## DEPARTMENT OF

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## CITY OF LOS ANGELES

CALIFORNIA



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Date:

November 13, 2018

#### Appeal End Date: November 28, 2018 VESTING TENTATIVE TRACT REPORT WITH CONDITIONS

Steven Stapakis (A)(O)(R) 15812 Vermont Villas, LLC 82 Golden Eagle Irvine, CA 92603 RE:

Vesting Tentative Tract No. VTT-69586-SL Related Case: None Address: 15812 – 15820 South Vermont Avenue Community Plan: Harbor Gateway Zone: R3-1 District Map: 069B197 Council District: 15 CEQA No.: ENV-2017-4402-CE Legal Description: PT 24, Block None, Tract No. Gardena Tract, M.R. 43-5/6

In accordance with provisions of Section 17.03 and Section 12.22.C.27 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determined based on the whole of the administrative record that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Section 15332 (Infill Development), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies, and approved Vesting Tentative Tract No. 69586-SL located at 1821-1829 South Vermont Avenue for a maximum of twenty-two (22) single-family dwellings (small lot homes), pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamp-dated July 31, 2018 in the Harbor Gateway Community Plan. This unit density is based on the R3-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

### BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

- 1. That a 10-foot wide strip of land be dedicated along Vermont Avenue adjoining the tract to complete a 50-foot wide half right-of-way in accordance with Avenue I of the LA Mobility Plan.
- 2. That if this tract map is approved as" Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
- 3. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
- 4. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Harbor Engineering District Office.
- 5. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
- 6. That all pedestrian common access easements be shown on the final map.
- 7. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

a) Improve Vermont Avenue being dedicated adjoining the subdivision by the construction of the followings:

(1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway or a 15-foot full-width concrete sidewalk with tree wells.

(2) Suitable surfacing to join the existing pavement and to complete a 35-foot half roadway.

- (3) Any necessary removal and reconstruction of existing improvements.
- (4) The necessary transitions to join the existing improvements.

b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

Note: Any questions regarding this report should be directed to Mr. Georgic Avanesian or Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213)202-3484.

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

- 9. Per Sec.17.56 of the Los Angeles Municipal Code, each approved Tract Map recorded with the County Recorder shall contain the following statement; "The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits."
- 10. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the

Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated August 13, 2018, and attached to the case file for Tract No. 69586-SL.

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

- 11. <u>Prior to recordation of the final map</u>, the Department of Building and Safety, Zoning Division, shall issue a clearance letter stating that no Building or Zoning Code violations existing relating to the subdivision on the subject site once the following items have been satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Provide a copy of DIR case DIR-2016-1559-ZBA. Show compliance with all the conditions/requirements of the DIR case as applicable.
  - c. Small Lot Subdivision is not allowed in the R1-1 Zone. Obtain Zone Boundary Adjustment approval from the Department of City Planning.
  - d. Provide a copy of the Zone Boundary Adjustment approval and show compliance to the Zone Boundary Adjustment requirements/conditions as applicable.
  - e. Revise proposed Map and Setback Matrix to reflect the correct proposed setback.
  - f. Show all street dedication 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 yard requirements shall be required to comply with current code as measured from new property lines after dedication.
  - Note: The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

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

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

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

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

No parking space can back up onto a street when the driveway is serving more than two dwelling unit. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

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

#### DEPARTMENT OF TRANSPORTATION

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

#### FIRE DEPARTMENT

- 13. <u>That prior to the recordation of the final map</u>, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. 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.
  - d. 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.
  - e. 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.
  - f. 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.
  - g. Fire lanes, where required and dead ending streets shall terminate in a cul-desac 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.
  - h. Submit plot plans indicating access road and turning area for Fire Department

approval.

- i. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- j. 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.
- k. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- I. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- p. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- q. Site plans shall include all overhead utility lines adjacent to the site.
- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- s. 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.
- t. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- u. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- Note: 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) 220-8066 You should advise any consultant representing you of this requirement as well.

