



DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: November 4, 2021
Time: after 8:30 a.m.*
Place: Due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>] and will allow for remote public comment.

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Public Hearing: Required
Appeal Status: Appealable to City Council
Expiration Date: November 5, 2021, Subject to tolling
Multiple Approval: No

Case No.: VTT-82107-1A
CEQA No.: ENV-2019-5735-SCEA;
Council File 20-1624
Incidental Cases: None
Related Cases: VTT-82107; ZA-2018-3422-ELD-CU-DRB-SPP-SPR; ZA-2018-3422-ELD-CU-DRB-SPP-SPR-1A; DIR-2020-3896-DRB-SPP; DIR-2020-3896-DRB-SPP-P
Council No.: 5 – Koretz
Plan Area: Westwood
Plan Overlay: Wilshire – Westwood Scenic Corridor Specific Plan, Westwood Community Design Review Board Specific Plan, West Los Angeles Transportation Improvement and Mitigation Specific Plan
Certified NC: North Westwood and Westwood
GPLU: Very High Residential and Low Residential
Zone: [Q]R5-3-O and R1-1
Applicant: Belmont Village Senior Living
Representative: Armbruster Goldsmith & Delvac
Appellant: Kay Waldman, Westwood Neighbors for Sensible Growth
Representative: Kristina Kropp, Luna & Glushon

PROJECT LOCATION: 10822 West Wilshire Boulevard and 10812 West Ashton Avenue

PROJECT: A Vesting Tentative Tract Map for the merger and re-subdivision of six-lots into three lots (Lot 1 would accommodate the Sanctuary, Lot 2 would accommodate the Eldercare Facility, and Lot 3 would accommodate the Childcare Facility) and ten (10) commercial condominium units. The designation of yards is shown on the proposed map. Lot 2 would be used for the construction, use, and maintenance of a new 12-story, 176,580 square foot Eldercare Facility containing up to 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, 46 Alzheimer's/Dementia Care Housing guest rooms, and associated residential amenity and service areas within a single building. Lot 3 would accommodate a new two-story, 19,703 square foot Childcare Facility containing classrooms, administrative office space, and multi-purpose/group space and church-related administrative offices. The existing preschool, Fellowship Hall, administrative offices, surface parking lot, and a Church-owned single-family residence would be demolished. The Church's existing Sanctuary located on the northern portion of the Project Site fronting Wilshire Boulevard would remain. A haul route for the export of approximately 62,000 cubic yards of soil. On May 18, 2021, the City Council adopted a Sustainable Communities Environmental Assessment for the project pursuant to Public Resources Code (PRC), Section 21155.2. The SCEA is not appealable.

REQUESTED ACTION: Pursuant to Los Angeles Municipal Code (“LAMC”) Sections 17.01, 17.03, 17.06, 17.13 and 17.15, an appeal of the entire determination by the Advisory Agency to approve Vesting Tentative Tract Map No. VTT-82107 for the re-subdivision of six-lots into three lots (Lot 1 would accommodate the Sanctuary, Lot 2 would accommodate the Eldercare Facility, and Lot 3 would accommodate the Childcare Facility) and ten (10) commercial condominium units, designation of yards as shown on the proposed map, and to grant approval of a haul route for the export of approximately 62,000 cubic yards of earth as shown on map stamp-dated June 14, 2018.

RECOMMENDED ACTIONS:

1. **Deny the appeal** filed by Kay Waldman, Westwood Neighbors for Sensible Growth of VTT-82107;
2. **Find** the City Council held a public hearing and adopted the Sustainable Communities Environmental Assessment dated May 2021 (ENV-2019-5735-SCEA) (“SCEA”), the SCEA findings and the MMP prepared for the project, on May 18, 2021, pursuant to Public Resources Code Section 21155.2(b);
3. **Sustain** the Advisory Agency’s Determination to approve Vesting Tentative Tract Map No. VTT-82107 for the re-subdivision of six-lots into three lots (Lot 1 would accommodate the Sanctuary, Lot 2 would accommodate the Eldercare Facility, and Lot 3 would accommodate the Childcare Facility) and ten (10) commercial condominium units, designation of yards as shown on the proposed map, and to grant approval of a haul route for the export of approximately 62,000 cubic yards of earth as shown on map stamp-dated June 14, 2018;
4. **Adopt** the Advisory Agency’s Conditions of Approval and Findings.

VINCENT P. BERTONI, AICP
Director of Planning



Sergio Ibarra, Deputy Advisory Agency



for

Faisal Roble, Principal City Planner



Michelle Singh, Senior City Planner



Elizabeth Gallardo, City Planner



Dylan Sittig, City Planning Associate
dylan.sittig@lacity.org

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 273, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission’s meeting date. Requirements for submission of materials can be found on the Department of City Planning website at <https://planning.lacity.org/about/virtual-commission-instructions>. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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- Exhibit C – Radius Map and Site Photos
- Exhibit D – Appeal Documents
- Exhibit E – Sustainable Communities Environmental Assessment Links (ENV-2019-5735-SCEA, Council File 20-1624)

PROJECT ANALYSIS

PROJECT SUMMARY

On July 21, 2021, the Advisory Agency issued a Determination approving the Project which includes Vesting Tentative Tract Map No. VTT-82107 for the re-subdivision of six-lots into three lots (Lot 1 would accommodate the Sanctuary, Lot 2 would accommodate the Eldercare Facility, and Lot 3 would accommodate the Childcare Facility) and ten (10) commercial condominium units, designation of yards as shown on the proposed map, and to grant approval of a haul route for the export of approximately 62,000 cubic yards of earth as shown on map stamp-dated June 14, 2018. The approved Vesting Tentative Tract Map No. VTT-82107 is provided in Exhibit A and the Advisory Agency's Determination is provided in Exhibit B. Also on July 21, 2021, the Zoning Administrator approved an Eldercare Facility Unified Permit for the construction, use, and maintenance of an Eldercare Facility consisting of up to 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, 46 Alzheimer's/Dementia Care Housing guest rooms, and associated residential amenity and service Areas; a Conditional Use to permit a church and associated administrative offices and a childcare facility in the R1 zone; and other entitlements, which are related to this case.

The appeal period for the Advisory Agency's Determination ended on August 2, 2021. Kristina Kropp of Luna & Glushon representing Kay Waldman of Westwood Neighbors for Sensible Growth filed a timely appeal of the project. The related Zoning Administrator case was also appealed and will be heard concurrently with this appeal.

BACKGROUND

Subject Property

The subject site is a level, irregular shaped lot comprised of six parcels, consisting of 70,558 gross square feet of lot area. The site is located within the Westwood Community Plan area, with a land use designation of Very High Residential and Low Residential and is zoned [Q]R5-3-O and R1-1. The northern portion of the Site is located within the boundaries of the Wilshire-Westwood Scenic Corridor Specific Plan. The whole site is located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan and is a Transit Priority Area pursuant to Senate Bill 743. The site is within Fire District No. 1, a methane buffer zone, and the BOE Special Grading Area (Basic Grid Map A-13372). As affirmed by the Department of Building and Safety Grading Division Geology and Soils Report Approval Letter dated October 8, 2020 (Log # 113792-01) and the associated Geotechnical Investigation prepared by Wood dated September 14, 2020, faults with the potential for surface fault rupture are not directly beneath nor trending toward the site. The site is not within a flood zone, watercourse, Alquist-Priolo Fault Zone, landslide, or liquefaction zone. The subject site is currently developed with a Church sanctuary, preschool, administrative offices, Fellowship Hall, and ancillary spaces, as well as surface parking areas. The southeastern portion of the Project Site (10812 Ashton Avenue, APN 4325-005-010) is occupied by a Church-owned single-family residence and additional surface parking areas. Approximately 95 percent of the Project Site is covered by on-site buildings and paved areas, while the remaining portion is covered by landscaping and trees. There are currently 31 trees located on site, including one Western Sycamore (*Platanus racemosa*) that is a protected tree species pursuant to Ordinance 177,404, and three City Southern Magnolia street trees (*Magnolia grandiflora*) that are in the public right of way along Wilshire Boulevard.

Zoning Designation

The LAMC establishes the zoning for the north portion of the Site as [Q]R5-3-O (Multiple Dwelling with Q Condition, Height District 3, Oil Drilling District) and the south portion of the Site as R1-1 (One Family, Height District 1). The R5 zone permits high density multi-family residential units as well as church and preschool uses. The existing Q condition, Ordinance No. 163,194, requires design review approval by the Westwood Community Design Review Board for all new projects with two or more units. Height District No. 3, in conjunction with the R5 zone, normally establishes a maximum FAR of 10:1 and no height limit. However, the Specific Plan imposes a maximum FAR of 8:1 and a height limit of 6 stories/75 feet. The R1 zone permits single-family residential uses and accessory structures. Height District No. 1, in conjunction with the R1 zone, establishes a maximum height for flat-roofed structures of 28 feet, while LAMC Section 12.08 C.5 establishes a maximum Residential Floor Area ratio of 0.45:1 and imposes an encroachment plane methodology for measuring building height.

Surrounding Properties

The Project Site is bounded by Wilshire Boulevard to the north; mid- and high-rise commercial development and Pierce Brothers Westwood Village Memorial Park and Mortuary to the west; single-family residential development to the south; and single-family and high-rise multi-family residential developments to the east, including the Californian, a 24-story multi-family condominium residential building adjacent to the subject site. Primary regional access to the Site is provided via Interstate 405 (I-405), which runs north-south and has on- and off-ramps located approximately 0.6 mile to the west of the Site. The Site has convenient access to public transportation along Wilshire Boulevard, is served by multiple Los Angeles County Metropolitan Transportation Authority ("Metro") bus lines, as well as lines operated by other transit providers, and will soon be served by the Metro "D" (Purple) Line Subway Westwood Village Station.

