

DEPARTMENT OF
CITY PLANNING

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November 1, 2017

Ely Dromy (A)
Dromy International Investment Corp.
9440 Santa Monica Blvd., Suite 401
Beverly Hills, CA 90210

Empire Plaza Company LLC (O)
9440 Santa Monica Blvd., Suite 401
Beverly Hills, CA 90210

Ben Manesh (E)
BMI Engineering
6911 Hayvenhurst Avenue
Van Nuys, CA 91406

RE: Tentative Tract Map No. **VTT-69170-CC**
3600 South Empire Drive
Community Plan: Palms – Mar Vista –
Del Rey
C.D.: 5
Zone : R3-1

EXTENSION OF TIME

On January 15, 2010, the Deputy Advisory Agency conditionally approved TT-69170-CC for a maximum 6-unit condominium conversion project with one of the units set aside / designated as a Low or Moderate income housing unit.

The Advisory Agency approves a time extension based on the following extensions:

Pursuant to AB 208, the map was extended for an additional two years since it was valid on July 15, 2011 and expired before January 1, 2014.

Additionally, in accordance with the provisions of Ordinance 182,106 and Section 17.07-A,1 of the Los Angeles Municipal Code, the Deputy Advisory Agency hereby grants a 6 year extension of time for the recording of the final map for TT-69170-CC located at 3600 South Empire Drive.

Therefore, with a total time extension of 8 years, the new expiration date for the subject map is **January 15, 2021** and no further extension of time to record the final map can be granted.

Vincent P. Bertoni, AICP
Director of Planning

Susan Whisnant
City Planner
SW:SG:db

NOTE: IF THERE IS A RELATED CASE
WITH YOUR TRACT / PARCEL, THIS
EXTENSION WILL NOT EXTEND THE
RELATED CASE APPROVAL.

DEPARTMENT OF
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200 N. SPRING STREET, ROOM 525
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May 14, 2014

Damien Sutevski (A)(O)
Empire/Camden Properties
10880 Wilshire Boulevard # 1100
Los Angeles, CA 90024

Mo Sahebi C E (R)
Planex Associates
1330 Olympic Boulevard
Santa Monica, CA 90404

RE: Vesting Tentative Tract No 69170-CC
Related Case: None
3600 South Empire Drive
Palms-Mar Vista-Del Rey Planning Area
Zone : R3-1
D.M. : 120-B-165
C.D. : 10
CEQA : ENV-2007-3575-CE
Legal Description: Tract: 5274, Lot: 84

LETTER OF CORRECTION

On January 15, 2010, in accordance with provisions of Section 17.03 and 12.95.2 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract No. 69170-CC composed of 1-lot, located at 3600 Empire Drive for a maximum 6 - unit condominium conversion with one of the units set aside / designated as a Low or Moderate income housing unit.

It has been discovered that the Letter of Determination needs to include Housing Requirements for a land use covenant.

Therefore, condition no. 11 shall be added as follows:

11. That prior to the recordation of the Final Map, the subdivider shall execute and record a covenant and agreement that is satisfactory to Department of City Planning and Housing and Community Investment Department, binding the applicant or any subsequent property owner, heirs, or assigns to:

- a. Execute and record, prior to the issuance of any building permit for the subject project by the Department of Building and Safety, a covenant and agreement, in a manner approved by the Housing and Community Investment Department, guaranteeing that the one designated affordable housing unit shall be reserved for occupancy by eligible households for at

least 30 years from the issuance of the Certificate of Occupancy for the affordable dwelling unit. A copy of the recorded Covenant and Agreement approved by the Housing and Community Investment Department shall be placed in the Tract File, and;

- b. The Housing and Community Investment Department, or its successor or assignee, shall be responsible for the ongoing monitoring and enforcement of these affordable unit requirements.

All other components of the Letter of Determination remain unchanged.

Michael J. Logrande
Advisory Agency



KEVIN STRONG GOLDEN
Deputy Advisory Agency

MJL:KSG

DEPARTMENT OF
CITY PLANNING

200 N. SPRING STREET, ROOM 525
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Decision Date: January 15, 2010

Appeal End Date: January 25, 2010

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Los Angeles, CA 90024

Mo Sahebi C E (R)
Planex Associates
1330 Olympic Boulevard
Santa Monica, CA 90404

RE: Vesting Tentative Tract No 69170-CC
Related Case: None
3600 South Empire Drive
Palms-Mar Vista-Del Rey Planning Area
Zone : R3-1
D.M. : 120-B-165
C.D. : 10
CEQA : ENV-2007-3575-CE
Legal Description: Tract: 5274, Lot: 84

In accordance with provisions of Section 17.03 and 12.95.2 of the Los Angeles Municipal Code (LAMC), the Advisory Agency **approved Vesting Tentative Tract No. 69170-CC** composed of 1-lot, located at 3600 South Empire Drive for a **maximum 6-unit condominium conversion project with one of the units set aside / designated as a Low or Moderate income housing unit** as shown on map stamp-dated July 25, 2007 in the Palms-Mar Vista-Del Rey Community Plan. For an appointment with the Advisory Agency or a City Planner, call (213) 978-1362. 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 5-foot wide public sidewalk easement be dedicated along Tabor Street adjoining the subdivision including a 15-foot radius property easement line return at the intersection with Empire Drive.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

2. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide copy of building permit records, plot plan and certificate of occupancy to verify the last legal use and the number of parking spaces provided on site.
 - b. Provide a copy of affidavit AFF-90-1029400-MB, AFF-89-263 and AFF-89-1184026. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - c. Provide a copy of ZA case ZA-1988-103 YV and YV-645. Show compliance with all the conditions/requirements of the ZA case(s) as applicable.
 - d. 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.
 - e. Parking is required for the existing structures to remain.

Note:

There is a 10 ft. and 25 ft. Building Line Ordinance Setback.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

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

DEPARTMENT OF TRANSPORTATION

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

- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line, or to the satisfaction of the Department of Transportation.
- b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
- c. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045. For an appointment, call (213) 485-1062.
- d. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180542 and Los Angeles Municipal Code (LAMC) Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

4. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.

DEPARTMENT OF WATER AND POWER

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

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

6. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or

annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

INFORMATION TECHNOLOGY AGENCY

7. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code (LAMC) Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 473-9973.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

8. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- a. Limit the proposed development to a maximum of 6 dwelling units with one of the units set-aside / designated as a low or moderate income housing unit.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.

In addition, prior to issuance of a building permit or certificate of occupancy, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the LAMC as it applies to this subdivision and the proposed development on the site.

Not Applicable

- d. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- e. Upon the effective date of this conditional approval, the applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

9. That prior to recordation of the final map, the subdivider shall apply to the Department of Building and Safety for a change of the certificate of occupancy from apartments to condominiums.
10. Certified Parking Plan. The subdivider shall submit two copies of a parking plan, certified by a licensed surveyor or registered civil engineer and approved by the Department of Building and Safety, to the satisfaction of the Advisory Agency prior to recordation of the final map, indicating the number of spaces required, driveways, aisle widths, column locations or any other type of obstructions. New parking spaces, if any, are to be constructed in accordance with current codes.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONVERSION CONDITIONS

- CC-1 That prior to final map recordation, the applicant shall execute and record a covenant and agreement stating that each tenant shall be given at least a 180-day written notice of intention to convert, prior to termination of tenancy, due to the conversion or proposed conversion. (200 North Spring Street, Room 750) Government Code section 66452.19 This notification supercedes Los Angeles Municipal Code (LAMC) 12.95.2-E,2.
- CC-2 That prior to final map recordation, the applicant execute a covenant and agreement stating that each tenant of the proposed condominium conversion project shall be given written notice within five days after receipt of the subdivision public report of an exclusive right to contract for the purchase of the dwelling unit, occupied by the tenant, upon the same or more favorable terms and conditions than those initially offered to the general public. If a tenant's existing unit is to be combined with an adjacent unit, another unit of comparable size and amenities shall be offered to that tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the California Business and Profession Code, unless the applicant receives prior written notice of the tenant's intention not to exercise the right. (200 North Spring Street, Room 750) (LAMC 12.95.2-E,3).
- CC-3 Prior to recordation of the final map, the subdivider shall pay a Rental Housing Production Fee for each unit, prior to the conversion. This fee shall be paid to the Rental Housing Production Account of the Housing Department in accordance with Section 12.95.2-K of the LAMC. (Room 101, City Hall).

NOTE: All fees collected pursuant to this LAMC 12.95.2-K. shall be deposited and held in the Rental Housing Production Account of the Community Development Department (currently the Housing Department), the account is established to be administered by the Community Development Department (currently the Housing Department) separately from all other money expended by the Department. Money in this account shall be used exclusively for the development of low and moderate income rental housing in the City, pursuant to guidelines carrying out this purpose prepared by the Department and approved by resolution of the City Council.

CC-4 That prior to recordation of the final map, a Housing Inspection Report, prepared by a Licensed Engineer, shall be submitted to the Advisory Agency. The report shall be prepared by a registered civil or structural engineer, licensed general building contractor, licensed general engineering contractor or architect. As necessary, the inspection shall be conducted by a team of experts certified by the International Conference of Building Officials, with specialty in mechanical, electrical, plumbing and structural engineering. The report shall indicate the condition and estimated remaining useful life of the roof, foundation, plumbing, electrical, heating, air conditioning, and other mechanical and structural systems. The report shall show substantial compliance with applicable provisions of Chapter IX of the Los Angeles Municipal Code (LAMC) for existing residential buildings, taking into account nonconforming rights. In addition, prior to inspecting the building, the subdivider or owner shall obtain from the tenants a list of defects and necessary repairs, which in their opinion exist on the site, common areas, unit or apartment structure. Prior to recordation of the final map, any deficiencies determined by the inspection shall be corrected and satisfactory evidence shall be submitted to the Advisory Agency that said corrections have been made. Form CP-6711 will not be prepared unless a list of deficiencies per the Housing Inspection Report Guidelines and a tenants' list of defects are submitted. A certified parking plan shall be required as a part of this condition and all spaces shall be in place prior to recordation. The Advisory Agency has Housing Inspection Report Guidelines available at 200 N. Spring Street in Room 750 for the preparation of Housing Inspection reports.

OR

Prior to the issuance of Certificate of Occupancy for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use.

CC-5 That an acoustical report prepared by a licensed acoustical engineer be submitted to the Department of City Planning for approval prior to recordation of the final map or concurrently with any required Housing Inspection Report. The acoustical report shall indicate (a) the type of construction between dwelling units and the general sound attenuation. (Note: The acoustical report may be included in the Housing Inspection Report as a separate section.)

OR

Prior to the issuance of Certificate of Occupancy for condominiums or recordation of the Final Map, whichever occurs first, the Department of Building and Safety shall certify to the satisfaction of the Advisory Agency that the existing structure meets all applicable Codes to its satisfaction for a residential use for sound attenuation.

CC-6 That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6771) in a form satisfactory to the Advisory Agency, binding the applicant and any successor in interest to provide relocation assistance in a manner consistent with Section 12.95.2-G and 47.06 of the LAMC pertaining to rental subsidies for tenants evicted for condominium conversions and any additional

ordinances that may provide greater relocation assistance. The covenant and agreement shall be executed and recorded within 10 days after expiration of appeal period (and final action thereon) and a copy provided to each tenant within five days of recordation of the covenant and agreement. **Failure to meet the requirement of this condition – including time limits – may be grounds to disapprove the final map.** (200 North Spring Street, Room 750)

CC-7 That prior to final map recordation, the applicant shall execute a covenant and agreement stating that proof shall be submitted (Certified mail or Affidavit) to the Advisory Agency, indicating that each tenant of the proposed condominium conversion project shall be given written notification of the condominium conversion within 30 days after final map recordation.

Prior to issuance of any building permit proof shall be submitted to the Advisory agency that written notification of the condominium conversion within 30 days after final map recordation was given to each tenant of the proposed condominium conversion project.

CC-8 That prior to final map recordation, the applicant shall execute a covenant and agreement for, or provide a receipt, satisfactory to the Advisory Agency, in connection with this condominium conversion. The receipt that the subdivider provides shall show that a Park and Recreation fee, (or a \$200 per unit Dwelling Unit Construction tax, if a Certificate of Occupancy was issued more than 5 years before final map recordation) and a Residential Development Tax of \$300 per dwelling unit has been paid. (201 N. Figueroa Street, Room 940)

CC-9 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
2. All other conditions applying to Model Dwellings under Section 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1 (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.

- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
 - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
 - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
 - (e) That drainage matters be taken care of satisfactory to the City Engineer.
 - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 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 street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

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

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (1) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; one (1) on Tabor St.

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 condition S-3 (i), 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 Urban Forestry Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to current standards. When the City has previously been paid for tree planting,

the subdivider or contractor shall notify the Street Tree Division ((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 Tabor Street and Empire Drive being dedicated and adjoining the subdivision by the construction of the following:
 - (1) Concrete curbs, concrete gutters, and 5-foot concrete sidewalks.
 - (2) Suitable surfacing to join the existing pavement and to complete 20-foot half roadways.
 - (3) Any necessary removal and reconstruction of existing improvements including any planter walls within the public right-of-way area.
 - (4) The necessary transitions to join the existing improvement all 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 Los Angeles Municipal Code (LAMC), unless approved specifically for this project under separate conditions.

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 LAMC.

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

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

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

FINDINGS OF FACT (CEQA)

The conversion of existing multiple family rental units into condominiums or stock cooperatives is categorically exempt from CEQA. This subdivision for condominium conversion, based on a Certificate of Occupancy issued August 2, 1990, is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Class 1, Category 10 of the City of Los Angeles guidelines for implementation of CEQA. Categorical Exemption No. ENV-2007-3575-CE was issued on July 25, 2007.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In making the decision to approve Vesting Tentative Tract No. 69170-CC, the Advisory Agency of the City of Los Angeles, pursuant to the State of California Government Code Sections 66427.1 and 66427.2 (the Subdivision Map Act) and Section 12.95.2 of the Los Angeles Municipal Code (LAMC), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH THOSE APPLICABLE GENERAL AND SPECIFIC PLANS WHICH CONTAIN A DEFINITE STATEMENT OF POLICIES AND OBJECTIVES EXPLICITLY APPLICABLE TO CONDOMINIUM CONVERSION PROJECTS.