### DEPARTMENT OF RECREATION AND PARKS

Pursuant to Los Angeles Municipal Code sections 12.33.E and 19.17, Recreation and Parks recommends the following be added as a condition of the approval of VTT-69586:

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

#### DEPARTMENT OF WATER AND POWER

15. 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.

#### **BUREAU OF STREET SERVICES – SPECIFIC CONDITIONS**

- 16. 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 tree 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 been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.
- Note: Removal or planting of any tree in the public right-or-way- requires approval of the Board of Public Works. All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077 for permit information. CEQA document must address parkway tree removals.

### BUREAU OF STREET LIGHTING

17. See section S-3 (C) of this report for conditions.

#### **BUREAU OF SANITATION**

18. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

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

- 19. <u>Prior to the recordation of the final map</u>, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of twenty-two (22) small lot homes.
  - b. Provide a minimum of two covered off-street parking spaces per dwelling unit.

(Note: One space may be a compact space. Tandem parking is allowable.)

- c. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- d. 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.
- e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- f. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
- g. A Maintenance Association shall be formed, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the association and shall be subject to a proportionate share of the maintenance. The Maintenance Association shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.
- h. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

**Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site. Approved Variations as follows:

Setbacks						
Lot No.	Front	Side	Side	Rear		
1	7'-2"(W)	5'-0"(N)	0'-2"(S)	14'-0"(E)		
2	7'-2"(W)	0'-2"(N)	0'-2" (S)	14'-0"(E)		
3	7'-2"(W)	0'-2"(N)	0'-2" (S)	14'-0"(E)		
4	7'-1"(W)	0'-2"(N)	0'-2" (S)	14'-0"(E)		
5	7'-1"(W)	0'-2"(N)	0'-2" (S)	14'-0"(E)		
6	7'-1"(W)	0'-2"(N)	8'-6" (S)	14'-0"(E)		
7	7'-1"(W)	8'-6"(N)	0'-2" (S)	14'-0"(E)		
8	7'-1"(W)	0'-2"(N)	0'-2"(S)	14'-0"(E)		
9	7'-0"(W)	0'-2"(N)	0'-2"(S)	14'-0"(E)		
10	7'-0"(W)	0'-2"(N)	0'-2"(S)	14'-0"(E)		

(i) The project shall comply with the setbacks as indicated in the table below.

11	7'-0"(W)	0'-2"(N)	5'-0"(S)	14'-0"(E)
12	18'-0"(E)	0'-2"(N)	5'-0"(S)	14'-0"(W)
13	18'-0"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
14	18'-0"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
15	18'-0"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
16	17'-11"(E)	3'-0"(N)	0'-2"(S)	14'-0"(W)
17	17'-11"(E)	0'-2"(N)	3'-0"(S)	14'-0"(W)
18	17'-11"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
19	17'-10"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
20	17'-10"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
21	17'-10"(E)	0'-2"(N)	0'-2"(S)	14'-0"(W)
22	<u>17'-10"(E)</u>	5'-0"(N)	0'-2"(S)	14'-0"(W)

Minor deviations to the approved setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies.

- (ii) **Common Access**. The width of the common access easement shall be no less than 15 feet 4 inches and open to the sky, as required by LAMC
- i. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

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

responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

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

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

- S-3. That the following improvements be either constructed <u>prior to recordation of the final map</u> or that the construction be suitably guaranteed:
  - (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

SPECIFIC CONDITION: Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of 0), 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.

IMPROVEMENT CONDITION: Construct new street light: one (1) on Vermont Ave. if street widening per BOE improvement conditions, relocate and upgrade street lights; two (2) on Vermont Ave.

NOTES:

The quantity of streetlights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection. Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) Improve Vermont Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway; or a new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.

(j) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

#### NOTES:

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

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 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)

DETERMINED based on the whole of the administrative record, that the Project is exempt from CEQA pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32 (Infill Development Projects), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Class 32 consists of projects characterized as in-fill development which meet the conditions described:

(a) The project is consistent with the applicable General Plan Designation and all applicable General Plan Policies as well as with applicable Zoning Designation and Regulations.

The project site is located within the Harbor Gateway Community Plan with a Medium Residential land use designation and zoned R3-1. The proposed subdivision of twenty-two (22) single-family dwellings is a use allowed by the General Plan and the corresponding zones.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The proposed development is wholly within the City of Los Angeles, on an approximately 0.71 acre site (i.e., less than five acres). Lots adjacent to the subject site are developed

with single and multi-family dwellings in the corresponding R3-1 Zone.

(c) The project sites have no value as habitat for endangered, rare or threatened species.

The site is not a wildland area, and is not inhabited by endangered, rare, or threatened species. The immediate vicinity is highly urbanized and is comprised of dense residential development with nearby commercial corridors. NavigateLA and the Los Angeles City Planning Department's Environmental and Public Facilities map for Significant Ecological Areas show that the subject site is not located in any of these areas.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project consists of work typical to a residential neighborhood, no unusual circumstances are present or foreseeable. The site is zoned R3-1 and has a General Plan Land Use Designation of Medium Residential. The project proposes to subdivide three lots totaling 31,027 square-feet lot into twenty-two (22) small lots in order to construct twenty-two (22) new single-family dwellings, in an area zoned and designated for such development. The project also includes the proposed demolition of a single story mixed-use building and the removal of three (3) non-protected on-site trees.

The new, three-story, single family-dwellings will measure in range from approximately 1,850 square feet to 1,914 square feet and will each include a minimum 460 square-foot three-car garage. One phase of construction is proposed. As the site is currently developed with 6 single story mixed-use buildings and proposes the construction of twenty-two (22) new single-family dwellings the project would be compatible with the surrounding neighborhood and would not result in significant effects relating to traffic, noise, air quality or water quality.

The project is beneath the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. The project will not result in significant impacts related to air quality because it falls below interim air threshold established by Department of City Planning (DCP) staff. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds.

(e) The site can be adequately served by all required utilities and public services.

The project site will be adequately served by all required public utilities and services given that the proposed construction of the twenty-two (22) new single-family dwellings will be located on a site currently developed with single and two-story mixed-use buildings and surrounded by existing established uses such as multi-family and single-family dwellings. Based on the facts herein, it can be found that the project meets the qualifications of the Class 32 Exemption.

The City has further considered whether the proposed project is subject to any of the six (6) exceptions that would prohibit the use of any of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. None of the exceptions are triggered for the following reasons:

(a) **Cumulative Impacts**. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The project is consistent with the type of development permitted for the areas zoned R3-1 and designated Medium Residential land uses. The proposed construction of twentytwo (22) new dwelling units will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts. The project site would be adequately served by all existing public services and utilities as it is located in a fully developed area. The proposed subdivision allowing the construction of the twenty-two (22) single-family dwellings is beneath the threshold criteria established by LADOT for preparing a traffic study. Therefore, the proposed construction and operation of the single-family dwellings is not expected to result in substantial emissions. There are no other small lot subdivisions within 1,000-feet of the property. Therefore, no foreseeable cumulative impacts are expected.

(b) **Significant Effect.** A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

The proposed project consists of development typical to a residential neighborhood, no unusual circumstances are present or foreseeable. The site is zoned R3-1 and has a General Plan Land Use Designation of Medium Residential. The project proposes to subdivide three lots totaling approximately 31,027 square-feet into twenty-two (22) small lots in order to construct twenty-two (22) new single-family dwellings, in an area zoned and designated for such development. The project also includes the proposed demolition of a single story mixed-use building and the removal of three (3) nonprotected on-site trees. The new, three-story, single family-dwellings will measure in range from approximately 1,850 square feet to 1,914 square feet and will each include a minimum 460 square-foot three-car garage. Adjacent properties to the north and south, are zoned R3-1 and developed with mixed-use, single- and multiple-family dwellings. The properties adjacent to the subject site to the east are zoned R1-1 and developed with single-family dwellings. The square-footage and massing of proposed dwellings are similar in scope to the existing dwellings in the vicinity. The site is not in a wildland area, and is not inhabited by endangered, rare, or threatened species. Thus, there are no unusual circumstances which may lead to a significant effect on the environment.