Project Description

The Project has been approved for an Eldercare Facility Unified Permit, Conditional Use Permit, Design Review, Specific Plan Project Permit, and Site Plan Review. The Project would construct a new 12-story, 176,580-square foot Eldercare Facility containing up to 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, 46 Alzheimer's/Dementia Care Housing guest rooms, and associated residential amenity and service areas within a single building located at 10822 Wilshire Boulevard. In addition, the Eldercare Facility would provide a new 2,520-square foot Fellowship Hall on the ground level fronting Wilshire Boulevard for use by the Church, and 2,923 square feet of shared space. The Project would also construct a new two-story, 19,703-square foot Childcare Facility containing 10,238 square feet of classroom, administrative office space, and multipurpose/group space and 1,845 square feet of church-related administrative offices within a single building located at 10812 Ashton Avenue. A minimum of 184 parking spaces would be provided on the ground floor level adjacent to the Childcare Facility and within a three-level subterranean parking garage. The Project would also provide up to 27 short-term and 43 long-term bicycle parking spaces. To allow for construction of the Project, the Church's existing preschool, Fellowship Hall, administrative offices, and surface parking lot located at 10822 Wilshire Boulevard, and a Church-owned single-family residence located at 10812 Ashton Avenue would be demolished. The Church's existing Sanctuary located on the northern portion of the Project Site fronting Wilshire Boulevard would remain. All on-site and adjacent street trees, including the protected Western Sycamore tree, would be removed as part of the Project, except for one of the Southern Magnolia street trees; the protected tree will be replaced by new protected trees at a ratio of 4:1 (a minimum of 48-inch box in size if available) as required by City policies and Ordinance 177,404. A haul route for the export of approximately 62,000 cubic yards of earth materials was also approved.

Sustainable Communities Environmental Assessment

A Sustainable Communities Environmental Assessment (SCEA) was prepared for the proposed project, pursuant to California Public Resource Code (PRC) Section 21155.2, which was adopted as part of Senate Bill 375 (SB 375), or the “Sustainable Communities and Climate Protection Act of 2008.” SB 375 required the State’s 18 metropolitan planning organizations to incorporate a “sustainable communities strategy” into the regional transportation plans to achieve their respective region’s greenhouse gas emission reduction targets set by the California Air Resources Board (CARB).

If a project qualifies as a Transit Priority Project (TPP) and would mitigate potentially significant impacts to a level of insignificance, the lead agency may choose to prepare a SCEA. Under PRC Section 21155, to be a TPP, the project must be consistent with the general land use designation, density, building intensity, and policies in the SCAG RTP/SCS; and meet the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in a regional transportation plan. Under PRC Section 21155.2(b), a TPP may qualify for a SCEA if it meets all of the following:

- The project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in applicable EIRs; and
- An initial study is prepared and the initial study shows the project will have less than significant impacts, including if needed, through the imposition of mitigation measures.

As discussed in the SCEA prepared for the project, the project qualifies as a TPP and is consistent with the Southern California Association of Governments’ (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The SCEA analyzes the potential impacts of the project and identifies mitigation measures that are consistent with the mitigation measures identified in the EIR prepared for the 2020-2045 RTP/SCS.

On May 18, 2021, the City Council found that the project complies with the requirements of CEQA for using a SCEA, that the project is a Transit Priority Project, that after consideration of the whole of the administrative record and imposition of all mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment, and henceforth adopted the SCEA and corresponding Mitigation Monitoring Program. The SCEA is not appealable.

Public Correspondence

Approximately 200 written comments from members of the public have been received at the writing of this staff report; some comments are in support of and some comments are opposed to the Project. The majority of these comments were received prior to the Advisory Agency’s Letter of Determination was issued and were considered by the Advisory Agency. Public Comments received after the Letter of Determination have been compiled as an Exhibit to the Staff Appeal Response for the associated Zoning Administrator’s case. Additionally, during the public comment period of the SCEA (November 12, 2020 to December 14, 2020), City Planning received 33 written comments from members of the public and one agency comment. A Response to Comments, dated January 19, 2020, was prepared to provide the City’s responses to each of the written comments received during the public comment period for the SCEA (see Council File 20-1624).

A joint Deputy Advisory Agency and Office of Zoning Administration Public Hearing was conducted telephonically on June 9, 2021, at approximately 11:00 a.m. The hearing was attended by the applicant’s representative, the applicant, and the applicant’s team. There were 106 callers and 45 people spoke during the public comment portion of the public hearing. Public Comments

from the public hearing are summarized in the Zoning Administrator's Letter of Determination for Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR.

Public comments in opposition to the project include concerns over traffic, circulation, parking, safety, construction, air quality, noise, shade and shadow impacts, privacy and views, height, neighborhood character, increased density and intensity of use on the project site, impacts on property values, requested deviations from the Wilshire / Westwood Scenic Corridor Specific Plan and LAMC, and the adequacy of the SCEA as the environmental clearance for the project.

Public comments in support of the project include support for the new church and preschool facilities and classrooms, expansion of the preschool's services, continued viability of the existing Church, provision of housing opportunities for Seniors in the neighborhood, and the need for high quality care for special-needs seniors.

APPEAL ANALYSIS

One appeal was filed within the appeal period ending August 2, 2021, by Kristina Kropp of Luna & Glushon representing Kay Waldman of Westwood Neighbors for Sensible Growth. The following is a summary of the appeal points and staff's responses. The entire appeal application and justifications are provided in Exhibit D. Similar appeal points are grouped for staff response.

APPEAL POINT 1: CONSISTENCY WITH GENERAL AND SPECIFIC PLANS

Appeal Point 1: *"The Project is Not Consistent with the General Plan, Westwood Community Plan, or the Wilshire Westwood Scenic Corridor Specific Plan."*

"The Project, as proposed, fails to comply with all of these Community and Specific Plan requirements. The Project fails to maintain and preserve the low-density character of single-family neighborhood behind it and the multi-family neighborhood immediately next door, lacks transition of scale, and is the definition of out-of-scale development (seeking a laundry list of deviations from Code) adjacent to single family uses. It is the very type of Project, contributing to "a solid wall of high-rise buildings" on Wilshire Boulevard, that the Specific Plan was amended to avoid. It utterly fails to minimize the shadows caused on residential lots adjacent to the Wilshire-Westwood Scenic Corridor and to maximize air and light between buildings."

Staff Response: While the appeal cites various issues, goals, and objectives in the Westwood Community Plan and purposes from the Wilshire – Westwood Scenic Corridor Specific Plan, the appeal fails to provide specific details showing how the proposed project does not adhere to those issues, goals, objectives, and purposes.

The Advisory Agency made findings of consistency with the applicable policies and regulations in the determination when approving the Project and no new substantial evidence has been raised by the Appellant regarding this analysis. As detailed in the Advisory Agency's Letter of Determination, reasons set forth in other appeal point responses in this report, the Sustainable Communities Environmental Assessment (SCEA), and elsewhere in the record, the Project is consistent with the General Plan, Community Plan, zoning code, Specific Plans, Eldercare Facility Unified Permit, and Conditional Use Permits approved as part of the Project.

Only the northern, R5 zoned, portion of the Project is located within the Westwood Community Design Review Board and Wilshire-Westwood Scenic Corridor Specific Plans. The Project was presented to the Westwood Design Review Board (DRB) which approved the project with conditions. The Board found that the project substantially complies with LAMC Section 16.50 E as well as the relevant design guidelines and development provisions of the Wilshire-Westwood

Scenic Corridor Specific Plan. The associated Zoning Administrator's Letter of Determination contained the findings required to grant a Specific Plan Project Permit and Design Review approval. Thus, the city has provided substantial evidence demonstrating that the project complies with the applicable Specific Plan regulations.

The Project site is zoned both R1 and R5. As detailed in the Advisory Agency's Letter of Determination, reasons set forth in other appeal point responses in this report, and elsewhere in the record, the uses in the Project are appropriately located on the site and arranged into buildings in a way that is consistent with the R1 zoned portion of the lot and surrounding R1 uses as well as the R5 zoned portion of the lot and surrounding R5 neighborhood. The site today does not have a low-density character as purported by the Appellant; the site is within a part of the city that is largely oriented around multifamily residential towers to the east as well commercial towers to the west along Wilshire Boulevard.

All of the Project's uses are allowed uses either by-right, through conditional uses, or through the Eldercare Facility Unified Permit process; all of the procedures for these have been appropriately followed and justified with substantial evidence by the City. Childcare is an underprovided necessity for families in both the R1 and R5 areas of this neighborhood as well as the adjacent office buildings. Childcare does not adversely affect or degrade public health, welfare, and safety and is consistent with the Westwood Community Plan. The Childcare Center will be two stories in height, consistent with the surrounding single-family homes. Just north of the two-story Childcare Center, the project provides an open space for vehicular and pedestrian circulation; though not required, this space acts as a buffer from the R1 lots to the south of the Project site. The above-ground portion of the 12-story Eldercare Facility is fully situated on the R5 zoned portion of the lot. The 12-story building is compatible with the surrounding R5 zoned lots along Wilshire Boulevard and the R3 and R4 zones along the northern side of Ashton Avenue. Immediately adjacent to the subject site is a 24-story multi-family condominium residential building, situated along a corridor of other 20-story buildings.

The appeal claims the Project contributes to, "*a solid wall of high-rise buildings' on Wilshire Boulevard, that the Specific Plan was amended to avoid,*" and the Project "*fails to minimize the shadows caused on residential lots.*" However, the Eldercare Facility will provide a front yard that observes the existing 25-foot building line ordinance along Wilshire Boulevard by placing plaza and a porte-cochere after the 25-foot building line, and then siting the building's north façade with a 48-foot setback from Wilshire Boulevard. Previous design iterations were walled up all the way to the project height but were redesigned to step back the front façade to present a smaller volume towards Wilshire Boulevard. Thus, the project does not present a solid wall along Wilshire Boulevard and as described in the Zoning Administrator's Letter of Determination, is consistent with the Wilshire – Westwood Scenic Corridor Specific Plan. Regarding shadow, the Determination found that the project does not create shade and shadow impacts as is required by the Specific Plan; a shade and shadow analysis (see Appendix C of the SCEA) was conducted and found the project would not exceed the Specific Plan's thresholds. Thus, the project complies with the shade and shadow requirements of the Wilshire – Westwood Scenic Corridor Specific Plan.

APPEAL POINTS 2 – 5

STAFF NOTE: Appeal Points 2 – 5 relate to the project's Sustainable Communities Environmental Assessment (SCEA), prepared in accordance with Public Resources Code (PRC) Section 21155.2, and which was adopted by the City Council on May 18, 2021. As such, the SCEA is not further appealable. The City Council is the ultimate decisionmaker for purposes of CEQA and there is no basis to find that any changes to the project or circumstances have occurred, or new information has become available that was not known or could not have been known with the exercise of reasonable diligence, after Council's consideration such that the City Council's

adoption of the SCEA and SCEA findings for the Project are no longer supported by substantial evidence or that a new significant impact would occur.

