

PLANNING DEPARTMENT TRANSMITTAL TO THE CITY CLERK'S OFFICE

CITY PLANNING CASE:	ENVIRONMENTAL CASE:	COUNCIL DISTRICT:
VTT-83288-2A	ENV-2020-6829-MND	14 – Kevin de Leon
COUNCIL FILE NO:		
<input type="checkbox"/> N/A		
CF 22-0535		
PROJECT ADDRESS / LOCATION:		
635 – 657 Mesquit Street; 1585 East Jesse Street; 632 – 648 Santa Fe Avenue		
APPLICANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
655 Mesquit, LLC, Mark Falcone c/o Roger Pecsok 1881 16 th Street, Unit 500 Denver, CO 80202 <input type="checkbox"/> N/A <input type="checkbox"/> New/Changed	720-946-4649	Roger.pecsok@continuumpartnes.com
APPLICANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Alfred Fraijo, JR., Esq. Sheppard Mullin Richter & Hampton, LLP 333 South Hope Street, 43 rd Floor Los Angeles, CA 90017 <input type="checkbox"/> N/A	213-620-1780	afraijo@sheppardmullin.com
APPELLANT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
CREED LA <input type="checkbox"/> N/A	650-589-1660	dkey@adamsbroadwell.com
APPELLANT'S REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Darien Key 601 Gateway Blvd. Ste. 1000 San Francisco, CA 94080 <input type="checkbox"/> N/A	650-589-1660	dkey@adamsbroadwell.com
PLANNER CONTACT:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Stephanie Escobar	213-978-1492	stephanie.escobar@lacity.org
ITEMS FOR CITY COUNCIL CONSIDERATION (IE. ENTITLEMENTS, LEGISLATIVE ACTIONS):		
Vesting Tentative Tract Map (VTT)		
<input type="checkbox"/> <i>The preparation of a draft ordinance by the City Attorney will be required.</i>		

**FINAL ENTITLEMENTS NOT ADVANCING FOR CITY COUNCIL CONSIDERATION:
(UNAPPEALED OR NON-APPEALABLE ITEMS)**

N/A

ITEMS APPEALED:

Vesting Tentative Tract Map (VTT)

N/A

ATTACHMENTS:

REVISED:

ENVIRONMENTAL DOCUMENT:

REVISED:

<input checked="" type="checkbox"/> Letter of Determination	<input checked="" type="checkbox"/>	<input type="checkbox"/> Categorical Exemption (CE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Findings of Fact	<input checked="" type="checkbox"/>	<input type="checkbox"/> Statutory Exemption (SE) (Notice of Exemption)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Staff Recommendation Report	<input checked="" type="checkbox"/>	<input type="checkbox"/> Negative Declaration (ND)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Conditions of Approval	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mitigated Negative Declaration (MND)	<input checked="" type="checkbox"/>
<input type="checkbox"/> T Conditions	<input type="checkbox"/>	<input type="checkbox"/> Environmental Impact Report (EIR)	<input type="checkbox"/>
<input type="checkbox"/> Proposed Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Mitigation Monitoring Program (MMP)	<input type="checkbox"/>
<input type="checkbox"/> Zone Change Map and Ordinance	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Project Exemption (SCPE)	<input type="checkbox"/>
<input type="checkbox"/> GPA Resolution	<input type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Assessment (SCEA)	<input type="checkbox"/>
<input checked="" type="checkbox"/> Land Use Map	<input checked="" type="checkbox"/>	<input type="checkbox"/> Sustainable Communities Environmental Impact Report (SCEIR)	<input type="checkbox"/>
<input type="checkbox"/> Exhibit A – Plans	<input type="checkbox"/>	<input type="checkbox"/> Appendices	<input type="checkbox"/>
<input checked="" type="checkbox"/> Mailing List	<input checked="" type="checkbox"/>	<input type="checkbox"/> Other:	<input type="checkbox"/>
<input checked="" type="checkbox"/> Interested Parties List	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Appeal	<input checked="" type="checkbox"/>		
<input type="checkbox"/> Development Agreement	<input type="checkbox"/>		
<input type="checkbox"/> Site Photographs	<input type="checkbox"/>		
<input type="checkbox"/> Other:	<input type="checkbox"/>		

NOTES / INSTRUCTIONS:

RELATED CASE: CPC-2020-6828-GPA-ZC-HD-SPR-MCUP-1A

N/A

FISCAL IMPACT STATEMENT:

Yes

No

*If determination states administrative costs are recovered through fees, indicate "Yes."

