue adjoining the tract to complete a 52-foot wide half right-of-way in accordance with Modified Avenue I of LA Mobility Plan and also dedicate a new 20-foot radius property line return at the intersection with Franklin Avenue after the proposed street merger along Franklin Avenue.
- 2. That the City Department of Transportation in a letter to City Engineer shall determine that the merger area is not necessary for future Public Street.
- 3. In the event that Department of Transportation has no objection to the street merger then the existing 4.5-foot and variable width public right-of-way as shown on the revised tentative tract map stamp dated December 14, 2017 along portion of Franklin Avenue excluding the new 20-foot radius property line return be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
  - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
- 4. That any surcharge fee in conjunction with the street merger request be paid.
- 5. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

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

6. <u>That prior to issuance of a grading or building permit, or prior to recordation of the final</u> <u>map</u>, 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 March 16, 2015, Log No. 86433-01 and attached to the case file for Tract No. 74169.

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

- 7. <u>That prior to recordation of the final map</u>, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. 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. Provide a copy of CPC case CPC-2016-1954-CU-MCUP-DB-SPP-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.
- c. The proposed number of dwelling units in the dual zone lot does not comply with the allowable density of the R3 and C4 Zones. Comply with the density of 800 SF of lot area within the R3 Zone per dwelling unit and 400 SF of lot area within the C4 Zone or obtain City Planning approval for density averaging of 400 SF of lot area for the entire lot.
- d. The proposed FAR is over the allowable FAR for the R (3.0) and C (1.5) Zones. The allowable FAR for mixed use projects within Subarea B of the Vermont/Western SNAP is 2.0. Revise the map to show compliance to the allowable FAR or obtain City Planning approval to allow the proposed FAR.
- e. Maximum height limit of 50 feet within Subarea B of the Vermont/Western SNAP. Revise the map to show compliance with the above requirement or obtain City Planning approval for the proposed 60-foot tall building height.
- f. Obtain Bureau of Engineering approval for street merger.
- g. 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.

Notes:

The project is within the Specific Plan Area of the Vermont / Western Station Neighborhood Area Plan. Show compliance with Specific Plan requirements as applicable (FAR, transitional height limits, height limits, etc.) or obtain City Planning for any deviations.

The map does not show height of the building within Subareas A and B nor the compliance of the Transitional Height requirement in the Subarea B. Compliance shall be to the satisfaction LADBS Plan Check at the time of Plan Check.

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

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

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

#### DEPARTMENT OF TRANSPORTATION

- 8. A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation. Jeannie Shen the LADOT District Engineer for this area has indicated "The District Office does not have any future improvements along this part of Franklin. Ok with the merger." (Email dated January, 24, 2017).
- 9. Delivery truck loading and unloading should take place on site. Loading and unloading operation has to be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.
- 10. Vehicular access on Western Avenue shall be provided via right-turn-ingress and rightturn-egress. Applicant shall install and maintain appropriate signage and pavement marking for the right-turn-ingress and right-turn-egress operation.
- 11. There should be a minimum of 20-foot of full curb-height between the retail driveway and loading zone driveway or to the satisfaction of the Department of Transportation.
- 12. That a fee in the amount of \$205.00 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.
- 13. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 550.

#### FIRE DEPARTMENT

- 14. <u>That prior to the recordation of the final map</u>, 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. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.
  - c. 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.
  - d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - e. 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.

- f. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- g. 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 Reg #75).

Policy Exception: L.A.M.C. 57.09.03.B Exception:

When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

This policy does not apply to single-family dwellings or to non-residential buildings.

Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.

Entrance to the main lobby shall be located off the address side of the building.

Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

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

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 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.

SECTION 510 EMERGENCY RESPONDER RADIO COVERAGE

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.

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

- 15. 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).)
  - a. Prior to receiving water service the Developer must arrange for the Department to install one (1) 2 ½" x 4" Double-outlet Fire Hydrant (D.F.H.) on the southeast corner of Western Avenue and Franklin Avenue.
  - b. Water meters and services for each lot shall be installed on street surface frontage (on the sidewalk and behind the curb within the public right-of-way).
  - c. In the absence of street surface frontage, grant adequately sized private easement for water line purposes and community areas adjacent to public street and common driveways. These areas will accommodate the property pipes coming from the proposed water service meters.
  - d. The location of these community areas must be shown in the Tract Map and in a form satisfactory to the Department.

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, CA 90051-5700 or (213) 367-1120.

## **BUREAU OF SANITATION**

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

#### INFORMATION TECHNOLOGY AGENCY

17. To assure that cable television facilities will be installed in the same manner as other required improvements, please email <u>cabletv.ita@lacity.org</u> 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

18. That the Quimby Fee be based on the C4 and R3 Zones.

#### URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

19. Plant street trees and remove any existing trees within dedicated street or proposed dedicated street as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contrctor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

Note: All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at (213) 847-3077.

#### DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 20. <u>Prior to the recordation of the final map</u>, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of 87 dwelling units.
  - b. Parking shall be provided per Government Code Section 659195(p)(3)(A) and the Vermont/Western SNAP Specific Plan or as modified by Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR.
  - c. <u>That prior to issuance of a certificate of occupancy</u>, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
  - d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
  - e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - f. 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.

h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

#### h. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

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

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may

withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

- 21. <u>That prior to the issuance of the building permit or the recordation of the final map</u>, a copy of the approved Planning Department Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR is not approved, the subdivider shall submit a tract modification.
- 22. That the subdivider shall record and execute a Covenant and Agreement to comply with the **Vermont/Western SNAP Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
- 23. <u>Prior to the issuance of a grading permit</u>, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
  - a. Streets to be used are limited to N. Western Avenue, Los Feliz Boulevard, Hollywood Boulevard, Roxford Street, N. Sepulveda Boulevard, San Fernando Road and Sunshine Canyon Road.
  - b. Hours of operation shall be from 7:00 a.m. to 3:00 p.m.
  - c. Days of the week shall be Monday through Friday.
  - d. Total trips per day shall be 50 trips per day.
  - e. Duration of project shall be 4 to 6 weeks.
  - f. Trucks shall be restricted to 10-wheel dump trucks or smaller for streets with a width of 25 feet or less. Eighteen-wheel dump trucks are permitted on streets with a width greater than 25 feet. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets.

- g. The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.
- h. Streets shall be cleaned of spilled materials at the termination of each work day.
- i. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- j. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- k. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- I. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- m. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- n. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- o. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- p. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- q. A Truck Crossing warning sign shall be placed 300 feet in advance of the exit in each direction.
- r. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of Work Area Traffic Control Handbook.
- s. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- t. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and Enforcement Division at (213) 847-6000 before the change takes place.
- u. The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- v. A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be

issued by the <u>Central Los Angeles</u> District Engineering Office, 201 N. Figueroa Street, Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

#### OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the <u>Valley</u> District Engineering Office, 6262 Van Nuys Blvd, Suite 251, Van Nuys CA, 91401. Further information regarding the bond may be obtained by calling (818) 374-5082.

24. <u>Prior to the recordation of the final map</u>, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 11 units of the affordable housing development available for rental or sale solely to Very Low Income households, at a rental or sales price determined to be affordable to (Very Low Income households) by HCIDLA, for a period of 55 years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

#### **Tenant Relocation Conditions**

- 25. That the applicant 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 Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
- 26. 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 the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 151.28 of the Los Angeles Municipal Code.

#### DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 27. <u>That prior to recordation of the final map</u> the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by **Mitigation Condition No(s)**. **28 and 29** of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
- 28. <u>Prior to the recordation of the final map</u>, the subdivider will 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:

#### Tree Removal (Public Right-of-Way)

- MM-1 Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- MM-2 The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- MM-3 All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

#### **Underground Storage Tanks**

- MM-4 Prior to excavation, the Applicant shall prepare a survey of the Site using groundpenetrating radar or equivalent means to locate USTs, clarifiers, drains or other potentially contaminated equipment.
- MM-5 If any USTs are discovered during the pre-excavation survey, they shall be properly registered and permanently abandoned by removal in accordance with LAFD requirements and SCAQMD Rule 1149, as applicable.

#### **Construction Soil Management Plan**

- MM-6 Prior to excavation or in connection with removal of any USTs, a technician shall perform boring tests in accordance with applicable LAFD requirements of (1) soil near any USTs, clarifiers, drains or other potentially contaminated equipment discovered by pre-excavation survey; and (2) soil in portions of the property where historical conditions indicate potential contamination, including nearby historical dry cleaning operations. If soils impacted with hazardous chemicals and/or petroleum products are encountered during redevelopment or discovered by pre-excavation survey, a licensed Professional Geologist or Professional Engineer shall oversee proper characterization and remediation of identified impacted materials in accordance with applicable LAFD requirements.
- MM-7 In addition, a Construction Soil Management Plan shall be required to guide the redevelopment of the below-grade portions of the property. The Plan shall be prepared by a Professional Geologist or Professional Engineer and address the historical conditions known about the property's history in addition to any potential sources of contamination discovered during the pre-excavation survey, and present the appropriate methods and protocol for management of

encountered conditions in compliance with all applicable laws and regulations, including SCAQMD Rule 1166.

- MM-8 As part of the Construction Soil Management Plan, a technician shall be on the Site during demolition, excavation, and grading phases to sample and screen any residual contaminants, should they be encountered. The technician shall use visual identification (such as discolored soils) and/or a screening meter to identify any residual contaminants, should they be encountered. If potential residual contamination is observed based on the visual identification or the screening meter, excavation and grading within such area shall be temporarily halted and redirected around the area, and testing to characterize the material shall occur either onsite in a mobile laboratory or off-site in a remote laboratory consistent with LAFD requirements and/or SCAQMD Rule 1166, as appropriate. Contaminated materials shall be identified, segregated, and tracked as to their extent on the site.
- MM-9 If the above testing to characterize the material identifies any soils containing contaminants at levels of concern based on LAFD requirements, such soils shall be either remediated on-site prior to reuse or removed and disposed of in accordance with all applicable laws and regulations, including those promulgated by the California Department of Toxic Substances Control (DTSC), to the satisfaction of LAFD. All necessary approvals shall be obtained from the lead enforcement agency including, but not limited to, the Los Angeles County Fire Department Health and Hazardous Materials Division.

#### Vapor Intrusion into Indoor Air Space

MM-10 A vapor barrier may be necessary based on the analytical results of soil testing conducted pursuant to Mitigation Measures 6 through 9 above. If after the USTs are removed and, if necessary, soil is remediated, soil testing indicates that some residual contamination remains at the Site, the potential for vapor intrusion into the indoor air space at the Site shall be evaluated by a Professional Geologist or Professional Engineer using the methodology outlined in the California Department of Toxic Substances Control (DTSC) Vapor Intrusion Guidance for Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (2011) and the US EPA Model for Subsurface Vapor Intrusion into Buildings (EPA 2004; Johnson and Ettinger 1991) and the appropriate default and/or site specific factors. If the evaluation indicates that the predicted indoor air concentrations would exceed human health screening levels, a vapor barrier will be completed. Where required based on the evaluation, all new construction shall install a thicker chemical proof moisture/vapor barrier as directed by the Professional Geologist or Professional Engineer in accordance with applicable guidelines and regulations. These barriers include sheet membranes (usually 40-60 mil highdensity polyethelene (HDPE) but can be polyethylene, polyvinylchloride, or EPDM (ethylene propylene diene monomer) rubber) or fluid-applied membranes (Fluid-applied or cured-in-place membranes are spray-applied to a specific thickness (e.g., 60 mil), according to the EPA's "Indoor Air Vapor Intrusion Mitigation Approaches").

#### Human Health Vector Control

MM-11 The property shall be maintained in a neat, attractive, and safe condition at all times. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Trash and Recycling bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter. Trash and garbage collection containers shall be emptied a minimum of once per week. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

#### **Emergency Evacuation Plan**

MM-12 Prior to the issuance of a building permit, the applicant shall develop an emergency response plan for the Project in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following performance standards and requirements: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

#### Public Services (Police)

- MM-13 The plans shall incorporate a design that enhances the security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project Site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the LAPD. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the LAPD prior to the issuance of building permits.
- MM-14 Upon completion of the Project, the Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
- 29. **Construction Mitigation Conditions** <u>Prior to the issuance of a grading or building</u> <u>permit, or the recordation of the final map</u>, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

#### Air Quality

- CM-2 All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions at the Project site.
- CM-3 Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).

#### Noise

- CM-4 Two weeks prior to commencement of construction, notification shall be provided to the off-site residential and school uses within 500 feet of the Project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.
- CM-5 All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.
- CM-6 All construction areas for staging and warming-up equipment shall be located as far as possible from adjacent noise-sensitive land uses.
- CM-7 Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.
- CM-8 Temporary sound barriers shall be installed as specified:

Temporary sound barriers no less than 12 feet in height shall be erected to block line-of-sight noise travel from the Project site to 5432 Franklin Avenue Residences and Russell Avenue Residences. These barriers should be constructed in such a way so as to have a surface weight of four pounds per square foot or greater, and the Project-facing side should be lined with exterior grade acoustical blankets to provide additional sound absorption. This barrier should extend along the eastern and southern boundaries of the Project site that face these receptors in order to prevent on-site construction noise from diffracting around its ends. At all other Project boundaries, temporary noise barriers no less than 7 feet in height shall be erected to obstruct line-of-sight noise travel from the Project site to Oxford Avenue Residences and Garfield Place Residences, and to prevent Project construction operations from exceeding LAMC's 75 dBA limit for construction noise within 500 feet of residential zones.

#### Increased Noise Levels (Demolition, Grading, and Construction Activities)

- CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11 The project contractor shall use power construction equipment with state-of-theart noise shielding and muffling devices.

#### Public Services (Police-Demolition/Construction Sites)

CM-12 Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

#### Public Services (Construction Activity Near Schools)

- CM-13 The developer and contractors shall maintain ongoing contact with administrator of Immaculate Heart High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from the administrators and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- CM-14 The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-15 There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- CM-16 Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

#### Public Services (Schools Affected by Haul Route)

- CM-17 LADBS shall assign specific haul route hours of operation based upon Immaculate Heart High School's hours of operation.
- CM-18 Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul

route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

#### Safety Hazards

- CM-19 The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-20 The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- CM-21 Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.
- CM-22 Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- CM-23 Covered walkways should be provided where pedestrians are exposed to potential injury from falling objects.
- CM-24 Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

#### **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 Municipal Code.
  - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
  - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such

easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2 That the following provisions be accomplished in conformity with the improvements constructed herein:
  - (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private streets, 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 <u>prior to recordation of the final map</u> or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) 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 BOE improvement conditions. Otherwise relocate and upgrade street lights: one (1) on Franklin Avenue and one (1) on Western Avenue.

Notes:

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

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

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Western Avenue being dedicated and adjoining the subdivision by the construction of the following:
    - (1) A concrete curb, a concrete gutter, and a 15-foot concrete sidewalk with tree wells.

- (2) Suitable surfacing to join the existing pavements and to complete a 37-foot half roadway.
- (3) Any necessary removal and reconstruction of existing improvements.
  - (4) The necessary transitions to join the existing improvement.
- b. Improve Franklin Avenue being merged with construction of a new 10-foot wide concrete sidewalk with tree wells 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. 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.

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 (CEQA)

The project was issued Mitigated Negative Declaration ENV-2016-1955-MND on March 22, 2017. Potential negative impacts could occur from the project's implementation due to:

Air Quality (Construction) Tree Removal (Public Right-of-Way) Underground Storage Tanks Construction Soil Management Plan Vapor Intrusion into Indoor Air Space Human Health Hazard (Vector Control) Emergency Evacuation Plan Increased Noise Levels (Demolition, Grading, and Construction Activities) Temporary Sound Barriers Public Services (Police – Demolition/Construction Sites) Public Services (Police) Public Services (Construction Activity Near Schools) Public Services (Schools affected by Haul Route) Safety Hazards

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2016-1955-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of **Condition No(s)**. **28 and 29** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in **Condition No. 27**.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

#### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74169, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately 0.88 net acres (38,130 net square feet) and is presently zoned C4-1D and R3-1.

The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A

(Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per Section 3.B. of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

The subject site is 38,130 net square feet. With the two-foot dedication on Western Avenue and the inclusion of the recommended 4.5-foot merger area on Franklin Avenue, the total lot area results in 38,276 square feet. Of the 38,276 square feet of lot area, 17,974 square feet is within Subarea A and 20,302 square feet is within Subarea B.

For residentially and commercially zoned properties in Subarea A, the SNAP allows uses consistent with the existing zoning classification. Of the 17,974 square feet of lot area in Subarea A, 4,146 square feet is zoned C4-1D and 13,828 square feet is zoned R3-1. The Subarea A portion of the site zoned C4-1D allows one dwelling unit for every 400 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 18 dwelling units. For lots in Subarea B, the SNAP limits residential uses to those permitted in the R3 Zone, which allows one dwelling unit for every 800 feet of lot area resulting in 26 dwelling units. Therefore, the portion of the site designated as Subarea A allows 29 dwelling units and the portion of the site designated as Subarea B allows 26 dwelling units for a total of 55 dwelling units allowed by-right.

The proposed map includes a companion case with an accompanying request for a Conditional Use to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant seeks a density increase of 57.5% over the entire project site in order to permit 87 dwelling units in lieu of 55 dwelling units. The Applicant proposes 20% of the base density units or 11 dwelling units for Very Low Income households. The Applicant also requests: Density Bonus on-menu incentives to increase the project site's floor area ratio and to allow averaging of floor area ratio, density, open space, parking and to allow vehicular access from a less restrictive zone to a more restrictive zone; Density Bonus off-menu waivers for lot assembly on residentially zoned properties in Subarea A, lot assembly on commercially zoned properties in Subarea A, for an increase in transitional height and for an increase in overall building height; a Master Conditional Use to allow the sale and/or dispensing of alcoholic beverages for on-site and off-site consumption; a Project Permit Compliance Review with the Vermont/Western SNAP Specific Plan; and a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project is consistent with the General Plan and Vermont/Western SNAP Specific Plan.

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

The adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately 0.88 net acres (38,130 net square feet) and is presently zoned C4-1D and R3-1.

The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per Section 3.B.

of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

The proposed map is to merge and re-subdivide the project site into a single ground lot, to merge seven (7) feet of previously dedicated land along Franklin Avenue back into the project site and an approval of a haul route. Per Planning Staff's recommendation to submit a revised map showing a reduced merger area of 4.5 feet in order to comply with the 10-foot width sidewalk requirement of the Modified Avenue II designation on Franklin Avenue, the Applicant provided a revised map stamp dated December 14, 2017 showing a merger area of 4.5 feet along Franklin Avenue.

The recommended subdivision will facilitate the development of a mixed-use building that is five-stories, 60 feet in height that contains 97,334 square feet of floor area with 87 residential units, of which 20% of the base density or 11 units, will be set aside as Restricted Affordable Units for Very Low Income households and 6,000 square feet of commercial space. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project is allowable under the current adopted zone, land use designation and the Vermont/Western SNAP Specific Plan.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. There are existing sewers available in the streets adjoining the subdivision. The construction of mainline and house connection sewers may be required to serve the tract. This tract will connect to the public sewer system to serve the tract. The tract will connect to the public sewer system and will not result in violation of the California Water Code. As a condition of approval, the subdivider is required to dedicate a two-foot side strip of land along Western Avenue adjoining the tract to complete a 52-foot wide half right-of-way in accordance with the Modified Avenue I designation of the Mobility Plan 2035 and also dedicate a new 20-foot radius property line return at the intersection with Franklin Avenue after the proposed street merger along Franklin Avenue. The subdivider is required to make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in the area. The subdivider is also required to make improvements on Western Avenue and Franklin Avenue in order to meet current street standards.

The Department of Transportation (DOT) is requiring a 40-foot reservoir be provided between any security gate(s) and the property line. Delivery truck loading and unloading should be designed to take place on-site and loading and unloading is required to be designed so that a vehicle is not required to back into or out of any public street or sidewalk. Vehicular access on Franklin and Western Avenues are required to be provided via right-turn-ingress and right-turn egress with appropriate signage and pavement parking. The Department of Transportation, Hollywood-Wilshire District Office advised that no future improvements were planned along the portion of Franklin Avenue adjoining the subdivision and advised the proposed 7-foot merger area would be acceptable. However, the merger area as proposed does not meet the sidewalk width requirement of 10-feet for the designation of the Modified Avenue II on Franklin Avenue. A reduced merger of 4.5 feet was approved by the Advisory Agency to comply with the Modified Avenue II designation on Franklin Avenue and the Mobility Plan 2035.

The Bureau of Street Lighting is requiring no street lighting improvements if no street widening is required; however, if street widening is required then the subdivider is required

to relocate and upgrade street lights, one (1) on Franklin Avenue and one (1) on Western Avenue.

The Urban Forestry Division is requiring the planting and removal of street trees in compliance with the Urban Forestry Division. All street tree plantings are required to be brought up to current standards.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the revised tract map is consistent with the intent and purpose of the applicable General Plan and Vermont/Western SNAP Specific Plan.

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

The subject site is not located in a flood zone, landslide area, liquefaction area, hillside area or methane hazard area. However, the subject site is located within a Bureau of Engineering designated Special Grading Area and an Alquist-Priolo Fault Zone for the Hollywood fault. In an email from the Department of Building and Safety, Grading Division dated October 17, 2016, the issued Geology and Soils Report Approval on March 16, 2015 (Log No. 86433-01) still applies, which details conditions of approval to address the Alquist-Priolo Fault Zone for the Hollywood fault. This is included as Condition No. 6. As a result of the appeals filed, Feffer Geological Consulting prepared a letter dated April 12, 2017 responding to the appeal point regarding the Geology and Soils section in the MND. On January 9, 2018, the DBS, Grading Division advised via email that they reviewed the appeals filed and Feffer Consulting's response letter dated April 12, 2017 and concluded that Feffer's letter is correct that this type of transect exploration is appropriate in many situations, including this one. The DBS, Grading Division further advised that they stand by their approval letter dated March 16, 2015.

Furthermore, specific Regulatory Compliance Measures (RCMs) in the Mitigated Negative Declaration, ENV-2016-1955-MND, regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. The RCMs require that design and construction of the building must conform to the California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division. Furthermore, RCMs require compliance with the Uniform Building Code Chapter 18 to address impacts related to liquefaction and compliance with Ordinance No. 175,790 and Section 91.7102 of the LAMC to address impacts related to methane. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment in which the project is located. The site is therefore physically suitable for the proposed type of development.

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

The 0.88 net acre site is currently zoned C4-1D and R3-1 with a plan designation of Neighborhood Office Commercial in the Hollywood Community Plan. The project site is also located within the Vermont/Western SNAP Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards).

The subject site is 38,130 net square feet. With the exclusion of the two-foot dedication on Western Avenue and the inclusion of the 4.5-foot merger area on Franklin Avenue, the total lot area results in 38,276 square feet. Of the 38,276 square feet of lot area 17,974 square feet is within Subarea A and 20,302 square feet is within Subarea B.

For residentially and commercially zoned properties in Subarea A, the SNAP allows uses consistent with the existing zoning classification. Of the 17,974 square feet of lot area in Subarea A, 4,146 square feet is zoned C4-1D and 13,828 square feet is zoned R3-1. The Subarea A portion of the site zoned C4-1D allows one dwelling unit for every 400 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 18 dwelling units. For lots in Subarea B, the SNAP limits residential uses to those permitted in the R3 Zone, which allows one dwelling unit for every 800 feet of lot area resulting in 26 dwelling units. Therefore, the portion of the site designated as Subarea A allows 29 dwelling units and the portion of the site designated as Subarea B allows 26 dwelling units for a total of 55 dwelling units.

The proposed map includes a companion case with an accompanying request for a Conditional Use to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant seeks a density increase of 57.5% over the entire project site in order to permit 87 dwelling units in lieu of 55 dwelling units. The Applicant proposes 20% of the base density units or 11 dwelling units for Very Low Income households. The Applicant also requests: Density Bonus on-menu incentives to increase the project site's floor area ratio and to allow averaging of floor area ratio, density, open space, parking and to allow vehicular access from a less restrictive zone to a more restrictive zone; Density Bonus off-menu waivers for lot assembly on residentially zoned properties in Subarea A, lot assembly on commercially zoned properties in Subarea A, for an increase in transitional height and for an increase in overall building height; a Master Conditional Use to allow the sale and/or dispensing of alcoholic beverages for on-site and off-site consumption; a Project Permit Compliance Review with the Vermont/Western SNAP Specific Plan; and a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the site is physically suitable for the proposed density of development.

Additionally, the project engineer has certified that the subject site is not located in a flood zone, landslide area, liquefaction area, hillside area or methane hazard area. However, the project engineer has certified that the subject site is located within a Bureau of Engineering designated Special Grading Area and an Alquist-Priolo Fault Zone for the Hollywood fault. In an email from the Department of Building and Safety, Grading Division dated October 17, 2016, the issued Geology and Soils Report Approval on March 16, 2015 (Log No. 86433-01) still applies, which details conditions of approval to address the Alquist-Priolo Fault Zone for the Hollywood fault. This is included as Condition No. 6. The site is therefore 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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, waiter, plant life, animal life, or risk of upset are concerned.

#### VTT-74169-1A

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

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

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

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

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

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

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)
  - In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
  - 2) Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.
  - 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
  - 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
  - 5) In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tract No. 74169.

#### DEPARTMENT OF CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ PRESIDENT

RENEE DAKE WILSON VICE-PRESIDENT

CAROLINE CHOE RICHARD KATZ JOHN W. MACK SAMANTHA MILLMAN MARC MITCHELL VERONICA PADILLA-CAMPOS DANA M. PERLMAN

ROCKY WILES COMMISSION OFFICE MANAGER (213) 978-1300 CITY OF LOS ANGELLS

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http://planning.lacity.org

Decision Date: March 31, 2017

Appeal End Date: April 10, 2017

1868 N Western LLC (O) 9030 National Boulevard Los Angeles, CA 90034

Damon Porter (A) Western & Franklin, LLC 30700 Russell Ranch Road, Suite 250 Westlake Village, CA 91362

Craig Lawson/Alex Irvine (R) Craig Lawson & Co., LLC 3221 Hutchinson Avenue, Suite D Los Angeles, CA 90034 RE: Vesting Tentative Tract No. 74169 CEQA: ENV-2016-1955-MND Related Case: CPC-2016-1954-CU-MCUP-DB-SPP-SPR 1860,1868 N. Western and 5440, 5446, 5448 W. Franklin Avenue Plan Area: Hollywood Specific Plan: Vermont/Western Station Neighborhood Area Plan (SNAP) – Subareas A and B Zone: C4-1D and R3-1 D.M.: 150A193 C.D.: 13 Legal Description: Lots: PT LT 27 (Arbs: 1, 2, 3, 4, 5, 6, 7); Block: None; and Tract: West Portion of the Lick Tract = Los Felis RO

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2016-1955-MND and Errata dated March 23, 2017 as the environmental clearance, adopted the Mitigation Monitoring Program, and approved Vesting Tentative Tract No. 74169, located at 1860, 1868 N. Western Avenue and 5440, 5446, 5448 W. Franklin Avenue for the merger and resubdivision of the project site into a single ground lot and the merger of 4.5 feet of previously dedicated area along Franklin Avenue for a maximum of 96 dwelling units (including 41 density bonus units or 75% density bonus) as shown on revised map stampdated March 23, 2017 in the Hollywood Community Plan. This unit density is based on the Vermont/Western Specific Plan Subareas A and B designation. (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 2-foot wide strip of land be dedicated along Western Avenue adjoining the tract to complete a 52-foot wide half right-of-way in accordance with Modified Avenue I of LA Mobility Plan and also dedicate a new 20-foot radius property line return at the intersection with Franklin Avenue after the proposed street merger along Franklin Avenue.
- 2. That the City Department of Transportation in a letter to City Engineer shall determine that the merger area is not necessary for future Public Street.
- 3. In the event that Department of Transportation has no objection to the street merger then the existing 4.5-foot and variable width public right-of-way as shown on the revised tentative tract map stamp dated March 23, 2017 along portion of Franklin Avenue excluding the new 20-foot radius property line return be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
  - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
- 4. That any surcharge fee in conjunction with the street merger request be paid.
- 5. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

## DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

6. <u>That prior to issuance of a grading or building permit, or prior to recordation of the</u> <u>final map</u>, 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 March 16, 2015, Log No. 86433-01 and attached to the case file for Tract No. 74169.

## DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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

- Provide a copy of CPC case CPC-2016-1954-CU-MCUP-DB-SPP-SPR. Show compliance with all the conditions/requirements of the CPC case as applicable.
- c. The proposed number of dwelling units in the dual zone lot does not comply with the allowable density of the R3 and C4 Zones. Comply with the density of 800 SF of lot area within the R3 Zone per dwelling unit and 400 SF of lot area within the C4 Zone or obtain City Planning approval for density averaging of 400 SF of lot area for the entire lot.
- d. The proposed FAR is over the allowable FAR for the R (3.0) and C (1.5) Zones. The allowable FAR for mixed use projects within Subarea B of the Vermont/Western SNAP is 2.0. Revise the map to show compliance to the allowable FAR or obtain City Planning approval to allow the proposed FAR.
- e. Maximum height limit of 50 feet within Subarea B of the Vermont/Western SNAP. Revise the map to show compliance with the above requirement or obtain City Planning approval for the proposed 60-foot tall building height.
- f. Obtain Bureau of Engineering approval for street merger.
- g. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication.

#### Notes:

The project is within the Specific Plan Area of the Vermont / Western Station Neighborhood Area Plan. Show compliance with Specific Plan requirements as applicable (FAR, transitional height limits, height limits, etc.) or obtain City Planning for any deviations.

The map does not show height of the building within Subareas A and B nor the compliance of the Transitional Height requirement in the Subarea B. Compliance shall be to the satisfaction LADBS Plan Check at the time of Plan Check.

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

If the proposed development does not comply with the current Zoning Code,

all zoning violations shall be indicated on the Map.

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

#### DEPARTMENT OF TRANSPORTATION

- 8. A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation. Jeannie Shen the LADOT District Engineer for this area has indicated "The District Office does not have any future improvements along this part of Franklin. Ok with the merger." (Email dated January, 24, 2017).
- 9. Delivery truck loading and unloading should take place on site. Loading and unloading operation has to be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21 A.
- 10. Vehicular access on Franklin and Western Avenues shall be provided via right-turningress and right-turn-egress. Applicant shall install and maintain appropriate signage and pavement marking for the right-turn-ingress and right-turn-egress operation.
- 11. There should be a minimum of 20-foot of full curb-height between the retail driveway and loading zone driveway or to the satisfaction of the Department of Transportation.
- 12. That a fee in the amount of \$205.00 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.
- A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 550.

## FIRE DEPARTMENT

- 14. <u>That prior to the recordation of the final map</u>, 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. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.

- c. 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.
- d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. 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.
- f. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

Policy Exception: L.A.M.C. 57.09.03.B Exception:

When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.

This policy does not apply to single-family dwellings or to non-residential buildings.

Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.

Entrance to the main lobby shall be located off the address side of the building.

Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

Where rescue window access is required, provide conditions and

improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

Adequate public and private fire hydrants shall be required.

SECTION 510 EMERGENCY RESPONDER RADIO COVERAGE

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.

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

- 15. 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).)
  - a. Prior to receiving water service the Developer must arrange for the Department to install one (1) 2 <sup>1</sup>/<sub>2</sub>" x 4" Double-outlet Fire Hydrant (D.F.H.) on the southeast corner of Western Avenue and Franklin Avenue.
  - b. Water meters and services for each lot shall be installed on street surface frontage (on the sidewalk and behind the curb within the public right-of-way).
  - c. In the absence of street surface frontage, grant adequately sized private easement for water line purposes and community areas adjacent to public street and common driveways. These areas will accommodate the property pipes coming from the proposed water service meters.
  - d. The location of these community areas must be shown in the Tract Map and in a form satisfactory to the Department.

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, CA 90051-5700 or (213) 367-1120.

# **BUREAU OF SANITATION**

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

# INFORMATION TECHNOLOGY AGENCY

17. To assure that cable television facilities will be installed in the same manner as other required improvements, please email <u>cabletv.ita@lacity.org</u> 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

18. That the Quimby Fee be based on the C4 and R3 Zones.

## URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

19. Plant street trees and remove any existing trees within dedicated street or proposed dedicated street as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider or contrctor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note: All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077.

## DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 20. <u>Prior to the recordation of the final map</u>, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of 96 dwelling units.
  - Parking shall be provided per Government Code Section 659195(p)(3)(A) and the Vermont/Western SNAP Specific Plan or as modified by Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR.
  - c. <u>That prior to issuance of a certificate of occupancy</u>, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required

# front yard.

- d. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. 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.
- g. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- h. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

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

under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

- 21. <u>That prior to the issuance of the building permit or the recordation of the final map</u>, a copy of the approved Planning Department Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR is not approved, the subdivider shall submit a tract modification.
- 22. That the subdivider shall record and execute a Covenant and Agreement to comply with the **Vermont/Western SNAP Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
- 23. <u>Prior to the issuance of a grading permit</u>, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
  - a. Streets to be used are limited to N. Western Avenue, Los Feliz Boulevard, Roxford Street, N. Sepulveda Boulevard, San Fernando Road and Sunshine

Canyon Road.

- b. Hours of operation shall be from 7:00 a.m. to 3:00 p.m.
- c. Days of the week shall be Monday through Friday.
- d. Total trips per day shall be 50 trips per day.
- e. Duration of project shall be 4 to 6 weeks.
- f. Trucks shall be restricted to 10-wheel dump trucks or smaller for streets with a width of 25 feet or less. Eighteen-wheel dump trucks are permitted on streets with a width greater than 25 feet. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets.
- g. The Emergency Operations Division, Specialized Enforcement Section of the Los Angeles Police Department shall be notified prior to the start of hauling (213) 486-0777.
- h. Streets shall be cleaned of spilled materials at the termination of each work day.
- i. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
- j. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- k. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
- I. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- m. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- n. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- p. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- q. A Truck Crossing warning sign shall be placed 300 feet in advance of the exit

in each direction.

- r. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of Work Area Traffic Control Handbook.
- s. The City of Los Angeles, Department of Transportation, telephone (213) 485-2298, shall be notified 72 hours prior to beginning operations in order to have temporary No Parking signs posted along the route.
- t. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting Street Services Investigation and Enforcement Division at (213) 847-6000 before the change takes place.
- u. The permittee shall notify Street Services Investigation and Enforcement Division, (213) 847-6000, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- v. A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the <u>Central Los Angeles</u> District Engineering Office, 201 N. Figueroa Street, Land Development Section, Suite 1150, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling (213) 202-3495.

# OR

A surety or cash bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the <u>Valley</u> District Engineering Office, 6262 Van Nuys Blvd, Suite 251, Van Nuys CA, 91401. Further information regarding the bond may be obtained by calling (818) 374-5082.

24. Prior to the recordation of the final map, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing and Community Investment Department (HCIDLA) to make 16 units of the affordable housing development available for rental or sale solely to Very Low Income households, at a rental or sales price determined to be affordable to (Very Low Income households) by HCIDLA, for a period of 55 years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

# **Tenant Relocation Conditions**

25. That the applicant 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 Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

26. 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 the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

# DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 27. <u>That prior to recordation of the final map</u> the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No(s). 28 and 29 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
- 28. <u>Prior to the recordation of the final map</u>, the subdivider will 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:

# Tree Removal (Public Right-of-Way)

- MM-1 Removal of trees in the public right-of-way requires approval by the Board of Public Works. The required Tree Report shall include the location, size, type, and condition of all existing trees in the adjacent public right-of-way and shall be submitted for review and approval by the Urban Forestry Division of the Bureau of Street Services, Department of Public Works (213-847-3077).
- MM-2 The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) trees in the public right-of-way.
- MM-3 All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards.

#### Underground Storage Tanks

- MM-4 Prior to excavation, the Applicant shall prepare a survey of the Site using ground-penetrating radar or equivalent means to locate USTs, clarifiers, drains or other potentially contaminated equipment.
- MM-5 If any USTs are discovered during the pre-excavation survey, they shall be properly registered and permanently abandoned by removal in accordance with LAFD requirements.

#### **Construction Soil Management Plan**

- MM-6 Prior to excavation, a technician shall perform boring tests of (1) soil near any USTs, clarifiers, drains or other potentially contaminated equipment discovered by pre-excavation survey; and (2) soil in portions of the property where historical conditions indicate potential contamination, including historical dry cleaning operations. If soils impacted with hazardous chemicals and/or petroleum products are encountered during redevelopment or discovered by pre-excavation survey, a licensed Professional Geologist or Professional Engineer shall oversee proper characterization and remediation of identified impacted materials.
- MM-7 In addition, a Construction Soil Management Plan shall be required to guide the redevelopment of the below-grade portions of the property. The Plan shall address the historical conditions known about the property's history in addition to any potential sources of contamination discovered during the pre-excavation survey, and present the appropriate methods and protocol for management of encountered conditions.
- MM-8 A technician shall be on the Site during demolition, excavation, and grading phases to sample and screen any residual contaminants, should they be encountered. The technician shall use visual identification (such as discolored soils) and/or a screening meter to identify any residual contaminants, should they be encountered. Testing to characterize the material shall occur either onsite in a mobile laboratory or off-site in a remote laboratory. Materials shall be identified, segregated, and tracked as to their extent on the site.
- MM-9 Any soils containing contaminants at levels of concern shall be either remediated on-site prior to reuse or removed and disposed of in accordance with all applicable laws and regulations, including those promulgated by the California Department of Toxic Substances Control (DTSC). All necessary approvals shall be obtained from the lead enforcement agency including, but not limited to, the Los Angeles County Fire Department Health and Hazardous Materials Division.

# Vapor Intrusion into Indoor Air Space

MM-10 A vapor barrier may be necessary based on the analytical results of the Phase 1 investigation. If required based on the results, the vapor barrier will be completed according to the required regulations and standards. All new construction shall install a thicker chemical proof moisture/vapor barrier according to the guidelines and regulations concerning "Vapor Intrusion Into Indoor Air Spaces" from the US EPA. These barriers include sheet membranes (usually 40–60 mil high-density polyethelene (HDPE) but can be polyethylene, polyvinylchloride, or EPDM (ethylene propylene diene monomer) rubber.) or fluid-applied membranes (Fluid-applied or cured-in-place membranes are spray-applied to a specific thickness (e.g., 60 mil), according to the EPA's "Indoor Air Vapor Intrusion Mitigation Approaches."

## **Human Health Vector Control**

MM-11 The property shall be maintained in a neat, attractive, and safe condition at all times. On-site activities shall be conducted so as not to create noise, dust, odor, or other nuisances to surrounding properties. Trash and Recycling bins shall be maintained with a lid in working condition; such lid shall be kept closed at all times. Trash and garbage collection bins shall be maintained in good condition and repair such that there are no holes or points of entry through which a rodent could enter. Trash and garbage collection containers shall be emptied a minimum of once per week. Trash and garbage bin collection areas shall be maintained free from trash, litter, garbage, and debris.

# **Emergency Evacuation Plan**

MM-12 Prior to the issuance of a building permit, the applicant shall develop an emergency response plan for the Project in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following performance standards and requirements: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

## Public Services (Police)

MM-13 The plans shall incorporate a design that enhances the security, semipublic and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the Project Site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the LAPD. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the LAPD prior to the issuance of building permits.

- MM-14 Upon completion of the Project, the Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.
- 29. Construction Mitigation Conditions Prior to the issuance of a grading or building permit, or 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:
  - CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.
    - Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
    - Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
    - If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

# Air Quality

- CM-2 All off-road construction equipment greater than 50 hp shall meet U.S. EPA Tier 4 emission standards to reduce NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions at the Project site. In addition, all construction equipment shall be outfitted with Best Available Control Technology devices certified by ARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by ARB regulations. At the time of mobilization of each applicable unit of equipment, a copy of each unit's certified tier specification, BACT documentation, and ARB or SCAQMD operating permit shall be provided.
- CM-3 Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export).

#### Noise

- CM-4 Two weeks prior to commencement of construction, notification shall be provided to the off-site residential and school uses within 500 feet of the Project site that discloses the construction schedule, including the types of activities and equipment that would be used throughout the duration of the construction period.
- CM-5 All powered construction equipment shall be equipped with exhaust mufflers or other suitable noise reduction devices capable of achieving a sound attenuation of at least 3 dBA at 50 feet of distance.
- CM-6 All construction areas for staging and warming-up equipment shall be located as far as possible from adjacent noise-sensitive land uses.
- CM-7 Portable noise sheds for smaller, noisy equipment, such as air compressors, dewatering pumps, and generators shall be provided where feasible.
- CM-8 Temporary sound barriers shall be installed as specified:

Temporary sound barriers no less than 12 feet in height shall be erected to block line-of-sight noise travel from the Project site to 5432 Franklin Avenue Residences and Russell Avenue Residences. These barriers should be constructed in such a way so as to have a surface weight of four pounds per square foot or greater, and the Project-facing side should be lined with exterior grade acoustical blankets to provide additional sound absorption. This barrier should extend along the eastern and southern boundaries of the Project site that face these receptors in order to prevent on-site construction noise from diffracting around its ends.

At all other Project boundaries, temporary noise barriers no less than 7 feet in height shall be erected to obstruct line-of-sight noise travel from the Project site to Oxford Avenue Residences and Garfield Place Residences, and to prevent Project construction operations from exceeding LAMC's 75 dBA limit for construction noise within 500 feet of residential zones.

#### Increased Noise Levels (Demolition, Grading, and Construction Activities)

- CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11 The project contractor shall use power construction equipment with stateof-the-art noise shielding and muffling devices.

# Public Services (Police-Demolition/Construction Sites)

CM-12 Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the local street level and to keep unpermitted persons from entering the construction area.

#### Public Services (Construction Activity Near Schools)

- CM-13 The developer and contractors shall maintain ongoing contact with administrator of Immaculate Heart High School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from the administrators and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- CM-14 The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-15 There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- CM-16 Due to noise impacts on the schools, no construction vehicles or haul trucks shall be staged or idled on these streets during school hours.

#### Public Services (Schools Affected by Haul Route)

- CM-17 LADBS shall assign specific haul route hours of operation based upon Immaculate Heart High School's hours of operation.
- CM-18 Haul route scheduling shall be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

#### Safety Hazards

- CM-19 The developer shall install appropriate construction related traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-20 The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- CM-21 Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This requires the applicant to maintain adequate and safe

pedestrian protection, including physical separation (including utilization of barriers such as K-Rails or scaffolding, etc.) from work space and vehicular traffic, and overhead protection, due to sidewalk closure or blockage, at all times.

- CM-22 Temporary pedestrian facilities should be adjacent to the project site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- CM-23 Covered walkways should be provided where pedestrians are exposed to potential injury from falling objects.
- CM-24 Applicant shall keep sidewalk open during construction until only when it is absolutely required to close or block sidewalk for construction and/or construction staging. Sidewalk shall be reopened as soon as reasonably feasible taking construction and construction staging into account.

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

- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2 That the following provisions be accomplished in conformity with the improvements constructed herein:
  - (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private streets, 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 <u>map</u>.
- S-3 That the following improvements be either constructed <u>prior to recordation of the</u> <u>final map</u> or that the construction be suitably guaranteed:
  - (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) 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 BOE improvement conditions. Otherwise relocate and upgrade street lights: one (1) on Franklin Avenue and one (1) on Western Avenue.

#### Notes:

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

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

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Western Avenue being dedicated and adjoining the subdivision by the construction of the following:
    - (1) A concrete curb, a concrete gutter, and a 15-foot concrete sidewalk with tree wells.
    - (2) Suitable surfacing to join the existing pavements and to complete a 37-foot half roadway.
    - (3) Any necessary removal and reconstruction of existing

improvements.

- (4) The necessary transitions to join the existing improvement.
- b. Improve Franklin Avenue being merged with construction of a new 10foot wide concrete sidewalk with tree wells 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. 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.

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 OF FACT (CEQA)

The project was issued Mitigated Negative Declaration ENV-2016-1955-MND on March 22, 2017. Potential negative impacts could occur from the project's implementation due to:

Air Quality (Construction) Tree Removal (Public Right-of-Way) Underground Storage Tanks Construction Soil Management Plan Vapor Intrusion into Indoor Air Space Human Health Hazard (Vector Control) Emergency Evacuation Plan Increased Noise Levels (Demolition, Grading, and Construction Activities) Temporary Sound Barriers Public Services (Police – Demolition/Construction Sites) Public Services (Police) Public Services (Construction Activity Near Schools) Public Services (Schools affected by Haul Route) Safety Hazards

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2016-1955-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of **Condition No(s)**. **28 and 29** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in **Condition No. 27**.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

## FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 74169, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately 0.88 net acres (38,138 net square feet) and is presently zoned C4-1D and R3-1.

The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per Section 3.B. of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

The subject site is 38,138 net square feet. With the two-foot dedication on Western Avenue and the inclusion of the recommended 4.5-foot merger area on Franklin Avenue, the total lot area results in 38,276 square feet. Of the 38,276 square feet of lot area, 17,974 square feet is within Subarea A and 20,302 square feet is within Subarea B.

For residentially and commercially zoned properties in Subarea A, the SNAP allows uses consistent with the existing zoning classification. Of the 17,974 square feet of lot area in Subarea A, 4,146 square feet is zoned C4-1D and 13,828 square feet is zoned R3-1. The Subarea A portion of the site zoned C4-1D allows one dwelling unit for every 400 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 18 dwelling units. For lots in Subarea B, the SNAP limits residential uses to those permitted in the R3 Zone, which allows one dwelling unit for every 800 feet of lot area resulting in 26 dwelling units. Therefore, the portion of the site designated as Subarea A allows 29 dwelling units for a total of 55 dwelling units allowed by-right.

The proposed map includes a companion case with an accompanying request for a Conditional Use to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant seeks a density increase of 75% over the entire project site in order to permit 96 dwelling units in lieu of 55 dwelling units. The Applicant proposes 29% of the base density units or 16 dwelling units for Very Low Income households. The Applicant also requests: Density Bonus on-menu incentives to increase the project site's floor area ratio and to allow averaging of floor area ratio, density, open space, parking and to allow vehicular access from a less restrictive zone to a more restrictive zone; Density Bonus off-menu waivers for lot assembly on residentially zoned properties in Subarea A, lot assembly on commercially zoned properties in Subarea A, for an increase in transitional height and for an increase in overall building height; a Master Conditional Use to allow the sale and/or dispensing of alcoholic beverages for on-site and off-site consumption; a Project Permit Compliance Review with the Vermont/Western SNAP Specific Plan; and a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project is consistent with the General Plan and Vermont/Western SNAP Specific Plan.

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

The adopted Hollywood Community Plan designates the subject property for Neighborhood Office Commercial land use with the corresponding zones of C1, C2, C4, P, RAS3 and RAS4. The property contains approximately 0.88 net acres (38,138 net square feet) and is presently zoned C4-1D and R3-1.

The project site is located within the Vermont/Western Station Neighborhood Area Plan (SNAP) Transit Oriented District Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards). Per Section 3.B. of the Vermont/Western SNAP Specific Plan, wherever the Specific Plan contains provisions which require or permit greater or lesser setbacks, street dedications, open space, densities, heights, uses, parking or other controls on development that would be allowed or required pursuant to the provisions contained in Chapter 1 of the Code, the Specific Plan shall prevail and supersede the applicable provisions of the Code.

The proposed map is to merge and re-subdivide the project site into a single ground lot, to merge seven (7) feet of previously dedicated land along Franklin Avenue back into the project site and an approval of a haul route. Per Planning Staff's recommendation to submit a revised map showing a reduced merger area of 4.5 feet in order to comply with the 10-foot width sidewalk requirement of the Modified Avenue II designation on Franklin Avenue, the Applicant provided a revised map stamp dated March 23, 2017showing a merger area of 4.5 feet along Franklin Avenue.

The recommended subdivision will facilitate the development of a mixed-use building that is five-stories, 60 feet in height that contains 101,916 square feet of floor area with 96 residential units, of which 29% of the base density or 16 units, will be set aside as Restricted Affordable Units for Very Low Income households and 5,546 square feet of commercial space. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the proposed project is allowable under the current adopted zone, land use designation and the Vermont/Western SNAP Specific Plan.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. There are existing sewers available in the streets adjoining the subdivision. The construction of mainline and house connection sewers may be required to serve the tract. This tract will connect to the public sewer system to serve the tract. The tract will connect to the public sewer system and will not result in violation of the California Water Code. As a condition of approval, the subdivider is required to dedicate a two-foot side strip of land along Western Avenue adjoining the tract to complete a 52-foot wide half right-of-way in accordance with the Modified Avenue I designation of the Mobility Plan 2035 and also dedicate a new 20-foot radius property line return at the intersection with Franklin Avenue after the proposed street merger along Franklin Avenue. The subdivider is required to make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewers in the area. The subdivider is also required to make improvements on Western Avenue and Franklin Avenue in order to meet current street standards.

The Department of Transportation (DOT) is requiring a 40-foot reservoir be provided between any security gate(s) and the property line. Delivery truck loading and unloading should be designed to take place on-site and loading and unloading is required to be designed so that a vehicle is not required to back into or out of any public street or sidewalk. Vehicular access on Franklin and Western Avenues are required to be provided via right-turn-ingress and right-turn egress with appropriate signage and pavement parking. The Department of Transportation, Hollywood-Wilshire District Office advised that no future improvements were planned along the portion of Franklin Avenue adjoining the subdivision and advised the proposed 7-foot merger area would be acceptable. However, the merger area as proposed does not meet the sidewalk width requirement of 10-feet for the designation of the Modified Avenue II on Franklin Avenue. A reduced merger of 4.5 feet was approved by the Advisory Agency to comply with the Modified Avenue II designation on Franklin Avenue and the Mobility Plan 2035.

The Bureau of Street Lighting is requiring no street lighting improvements if no street widening is required; however, if street widening is required then the subdivider is required to relocate and upgrade street lights, one (1) on Franklin Avenue and one (1) on Western Avenue.

The Urban Forestry Division is requiring the planting and removal of street trees in compliance with the Urban Forestry Division. All street tree plantings are required to be brought up to current standards.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

Therefore, as conditioned, the revised tract map is consistent with the intent and purpose of the applicable General Plan and Vermont/Western SNAP Specific Plan.

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

The subject site is not located in a flood zone, landslide area, liquefaction area, hillside area or methane hazard area. However, the subject site is located within a Bureau of Engineering designated Special Grading Area and an Alguist-Priolo Fault Zone for the Hollywood fault. In an email from the Department of Building and Safety, Grading Division dated October 17, 2016, the issued Geology and Soils Report Approval on March 16, 2015 (Log No. 86433-01) still applies, which details conditions of approval to address the Alquist-Priolo Fault Zone for the Hollywood fault. This is included as Condition No. 6. Furthermore, specific Regulatory Compliance Measures (RCMs) in the Mitigated Negative Declaration, ENV-2016-1955-MND, regulate the grading and construction of projects in these particular types of "sensitive" locations and will reduce any potential impacts to less than significant. The RCMs require that design and construction of the building must conform to the California Building Code, and grading on site shall comply with the City's Landform Grading Manual, as approved by the Department of Building and Safety Grading Division. Furthermore, RCMs require compliance with the Uniform Building Code Chapter 18 to address impacts related to liquefaction and compliance with Ordinance No. 175,790 and Section 91.7102 of the LAMC to address impacts related to methane. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment in which the project is located. The site is therefore physically suitable

#### VESTING TENTATIVE I RACT NO. 74169

for the proposed type of development.

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

The 0.88 net acre site is currently zoned C4-1D and R3-1 with a plan designation of Neighborhood Office Commercial in the Hollywood Community Plan. The project site is also located within the Vermont/Western SNAP Specific Plan and designated as Subarea A (Neighborhood Conservation) and Subarea B (Mixed Use Boulevards).

The subject site is 38,138 net square feet. With the exclusion of the two-foot dedication on Western Avenue and the inclusion of the 4.5-foot merger area on Franklin Avenue, the total lot area results in 38,276 square feet. Of the 38,276 square feet of lot area 17,974 square feet is within Subarea A and 20,302 square feet is within Subarea B.