For purposes of the administrative record, the City further clarifies why the appeal points are without merit.

APPEAL POINT 2: TRANSIT PRIORITY PROJECT

Appeal Point 2: *“The Project does not Qualify as a Transit Priority Project (“TPP”), and therefore may not utilize a SCEA.”*

“Public Resources Code § 21155(b) defines a TPP as a development project that contains at least 50 percent residential use, provides a minimum density of at least 20 units per acre, and is located within one-half mile of a major transit stop or transit corridor. A qualifying residential project for purposes of TPP status is defined in Public Resources Code § 21159.25 as follows: “Residential or mixed-use housing project” means a project consisting of multifamily residential uses only or a mix of multifamily residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use. Undoubtedly, here, the Project is not comprised of “multifamily residential uses” only. Furthermore, evidence has been submitted that the Project does not qualify because its non-residential uses (not fully repeated herein but incorporated by reference) exceed the thresholds provided in Public Resources Code § § 21159.25 and 21155(b).”

“The Initial Study in the SCEA for the Project makes the unsupported assumption that the zoning of the Project site necessarily renders this a residential Project. That assumption is not only unsupported, but also incorrect. Indeed, an Eldercare Facility, as proposed, is not even a “by right” use on this residentially zoned site. The Zoning Administrator will note that this issue has been litigated and Courts have rejected efforts to use the zoning to characterize the nature of a proposed land use differently from its actual functionality. Concerned Dublin Citizens v. City of Dublin (2013) 214 Cal.App.4th 1310. In response to this criticism, the City further asserts that the term “eldercare facility” is defined in the LAMC as a residential use. But the problem is that there is no substantial evidence to support the finding here that the uses proposed will actually be residential. The proposed operations of the Project before the City render it more akin to a commercial, rather than a residential use: the 24-hour care and outside assistance, provided scale of the proposed food service (resembles more closely a hotel or a hospital than a multi-family residential use), guest services, numbers of employees plus the nature of the work they will provide, proposed childcare facility, worship facilities and related functionalities, etc. By proposing the SCEA, the City is failing to adequately recognize the functionality of the proposed Project.”

“A TPP is, on its face, meant to be for purposes of building residential uses near transit for the purpose of encouraging public transit use. But, based on the transportation profile of the consumers of the Project – pre-school children, Alzheimer patients and the elderly, the Project is unlikely to generate any or any appreciable amount of transit use. Accordingly, it fails as a TPP based upon the legislative history of the SB 375, as well as the law’s plain language.”

Staff Response: Pursuant to Senate Bill (SB) 375 and Public Resources Code (PRC) Section 21155, a project qualifies as a Transit Priority Project for the purposes of utilizing a SCEA if it is consistent with the general land use designation, density, building intensity, and policies in the SCAG RTP/SCS; and meets the criteria in PRC Section 21155(b) related to minimum density, residential uses, and distance from a major transit stop or high-quality transit corridor included in

a regional transportation plan. A project must contain at least 50 percent residential use based on total building square footage, and if a project contains between 26 percent and 50 percent non-residential uses, a floor area ratio of not less than 0.75 to be considered a Transit Priority Project in accordance with PRC Section 21155. As demonstrated in the record, the project meets the above criteria.

The Appellant alleges that the project does not qualify as a Transit Priority Project because the proposed uses on the site, including the eldercare facility, are more akin to commercial rather than residential uses. Additionally, the Appellant argues that those directly served by the project, including children, Alzheimer's patients, and the elderly, are unlikely to generate significant transit use, and therefore fail to meet the intent of SB 375. However, both arguments are specious, as SB 375 does not disqualify certain types of residential uses from being considered a Transit Priority Project. Additionally, LAMC Section 12.03 clearly defines Eldercare Facility as:

“[o]ne functionally operated facility, which provides *residential housing* [emphasis added] for persons 62 years of age and older, and which combines in one facility, two or more of the following housing types: Senior Independent Housing, Assisted Living Care Housing, Skilled Nursing Care Housing, and/or Alzheimer's/Dementia Care Housing. A minimum of 75 percent of the floor area, exclusive of common areas, shall consist of Senior Independent Housing and/or Assisted Living Care Housing.”

Each of the project's senior living unit types, including the 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, and 46 Alzheimer's/Dementia Care Housing guest rooms, along with specialized amenity, service, and care areas for the eldercare facility, are considered residential uses under the LAMC, and constitute more than 50 percent of new floor area for the project. The Project would construct two new buildings on the Project Site which would contain a total floor area of 196,283 square feet (consisting of 19,703 square feet of non-residential uses within the proposed Education Center, and 176,580 square feet of residential uses within the proposed Eldercare Facility). Accordingly, the Project's residential floor area would comprise nearly 90 percent of the Project's new building square footage. Though not required, if only the floor area of the proposed dwelling units and guest rooms were considered, the project would still surpass the 50 percent threshold as the total floor area contained within the 53 Senior Independent Housing dwelling units and 77 Assisted Living Care Housing guest rooms is 85,280 square feet and the total floor area contained within the Alzheimer's/Dementia Care Housing guest rooms is 18,940 square feet, for a total of 104,220 square feet of non-common area Eldercare Facility floor area. The Appellant failed to demonstrate how users of the site would significantly increase Vehicle Miles Travelled (VMT) above applicable thresholds or how the Project would result in significant transportation impacts. As such, the project is properly deemed a Transit Priority Project pursuant to CEQA statute, and this appeal point is without merit.

APPEAL POINT 3: CONSISTENCY WITH SCAG'S RTP/SCS

Appeal Point 3: *“The Project is not Consistent with the General Land Use Designation, Density, Building Intensity and Applicable Policies Specified in the RTP/SCS Prepared by SCAG.”*

“The Project specifically seeks a laundry list of discretionary entitlements and deviations from the Los Angeles Municipal Code, including the Zoning Code. Accordingly, it is not consistent with the general use designation, density, building intensity, and applicable policies specified for the Project area in the RTP/SCS prepared by SCAG.”

“A CEQA document must identify and discuss, as part of its substantive disclosure requirements, inconsistencies between the Project and applicable general plans and regional plans. The SCEA fails to adequately do so. Instead, the SCEA Initial Study states that the Project does not seek any adjustments or an exception but rather seeks approval from the Zoning Administrator under the

Eldercare Facility zoning law of a 12-story and 153-foot building. The SCEA Initial Study then concludes that with these approvals, there will be no “conflict.” Such unsupported conclusion not only plays fast and loose with not only the scope of the requested entitlements, but also fails to provide clear information as required under CEQA.”

Staff Response: The Appellant purports that the project’s discretionary entitlements are inconsistent with the general land use designation, density, building intensity and applicable policies specified in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG, and therefore the project does not qualify for a SCEA. Although the project requires relief from certain provisions of the LAMC, these deviations have been aptly approved and supported by Zoning Administrator findings as part of the entitlement review process. An assessment of the project’s consistency with the LAMC is not a requirement pursuant to Senate Bill 375’s CEQA streamlining provisions. Rather, to qualify for a SCEA, pursuant to Public Resources Code Section 21155(a), the project must demonstrate consistency with the applicable SCS, which for the project, is the SCAG 2020-2045 RTP/SCS. The SCEA contains analyses of both the 2020-2045 and 2016-2040 RTP/SCS and demonstrates consistency with both plans. The Project Site is located in an area that is within an Urban land use development category (LDC) – the highest density and most intense land development category assessed in the 2016-2040 RTP/SCS. The most intense development types are anticipated in the Urban LDC. The Project is consistent with the Urban LDC and the Urban Residential and City Residential place types described in the 2016-2040 RTP/SCS, as it is located within a highly urbanized area within the City of Los Angeles and proposes to develop uses and buildings that are consistent with the contemplated place types of the RTP/SCS (see Section 3 of the SCEA for more details). In addition, the SCEA fully discloses and analyzes the Project’s land use impacts and finds that the Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The Appellant has failed to demonstrate how the portions of the LAMC that are the subject of the Zoning Administrator’s action avoid or mitigate an environmental effect, or how the Project would otherwise result in significant land use impacts. As such, this appeal point is unsubstantiated.

APPEAL POINT 4: SCEA PROJECT DESCRIPTION

Appeal Point 4: *“The Project Description contained within the SCEA provide a superficial description of the Project which omits material facts that relate to whether the Project has the potential for significant environmental impacts. The stated number of dwelling units is misleading, the total resident capacity not provided, and the description of services provided at the Center vaguely set forth. Statistics regarding ambulatory needs and capacity are missing. The SCEA also lacks a complete project setting.”*

Staff Response: The appeal does not point to specific evidence of an inadequate or incomplete project description or environmental setting contained within the SCEA analysis to which a direct response is possible. The project and project setting have been adequately described and disclosed in accordance with CEQA Guidelines, Appendix G: Environmental Checklist Form. This information has been relied upon in preparation of the project’s initial study and provides a complete picture of the project and environmental setting to analyze the potential impacts of the project based on established thresholds of significance. As such, the appeal point is without merit

APPEAL POINT 5: SCEA TRANSPORTATION ANALYSIS

Appeal Point 5: *“The Discussion of Transportation Impacts is Unsupported by Substantial Evidence.”*

“Rather than evidence, the SCEA provides assumptions and speculation regarding transportation impacts from the Project, and in particular with regard to the elderly served by the Project as well “pass-by trips.” The SCEA repeatedly claims a “reduction” in trips but fails to substantiate this claim with evidence. Indeed, the evidence is to the contrary.”

“Moreover, the SCEA fails to identify the methodology used to determine transportation impacts. Although it states that a “custom” methodology was used, no such customization is scrutinized and in other parts of the SCEA directly contradicted by traditional transportation methodology.”

“Finally, the SCEA’s finding of no impact with regard to whether the project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) is completely devoid of any, let alone substantial, evidence. Based on the SCEA’s own Project Trip Generation, Table 7-1, the expanded day care center will generate 457 daily trips, an increase of 417 trips over existing on Ashton Avenue, a small residential street which intersects with Malcom Avenue, another small residential street. The SCEA fails to even mention, let alone analyze or mitigate the impacts of such incompatible uses.”