PLANNING COMMISSION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> City Planning Commission (CPC) | <input type="checkbox"/> North Valley Area Planning Commission |
| <input type="checkbox"/> Cultural Heritage Commission (CHC) | <input type="checkbox"/> South LA Area Planning Commission |
| <input type="checkbox"/> Central Area Planning Commission | <input type="checkbox"/> South Valley Area Planning Commission |
| <input type="checkbox"/> East LA Area Planning Commission | <input type="checkbox"/> West LA Area Planning Commission |
| <input type="checkbox"/> Harbor Area Planning Commission | |

PLANNING COMMISSION HEARING DATE:	COMMISSION VOTE:
January 27, 2022	6 – 0
LAST DAY TO APPEAL:	DATE APPEALED:
April 22, 2022	Yes, April 21, 2022
TRANSMITTED BY:	TRANSMITTAL DATE:
Cecilia Lamas Commission Executive Assistant	July 19, 2022



LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: APR 12 2022

Case No. VTT-83288-1A

Council District: 14 - de León

CEQA: ENV-2020-6829-MND

Plan Area: Central City North

Related Case: CPC-2020-6828-GPA-ZC-HD-SPR-MCUP

Project Site: 635 – 657 Mesquit Street; 1585 East Jesse Street;
632 – 648 Santa Fe Avenue

Applicant: 655 Mesquit, LLC, Mark Falcone c/o Roger Pecsok
Representative: Alfred Fraijo, Jr., Esq., Sheppard Mullin Richter & Hampton LLP

Appellant: Coalition for Responsible Equitable Economic Development Los Angeles
Representative: Christina Caro/Kelilah Federman, Adams, Broadwell, Joseph & Cardozo

At its meeting of **January 27, 2022**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

Subdivision of five parcels into eight lots, including one master ground lot and seven airspace lots, for the construction, use, and maintenance of a 188,954 square foot, 14-story, commercial office building with 4,325 square feet of commercial ground floor. The Project will provide a total of 397 vehicle parking spaces and 146 bicycle parking spaces within five levels of above grade parking, and two levels of subterranean parking.

1. **Found**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2020-6829-MND, as circulated on September 23, 2021 (“Mitigated Negative Declaration”), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment; **Found**, the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **Found**, the mitigation measures have been made enforceable conditions on the project; and **Adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Denied** the appeal in part and **granted** the appeal in part and **sustained** the Deputy Advisory Agency’s Determination dated December 22, 2021;
3. **Approved**, pursuant to Sections 17.03 and 17.15 of Los Angeles Municipal Code (LAMC), a Vesting Tentative Tract Map, VTT No. 83288, for the subdivision of five parcels into eight lots, including one master ground lot and seven airspace lots in the M3-1 Zone;
4. **Adopted** the attached Modified Conditions of Approval; and
5. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Perlman
 Second: Choe
 Ayes: Campbell, Hornstock, Mack, Dake Wilson
 Absent: Leung, López-Ledesma, Millman

Vote: 6 – 0

Cecilia Lamas, Commission Executive Assistant
 Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the Los Angeles City Planning Commission is further appealable to the Los Angeles City Council within 10 days after the mailing date of this determination letter. Any appeal not filed within the 10-day period shall not be considered by the Council and the decision of the City Planning Commission will become final and effective upon the close of the 10-day appeal period. All appeals shall be filed on forms provided at the Planning Department’s Development Service Centers located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: APR 22 2022

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City’s decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Findings, Interim Appeal Filing Procedures

c: Heather Bleemers, Senior City Planner
 Oliver Netburn, City Planner
 Stephanie Escobar, Planning Assistant

CONDITIONS OF APPROVAL

(As modified by the City Planning Commission at its meeting on January 27, 2022)

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding these conditions should be directed to Quyen Phan of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8604.