The adopted Palms-Mar Vista-Del Rey Plan designates the subject property for Medium Residential land use with the corresponding zone of R3. The property contains approximately 0.13 net acres (4,926 net square feet after required dedication as an easement) and is presently zoned R3-1. No general or specific plans contain a definite statement of policies and objectives applicable to condominium conversion projects. Therefore, as conditioned, the proposed subdivision map is substantially consistent with the applicable general and specific plans.

- (b) THE PROPOSED MAP IS SUBSTANTIALLY CONSISTENT WITH THE APPLICABLE DENSITY PROVISIONS OF THE GENERAL PLAN AND SPECIFIC PLANS IN EFFECT AT THE TIME THE ORIGINAL BUILDING PERMIT WAS ISSUED.

This provision is not applicable as the application for map approval is filed five years or more from the date the original certificate of occupancy for this building was issued.

- (c) THE PROPOSED CONDOMINIUM CONVERSION DOES NOT CONTAIN ANY VIOLATIONS OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE (LAMC) THAT HAVE NOT BEEN CORRECTED OR FOR WHICH AN ADEQUATE PLAN TO CORRECT SUCH VIOLATIONS HAS NOT BEEN DEVELOPED OR ACCOMPLISHED. FOR PURPOSES OF THIS PROVISION, CHAPTER IX OF THE LAMC MEANS THE CODE IN EFFECT WHEN THE BUILDING PERMIT WAS ISSUED AND OTHER SUBSEQUENTLY ENACTED REGULATIONS EXPLICITLY MADE APPLICABLE TO EXISTING STRUCTURES. THE BUILDING PROPOSED FOR CONVERSION IS NOT OF UNREINFORCED MASONRY FOR WHICH THE BUILDING PERMIT WAS ISSUED PRIOR TO OCTOBER 1, 1933, NOR IS IT MORE THAN THREE STORIES IN HEIGHT WITHOUT AN ELEVATOR.
- (d) THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS LESS THAN 5 PERCENT. HOWEVER, AS CONDITIONED, THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2-F,6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential... conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria: (a) the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing building prior to conversion; (c) the number of units which will be eliminated in case conversion occurred in order to satisfy LAMC parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.

Consistent with the requirements of LAMC Section 12.95.2-F,6, the Advisory Agency considered the criteria enumerated in this subsection. The Department of Water Power reports that the vacancy rate of the Palms-Mar Vista-Del Rey Community Plan is 4.8, less than 5%. However, the Advisory Agency hereby determines that adequate tenant protections have been and will be provided consistent with established law as required by Condition Nos. CC-2 and CC-6. Those protections include: advanced notice of intent to convert, guaranteed periods of continued tenancy, monetary payments to offset moving expenses and potentially higher rent and assistance in finding replacement housing as specifically enumerated in the California State Subdivision Map Act, the Ellis Act, Rent Stabilization Ordinance and LAMC Sections 12.95.2 and 47.06. These established state and local regulations assure compliance with the criteria required to permit the condominium conversion.

The Advisory Agency has determined that the findings set forth in Section 12.95.2-F,6, have been adequately addressed and therefore, the condominium conversion may be approved.

- (e) 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 requirements of this section do not apply to condominium projects, which consist of the subdivision of airspace in an existing building when no new structures are added.

- (f) THE OFF-STREET RESIDENT PARKING SPACES AND GUEST PARKING SPACES REQUIRED FOR THE PROPOSED CONDOMINIUM CONVERSION ARE REASONABLE AND FEASIBLE AND SUBSTANTIALLY CONSISTENT WITH THE PURPOSES OF THE LOS ANGELES MUNICIPAL CODE (LAMC).

The parking provided of 12 resident parking spaces conforms to the Advisory Agency's Parking Requirements of two resident parking spaces per dwelling unit for projects more than five years from the issuance of a Certificate of Occupancy.

These findings shall apply to both the tentative and final maps for Vesting Tract No. 69170-CC.

S. Gail Goldberg, AICP
Advisory Agency



MICHAEL S.Y. YOUNG
Deputy Advisory Agency

MSYY:GC:SJB:mkc

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 90th day following the date on which the City's decision becomes final.

If you have any questions, please call Subdivision staff at (213) 978-1362.

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