For residentially and commercially zoned properties in Subarea A, the SNAP allows uses consistent with the existing zoning classification. Of the 17,974 square feet of lot area in Subarea A, 4,146 square feet is zoned C4-1D and 13,828 square feet is zoned R3-1. The Subarea A portion of the site zoned C4-1D allows one dwelling unit for every 400 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 11 dwelling units. The Subarea A portion of the site zoned R3-1 allows one dwelling unit for every 800 square feet of lot area, which results in 18 dwelling units. For lots in Subarea B, the SNAP limits residential uses to those permitted in the R3 Zone, which allows one dwelling unit for every 800 feet of lot area resulting in 26 dwelling units. Therefore, the portion of the site designated as Subarea A allows 29 dwelling units for a total of 55 dwelling units.

The proposed map includes a companion case with an accompanying request for a Conditional Use to increase the density greater than the maximum allowed by LAMC Section 12.22 A.25. The Applicant seeks a density increase of 75% over the entire project site in order to permit 96 dwelling units in lieu of 55 dwelling units. The Applicant proposes 29% of the base density units or 16 dwelling units for Very Low Income households. The Applicant also requests: Density Bonus on-menu incentives to increase the project site's floor area ratio and to allow averaging of floor area ratio, density, open space, parking and to allow vehicular access from a less restrictive zone to a more restrictive zone; Density Bonus off-menu waivers for lot assembly on residentially zoned properties in Subarea A, lot assembly on commercially zoned properties in Subarea A, for an increase in transitional height and for an increase in overall building height; a Master Conditional Use to allow the sale and/or dispensing of alcoholic beverages for on-site and off-site consumption; a Project Permit Compliance Review with the Vermont/Western SNAP Specific Plan; and a Site Plan Review for a project that creates or results in an increase of 50 or more dwelling units. With the approval of Case No. CPC-2016-1954-CU-MCUP-DB-SPP-SPR by the City Planning Commission, the site is physically suitable for the proposed density of development.

Additionally, the project engineer has certified that the subject site is not located in a flood zone, landslide area, liquefaction area, hillside area or methane hazard area. However, the project engineer has certified that the subject site is located within a Bureau of Engineering designated Special Grading Area and an Alquist-Priolo Fault Zone for the Hollywood fault. In an email from the Department of Building and Safety, Grading Division dated October 17, 2016, the issued Geology and Soils Report Approval on March 16, 2015 (Log No. 86433-01) still applies, which details conditions of approval to address the Alquist-Priolo Fault Zone for the Hollywood for the Alquist-Priolo Fault Zone for the Hollywood to address the Alquist-Priolo Fault Zone for the Hollywood for the Hollywood fault. This is included as Condition No. 6. The site is therefore 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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, waiter, plant life, animal life, or risk of upset are concerned.

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

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

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

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

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

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

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

- In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
- 2) Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Vesting Tract No. 74169.

VINCENT P. BERTONI, AICP Advisory Agency

KEVIN S. GOLDEN Deputy Advisory Agency

VPB:JJC:KSG:MA

Jane J. Choi, AICP

Senior City Planner

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

Figueroa Plaza 201 North Figueroa Street 4th Floor Los Angeles, CA 90012 (213) 482-7077 Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050

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

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

(07-12-16) Residential Condos

# DATE OF PLAN: APRIL 7, 2020

DATE OF FIELD SURVEY: AUGUST 7, 2019

ADDRESS: 1860-1868 N WESTERN AVE., AND 5440-5448 W FRANKLIN AVE., LOS ANGELES, CA 90027 ASSESSOR'S PARCEL NUMBER: 5544-006-024, 025, 051, 052, & 053

THOMAS GUIDE PAGE: 593-H3

EXISTING AREA: C4-1D ZONE (PARCELS 1, 2, AND A PORTION OF PARCELS 3 AND 4): 28,035 SQUARE FEET, 0.64 ACRES

R3-1 ZONE (PARCEL 5 AND A PORTION OF PARCELS 3 AND 4): 13,778 SQUARE FEET, 0.32 ACRES

PROPOSED AREA: LOT 1 R3-1, C4-D1 ZONES 38,271 SQUARE FEET, 0.88 ACRES

EXISTING/PROPOSED ZONING: EXISTING ZONING (PARCELS 1, 2, AND A PORTION OF PARCELS 3 AND 4): C4-1D

EXISTING ZONING (PARCEL 5 AND A PORTION OF PARCELS 3 AND 4): R3-1 PROPOSED ZONING (LOT 1): C4-1D & R3-1

# COMMUNITY PLAN: HOLLYWOOD

SPECIFIC PLAN AREA: VERMONT/WESTERN STATION NEIGHBORHOOD AREA PLAN CENSUS TRACT NO: 1904.02

MAP SHEET: 150A193

BENCH MARK: THE ELEVATION OF 437.179 FEET ON BENCH MARK NO. 12-21751 (A WIRE SPIKE IN THE WEST CURB OF WESTERN AVENUE, 4.5' NORTH OF THE "BEGIN-CURVE" CURB RETURN, NORTH OF FRANKLIN AVENUE. AT THE SOUTH END OF A CATCH BASIN) NAVD 1988 DATUM, 2000 ADJUSTMENT, AS SHOWN IN CITY OF LOS ANGELES NAVIGATE L.A. DATABASE WAS USED AS ELEVATION DATUM FOR THIS SURVEY.

FLOOD ZONE: THIS PROPERTY LIES WITHIN ZONE "X" AS SHOWN ON FIRM MAP COMMUNITY PANEL NUMBER OF 06037C1610F DATED SEPTEMBER 26, 2008. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

# LEGAL DESCRIPTION:

PARCEL

THAT PORTION OF LOT 27 OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES. COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 92, MISCELLANEOUS RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF FRANKLIN AVENUE 60 FEET WIDE WITH THE EAST LINE OF WESTERN AVENUE 80 FEET WIDE; THENCE SOUTH ALONG WESTERN AVENUE 115 FEET TO THE NORTH LINE OF LAND CONVEYED TO DAVID C. MARTIN AND WIFE BY DEED RECORDED IN BOOK 6612 PAGE 51 OF DEEDS. RECORDS OF LOS ANGELES COUNTY; THENCE EAST ALONG SAID NORTH LINE 83 FEET; THENCE NORTH PARALLEL WITH EAST LINE OF WESTERN AVENUE 115 FEET TO THE SOUTH LINE OF FRANKLIN AVENUE; AND THENCE WEST ALONG THE SOUTH LINE OF FRANKLIN AVENUE 83 FEET TO THE PLACE OF BEGINNING.

THAT PORTION OF LOT 27 OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 92 OF MISCELLANEOUS RECORDS F SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF FRANKLIN AVENUE, 60 FEET WIDE, DISTANT 83 FEET EAST FROM THE INTERSECTION OF SAID SOUTH LINE, WITH THE EAST LINE OF WESTERN AVENUE, 80 FEET WIDE; THENCE SOUTH PARALLEL WITH SAID WESTERN AVENUE, MARTIN, BY DEED RECORDED IN BOOK 6612 PAGE 51 OF DEEDS; THENCE EAST ALONG SAID NORTH LINE 42 FEET; THENCE NORTH PARALLEL WITH SAID WESTERN AVENUE, 115 FEET TO SAID FRANKLIN AVENUE; THENCE WEST 42 FEET TO THE POINT OF BEGINNING.

THAT PORTION OF LOT 27 OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 7 PAGE 92 OF MISCELLANEOUS RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY LINE OF WESTERN AVENUE, 80 FEET WIDE, DISTANT 115 FEET SOUTH OF THE INTERSECTION OF THE SOUTHERLY LINE OF FRANKLIN AVENUE, 60 FEET WIDE, WITH THE EAST LINE OF WESTERN AVENUE, 80 FEET WIDE; THENCE SOUTH ALONG WESTERN AVENUE 75 FEET TO THE NORTH LINE OF FOREST GLEN TRACT, AS PER MAP RECORDED IN BOOK 3 PAGE 49 OF MAPS; THENCE EAST ALONG SAID NORTHERLY LINE, 170 FEET; THENCE NORTH PARALLEL WITH THE EASTERLY LINE OF WESTERN AVENUE. 75 FEET; THENCE WEST 170 FEET TO THE POINT OF BEGINNING; ALSO THAT PORTION OF LOT 27 OF WEST PORTION OF THE LICK TRACT, IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 7 PAGE 92 OF MISCELLANEOUS RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF FRANKLIN AVENUE, DISTANT 170 FEET EAST FROM THE EASTERLY LINE OF WESTERN AVENUE AS WIDENED TO A WIDTH OF 80 FEET; THENCE SOUTH AND PARALLEL WITH SAID WESTERN AVENUE, 128 FEET TO THE TRUE POINT OF BEGINNING; THENCE EAST AND PARALLEL WITH SAID FRANKLIN AVENUE, 50 FEET TO A POINT;THENCE SOUTH AND PARALLEL WITH SAID WESTERN AVENUE, 62 FEET TO A POINT; THENCE WEST AND PARALLEL WITH SAID FRANKLIN AVENUE, 50 FEET TO A POINT; THENCE NORTH AND PARALLEL WITH SAID WESTERN AVENUE, 62 FEET TO THE POINT OF BEGINNING.

• FOR THE CONSTRUCTION AND MAINTENANCE OF A 5-STORY MIXED USE BUILDING WITH 1 SUBTERRANEAN I EVEL OF PARKING

- SEE SITEPLAN FOR SPECIFIC SITE DETAILS BOUNDARY SHOWN HEREON IS PER FIELD MEASUREMENTS
- PROPOSED STRUCTURES SHOWN HEREON ARE APPROXIMATE THERE ARE NO TREES ON THE SITE
- STREET TREE TO BE REMOVED LOCATED IN WESTERN AVENUE RIGHT OF WAY, AS SHOWN HEREON
- SEWERS ARE IN AND AVAILABLE • UTILITY INFORMATION SHOWN HEREON IS PER RECORD DATA AND IS ONLY AS ACCURATE
- AS SAID DATA. CENTRAL TRASH COLLECTION
- NOT LOCATED IN A HILLSIDE AREA
- NOT LOCATED IN A HISTORIC PRESERVATION OVERLAY ZONE LOCATED IN TIER 3 TRANSIT ORIENTED COMMUNITY (TOC)
- NOT LOCATED IN A AIRPORT HAZARD
- NOT LOCATED IN A COASTAL ZONE
- NOT LOCATED IN A VERY HIGH FIRE HAZARD SEVERITY ZONE NOT LOCATED IN A FLOOD ZONE
- NOT LOCATED IN A HAZARDOUS WASTE/BORDER ZONE PROPERTY
- NOT LOCATED IN A METHANE HAZARD ZONE
- NOT LOCATED IN A HIGH WIND VELOCITY AREA LOCATED IN SPECIAL GRADING AREA (BOE BASIC GRID MAP A-13372)
- NO OIL WELLS EXIST ON SITE
- LOCATED IN ALQUIST—PRIOLO FAULT ZONE NOT LOCATED IN A LANDSLIDE AREA
- NOT LOCATED IN A LIQUEFACTION AREA
- NOT LOCATED IN A TSUNAMI INUNDATION ZONE HAUL ROUTE IS BEING REQUESTED AT THIS TIME
- TENTATIVE MAP REFLECTS THE BLDG FOOTPRINT AT STREET LEVEL ONLY

# PROPOSED BUILDING SUMMARY:

BUILDING HEIGHT: TOTAL BUILDING SF: NUMBER OF FLOORS: TOTAL UNITS:	60.00' UP TO 101,916 SF 5 FLOORS LEVEL B1- PARKING, HT=10.00' LEVEL 1- RETAIL/PARKING/AMENITY, HT=14.17' LEVEL 2-5 RESIDENTIAL, HT=9.08' UP TO 96 UNITS
PARKING:	
	DROVIDED CONSISTENT WITH AR 744

-RESIDENTIAL PARKING PROVIDED CONSISTENT WITH AB 744 -COMMERCIAL PARKING PROVIDED CONSISTENT WITH SECTION 8.E.3 OF THE VERMONT/WESTERN SNAP STREET INFORMATION:

A. PAVING STATUS: UNDER ONE-YEAR MORATORIUM, RESURFACED JULY 12, 2015 B. DESIGNATION: AVENUE II

WESTERN AVE A. PAVING STATUS: 1 TO 5 YEARS B. DESIGNATION: AVENUE I

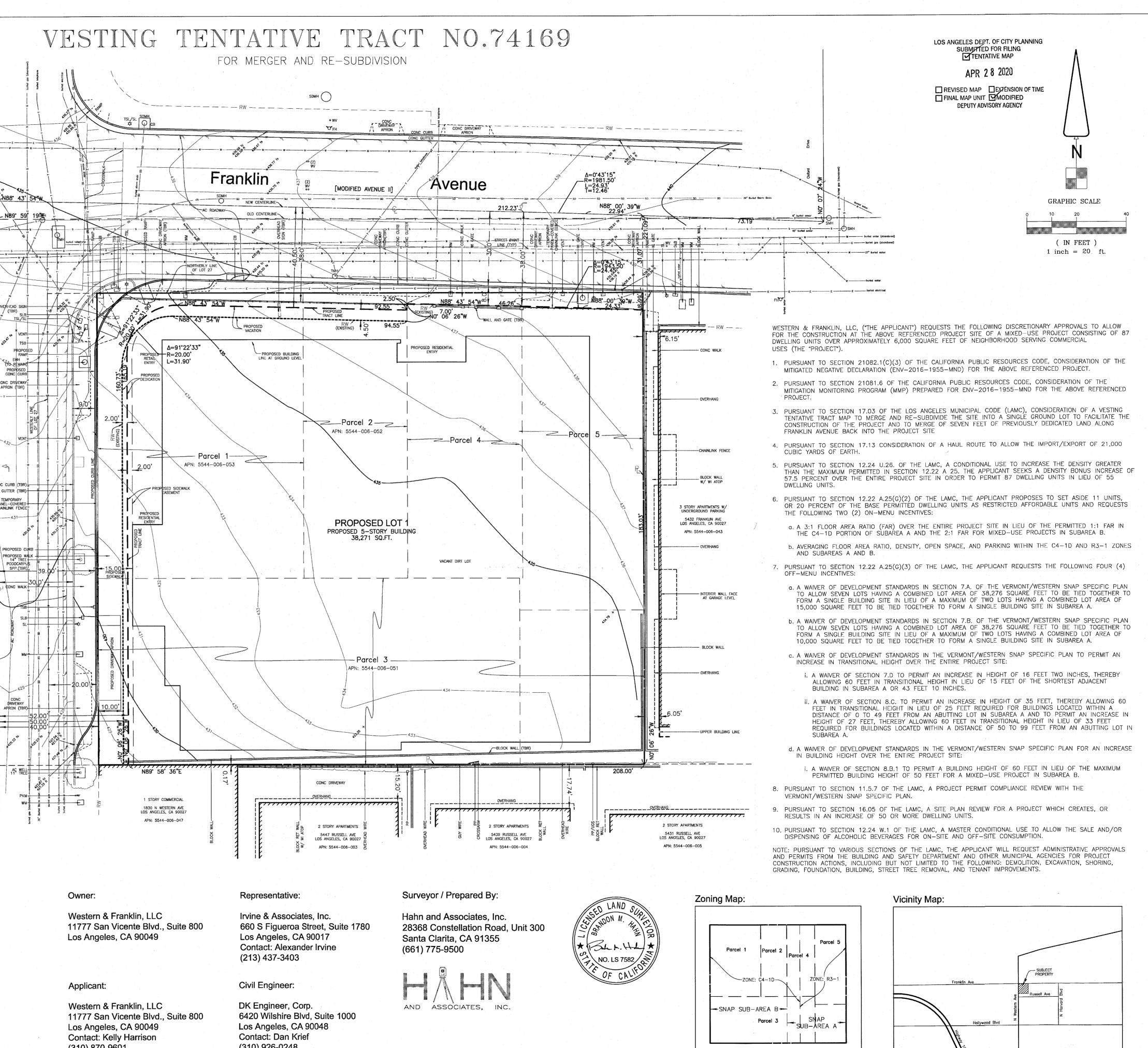
EARTHWORKS

NOT TO EXCEED 21,000 CY OF SOIL EXPORT

LEGE	ND	: asphalt concrete	
cb	_	catch basin	
conc	=	concrete	
emh	=	electrical manhole	
fh	=	fire hydrant	
fl	=	flowline	
fs	=	finish surface	
pkm	÷	parking meter	
рр	=	power pole	
ret	=	retaining	
sdml	י =	storm drain manhole	
sl	=	street light	
slb	=	street light box	
smh	=	sewer manhole	-
tbr	=	to be removed	
tc	<b>—</b> .	top of curb	-
tmh	=	telephone manhole	
tsb	=	traffic signal box	

tsI = traffic signal light

- buried electrical ------ E ------ E ---------- E ------ E ------тмн () N88 43 54" NO' 08' 52"W< N89 5 10" burind sever ------ S-----27" buried states PROPOSED \_\_\_\_\_ ONC DRIVEWAY Ð VENT **(**) CURB (TBR) TEMPORARY PROPOSED C CONC WALK (1) APRON (T AC WELL typ = typical
- ub = utility box wi = wrought iron wm = water meter wv = water valve I = property line = centerline RW = right of way \_\_\_\_s \_\_\_ = buried sewer \* = buried water ----- = buried gas = buried storm drain ------ = buried telephone/communication  $\epsilon_{\epsilon_{\text{max}}} = \text{buried electrical}$ \_\_\_\_\_ = overhead wires



(310) 870-9601

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HAHN JOB NO .: 0061-19-014

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