1. That an 18-foot wide strip of land be dedicated adjoining Lots 113 and 114 of the Goodwin Tract along Santa Fe Avenue to complete a 43-foot wide half public street right-of-way in accordance with Avenue II of LA Mobility Plan 2035.
2. That 1-foot wide strip of land be dedicated along Jesse Street adjoining the subdivision to complete a 33-foot wide half public street right-of-way including a 15-foot by 15-foot corner cut at the intersection with Santa Fe Avenue.
3. That 1-foot wide strip of land and an 8-foot strip of land be dedicated along Mesquit Street adjoining the subdivision to complete a 33-foot wide half public street right-of-way including a 10-foot by 10-foot corner cut at the intersection with Jesse Street.
4. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
5. That all tract boundary lines be properly established in accordance with Section 17.07D of the Los Angeles Municipal Code prior to recordation of the final map satisfactory to the City Engineer.
6. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:
 - a. Plan view at different elevations.
 - b. Isometric views.
 - c. Elevation views.
 - d. Section cuts at all locations where air space lot boundaries change.
7. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor. 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.

8. The applicant shall 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.

9. Obtain - Provide copy of building records, plot plan, and approved building plans to verify the last legal use and the number of parking spaces required and provided on Lot 1.
10. Provide a copy of affidavit AFF-67756, OB-11447 and PKG-5672. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
11. Provide a copy of CPC case CPC-2020-6828-GPA-ZC-HD-SPR-MCUP. Show compliance with all the conditions/requirements of the CPC case as applicable.
12. 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.
13. Provide building plans for Lot 1 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. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued.
14. Required parking spaces are required to remain for the remaining structure on the site. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports.
15. Obtain Use of Land permits to relocate driveways and all required parking for each building onto their corresponding sites. Provide a copy of permits and signed inspection cards to show work has been completed.

Notes:

This property is located in a Methane Zone.

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

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

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

DEPARTMENT OF RECREATION AND PARKS

If you have any questions or comments regarding this information please feel free to contact Park Fees Staff at, (213) 202-2682 or rap.parkfees@lacity.org, at your convenience.

16. The City of Los Angeles Department of Recreation and Parks determined that the proposed project has no anticipated recreation and park impacts therefore RAP has no recommendations regarding this project.

DEPARTMENT OF TRANSPORTATION

If you have any questions or comments regarding this information please feel free to contact LADOT Staff at, ladot.onestop@lacity.org at your convenience.

17. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
18. 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.
19. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment please email: ladot.onestop@lacity.org.
20. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

The Fire Department has no objection to the Airspace Vacation. The Fire Department has no objection to Merger and Re-subdivision.

21. 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 email lafdhydrants@lacity.org You should advise any consultant representing you of this requirement as well

DEPARTMENT OF WATER AND POWER

For any questions regarding the above comments, please contact Mr. Marshall Styers at (213)367-3541 or Marshall.Styers@ladwp.com.

22. Due to Federal Energy Regulatory Commission (FERC) and North American Electric Reliability Corporation (NERC) Critical Infrastructure Protection CIP 014 requirements, the City shall coordinate with LADWP Security Services to resolve any potential issues with the 14 story commercial office building proposed directly south of the LADWP River Switching Station.
23. The City shall acknowledge the LADWP TLRW and Facilities are an integral component of the transmission line system, which provides electric power to the City of Los Angeles and other local communities. Their use is under the jurisdiction of the North American Electric Reliability Corporation (NERC), an organization of the Federal Energy Regulatory Commission (FERC). Safety and protection of critical facilities are the primary factors used to evaluate secondary land use proposals. The rights of way serve as platforms for access, construction, maintenance, facility expansion and emergency operations. Therefore, the proposed use may from time to time be subject to temporary disruption caused by such operations.
24. The project's applicant shall be responsible for the maintenance of the proposed Project area pertaining to (APN or Address) and shall keep the area in a neat and clean condition. It is our understanding that the project's applicant will assume responsibility for the maintenance of the project improvements. LADWP will not be liable for any damage to the proposed Project during LADWP's operation and maintenance activities.
25. LADWP TLRWs and Facilities contain high-voltage electrical equipment; therefore, the City shall utilize only such equipment, material, and construction techniques that are permitted under applicable safety ordinances and statutes, including the following: State of California Code of Regulations, Title 8, Industrial Relations, Chapter 4, Division of Industrial Safety, Subchapter 5, Electrical Safety Orders, and California Public Utilities Commission, General Order No. 95, Rules for Overhead Electric Line Construction.
26. LADWP shall not lose street access to the River Switching Station due to construction work for the proposed 655 Mesquit project or any other projects in the immediate vicinity of the River Switching Station.
27. If any excavations are required, utility agencies within the proposed excavation sites shall be notified of impending work. The City shall be responsible for coordinating there location of utilities, if any, within the Project boundaries. Before commencing any excavations, contact Underground Service Alert (a.k.a. Dig Alert).
28. Additional conditions may be required following review of detailed site plans, grading/drainage plans, etc.