(c) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

According to Caltrans' Scenic Highway Routes Map, the subject site is not a designated state scenic highway. Based on this, the proposed project will not result in damage to scenic resources, including trees, historic buildings, rock outcroppings, or similar resources within an officially designated state scenic highway.

(d) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list complied pursuant to Section 65962.5 of the Government Code. The project site is not listed on EnviroStor, the Department of Toxic Substances Control's online database for hazardous waste facilities and sites in California. Building permit history for the project site does not indicate the site may be hazardous or otherwise contaminated. Therefore, this exception does not apply.

(e) *Historical Resources.* A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The project site is not designated a historical resource by local or state agencies, and has not been determined to be eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and the Los Angeles Historic-Cultural Monuments Register, and/or any local register. In addition, the project site is not listed in HistoricPlacesLA or SurveyLA as a potential historical resource. The proposed project would not cause an adverse change in the significance of a historical resources as defined in Section 15064.5 of the State CEQA Guidelines. Thus, the proposed projects would not result in a substantial adverse change in the significance of a historical resource of a historical resource and this exemption does not apply.

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 69586, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The project is located within the Harbor Gateway Community Plan, one of 35 Community Plans that comprise the Land Use Element of the General Plan. The adopted Harbor Gateway Community Plan designates the subject property for Medium Residential land uses with the corresponding zone of R3-1. The R3-1 zone requires at least 800 square feet of lot area per dwelling unit, and limits building height to a maximum of 45 feet. The subject parcel is approximately 31,027 square feet, and is therefore permitted a maximum density of 38 dwelling units per the R3-1 Zone.

The project requests to subdivide three lots into twenty-two (22) small lots pursuant to Small Lot Ordinance (No. 176,354), for the construction of twenty-two (22) single-family dwellings with 66 residential parking spaces. The proposed density is allowed per the R3-1 zone and is consistent with the land use designation. The subject site is currently developed with 6 single story residential and commercial use buildings, with its current zoning the site is underutilized. The small lot subdivision will meet the Goals and Objectives of the Community Plan by providing additional housing to the neighborhood and providing a different type of homeownership opportunities.

The Subdivision Map Act requires the Advisory Agency find that the proposed map be consistent with the General Plan. The Small Lot Design Guidelines allow the Advisory Agency to implement the purposes, intent, and provisions of the General Plan and its various elements, and effectively provides the Advisory Agency with the tools to make the consistency findings. The Small Lot Design Guidelines address a project's massing, height, circulation, and compatibility with adjacent properties by promoting design and development that complements the existing neighborhood character. The project will result in a total maximum of 22 dwelling units with a maximum height of 36 feet, which is consistent with and does not exceed the density or height allowed by the zone. The project will also provide a minimum two parking spaces per small lot home in accordance with LAMC Section 12.21.A.4.

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

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

For the purposes of a subdivision, "design" and "improvement" is defined by Subdivision Map Act Section 66418, 66427, and LAMC Section 17.02. Pursuant to Section 66418 of the Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Map Act expressly states that the "design and location of buildings are not part of the map review process" for subdivisions. Improvements, as defined by the Map Act and Section 17.02 refers to the infrastructure facilities serving the subdivision.

The subject site is zoned R3-1, which would permit a maximum of 38 dwelling units and a maximum height of 45 feet on the approximately 31,027 square-foot site. The proposed project for a 22-unit small lot subdivision with a maximum height of 40 feet, is consistent with the density and height permitted by the zone and land use designation. Access is provided from Vermont Avenue in the form of a 17-foot wide vehicular common access easement located along the center of the property which expands to a 28-foot common access easement is located along the northern, eastern and southern property lines. The common access easements are indicated on the tract map. The setback matrix, as conditioned, will ensure the project meets the setback requirements of LAMC Section 12.22.C.27.