Staff Response: The appeal does not point to specific inaccuracies or deficiencies in the SCEA’s transportation analysis. All required traffic analyses have been prepared in accordance with the Los Angeles Department of Transportation (LADOT) Transportation Impact Study Guidelines, and have been reviewed and found to be adequate by LADOT, including the following:

- March 19, 2019 LLG Engineers Transportation Impact Study (TIS), approved by LADOT on April 23, 2019
- April 20, 2020 Supplemental VMT Assessment, approved by LADOT on April 28, 2020

The detailed analysis is included in the administrative record and serves as substantial evidence that the project’s transportation impacts will be less than significant. An additional Engineers Construction Traffic Analysis Memo was prepared by LLG Engineers on March 28, 2019, with supplemental construction analysis. The pass-by trip reductions are fully disclosed and identified in the traffic assessment, and as noted in the SCEA Appendix K, Transportation Analyses and LADOT Assessment Letters on page 6, the source of the pass-by reduction is cited as the “LADOT policy on pass-by trip adjustments, Transportation Impact Study Guidelines, LADOT December 2016”. The Appellant fails to demonstrate how the established LADOT methodology and policy is “based on speculation” or fails to qualify as evidence. As clearly detailed in the traffic study, a custom land use was employed for the Eldercare Facility in the VMT calculator, as determined by LADOT, and which reflected the project’s number of residents and employees and indicated in the VMT calculator sheets. The Appellant has failed to demonstrate how the custom land use did not appropriately capture VMT by the project’s residents and employees. The Appellant also claims that the project would result in hazardous traffic conditions but fails to demonstrate deficiencies in the analysis and information in the SCEA. As stated on page 318 of the SCEA:

“No sharp curves, incompatible uses, new intersections or roadways are proposed. As mentioned in Threshold 17.a, the Project’s impact on roadways and intersections in the area was evaluated in a Transportation Impact Study (Appendix K-1). As such, the forecasted vehicle trips generated by the Project would not increase potentially hazardous conditions on local roadways or intersections. In addition, as discussed in the TIS, the Project Site is not located along Westwood Boulevard or Glendon Avenue, which are identified as High Injury Network streets in the City.”

In sum, the SCEA and traffic study clearly document reductions and VMT calculations consistent with LADOT methodology, as well as demonstrate that Project traffic impacts will be less than significant. To the contrary, the Appellant fails to address any issues not already addressed in the

SCEA, nor have they provided any specific or substantial evidence to support their claim that the project's transportation analysis is incomplete. As such, the appeal point should be denied.

APPEAL POINT 6: DESIGN AND ENVIRONMENTAL DAMAGE FINDING

Appeal Point 6: *"The Design of the Subdivision and Proposed Improvements are Likely to Cause Substantial Environmental Damage."*

"A Sustainable Communities Environmental Assessment ("SCEA") is not appropriate, as a matter of the California Environmental Quality Act ("CEQA")."

Staff Response: The Appellant has not provided any evidence to link environmental damage to the design of the subdivision. For purposes of a subdivision, "design" is defined as street alignments, drainage, easements, fire access, lot sizes, traffic access, grading, parks, and the like pursuant to Section 66418 of the State Subdivision Map Act and LAMC Section 17.02. In addition, the Advisory Agency is required to make the following finding in order to approve a subdivision, "the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat." As described in the Advisory Agency's Determination, "approximately 95 percent of the Project Site is currently covered by on-site buildings and paved areas, while the remaining portion is covered by landscaping and trees." Of the 31 existing on-site trees, one is a protected tree; all on-site trees are proposed to be removed and replaced at the ratios required by Ordinance 177,404. The Determination verifies that, "the surrounding area is presently developed with structures," and, "neither the project site nor the surrounding area provides a natural habitat for fish or wildlife." Additionally, the project site does not contain any riparian habitat or sensitive natural community, nor does it contain state or federally protected wetlands to support biological resources.

For the reasons described in the Advisory Agency's Determination, the SCEA document, and the staff responses to the appeal points above, a SCEA was appropriate as the CEQA review for this project. Therefore, the City has provided evidence in the Advisory Agency's Determination and the SCEA that the project's design will not cause environmental damage.

CONCLUSION

In consideration of the foregoing, it is submitted that the Advisory Agency acted reasonably in approving Case No. VTT-82107. Upon in-depth review and analysis of the issues raised by the appellant, no errors or abuse of discretion by the Advisory Agency were found in regards to the appeal points raised. For the reasons stated herein, and as provided in the Advisory Agency's Determination, the appeal points cannot be substantiated and therefore the appeal should be denied.

Therefore, it is recommended that the City Planning Commission Deny the appeal; Sustain the Determination by the Advisory Agency; Adopt the Advisory Agency's Conditions of Approval and Findings; and Find the City Council held a hearing and adopted the Sustainable Communities Environmental Assessment dated May 2021 (ENV-2019-5735-SCEA) ("SCEA"), the draft SCEA findings and the MMP prepared for the project, on May 18, 2021 pursuant to Public Resources Code Section 21155.2(b).

VTT-82107-1A

EXHIBIT A

Vesting Tentative
Tract Map No.
82107

VTT-82107-1A

EXHIBIT B

Advisory
Agency's Letter
of Determination
(VTT-82107)

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

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YVETTE LOPEZ-LEDESMA
JENNA HORNSTOCK
RENEE DAKE WILSON
VACANT

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

DECISION DATE: July 21, 2021

Patricia Will (A)
Belmont Village Senior Living
8554 Katy Freeway Ste 200
Houston, TX 77024

Rev. Dr. Lynn Cheyney (O)
Westwood Presbyterian Church
10822 Wilshire Boulevard
Los Angeles, CA 90024

Mark Armbruster (R)
Armbruster, Goldsmith & Delvac LLP
12100 Wilshire Boulevard Ste. 1600
Los Angeles, CA 90025

RE: VTT-82107
Related Cases: ZA-2018-3422-ELD-CU-DRB-
SPP-SPR; DIR-2020-3896-DRB-SPP; DIR-
2020-3896-DRB-SPP-P
10822 West Wilshire Boulevard and 10812 West
Ashton Avenue
Westwood Community Plan
Zone: [Q]R5-3-O and R1-1
District Map: 132B153
Council District: 5
CEQA No.: ENV-2019-5735-SCEA
Legal Description: Lot FR 9 (Arb 1, 4 and 5) and
Lot VAC MD & D 24-250 of Block 18, Tract
Subdivision of Ranch San Jose de Buenos
Ayres; and Lot 4 (Arb 1 and 2), Block 31, Tract
TR 7803

Last Day to File an Appeal: August 2, 2021

In accordance with provisions of Section 17.01, 17.03, 17.06, 17.13 and 17.15 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approves Vesting Tentative Tract Map No. VTT-82107 for the re-subdivision of six-lots into three lots (Lot 1 would accommodate the Sanctuary, Lot 2 would accommodate the Eldercare Facility, and Lot 3 would accommodate the Childcare Facility) and ten (10) commercial condominium units, designation of yards as shown on the proposed map, and to grant approval of a haul route for the export of approximately 62,000 cubic yards of earth as shown on map stamp-dated June 14, 2018. This unit density is based on the [Q]R5-3-O and R1-1 Zones, the Wilshire-Westwood Scenic Corridor Specific Plan, and the Eldercare Ordinance. (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.) A Sustainable Communities Environmental Assessment (SCEA) has been adopted for the project pursuant to Section 21155.2 of the California Public Resources Code. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Julia Li of the Permit Case Management Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8917.

1. That a 1.5-foot wide sidewalk easement be provided along Wilshire Boulevard in the driveway area adjoining the tract to comply with ADA Standards and City Standard driveway.
2. That the subdivider make a request to the West Los Angeles District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

3. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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

4. 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 a copy of recorded Certificate of Compliance for AA-2018-3968-PMEX to establish the existing boundary.
 - b. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on Lot 1.
 - c. Required parking spaces are required to remain for the remaining structure on Lot 1. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports.
 - d. Provide building plans to show compliance with current Los Angeles City Building Code concerning exterior wall/opening protection and exit requirements with respect to the new property lines (Lot 1). All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued.
 - e. Obtain permits for the demolition or removal of all existing structures on the proposed Lots 2 and 3. 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.

- f. Provide a copy of [Q] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
- g. Provide a copy of ZA case ZA-2018-3422-ELD-CU-DRB-SPP-SPR. Show compliance with all the conditions/requirements of the ZA case as applicable.
- h. Elder Care Facility and Educational Center uses are not allowed in the R1-1 Zone (Lot 2 and 3). Revise the Map to show compliance with the above requirement or obtain Zone Change approval from the Department of City Planning and City Council.
- i. The submitted plot plan is not complete. Provide a plot plan drawn to scale that accurately dimensions the lot widths (as defined in Section 12.03 of the Zoning Code), building sizes and required yards on the site. Indicate the number of stories, height, permitted use, and the type of construction for all buildings on the site.
- j. Due to the irregular configuration of Lots 2 and 3, the Department recommends that the front, side and rear lot line locations be designated by the Advisory Agency.
- k. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
- l. Show zone boundaries on the Map for Lot 2. No required yard or other open space around a building shall be located in a more restrictive zone than that of the property on which such building is located and shall not use the more restrictive zone for Floor Area Ratio requirement. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
- m. The submitted Map for Lot 2 does not comply with the lot area (5,000 s.f.) requirement of the R1-1 Zone. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.

DEPARTMENT OF TRANSPORTATION

Any questions regarding this report should be directed to Collins Allan of the Department of Transportation, Western District located at 1828 Sawtelle Blvd.

5. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 60-foot and 40-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving more than 300 and 100 parking spaces respectively. A minimum of 20-foot reservoir space(s) be provided between any ingress security gate(s) and the property line when driveway is serving less than 100 parking spaces 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. LAMC 12.21 A.
 - 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.

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6543. You should advise any consultant representing you of this requirement as well.

6. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - d. One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
 - e. 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.
 - f. Fire Lane Requirements:
 - i. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - ii. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - iii. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
 - iv. Submit plot plans indicating access road and turning area for Fire Department approval.
 - v. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - vi. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
 - vii. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
 - viii. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be

- posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- ix. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - g. 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.
 - h. 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.
 - i. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
 - j. 2014 City of Los Angeles Fire Code, Section 503.1.4 (Exception):
 - i. 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.
 - ii. 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.
 - iii. This policy does not apply to single-family dwellings or to non-residential buildings.
 - k. Site plans shall include all overhead utility lines adjacent to the site.
 - l. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
 - m. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
 - n. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
 - o. Standard cut-corners will be used on all turns.
 - p. FPB #105 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication

systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

- q. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
- i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
 - iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
 - v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- r. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- s. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- t. 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 onto the roof.
- u. Entrance to the main lobby shall be located off the address side of the building.
- v. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- w. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- x. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

- y. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot.
- z. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- aa. Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- bb. 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.
- cc. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

- 7. 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

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

- 8. If new street light(s) are required, then prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

- 9. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated March 6, 2020. 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

- 10. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with

the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

DEPARTMENT OF RECREATION AND PARKS

Park fees are paid at 221 North Figueroa Street, Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2682 for any questions or comments, at your convenience.

11. That the Project pay in-lieu fees in order to fulfill the Project's requirements under provisions of LAMC 12.33.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

12. Prior to the issuance of a grading permit, the applicant shall submit a Protected Tree Report with a tree replacement plan prepared by a Tree Expert, as required by LAMC Ordinance No. 177,404, for approval by the Advisory Agency and the Bureau of Street Services, Urban Forestry Division. The Protected Tree Report shall contain the Tree Expert's recommendations for the preservation of as many protected trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. An on-site 4:1 tree replacement shall be required for the unavoidable loss of any protected onsite trees.

Note: Removal of Native Protected trees requires the approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

13. 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 Services. Parkway removals shall be replanted at a 2:1 ratio. All street tree plantings shall be brought up to current standards. When the City has previously paid for tree plantings, the subdivider or contractor shall notify the Urban Forestry Division at (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077 for permit information.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

14. For the purposes of this subdivision yards shall be designated as shown on the Tract Map (stamped map dated June 12, 2018). For Lot 1, the front yard shall be designated as the Wilshire Boulevard frontage, the side yards as the easterly and westerly lot lines, and the rear yard as the southerly lot lines. For Lot 2, the front yard shall be designated as the Wilshire Boulevard frontage, the side yards as the easterly and westerly lot lines and the Ashton Avenue frontage, and the rear yard as the southerly lot lines. For Lot 3, the front yard shall be designated as the Ashton Avenue frontage and the northerly lot line, the side yards as the easterly and westerly lot lines, and the rear yard as the southerly lot line.
15. 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 three (3) lots and ten (10) commercial condominium units.
- b. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- c. 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.
- d. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

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

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

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any

obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

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

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

16. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR is not approved, the subdivider shall submit a tract modification.
17. Prior to the issuance of a grading permit, 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 Wilshire Boulevard, Beverly Glen Boulevard, and Santa Monica Boulevard and the necessary freeways and local streets to the disposal site for loaded trucks. To access the staging area, street to be used are limited to Burbank Boulevard, Woodley Avenue, Victoria Avenue, and the necessary freeways. Staging is allowed on-site and on the east side of Woodley Avenue north of Burbank Boulevard, adjacent to the Sepulveda Boulevard Basin. No staging is allowed on Wilshire Boulevard.
 - b. Hours of operation shall be from 9:00 a.m. to 3:00 p.m. Monday to Friday and 8:00 am to 4:00 p.m. Saturday.
 - c. Days of the week shall be Monday through Saturday.
 - d. Total trips per day shall be fifty (50).
 - e. Duration of project shall be limited to 93 days of hauling.
 - 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.
- l. 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 West Los Angeles District Engineering Office, 1828 Sawtelle Boulevard, 3rd Floor, Los Angeles, CA 90025. Further information regarding the bond may be obtained by calling 310.575.8388.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES (MM) & PROJECT DESIGN FEATURES (PDF)

18. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 19 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors 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.
19. 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:

MM-CR-1 Archaeological Resources. A qualified archaeologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and the City of Los Angeles Department of City Planning and shall depend on the rate of excavation and grading activities and the materials being excavated. If archaeological materials are encountered, the archaeologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The archaeologist shall then assess the discovered material(s) and prepare a survey, study, or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the archaeological survey report shall be submitted to the Department of City Planning. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the archaeologist.

MM-GEO-1: Paleontological Resources. A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be determined by the paleontologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the paleontologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The paleontologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Project Applicant shall then comply with the recommendations of the evaluating paleontologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum.

MM-N-1. During Phase I of Project construction, a temporary noise barrier and/or sound control curtains shall be installed along the perimeter of the Project Site. The barrier shall have a Sound Transmission Class rating of 29 or more, consist of K-rail with one-inch plywood fencing on top, at least 8 feet in height and not have any gaps or holes between the panels or at the bottom. The supporting structure shall be engineered and erected in order to comply with Los Angeles Municipal Code noise requirements, including those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code.

MM-N-2. During Phase I of Project construction, exhaust mufflers shall be used capable of reducing noise down to an average of 65 dBA at a distance of 50 feet on internal

combustion engines for heavy-duty construction equipment. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

MM-N-3. During Phase I of Project construction, no more than five pieces of heavy-duty construction equipment powered by diesel engines shall operate concurrently. On average, such equipment shall be in operation mode no more than 45 minutes in an hour.

MM-N-4. During Phase II of Project construction, a temporary noise barrier and/or sound control curtains shall be installed along the perimeter of the Project Site. The barrier shall have a Sound Transmission Class rating of 29 or more, consist of K-rail with one-inch plywood fencing on top, at least ten feet in height and not have any gaps or holes between the panels or at the bottom. The supporting structure shall be engineered and erected in order to comply with Los Angeles Municipal Code noise requirements, including those set forth in Chapter XI, Article 2 of the Los Angeles Municipal Code.

MM-N-5. During Phase II of Project construction, exhaust mufflers shall be used capable of reducing noise down to an average of 60 dBA at a distance of 50 feet on internal combustion engines for heavy-duty construction equipment. All equipment shall be properly maintained to assure that no additional noise, due to worn or improperly maintained parts, would be generated. Construction contractor shall keep documentation on-site demonstrating that the equipment has been maintained in accordance with the manufacturer's specifications.

MM-N-6. During Phase II of Project construction, no more than five pieces of heavy-duty construction equipment powered by diesel engines shall operate concurrently. On average, such equipment shall be in operation mode no more than 30 minutes in an hour.

MM-N-7. During both phases, the housing or enclosures for noise-producing construction equipment shall be soundproofed, where feasible.

MM-N-8. Construction activities that produce vibration, such as demolition, excavation, and earthmoving, shall be sequenced so that vibration sources within 100 feet of the mortuary structures at Pierce Brothers Westwood Village Memorial Park and Mortuary do not operate simultaneously.

MM-N-9. Pre-construction surveys shall be performed to document the conditions at the boundary of the mortuary at Pierce Brothers Westwood Village Memorial Park and Mortuary. A structural monitoring program shall be implemented and recorded during construction to ensure that groundborne vibration levels at the boundary of the Project Site adjacent to the mortuary do not exceed 0.12 inches per second peak particle velocity (PPV). The performance standards of the structure monitoring plan shall include the following:

- Documentation, consisting of video and/or photographic documentation of accessible and visible areas on the exterior of the building.
- Prior to the start of construction, the Applicant shall retain the services of a structural engineer to visit the Pierce Brothers Westwood Village Memorial Park and Mortuary to inspect and document the apparent physical condition of the building's readily-visible features, including but not limited to the building structure. In addition, the structural

engineer shall establish baseline structural conditions of the building and prepare the shoring design.

- The Applicant shall retain the services of a qualified acoustical engineer to review the proposed construction equipment and develop and implement a vibration monitoring program capable of documenting the construction-related ground vibration levels at the Project's western property line adjacent to the Pierce Brothers Westwood Village Memorial Park and Mortuary during the Project's demolition and excavation phases during which heavy construction equipment (e.g., large bulldozer and drill rig) would be operating within 15 feet of the affected buildings.
- The vibration monitoring system shall measure and continuously store the PPV in inches per second. Vibration data shall be stored on a one-second interval. The system shall also be programmed for two preset velocity levels: a warning level of 0.07 inch per second (PPV) and a regulatory level of 0.12 inch per second (PPV). The system shall also provide real-time alert when the vibration levels exceed either of the two preset levels.
- In the event that the warning level of 0.07 inch per second (PPV) is triggered, the contractor shall identify the source of vibration generation and provide steps to reduce the vibration level, including but not limited to halting/staggering concurrent activities and utilizing lower vibratory techniques.
- In the event that the regulatory level of 0.12 inch per second (PPV) is triggered, the contractor shall halt the construction activities in the vicinity of the Pierce Brothers Westwood Village Memorial Park and Mortuary and visually inspect the building for any damage. Results of the inspection shall be logged. The contractor shall identify the source of vibration generation and provide steps to reduce the vibration level. Vibration measurement shall be made with the new construction method to verify that the vibration level is below the warning level of 0.07 inch per second (PPV). Construction activities may then restart.
- In the event that damage occurs to historic finish materials due to construction vibration, such materials shall be repaired in consultation with a qualified preservation consultant.
- The structure-monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the Project prior to initiating any construction activities.

MM-N-10. Construction activities shall utilize rubber-tired equipment in place of steel-track equipment whenever feasible.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONDITIONS

C-1 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

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

Department of Building and Safety.

- C-2 Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-3 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- C-4 In order to expedite the development, the applicant may apply for a building permit for an apartment/commercial building. However, prior to issuance of a building permit for apartments/commercial building, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.

- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - (g) That any required slope easements be dedicated by the final map.
 - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 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 are either constructed prior to recordation of the final map or that the construction is 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) IMPROVEMENT CONDITION: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, relocate and upgrade street lights; two (2) on Wilshire Boulevard.

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 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 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - (1) Improve Ashton Avenue adjoining the subdivision by the reconstruction of the existing sidewalk to provide a new 5.5-foot wide concrete sidewalk adjacent to the property line including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
 - (2) Improve Wilshire Boulevard adjoining the subdivision by the reconstruction of the existing sidewalk to provide a new 6-foot wide concrete sidewalk adjacent to the property line including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.

NOTES:

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

map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

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

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

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

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

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

FINDINGS OF FACT (CEQA)

A Sustainable Communities Environmental Assessment (SCEA), Case No. ENV-2019-5735-SCEA (Council File No. 20-1624), has been adopted for the project pursuant to Section 21155.2 of the California Public Resources Code (PRC). The project was found to meet the necessary criteria to qualify for a SCEA. An analysis of the project, including a detailed explanation of this criteria was published within the completed document. The Los Angeles City Council found, pursuant to PRC Section 21155.2, after consideration of the whole of the administrative record, including Senate Bill 375 Sustainable Communities Environmental Assessment, No. ENV-2019-5735-SCEA ("SCEA"), and all comments received, after imposition of all mitigation measures there is no substantial evidence that the project will have a significant effect on the environment; found that the City Council held a hearing on and adopted the SCEA pursuant to PRC Section 21155.2(b)(6); found the Project is a "transit priority project" as defined by PRC Section 21155 and the Project has incorporated all feasible mitigation measures, performance standards, or criteria set forth in the prior environmental reports, including SCAG's RTP/SCS Program Environmental Impact Report; found all potentially significant or significant effects required to be identified and analyzed pursuant to the California Environmental Quality Act (CEQA) in an initial study have been identified and analyzed; found with respect to each significant effect on the environment required to be identified in the initial study, changes or alterations have been required in or incorporated into the project that avoids or mitigates the significant effects to a level of insignificance; found the SCEA reflects the independent judgement and analysis of the City; found the mitigation measures have been made enforceable conditions on the project; and adopted the SCEA and the Mitigation Monitoring Program for the SCEA.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of (Vesting) Tentative Tract Map No. VTT-82107 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 Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The project site is located within the Westwood Community Design Review Board, Wilshire-Westwood Scenic Corridor, and West Los Angeles Transportation Improvement and Mitigation Specific Plans.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Westwood Community Plan, which designates the site with Very High Residential and Low Residential land use designations. The Project Site is zoned [Q]R5-3-O and R1-1, which is consistent with the land use designations. The site is subject to Qualified "Q" Conditions contained within Ordinance No. 163,194, which requires projects with two units or more to undergo design review by the Westwood Community Design Review Board.

As shown on the Vesting Tentative Tract Map, the Project proposes to subdivide the project site into three lots and ten commercial condominiums. The Sanctuary on Lot 1 is existing, no additional floor area is proposed on Lot 1. The Wilshire-Westwood Scenic Corridor Specific Plan allows a maximum of 100 dwelling units per acre, which equates to a total of 94 dwelling units for the Eldercare Facility's proposed 41,098 square feet of lot area (Lot 2). The Eldercare Facility would include a total of 53 dwelling units, which complies with this limit. The Wilshire-Westwood Scenic Corridor Specific Plan does not contain any density limit pertaining to guest rooms, and the LAMC does not restrict guest room density in the R5 zone. The Wilshire-Westwood Scenic Corridor Specific Plan establishes a maximum FAR of 8:1. The Eldercare Facility proposes a floor area of 176,580 square feet or a total FAR of 5.45:1, which complies with the maximum FAR of the Wilshire-Westwood Scenic Corridor Specific Plan. The Eldercare Facility will contain interior areas that will be utilized by the church, and the proposed airspace commercial condominium units are intended to delineate and identify these specific church-affiliated spaces for ground lease transactional purposes. The Childcare Facility (Lot 3) would be located in the R1 zone. The R1 zone requires the utilization of Residential Floor Area (RFA) and permits a maximum RFA of 0.45:1. The Childcare Facility's total proposed floor area is 19,703 square feet with a resulting FAR of 1.24:1 (measured pursuant to the LAMC Section 12.03 definition of "floor area" in lieu of RFA). In connection with the requested conditional use permit (CUP) to allow the childcare facility and church uses in the R1 zone, the Applicant is requesting the Zoning Administrator determine to allow the proposed floor area calculation and resulting FAR pursuant to LAMC Section 12.24 F.

The Wilshire-Westwood Scenic Corridor Specific Plan establishes a maximum height limit of 6 stories/75 feet. Measured from lowest grade to the top of its uppermost penthouse

structure, the Eldercare Facility is 12 stories/153 feet in height. In connection with the requested Eldercare Facility Unified Permit (Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR), the Applicant is requesting a determination to allow the proposed height. The LAMC permits a maximum height for flat-roofed structures of 28 feet in the R1-1 zone, subject to the imposition of an encroachment plane originating from a point 20 feet above grade along the front and side yard setbacks. In connection with the requested CUP (Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR) to allow the proposed uses of the Childcare Facility in the R1 zone, the Applicant is requesting a determination to allow the proposed height of 33 feet, 3 inches for the flat-roofed Childcare Facility pursuant to LAMC Section 12.24 F in lieu of 28 feet and the application of an encroachment plane height limit established by LAMC Sections 12.21.1 and 12.08 C.5(a). In the event that Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR is not approved, the subdivider shall submit a tract modification.

In connection with the Project's requested vesting tentative tract map, the Applicant is requesting that Project's front, side, and rear yards be designated on the tract map, to correlate to the predominant orientation of the Project and the location of its primary points of access. The Eldercare Facility would provide a front yard of 25 feet along Wilshire Boulevard in conformance with the existing building line ordinance (Ordinance No. 83,605). Wilshire Boulevard is a Boulevard II. All other residential towers along this portion of the street are oriented towards Wilshire; additionally, the existing Church sanctuary will remain in place and is currently oriented towards Wilshire Boulevard. Thus, treating the Wilshire frontage as the Front Yard is consistent with the existing on-site and improvements and surrounding buildings. Pursuant to LAMC 12.11 C.2 a 16-foot setback along the side yards of the Eldercare Facility would be required. The eastern side yard of the Eldercare Facility would exceed the 16-foot side yard requirement, while the western side yard would be predominately 16 feet, excluding the portions where the Eldercare Facility Building would abut the Sanctuary Building in which there would be a zero-foot setback. As the Sanctuary Building's existing western side yard setback does not comply with the institutional setback requirements included in LAMC 12.21 C.3, and because following the creation of a new lot for the Sanctuary, zero-foot yard setbacks would be provided along the eastern side yard and southern rear yard areas, in connection with the requested Eldercare Facility Unified Permit (Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR), the Applicant is requesting to allow the proposed setback deviations. In addition, because the southern rear yard of the Eldercare Facility would abut the zone boundary between the R1 and R5 zones, and because a required setback area cannot be provided in a more restrictive zone, a zero-foot rear yard for the Eldercare Facility is being requested in connection with the requested Eldercare Facility Unified Permit (Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR). The Childcare Facility would provide a front yard of 20 feet and a rear yard of 15 feet, in conformance with the LAMC's R1 zone provisions. In lieu of the 10-foot institutional side yards required by LAMC 12.21 C.3 as well as the plane break requirements required by LAMC Section 12.08 C.2, the Childcare Facility proposes to provide consistent side yards of 5 feet. In connection with the requested CUP to allow the childcare facility and church uses in the R1 zone, the Applicant is requesting a determination to allow these proposed side yards pursuant to LAMC Section 12.24 F.

Pursuant to LAMC Section 17.06 B. A, a Vesting Tentative Tract Map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. It is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The Vesting Tentative Tract Map indicates the map number, notes, legal description, contact

information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. As conditioned, prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR is not approved, the subdivider shall submit a tract modification. Therefore, as conditioned, and in conjunction with the Eldercare Facility Unified Permit and Conditional Use Permit, the proposed map demonstrates compliance with LAMC Sections 17.05 C and 17.06 B, and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. The project site is zoned [Q]R5-3-O and R1-1, is subject to Qualified "Q" Conditions contained within Ordinance 163,194 and is subject to the Westwood Community Design Review Board, Wilshire-Westwood Scenic Corridor, and West Los Angeles Transportation Improvement and Mitigation Specific Plans. The Wilshire-Westwood Scenic Corridor Specific Plan allows a maximum of 100 dwelling units per acre, which equates to a total of 94 dwelling units for the Eldercare Facility's proposed 41,098 square feet of lot area (Lot 2). The Eldercare Facility would include a total of 53 dwelling units, which complies with this limit. The Wilshire-Westwood Scenic Corridor Specific Plan does not contain any density limit pertaining to guest rooms, and the LAMC does not restrict guest room density in the R5 zone. As the map is proposed for re-subdivision of the existing six lots into three lots and ten commercial condominiums, it is consistent with the density permitted by the zone.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and improvements to the public right-of-way along Wilshire Boulevard and improvements along Ashton Avenue, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The project is also subject to street light improvement and street tree conditions, as appropriate. As conditioned, prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. ZA-2018-3422-ELD-CU-DRB-SPP-SPR is not approved, the subdivider shall submit a tract modification. Therefore, as conditioned, and in conjunction with the Eldercare Facility Unified Permit and Conditional Use Permit, the design and improvements of the proposed subdivision are consistent with the

applicable General Plan.

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

The project site is a relatively flat lot with a church and preschool with associated offices, gathering spaces, a single-family home, and surface parking. The site spans six parcels, comprising approximately 70,536 square feet. There are currently 31 trees located on the Project Site, including one Western Sycamore (*Platanus racemosa*) that is a protected tree species pursuant to Ordinance 177,404, and three Southern Magnolia street trees (*Magnolia grandiflora*) that are located in the public right of way along Wilshire Boulevard. All trees would be removed as part of the Project, except for one of the Southern Magnolia street trees; the protected tree will be replaced by new protected trees at a ratio of 4:1 (a minimum of 48 inch box in size if available) as required by City policies and Ordinance 177,404. All existing on-site improvements, with the exception of the Sanctuary, would be removed to allow for development of the Project. The proposed Project would construct a new 12-story, 176,580-square foot Eldercare Facility containing up to 53 Senior Independent Housing dwelling units, 77 Assisted Living Care Housing guest rooms, 46 Alzheimer's/Dementia Care Housing guest rooms, and associated residential amenity and service areas within a single building located at 10822 Wilshire Boulevard. In addition, the Eldercare Facility would provide a new 2,520-square foot Fellowship Hall on the ground level fronting Wilshire Boulevard for use by the Church, and 2,923 square feet of shared space. The Project would also construct a new two-story, 19,703-square foot Childcare Facility containing 10,238 square feet of classroom, administrative office space, and multipurpose/group space and 1,845 square feet of church-related administrative offices within a single building located at 10812 Ashton Avenue. A minimum of 184 parking spaces would be provided on the ground floor level adjacent to the Childcare Facility and within a three-level subterranean parking garage. The Project would also provide up to 27 short-term and 43 long-term bicycle parking spaces. Approval of a haul route would be required for the export of approximately 62,000 cubic yards of earth materials.

The project site is located within the Santa Monica Fault Zone but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area, high fire hazard severity zone, flood zone, landslide, liquefaction, or tsunami inundation zone. The site is located within Fire District No. 1, a methane buffer zone, and the BOE Special Grading Area and will be required to comply with all applicable regulations. The Department of Building and Safety Grading Division has issued a Geology and Soils Report Approval Letter dated October 8, 2020 (Log # 113792-01) finding the associated Geology / Soils Report prepared by Wood dated 6/28/2020 suitable to satisfy CEQA requirements and finding the project feasible from a geotechnical standpoint. Building and Safety Grading Division reserves the right to further review the specific design recommendations in the report. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The Project Site is on the southern side of Wilshire Boulevard; to the east and west of the project site are high-rise residential and commercial towers, up to 24-stories in height. To the north and south of Wilshire Boulevard are single-family residential neighborhoods. Abutting the site to the west is the Pierce Brothers Westwood Village Memorial Park and Mortuary. The site is one block away from the intersection of Westwood Boulevard and Wilshire Boulevard, where a new subway station is being constructed at the southern tip of the Westwood Village commercial area. The Project proposes to merge and subdivide the site into three lots and ten commercial condominium units pursuant to the requested map in conjunction with an eldercare facility, church, and childcare center. As proposed, the density and height is consistent with the zone and land use designation and requested entitlements, which include an Eldercare Unified Facility Permit and Conditional Use Permit. The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site is currently developed with a church and preschool with associated offices, gathering spaces, a single-family home, and surface parking. Approximately 95 percent of the Project Site is currently covered by on-site buildings and paved areas, while the remaining portion is covered by landscaping and trees. There are currently 31 trees located on the Project Site, including one Western Sycamore (*Platanus racemosa*) that is a protected tree species pursuant to Ordinance 177,404, and three Southern Magnolia street trees (*Magnolia grandiflora*) that are located in the public right of way along Wilshire Boulevard. All trees would be removed as part of the Project, except for one of the Southern Magnolia street trees; the protected tree will be replaced by new protected trees at a ratio of 4:1 (a minimum of 48 inch box in size if available) as required by City policies and Ordinance 177,404. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. A Sustainable Communities Environmental Assessment (SCEA) has been adopted for the project pursuant to Section 21155.2 of the California Public Resources Code. The SCEA found no impact or less than significant impacts for all Biological Resource Initial Study questions. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

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

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

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported

that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Wilshire Boulevard, which is a public street. The project site consists of Lot FR 9 (Arb 1, 4 and 5) and Lot VAC MD & D 24-250 of Block 18, Tract Subdivision of Ranch San Jose de Buenos Ayres; and Lot 4 (Arb 1 and 2), Block 31, Tract TR 7803 and is identified by the Assessor Parcel Nos. 4325-005-054 and 4325-005-010. There is an existing easement for access purposes per Instrument No. 05-027151 on the site. An additional 4-foot-wide easement to the City of Los Angeles for electrical line and poles per Instrument in Bk 3138, pg. 232 is at the southern edge of the property. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

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

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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

These findings shall apply to both the tentative and final maps for (Vesting) Tentative Tract No VTT-82107.

VINCENT P. BERTONI, AICP
Advisory Agency



Sergio Ibarra
Deputy Advisory Agency
SI:MS:EG:DS

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

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 Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2912
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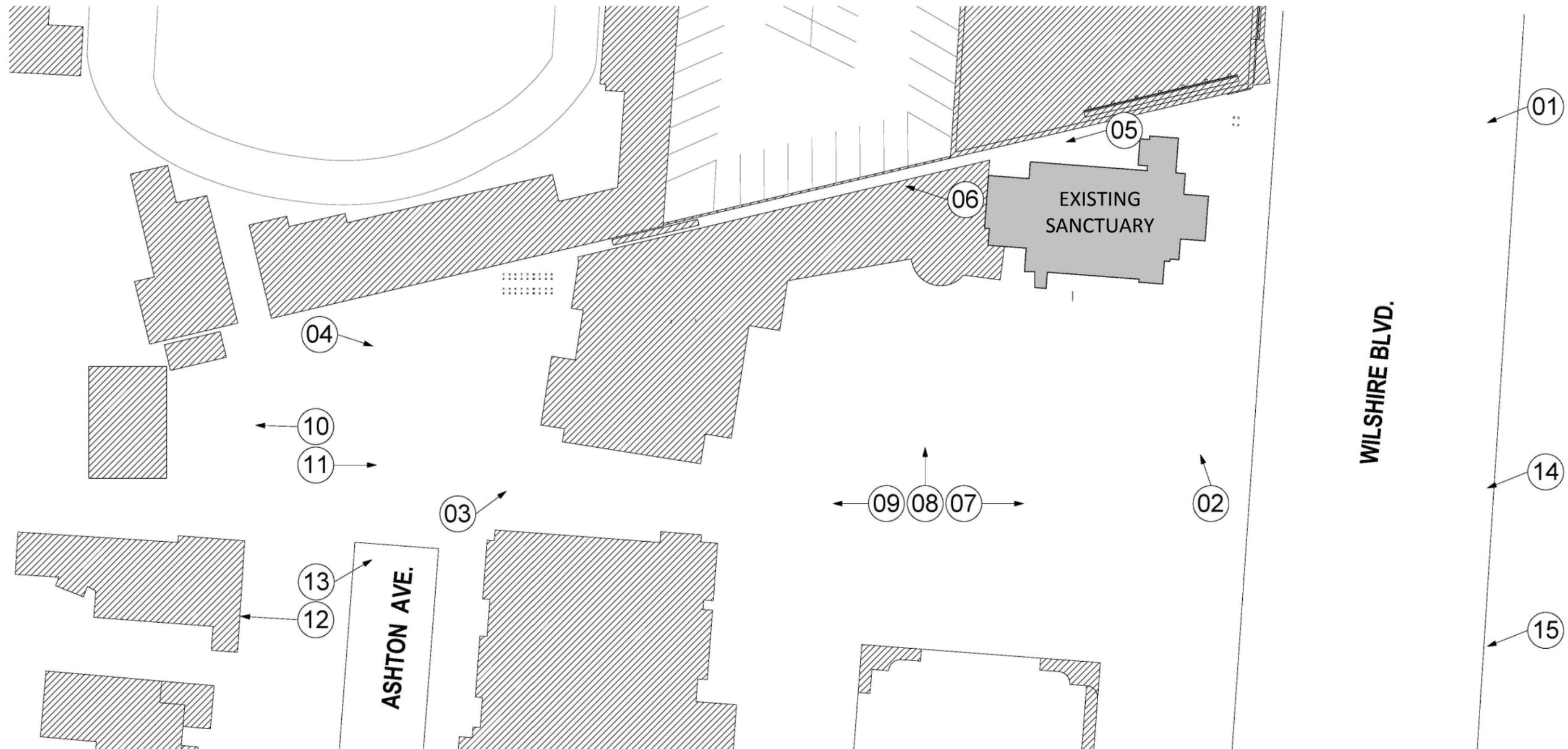
Forms are also available on-line at <https://planning.lacity.org>

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.

VTT-82107-1A

EXHIBIT C

Radius Map and
Site Photos



① SITE PHOTOS KEY PLAN
1" = 30'-0"

See photographs on the following pages and use this key plan to locate photos on the site.



SITE PHOTO: 01



SITE PHOTO: 02



SITE PHOTO: 03



SITE PHOTO: 04



SITE PHOTO: 05



SITE PHOTO: 06



SITE PHOTO: 07

HUITT-ZOLLARS



SITE PHOTO: 08



SITE PHOTO: 09



SITE PHOTO: 10



SITE PHOTO: 11



SITE PHOTO: 12



SITE PHOTO: 13



SITE PHOTO: 14



SITE PHOTO: 15

VTT-82107-1A

EXHIBIT D

Appeal
Documents



APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

- Area Planning Commission City Planning Commission City Council Director of Planning
- Zoning Administrator

Regarding Case Number: VTT-82107

Project Address: 10822 West Wilshire Boulevard and 10812 West Ashton Avenue

Final Date to Appeal: August 2, 2021

2. APPELLANT

- Appellant Identity:** (check all that apply)
- Representative Property Owner
 - Applicant Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Westwood Neighbors for Sensible Growth; Kay Waldman (President)

- Person affected by the determination made by the **Department of Building and Safety**
- Representative Owner Aggrieved Party
- Applicant Operator

3. APPELLANT INFORMATION

Appellant's Name: Kay Waldman (President)

Company/Organization: Westwood Neighbors for Sensible Growth

Mailing Address: 16255 Ventura Blvd., Ste. 950

City: Encino State: CA Zip: 91436

Telephone: 310-883-5518 E-mail: kay.wnsg@gmail.com

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

- Self Other: Westwood Neighbors for Sensible

b. Is the appeal being filed to support the original applicant's position? Yes No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Kristina Kropp

Company: Luna & Glushon

Mailing Address: 16255 Ventura Blvd. Ste. 950

City: Encino State: CA Zip: 91436

Telephone: 818-970-8755 E-mail: kkropp@lunaglushon.com

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? Entire Part

b. Are specific conditions of approval being appealed? Yes No

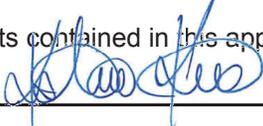
If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

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

Appellant Signature:  Date: July 30, 2021

GENERAL APPEAL FILING REQUIREMENTS

B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

1. Appeal Documents

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

b. Electronic Copy

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

SPECIFIC CASE TYPES - APPEAL FILING INFORMATION

C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

- 1.** Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

a. Appeal Fee

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. Appeal Fee

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

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

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

This Section for City Planning Staff Use Only		
Base Fee:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

ATTACHMENT TO APPEAL
VTT-82107
ENV-2019-5735-SCEA

Appellants: Westwood Neighbors for Sensible Growth (“WNSG”); Kay Waldman (President). WNSG is a large group of single and multi-family residents surrounding the proposed Project and would be most immediately impacted thereby.

Project: 12-story, 176,580 square foot 176-unit eldercare facility at 10822 West Wilshire Boulevard and 10812 West Ashton Avenue.

The Advisory Agency erred and abused its discretion in approving the Project based on the following:

1. **The Findings for a Tract Map Cannot be Made with Substantial Supporting Evidence**
 - i. The Project is Not Consistent with the General Plan, Westwood Community Plan, or the Wilshire Westwood Scenic Corridor Specific Plan.

The Westwood Community Plan sets forth the following issues currently existing in the Community Plan area:

- Need to maintain the low-density character of single-family neighborhoods and avoid encroachment into adjacent neighborhoods from other uses, commercial off-street parking, or spill-over traffic.
- Lack of transition in scale, density and character of multiple housing and commercial uses adjacent to single family homes.

It further sets forth the following goals and objectives:

- Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of compatible housing opportunities.
- Preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.
- Protect existing single family residential neighborhoods from new out-of-scale development and other incompatible uses.

- Protect the quality of residential environment and promote the maintenance and enhancement of the visual and aesthetic environment of the community.
- Promote neighborhood preservation, particularly in multi-family neighborhoods.
- To preserve and enhance the varied and distinct residential character and integrity of existing residential neighborhoods.

Furthermore, the Wilshire Westwood Scenic Corridor Specific Plan (“Specific Plan”), which was specially amended recognizing that the then-existing zoning along the Scenic Corridor could result in a solid wall of high-rise buildings with very little useable or publicly visible open space and severe shadow impacts, sets forth the following:

- Confirms that the trend and intensity of development which has occurred and is continuing to occur on Wilshire results in a concomitant increase in traffic.
- Confirms that the purpose of the development standards established in the Plan is to minimize traffic and parking problems along Wilshire Boulevard, enhance the aesthetic qualities of the Specific Plan area, encourage more open space, reduce the impact of high-density residential development and reduce the impact of shadows caused by high-rise buildings within and adjacent to the Specific Plan Area.
- Requires that a proposed Project over six stories or 75 feet in height shall make every effort to minimize the Shadows caused by the Project on residential lots adjacent to the Wilshire-Westwood Scenic Corridor and to maximize air and light between buildings.

The Project, as proposed, fails to comply with all of these Community and Specific Plan requirements. The Project fails to maintain and preserve the low-density character of single-family neighborhood behind it and the multi-family neighborhood immediately next door, lacks transition of scale, and is the definition of out-of-scale development (seeking a laundry list of deviations from Code) adjacent to single family uses. It is the very type of Project, contributing to “a solid wall of high-rise buildings” on Wilshire Boulevard, that the Specific Plan was amended to avoid. It utterly fails to minimize the shadows caused on residential lots adjacent to the Wilshire-Westwood Scenic Corridor and to maximize air and light between buildings.

ii. The Design of the Subdivision and Proposed Improvements are Likely to Cause Substantial Environmental Damage.

As discussed below, a Sustainable Communities Environmental Assessment (“SCEA”) is not appropriate, as a matter of the California Environmental Quality Act (“CEQA”). Accordingly, this finding cannot be made with substantial supporting evidence.

2. The City Has Failed to Comply with CEQA

i. The Project does not Qualify As a Transit Priority Project (“TPP”), and therefore may not Utilize a SCEA

In accordance with law, the SCEA (see p. 3.0-1) provides: SB 375 allows the City of Los Angeles, acting as lead agency, to prepare a SCEA as the environmental CEQA clearance for TPP’s that are consistent with SCAG’s RTP/SCS.

Here, the problem is that the Project does not qualify as a TPP, and, therefore, the City cannot utilize a SCEA for CEQA compliance purposes.

Public Resources Code § 21155(b) defines a TPP as a development project that contains at least 50 percent residential use, provides a minimum density of at least 20 units per acre, and is located within one-half mile of a major transit stop or transit corridor.

A qualifying residential project for purposes of TPP status is defined in Public Resources Code § 21159.25 as follows:

“Residential or mixed-use housing project” means a project consisting of multifamily residential uses only or a mix of multifamily residential and nonresidential uses, with at least two-thirds of the square footage of the development designated for residential use.

Undoubtedly, here, the Project is not comprised of “multifamily residential uses” only. Furthermore, evidence has been submitted that the Project does not qualify because its non-residential uses (not fully repeated herein but incorporated by reference) exceed the thresholds provided in Public Resources Code § § 21159.25 and 21155(b).

Instead of discussing such evidence, or any evidence for that matter, regarding the proposed residential and non-residential uses at the Project, the Initial Study in the SCEA for the Project makes the unsupported assumption that the zoning of the Project site necessarily renders this a residential Project. That assumption is not only unsupported, but also incorrect. Indeed, an Eldercare Facility, as proposed, is not even a “by right” use on this residentially zoned site. Therefore, the concept that this Project is necessarily a residential use is incorrect and unsupported. The Zoning Administrator will note that this issue has been litigated and Courts have rejected efforts to use the zoning to characterize the nature of a proposed land use differently from its actual functionality. *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1310.

In response to this criticism, the City further asserts that the term “eldercare facility” is defined in the LAMC as a residential use. But the problem is

that there is no substantial evidence to support the finding here that the uses proposed will actually be residential. Again, the City cannot rely on the underlying zoning or the Zoning Code itself to characterize the nature of a proposed land use differently from its actual functionality. *Concerned Dublin Citizens, supra*.

Simply stated, the proposed operations of the Project before the City render it more akin to a commercial, rather than a residential use: the 24-hour care and outside assistance, provided scale of the proposed food service (resembles more closely a hotel or a hospital than a multi-family residential use), guest services, numbers of employees plus the nature of the work they will provide, proposed childcare facility, worship facilities and related functionalities, etc. By proposing the SCEA, the City is failing to adequately recognize the functionality of the proposed Project.

Furthermore, a TPP is, on its face, meant to be for purposes of building residential uses near transit for the purpose of encouraging public transit use. But, based on the transportation profile of the consumers of the Project – pre-school children, Alzheimer patients and the elderly, the Project is unlikely to generate any or any appreciable amount of transit use. Accordingly, it fails as a TPP based upon the legislative history of the SB 375, as well as the law’s plain language.

ii. The Project is not Consistent with the General Land Use Designation, Density, Building Intensity and Applicable Policies Specified in the RTP/SCS Prepared by SCAG

The Project specifically seeks a laundry list of discretionary entitlements and deviations from the Los Angeles Municipal Code, including the Zoning Code. Accordingly, it is not consistent with the general use designation, density, building intensity, and applicable policies specified for the Project area in the RTP/SCS prepared by SCAG.

Notably, the SCEA’s Initial Study fails to actually examine land use conflicts posed by the Project and its deviations. In the context of “land use and planning,” in order to be legally adequate, a CEQA document must identify and discuss, as part of its substantive disclosure requirements, inconsistencies between the Project and applicable general plans and regional plans. The SCEA fails to adequately do so. Instead, the SCEA Initial Study states that the Project does not seek any adjustments or an exception but rather seeks approval from the Zoning Administrator under the Eldercare Facility zoning law of a 12-story and 153-foot building. The SCEA Initial Study then concludes that with these approvals, there will be no “conflict.” Such unsupported conclusion not only plays fast and loose with not only the scope of the requested entitlements, but also fails to provide clear information as required under CEQA.

iii. The Project Description is Inadequate

The Project Description contained within the SCEA provide a superficial description of the Project which omits material facts that relate to whether the Project has the potential for significant environmental impacts. The stated number of dwelling units is misleading, the total resident capacity not provided, and the description of services provided at the Center vaguely set forth. Statistics regarding ambulatory needs and capacity are missing. The SCEA also lacks a complete project setting.

iv. The Discussion of Transportation Impacts is Unsupported by Substantial Evidence

Rather than evidence, the SCEA provides assumptions and speculation regarding transportation impacts from the Project, and in particular with regard to the elderly served by the Project as well “pass-by trips.” The SCEA repeatedly claims a “reduction” in trips but fails to substantiate this claim with evidence. Indeed, the evidence is to the contrary.

Moreover, the SCEA fails to identify the methodology used to determine transportation impacts. Although it states that a “custom” methodology was used, no such customization is scrutinized and in other parts of the SCEA directly contradicted by traditional transportation methodology.

Finally, the SCEA’s finding of no impact with regard to whether the project would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) is completely devoid of any, let alone substantial, evidence. Based on the SCEA’s own Project Trip Generation, Table 7-1, the expanded day care center will generate 457 daily trips, an increase of 417 trips over existing on Ashton Avenue, a small residential street which intersects with Malcom Avenue, another small residential street. The SCEA fails to even mention, let alone analyze or mitigate the impacts of such incompatible uses.

VTT-82107-1A

EXHIBIT E

Sustainable Communities
Environmental Assessment Links
(ENV-2019-5735-SCEA, Council
File 20-1624)

Case No.: ZA-2018-3422-ELD-CU-DRB-SPP-SPR-1A and VTT-82107-1A
CEQA No.: ENV-2019-5735-SCEA
Location: 10822 West Wilshire Boulevard and 10812 West Ashton Avenue

Links for the Sustainable Communities Environmental Assessment (ENV-2019-5735-SCEA, Council File 20-1624):

SCEA and Appendices: <https://planning.lacity.org/development-services/environmental-review/scea/belmont-village-senior-living-westwood-ii-project-0>

SCEA Appendix K Transportation Analysis and LADOT Assessment letters: [https://planning.lacity.org/odocument/2959b530-4849-4b00-b83d-3dc5d0126f87/Appendix K - Transportation Assessments.pdf](https://planning.lacity.org/odocument/2959b530-4849-4b00-b83d-3dc5d0126f87/Appendix_K_-_Transportation_Assessments.pdf)

Mitigation Monitoring and Reporting Program:
https://clkrep.lacity.org/onlinedocs/2020/20-1624_misc_3_02-18-2021.pdf

Response to Public Comments Dated January 19, 2021:
https://clkrep.lacity.org/onlinedocs/2020/20-1624_misc_1_02-18-2021.pdf

Response to Public Comments Dated April 1, 2021:
https://clkrep.lacity.org/onlinedocs/2020/20-1624_misc_1_04-01-21.pdf

Errata Dated February 2021: https://clkrep.lacity.org/onlinedocs/2020/20-1624_misc_2_02-18-2021.pdf