BUREAU OF STREET LIGHTING

29. 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

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

URBAN FORESTRY

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. CEQA document must address parkway tree removals.

31. 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 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. CEQA document must address parkway tree removals.

INFORMATION TECHNOLOGY AGENCY

32. 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 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

33. 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. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract Map No. 83288 shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum eight lots, including one (1) ground lot and seven (7) airspace lots.
 - c. Parking shall be provided in accordance with the LAMC and CPC-2020-6828-GPA-ZC-HD-SPR-MCUP.
 - d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

- e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
34. Prior to the issuance of the building permit or the recordation of the final map, a copy of the approval for Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP is not approved, the subdivider shall submit a tract modification.
35. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
36. **Indemnification and Reimbursement of Litigation Costs.** Applicant shall do all of the following:
- a. Defend 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.
 - b. 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 judgment or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
 - c. 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 (b).
 - d. 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 (b).
 - e. If the City determines it necessary to protect the City's interests, execute the indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

- f. 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 that 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. Actions include 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.

ENVIRONMENTAL MITIGATION MEASURES

MM-1. Tribal Cultural Resources:

Prior to commencing any ground disturbance activities at the Project site, the Applicant or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. Any qualified tribal monitor(s) shall be approved by a tribal representative of a traditionally and culturally affiliated California Native American tribe that is geographically associated with the project locale; however, after good faith effort to retain a tribal monitor, if the Tribe is unable to provide an on-site monitor at the time of any demolition, grading or excavation activities, the Applicant may proceed with construction). Any qualified archeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources ("OHR").

The qualified archeological and tribal monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the archeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor shall immediately stop all ground disturbance activities in the vicinity of the find and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and OHR.
2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the tribal representative, a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the

archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.
7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of these commendations developed and approved pursuant to the process set forth in paragraphs 2 through 4 above.
8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

MM-2. Transportation Demand Management (TDM) Strategies:

- Parking - Price Workplace Parking (50% of employees assumed eligible, \$6 daily parking charge assumed)
- Education & Encouragement - Promotions and Marketing (100% of employees eligible)
- Commute Trip Reductions - Ride-share program (100% of employees eligible)
- Bicycle Infrastructure - Provide bicycle parking per LAMC

BUREAU OF ENGINEERING – STANDARD CONDITIONS

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

- e. 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.
 - f. 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.
 - g. That drainage matters be taken care of satisfactory to the City Engineer.
 - h. 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.
 - i. That any required slope easements be dedicated by the final map.
 - j. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - k. 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.
 - l. 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.
 - m. That no public street grade exceeds 15%.
 - n. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010
- S-2. That the following provisions be accomplished in conformity with the improvement constructed herein:
- 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. 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.
 - d. Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

- e. 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.
 - f. All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - g. Any required bonded sewer fees shall be paid prior to recordation of the final map or that the construction be suitably guaranteed.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall 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. Construct new lights: one (1) on Santa Fe Avenue and two (2) on Mesquit Street. If street widening per BOE improvement conditions, relocate and upgrade street lights: three (3) on Jesse Street and one (1) on Mesquit Street.
 - d. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street 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 at: (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 2010.
 - i. That the improvements required by the Bureau of Engineering Land Development Section will either be constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Santa Fe Avenue adjoining the subdivision by the construction of the following:
 - 1. A concrete curb, a concrete gutter, and a 15-foot concrete sidewalk with tree wells.
 - 2. Suitable surfacing to join the existing pavements and to complete a 28-foot half roadway.