In addition, LAMC Section 17.05.C enumerates design standards for subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and the General Plan. The design and layout of the tentative map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the LAMC. The vesting tentative tract map was distributed to the various departments and bureaus of the Subdivision Committee for review, and their comments and conditions are included herein.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory and that there are existing sewers in the streets adjoining the subdivision. As a condition of approval, the subdivider is required to improve Vermont Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway; or a new full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements. The Bureau of Street Lighting has also reviewed

the proposed subdivision and has conditioned the subdivision approval such that no street lighting improvements are necessary if no street widening per Bureau of Engineering improvement conditions. This tract will connect to the public sewer system and will not result in violation of the California Water Code. The Bureau of Sanitation reviewed the sewer/storm drain lines serving the proposed subdivision and found no potential problems to their structures or potential maintenance problems.

Therefore, as conditioned, the proposed map is substantially consistent with the applicable General and Specific Plans affecting the project site, and demonstrates compliance with LAMC Sections 17.01, 17.05 C, and 12.22.C.27.

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

The subject site is approximately 31,027 square feet, with frontage along the east side of Vermont Avenue measuring approximately 207 feet in width, and a depth of approximately 150 feet. The existing topography is relatively flat, with less than a 2-foot change in elevation from the front of the property to the rear. The subdivision maintains setbacks along the perimeter of the property of 5 feet to the north, 7 feet to the west, 5 feet to the south, and 18 feet to the east. The proposed project is an infill development in a neighborhood that has a mix of multi-family and single-family development. The access easement is adequate for vehicular ingress and egress and emergency purposes. The project's open-to-sky driveway width of 17 feet and 22-foot building separation is compliant with the driveway access required by LAMC Section 12.22.C.27 (Small Lot Ordinance 176,354).

The Vesting Tentative Tract map was distributed to the various departments and bureaus of the Subdivision Committee for review. Their comments are incorporated into the project's conditions of approval. The Grading Division of the Department of Building and Safety has reviewed the subject Vesting Tentative Tract Map No. VTT-69586-SL and determined that geology/soils reports are not required prior to planning approval of the Tract Map as the property is located outside of a City of Los Angeles Hillside Area; is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards.

Therefore, the project site is physically suitable for the proposed type of development.

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

The development of this tract is an infill of a mix-density multiple-family residential neighborhood. Surrounding parcels are zoned R3-1 and R1-1 and are developed with multi-family and single-family residential buildings ranging from 1 to 2 stories in height. The neighboring properties to the north, east, south and west all contain 1 to 2 story buildings developed with single and multi-family residential uses.

The project also includes the proposed demolition of 6 single story mixed-use buildings and subdivision for the new construction, use, and maintenance of 22 small lot homes. The subject parcel is approximately 31,027 square feet, and is therefore permitted a maximum density of 38 dwelling units per the R3-1 Zone. The small lot homes are proposed to be three stories and a maximum of 36 feet in height. As proposed, the project is consistent with and does not exceed the 3:1 FAR or 45-foot height allowed by the zone. 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 subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family and single-family dwellings.

The Department of City Planning has determined that Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies (Case No. ENV-2017-4402-CE). 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 appear to be no potential public health problems caused by the design or improvement of the proposed subdivision.

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

The Department of Water and Power's (LADWP) has stated the tract can be supplied with water from the municipal system subject to the conditioned requirements.

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

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

(h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1) In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract No. 69586-SL.

VINCENT P. BERTONI, AICP Advisory Agency

ALAN COMO, AICP Deputy Advisory Agency

#### VPB:AC:KW

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

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

San Fernando Valley Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Rm 251 Van Nuys, CA 91401 (818) 374-5050 West Los Angeles West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2598

#### Forms are also available on-line at http://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 90<sup>th</sup> day following the date on which the City's decision becomes final.