3. Any necessary removal and reconstruction of existing improvements.
 4. The necessary transitions to join the existing improvements.
- b. Improve Jesse Street being dedicated and adjoining the subdivision by the repair and or replace any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of existing improvements.
- c. Improve Mesquit Street adjoining the subdivision by the construction of the following:
1. A concrete curb, a concrete gutter, and a 10-foot concrete sidewalk with tree wells.
 2. Suitable surfacing to join the existing pavements and to complete a 23-foot half roadway.
 3. Any necessary removal and reconstruction of existing improvements.
 4. The necessary transitions to join the existing improvements.

FINDINGS

FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2020-6829-MND on September 23, 2021. The Department found that potential negative impact could occur from the project's implementation due to:

Tribal Cultural Resources and Transportation; and

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2020-6829-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition No. 27 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

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

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by adopting the attached Mitigation Monitoring Program of ENV-2020-6829-MND.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82388 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 property is zoned CR-1 and R4P-1 and is consistent with the existing land use designation. The subject property is comprised of five (5) parcels resulting in a through lot with 68,955 square feet of lot area including dedications with a depth of approximately 120 feet and having a frontage of approximately 244 linear feet along Mesquit Street and approximately 104 linear feet along Jesse Street.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing General Plan Land Use Designation of Heavy Manufacturing and M3 zoning of the site. The proposed use is permitted in the designated zones. The proposed project would remove the surface level parking lot pertaining to "Produce LA" on the subject site and would construct a 14-story, approximately 188,954 square foot commercial office building with 4,325 square feet of retail ground floor.

The project will provide a total of 397 parking spaces in five (5) levels of at-grade parking and two (2) levels of subterranean parking. The proposed development has provided an

addition 54 parking spaces to replace the parking spaces that were displaced from the former "Produce LA" surface parking lot. The project will also provide bicycle parking including 95 long term and 51 short-term. The applicant has filed a concurrent request for a Director of Planning Determination (Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP) for the following: (1) City-initiated General Plan Amendment ("GPA") to modify Footnotes 1 and 6 of the Central City North Community Plan to include the boundaries and development standards of the Project, pursuant to LAMC § 11.5.6.9; (2) Height District change from the existing Height District 1 to Height District 2, pursuant to LAMC § 12.32.F.; (3) Master Conditional Use Permit to permit the sale of full line alcoholic beverages within four restaurants and bars, pursuant to LAMC § 12.24 W.1. (4) Site Plan Review for a project that results in an increase of 50,000 gross square feet or more of nonresidential uses, pursuant to LAMC § 16.05.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC"). The Vesting Tentative Tract Map is for the merger and subdivision of five (5) parcels into one (1) master ground lot and seven (7) airspace lots.

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Central City North Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zone.

The subject property is M3 corresponding to Heavy Manufacturing land use designation and permits commercial uses on the property. The proposed office/commercial development is contingent upon approval of Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP.

Therefore, the Vesting Tentative Tract Map for the merger and subdivision of land to create an office/commercial development is allowable under the zone and the land use designation and will be consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is not governed by a specific plan.

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

Pursuant to Section 66418 of the Subdivision 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 Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for

condominium, community apartment or stock cooperative projects.” Section 17.05-C of the LAMC enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan.

Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes (“net area”). The requested map meets the required components of a Vesting Tentative Tract Map. The project is located within an Outside Flood Zone, Methane Zone, and Special Grading Area. The project is not located within a Liquefaction area and Landslide area.

The design and layout of the Vesting Tentative Tract Map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Department of Building and Safety, Bureau of Engineering, and the Department of Water and Power) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. Therefore, as conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General and Specific Plans.

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

The subject property is comprised of five (5) parcels resulting in a through lot with 68,955 square feet of lot area dedications with a depth of approximately 120 feet and having a frontage of approximately 244 linear feet along Mesquit Street and approximately 104 linear feet along Jesse Street. The subject property is currently developed with a four (4)-story office/commercial building “Produce LA” and a surface level parking lot. The subject property is zoned M3-1-RIO within the Central City North Community Plan Area with a land use designation of Heavy Manufacturing.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant and commercial office uses. Properties to the north adjoining the subject property are zoned PF-1XL-RIO with a land use designation of Public Facilities and developed with a Los Angeles Department of Water and Power substation facility. Properties to the east across Mesquit Street are zoned M3-1-RIO and OS-1XL-RIO with land use designations Heavy Manufacturing and Open Space and developed with warehouse uses, a railyard and Los Angeles River located behind the warehouses. Properties to the south across Jesse Street are zoned M3-1-RIO with a land use designation of Heavy Manufacturing and developed with live/work and community serving multi-story developments. Properties to the west across Santa Fe Avenue are zoned M3-1-RIO with a land use designation of Heavy Manufacturing and developed with multi-story office commercial uses with surface level parking lots.

Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division. The proposed development is an allowable use under the M3 Zone and the pending a City-initiated General Plan Amendment (“GPA”) to modify Footnotes 1 and 6 of the Central City North Community Plan to include the boundaries and development standards of the Project. The proposed 14-story, approximately 188,954 square foot

commercial office building with 4,325 square feet of retail ground floor, including a total of 397 parking spaces in five (5) levels of at-grade parking and two (2) levels of subterranean parking is contingent upon approval of Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP. In addition, the site is not located within an Alquist-Priolo Fault Zone, however it is located within an Outside Flood Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Therefore, material evidence supports that 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 General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and future population growth expected to occur. The Central City North Community Plan designates the site for Heavy Manufacturing land uses. The site is zoned M3 and is consistent with the range of zones under the corresponding land use designation. The proposed commercial/office development is contingent upon approval of Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP. As such, the construction of the proposed uses on the project site would be consistent with the land use designation of the site and the applicable zoning of the site.

Surrounding properties are developed with a mix of residential, commercial retail/restaurant and commercial office uses. Properties to the north adjoining the subject property are zoned PF-1XL-RIO with a land use designation of Public Facilities and developed with a Los Angeles Department of Water and Power substation facility. Properties to the east across Mesquit Street are zoned M3-1-RIO and OS-1XL-RIO with land use designations Heavy Manufacturing and Open Space and developed with warehouse uses, a railyard and Los Angeles River located behind the warehouses. Properties to the south across Jesse Street are zoned M3-1-RIO with a land use designation of Heavy Manufacturing and developed with live/work and community serving multi-story developments. Properties to the west across Santa Fe Avenue are zoned M3-1-RIO with a land use designation of Heavy Manufacturing and developed with multi-story office commercial uses with surface level parking lots.

Based on the density calculation and land uses in the vicinity, this subdivision involves a density consistent with the General Plan and Zoning affecting the site, as approved by Case No. CPC-2020-6828-GPA-ZC-HD-SPR-MCUP. There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located as a result of the project's proposed density. Therefore, the site is physically suitable for the proposed density of development.

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

The project site, as well as the surrounding area, is developed with structures and no identified fish, wildlife, or established habitat is located on-site. As such, the proposed

design of the subdivision and the proposed improvements are not anticipated to cause any substantial damage or substantially and avoidably injure fish or wildlife or their habitat.

The subject site is located in a developed area of the City of Los Angeles and therefore, the design of the subdivision and the proposed improvements will not cause substantial environmental damage or avoidably injury to fish or wildlife or their habitat.

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

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

The project is not located on a hazardous materials site and/or on a site having unsuitable soil conditions, however the project is located within an Outside Flood Zone. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Additionally, the project has been determined to be statutorily exemption from CEQA which indicates that no adverse impacts to the public health or safety would occur as a result of the design and improvements are not likely to cause serious public health problems.

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

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The project site contains legally recorded lots identified by the Assessor Parcel Map No. 5164015022. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved to the specific requirements of the Los Angeles Municipal Code for providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park, or any officially recognized public recreation area. Needed public access for roads and 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 WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcels 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 Map No. 83288-1A

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment