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CITY PLANNING**

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(213) 978-1300

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

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DEPUTY DIRECTOR

November 10, 2022

**Applicant/Representative**

Stacee Flinn  
Pacific Crest Consultants, Inc.  
29635 Agoura Road,  
Agoura Hills, CA 91301

**Owner**

Jason Lewis  
764-776 Hyperion LP  
1801 Century Park East,  
Ste. 870,  
Los Angeles, CA 90067

**RE: VTT-78257**

**[Related Case(s):] VTT-78257, ENV-2018-610-CE**

**Address: 760-788 North Hyperion Avenue**

**Community Plan: Silver Lake - Echo Park - Elysian Valley**

**Council District: 13 - Mitch O'Farrell**

**Zone: RD2-1VL**

**CEQA: ENV-2018-610-CE**

**EXTENSION OF TIME PURSUANT TO AB 1561 AND CHAPTER 1**

On June 15, 2018, the Deputy Advisory Agency conditionally approved VTT-78257 for a maximum of 14 small lot homes for the purposes of a Small Lot Subdivision, as shown on map stamp-dated May 17, 2018, in the RD2-1VL Zone, located at 760-788 North Hyperion Avenue within the Silver Lake - Echo Park - Elysian Valley Community Plan.

Pursuant to LAMC Section 17.07 A.1, the final map must be recorded within three years of the approval date.

In accordance with the provisions of Section 65914.5(b), the Deputy Advisory Agency is authorized to grant an 18-month extension for the recording of the final VTT-78257.

In addition, pursuant to Chapter 1, LAMC Section 12.36 G.3, legislative approvals granted in conjunction with a subdivision approval pursuant to these multiple entitlement procedures may be extended for the full time limit of the subdivision approval, including time extensions pursuant to Article 7 of this Code, for the purpose of recordation of an approved map.

Therefore, the new expiration date for VTT-78257 is **December 15, 2028**.

VINCENT P. BERTONI, AICP  
Director of Planning

Nelson Rodriguez  
Deputy Advisory Agency  
VPB:NR:BMO



cc: Councilmember O'Farrell

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DANA M. PERLMAN

ROCKY WILES  
COMMISSION OFFICE MANAGER  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP  
DIRECTOR  
(213) 978-1271

KEVIN J. KELLER, AICP  
EXECUTIVE OFFICER  
(213) 978-1272

LISA M. WEBBER, AICP  
DEPUTY DIRECTOR  
(213) 978-1274

<http://planning.lacity.org>

Decision Date: June 15, 2018

Appeal Period Ends: June 25, 2018

Jason Lewis (A) (O)  
764-776 Hyperion, LLC  
1801 Century Park East, Unit 870  
Los Angeles, CA 90067

Erika Iverson / Christopher Murray (R)  
Rosenheim & Associates, Inc.  
21600 Oxnard Street, Unit 630  
Woodland Hills, CA 91367

RE: Vesting Tentative Tract Map No.: 78257-SL  
Related Cases: N/A  
Address: 760-788 North Hyperion Avenue  
Community Plan: Silver Lake – Echo Park –  
Elysian Valley  
Zone: RD2-1VL  
Council District: 13 – O'Farrell  
CEQA No.: ENV-2018-610-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 78257-SL, located at 760-788 North Hyperion Avenue, for a maximum of **14 small lot homes** for the purposes of a Small Lot Subdivision, as shown on map stamp-dated May 17, 2018, in the Silver Lake – Echo Park – Elysian Valley Community Plan. This unit density is based on the existing RD2-1VL 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 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.
2. 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.
3. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
4. 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.
5. That any fee deficit under Work Order No. EXT00776 expediting this project be paid.

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

6. That 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 the Inter-Departmental Letter dated February 15, 2018, Log No. 101830, and attached to the case file for Vesting Tentative Tract No. 78257-SL.

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

7. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist 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 affidavit AFF-15438. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - c. 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.

- d. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress, back-up space, drainage, and utilities on the final map.

Notes:

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.

Back-up space for parking spaces with less than 26 feet 8 inches 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.

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

## DEPARTMENT OF TRANSPORTATION

8. Prior to recordation of the final map, a suitable arrangement shall be made satisfactory to the Department of Transportation, binding the subdivider and all successors to the following:
  - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
  - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.

- c. A parking area and driveway plan should 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, call (213) 482-7024.

## **FIRE DEPARTMENT**

9. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - b. One or more Knox boxes will be required to be installed for LAFD access to project, location and number to be determined by LAFD Field Inspector (refer to FPB Req. #75).
  - c. Address identification: new and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
  - d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - e. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
  - f. 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.
  - g. 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.
  - h. Fire lanes where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.
  - i. Submit plot plans indicating access road and turning area for Fire Department approval.

- j. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- k. 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.
- l. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- m. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- n. 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.
- 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 three 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 is to be determined after the Fire Department's review of the plot plan.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc. and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting please call **(213) 482-6509**. You should advise any consultant representing you of this requirement as well.

#### DEPARTMENT OF WATER AND POWER

- 10. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to

the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c).)

### **BUREAU OF STREET LIGHTING**

11. Prior to the recordation of the final map or issuance of the certificate of occupancy, 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**

12. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problem, as stated in the memo dated February 27, 2018. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(d).)

### **INFORMATION TECHNOLOGY AGENCY**

13. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [cabletv.ita@lacity.org](mailto: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 RECREATION AND PARKS**

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

### **BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION**

15. 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. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the subdivider 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-of-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.

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

16. 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 No. 78257-SL shall not be issued until after the final map has been recorded.
  - b. Limit the proposed development to a maximum of 14 small lots.
  - c. Provide a minimum of two (2) covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)
  - d. Provide a minimum of four off-street guest parking spaces. Guest Parking spaces shall be provided in compliance with the Department of Building and Safety. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.
  - e. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone fence or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
  - f. Any vehicular gate shall be of an open transparent design, made of wrought iron or other decorative material, and shall not be solid.
  - g. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - h. 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.
  - i. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.
  - j. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
  - k. A Maintenance Agreement 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 agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement 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.

- I. 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 considered the following setbacks in conjunction with the approved map. Minor deviations to the map's 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. In no event shall the side and rear yards of the entire subdivision measure less than 5 feet in width.

Setbacks shall be permitted as follows:

Setbacks (in feet)				
Lot No.	North (Side)	South (Side)	West (Front)	East (Rear)
1	0	5	10	13
2	2.5	0	10	13
3	0	2.5	10	13
4	13.9	0	10	13
5	0	13.9	10	13
6	0	0	10	13
7	5	0	10	13
8	4.5	9	13	10
9	0	4.5	13	10
10	4	0	13	10
11	0	4	13	10
12	4.5	0	13	10
13	0	4.5	13	10
14	5	0	13	10
The Advisory Agency has approved minimum 18-foot wide common access strips for the approved subdivision				

- 19. 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.

**20. Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- 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 judgments 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. (b)
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

“Action” shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions 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.

#### **DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT HOME CONDITIONS**

SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:

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

SL-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect and be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site and shall include the following features:

- a. All areas of the property not covered by buildings, driveways, or walkways shall be landscaped with low-water, drought-tolerant, and non-invasive plant materials and ground cover, in place of turf grass.
- b. Any proposed trees shall be shade bearing.
- c. Landscape plans shall organize plants into groupings in accordance to proposed water needs.

- d. Landscape plans shall incorporate shade trees and ornamental landscaping that define an edge and increases visual interest in the public and private realms of the development.
- e. Trees, shrubs, and vines shall be planted between property lines where appropriate.

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

### **BUREAU OF ENGINEERING – STANDARD CONDITIONS**

#### **S-1.**

- a. That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
- b. That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- c. That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- d. That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- e. That drainage matters be taken care of satisfactory to the City Engineer.
- f. That satisfactory street, sewer and drainage plans and profiles as required together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- g. That any required slope easements be dedicated by the final map.
- h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

- i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
  - j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - k. That no public street grade exceeds 15%.
  - l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- 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 Transportation with respect to street name, warning, regulatory and guide signs.
  - c. All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - d. All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - e. Any required bonded sewer fees shall be paid prior to recordation of the final map 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. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

1. No street lighting improvements if no street widening per Bureau of Engineering improvement conditions. Otherwise relocate and upgrade street light; one (1) on Hyperion Avenue.

Notes:

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

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

- d. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services.
- 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. Improve Hyperion Avenue adjoining the subdivision by the construction of the following:
  1. A concrete curb, a concrete gutter, and a 12-foot full width concrete sidewalk with tree wells or a 5-foot wide concrete sidewalk with tree wells.
  2. Suitable surfacing to join the existing pavement and to complete an 18-foot half roadway.
  3. Any necessary removal and reconstruction of existing improvements.
  4. The necessary transitions to join the existing improvement.

- j. Construct the necessary on-site mainline 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 density.

Approval from the Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through the Bureau of Street Services, Urban Forestry Division.

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 LAMC Section 17.05N.

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

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

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

**FINDINGS OF FACT (CEQA)**

On April 27, 2018, the subject project was issued a Notice of Exemption (Subsection c, Section 2, Article II, City CEQA Guidelines), log reference ENV-2018-610-CE, for a Categorical Exemption, Class 32, City CEQA Guidelines (Sections 15300-15333, State CEQA Guidelines). I hereby adopt that action.

**CLASS 32 CATEGORICAL EXEMPTION**

The proposed project qualifies for a Class 32 Categorical Exemption because it conforms to the definition of "In-fill Projects". The project can be characterized as in-fill development within urban areas for the purpose of qualifying for Class 32 Categorical Exemption as a result of meeting the five conditions listed below.

- (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 adopted Silver Lake – Echo Park – Elysian

Valley Community Plan, which is one of 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the subject property with a land use designation of Low Medium II Residential, corresponding to the RD1.5, RD2, RW2, and RZ2.5 Zones. The subject property is zoned RD2-1VL, and is thus consistent with the existing land use designation. The project site is not within the boundaries of any specific plan or interim control ordinance.

The project proposes to subdivide the site into 14 small lots pursuant to LAMC Section 12.22-C,27. The applicant is not requesting a zone change or general plan amendment and the project would comply with the applicable regulations of small lot developments and the LAMC. The project would construct 14 small lot homes – as proposed, the density, height, and other zoning attributes are consistent with the zone designation and with the Community Plan. Additionally, as the project is the subdivision of land, the project would be required to comply with any dedication and improvement requirements as required by the Mobility Element. Therefore, 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.

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

The project site is located in the Silver Lake – Echo Park – Elysian Valley Community Plan area within Los Angeles city limits. The project site encompasses approximately 30,005 square feet of total lot area (approximately 0.7 acres). The site is in a built-up and previously developed area – it is currently developed with seven existing residential structures, including three apartment residences and a single family residence, for a total of 10 units. The neighborhood was primarily developed in the early to mid-20th century, and the surrounding area is developed with similar residential uses. Therefore, the project will occur within city limits on a project site of no more than five acres substantially surrounded by urban uses.

**(c) The project site has no value as habitat for endangered, rare or threatened species:**

The project site is located in an urbanized area within the Silver Lake – Echo Park – Elysian Valley Community Plan area. The project site and the surrounding neighborhood have been developed with structures and landscape for several decades. Although there are 24 trees on the site and two street trees, per the Tree Report prepared by The Tree Resource dated November 7, 2017, there are no protected trees, as defined under Los Angeles Municipal Ordinance No. 177,404. Additionally, the project site does not include any riparian areas or other sensitive plant communities, and it does not have substantive value as a habitat for endangered, rare, or threatened species. Therefore, the project site has no value as habitat for endangered, rare, or threatened species.

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

**Traffic.** The project site is currently developed with 10 residential units. The project proposes the demolition of all existing structures and the construction of 14 small lot homes, resulting in a net increase of four units. Per the LADOT traffic studies manual and the L.A. CEQA Thresholds Guide, a Traffic Study is only required for development projects forecast to generate over 43 afternoon commuter peak hour trips, or if more than 500 daily trips will be generated or diverted/shifted. The operation of 14 small lot homes is not expected to exceed either of these thresholds. As referenced in the Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, the proposed project would result in a net increase of 67 average daily trips and eight afternoon commuter peak hour trips, which are far below the thresholds for requiring a Traffic Study. As a result, the project will not have a significant impact relating to traffic.

**Noise.** The project must comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574 and any subsequent ordinances which prohibit the emission or creation of noise beyond certain levels. The Ordinances cover both operational noise levels (i.e. post-construction), as well as any noise impact during construction. Section 41.40 of the LAMC regulates noise from demolition and construction activities and prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturdays and holidays; all such activities are also prohibited on Sundays. Section 112.05 of the LAMC also specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. As the project is required to comply with the above ordinances and regulations, it will not result in any significant noise impacts. All construction-related noise impacts would be less than significant and temporary in nature.

The project will not generate permanent significant operational noise impacts. The proposed project is residential and will result in a net increase of only four homes and does not exceed the threshold for noise consideration of 75 or more dwelling units, per the L.A. CEQA Thresholds Guide. Additionally, the project maintains the existing residential use, which will not include any square footage of non-residential uses and will not introduce a stationary noise source. Thus, the project will not result in any significant short-term or long-term effects relating to noise.

The Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, provides a full analysis regarding temporary and permanent noise impacts for the proposed project.

**Air Quality.** The South Coast Air Quality Management District (SCAQMD) is the agency primarily responsible for comprehensive air pollution control in the South Coast Air Basin and reducing emissions from area and point stationary, mobile, and indirect sources. SCAQMD prepared the 2012 Air Quality Management Plan (AQMP) to meet federal and state ambient air quality standards. A significant air quality impact may occur if a project is inconsistent with the AQMP or would in some way represent a substantial hindrance to employing the policies or obtaining the goals of that plan. The proposed project will result in a net increase of only four residential units and thus will not conflict with or obstruct the implementation of the AQMP and SCAQMD rules. The applicant has estimated the project's impact on air quality, using the CalEEMod 2016.3.2 model provided by SCAQMD, by comparing the estimated levels of criteria pollutants to significance thresholds provided by SCAQMD. As referenced in the Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, the estimated levels of emissions from the project are all estimated to be far below the thresholds considered by SCAQMD to be potentially significant under CEQA guidelines (the Memorandum provides the full analysis and the CalEEMod output report dated November 13, 2017 and attached to the subject environmental case file provides the air quality modeling results). Therefore, project impacts related to air quality will be less than significant.

During construction, appropriate dust control measures would be implemented as part of the proposed project, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas.

Best Management Practices will be implemented that would include (but not be limited to) the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle but be turned off.

By implementing Best Management Practices, all construction-related impacts will be less than significant and temporary in nature. No permanent significant impacts are anticipated to occur from construction.

**Water Quality.** The project is not adjacent to any water sources and construction of the project will not impact water quality. The project maintains the existing residential use and will not generate, store, or dispose of substantial quantities of hazardous materials that could affect water quality. Construction activities would not involve any significant excavation near an identified water source. Furthermore, the project will comply with the City's stormwater management provisions per LAMC 64.70. Best Management Practices would also be required during general operation of the project to ensure that stormwater runoff meets the established water quality standards and waste discharge requirements. As the project consists of the new construction of only 14 homes, it will not have a significant impact on the amount or quality of effluent generated. Therefore, development of the proposed project would not degrade the quality of stormwater runoff from the site and would not result in any significant effects relating to water quality.

The Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, provides a full analysis regarding impacts on water quality for the proposed project.

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

The site is currently developed with residential buildings in a highly urbanized area served by existing public utilities and services. The site is fully served by public sewer and water, and the existing use at the site has been and will continued to be served by all required utilities and public services. The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. It is serviced by the LAPD's Central Bureau, Rampart Division and the Central Bureau Fire Department. These utilities and public services have continuously served the neighborhood for more than 50 years.

The project consists of the new construction of 14 homes; 10 existing units will be demolished, resulting in a net increase of just four units. As a result, the project will not have a significant impact on existing utility and service demand and capacities. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, and LED lighting. As a result, the proposed project will not create any impact on existing utilities and public services through the construction of 14 new small lot homes.

The Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, provides a full analysis regarding impacts on utilities and public services for the proposed project.

**EXCEPTIONS TO CATEGORICAL EXEMPTIONS**

Planning staff evaluated the exceptions to the use of Categorical Exemptions for the proposed ordinance listed in "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project.

- (a) **Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.**

As the proposed Project is not defined as a Class 3, 4, 5, 6 or 11 project, this exception is non-applicable. The Project site is in an urbanized area in the City of Los Angeles. The Project site is not located in a particularly sensitive environment and would not be located on a site containing wetlands, endangered species, or wildlife habitats; therefore, this exception is not applicable.

- (b) **Cumulative Impact. 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.**

This exception does not apply to the proposed project. The project involves the construction of residential units in an area previously developed and surrounded by residential uses. The project is entirely consistent with the existing General Plan designation and zoning, which account for the impacts of developments which are within their parameters. Any successive projects of the same type and nature would reflect a development that is consistent with the underlying land use designation and the LAMC, and thus would be subject to the same regulations and requirements, including development standards and environmental impacts. The impacts of each subsequent project will be mitigated, and thus will not result in a cumulative impact.

In addition, as referenced in the Class 32 Categorical Exemption Memorandum prepared by Envicom Corporation, dated January 25, 2018 and attached to the subject environmental case file, the project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality. Therefore, the project will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. As a result, the proposed project will not result in a significant cumulative impact.

- (c) **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.

This exception does not apply to the proposed project. The project site is comprised of approximately 30,005 square feet of lot area located in an urbanized area within the City of Los Angeles. The project consists of residential uses and operations that are compatible with the surrounding residential development and consistent with the underlying zone. The site does not demonstrate any unusual circumstances, and the project will not generate significant traffic, air quality, or noise impacts. There are no unusual circumstances that indicate this project would reasonably result in a significant effect on the environment.

- (d) **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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

This exception does not apply to the proposed project. According to the California Scenic Highway Mapping System, the project site is not located on or near a portion of a highway that is either eligible or officially designated as a state scenic highway.

- (e) **Hazardous Waste Sites.** A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

This exception does not apply to the proposed project. Two Phase I Environmental Site Assessments (ESAs) were completed by Partner Engineering and Science, Inc. for the subject property and are attached to the subject environmental case file. The first ESA, dated March 22, 2017, evaluated the three lots with addresses 764-776 Hyperion Avenue and the ESA dated August 16, 2017 evaluated the fourth lot with the address 760 Hyperion Avenue. Both ESAs concluded that there was no evidence of recognized environmental conditions in connection with the property. The ESA did identify an environmental issue regarding the potential for asbestos and/or lead-based paint to be present in the existing buildings to be demolished due to their age; however, removal of such materials is subject to standard safety requirements and would not classify the project site as a hazardous waste site. The ESAs provide additional information and a full analysis of hazardous waste concerns regarding the proposed project.

The project site is not located within a Methane Zone or Methane Buffer Zone, nor is it located in a Hazardous Waste/Border Zone Properties area as designated by the City of Los Angeles. There are no oils, elevators, in-ground hydrologic systems, monitoring or water supply wells, or above- or below-ground storage tanks, or

potentially fluid-filled electrical equipment on or immediately adjacent to the project site. No industrial wastewater is generated on the project site and sanitary wastewater is discharged to the City Bureau of Sanitation. Therefore, this exception for a Class 32 Categorical Exemption does not apply to this project.

- (f) **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 subject property is currently developed with several residential and garage structures. The residences on the project site at 760 North Hyperion Avenue, 764 North Hyperion Avenue, 770 North Hyperion Avenue, and 780 North Hyperion Avenue were constructed in 1903, 1925, 1952, and 1922, respectively. The surrounding area consists almost entirely of multi-family and single-family residences, primarily constructed in the early- to mid-20th century and similar to the existing residences on the site. According to the Historic Resource Evaluation completed by Kaplan Chen Kaplan, dated September 12, 2017 and attached to the subject environmental case file, although the structures on the project site are older, no portion of the subject property has been identified as a historic structure, contributing structure, or potentially historic structure by the South Central Coastal Information Center and the Los Angeles Historic Resources Survey. The project site is also not a part of any identified or potential historic district. The Historic Resource Evaluation further states that none of the subject buildings on the project site are associated with any historic events or patterns of history, none are associated with any historic persons or notable architects/master builders, and none meet the threshold for historic architectural significance. As a result, the buildings do not meet the criteria to be determined eligible for designation as an individual landmark or contributing buildings to a potential historic district. Additionally, the project site is not located in a designated Historic Preservation Overlay Zone or on a site designated as historic on any federal, state or local database. For these reasons, demolition of structures on the project site and construction of the proposed project would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA, and this exception does not apply to the proposed project.

## CONCLUSION

As outlined above, the proposed project is located in an urbanized area, is not in a particularly sensitive environment, and will not impact an environmental resource of hazardous or critical concern that is designated, precisely mapped, or officially adopted by any federal, state, or local agency. The project will not result in any significant impacts and, therefore, will not make a cumulatively considerable contribution to any significant cumulative impacts. The project consists of 14 new small lot single family residences on a total lot area of approximately 30,005 square feet. The project is consistent with the surrounding developments, including established residential uses, does not present any unusual circumstances, and would not constitute a substantial adverse change in the significance of a historic resource as defined by CEQA. Therefore, none of the possible exceptions to Categorical Exemptions, found in Section 15300.2 Exceptions, apply to this

project. The project is entirely consistent with the existing General Plan designation, zoning, and requirements of the LAMC. The Project will not generate a significant number of vehicle trips and will not result in any significant impacts to land use planning, habitat, noise, air quality, or water quality and therefore will not make a considerable contribution to any significant cumulative traffic, air quality, or noise impacts. As such, the project qualifies for a Class 32 Categorical Exemption.

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

In connection with the approval of Vesting Tentative Tract Map No. 78257-SL, 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 project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Low Medium II Residential corresponding to the RD1.5, RD2, RW2, and RZ2.5 Zones. The property is currently zoned RD2-1VL, and is thus consistent with the existing land use designation. The project site is not within the boundaries of any specific plan or interim control ordinance.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the existing zoning and General Plan land use designation. Apartments, condominiums, and other multi-family uses are permitted in the RD2-1VL Zone and Low Medium II Residential land use designation. Plans for small lot subdivision maps are required to illustrate the building envelope and building height, size, number of units, and approximate location of buildings and driveways. The existing RD2-1VL Zone permits a density of one unit per 2,000 square feet of lot area. As such, the applicant would be permitted to construct a maximum of 15 dwelling units on the subject property, which is 30,005 square feet in net area. With 14 small lot homes proposed, the project's density is below the maximum allowable density for the RD2 Zone.

Section 17.05-C of the Los Angeles Municipal Code 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. 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"). In addition, Section 12.22-C,27 of the Municipal Code requires (at

the time that the Vesting Tentative Tract Map application was deemed complete) that requested small lot subdivisions comply with the required minimum lot width of 16 feet; lot area of 600 square feet; lot coverage limitation of 80%; and five-foot setback requirements for the boundary of the subdivision. The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision. Therefore, the proposed map is substantially consistent with the applicable General Plan affecting the project site and demonstrates compliance with Sections 17.01, 17.05-C, 17.06-B and 12.22-C,27 of the Los Angeles Municipal Code.

**b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.**

The project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Low Medium II Residential corresponding to the RD1.5, RD2, RW2, and RZ2.5 Zones. The property is currently zoned RD2-1VL, and is thus consistent with the existing land use designation. The project site is not within the boundaries of any specific plan or interim control ordinance.

Section 66418 of the Subdivision Map Act defines the term “design” as follows: “Design” means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other 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 Los Angeles Municipal Code 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”). LAMC Section 17.06-B lists the map requirements for a tentative tract map. In addition, Section 12.22-C,27 of the Municipal Code requires that requested small lot subdivisions comply with the required minimum lot width of 16 feet; lot area of 600 square feet; lot coverage limitation of 80%; and five-foot setback requirements for the boundary of the subdivision. The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

The design and improvement of the proposed subdivision are consistent with the Silver Lake – Echo Park – Elysian Valley Community Plan and are not subject to

any Specific Plan requirements. For the purposes of approving a small lot subdivision, the “design” of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and “improvements” refer to the infrastructure facilities serving the subdivision. Several public agencies, including the Department of Building and Safety, the Bureau of Engineering, and the Los Angeles Department of Transportation, have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the vesting map, building permit, grading permit, or certificate of occupancy. Therefore, as conditioned, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the Community Plan and the General Plan.

**c. The site is physically suitable for the proposed type of development.**

The project site is a rectangular-shaped parcel of land comprised of four lots totaling approximately 30,005 square feet (0.69 acres). The site has approximately 200 feet of frontage along the eastern side of Hyperion Avenue (a designated Standard Local Street) to a depth of approximately 150 feet. The site is currently developed with seven structures, including three apartment residences, three garages, and a single family residence. There are a total of 10 existing residential units on the site; these will be demolished, resulting in a net increase of four units through the development of the proposed project. There are currently 24 non-protected significant trees on the project site that will be removed as a part of the development. There are also two street trees in the right-of-way that will be removed as a part of the project; these are not protected and will be replaced by five new street trees through the development of the proposed project, per the requirements of the Bureau of Street Services, Urban Forestry Division

The project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Low Medium II Residential corresponding to the RD1.5, RD2, RW2, and RZ2.5 Zones. The property is currently zoned RD2-1VL, and is thus consistent with the existing land use designation. The existing RD2-1VL Zone permits a density of one unit per 2,000 square feet of lot area. As such, the applicant would be permitted to construct a maximum of 15 dwelling units on the subject property, which is 30,005 square feet in net area. With 14 small lot homes proposed, the project’s density is below the maximum allowable density for the RD2 Zone. The project site is not within the boundaries of any specific plan or interim control ordinance. The project site is not located within the Alquist-Priolo Fault Zone, but it is located approximately 0.97 kilometers from the nearest fault, the Upper Elysian Park Fault. The site is also located within a hillside area and a BOE Special Grading zone; the applicant would comply with all applicable regulations, as verified by the Department of Building

and Safety and the Bureau of Engineering. The project site is not located within a methane hazard site, fire hazard site, or flood, landslide, liquefaction, or tsunami inundation zone. There are also no substandard hillside streets adjoining the subject property. The Department of Building and Safety Grading Division has reviewed the application and approved the geology and soils report dated November 27, 2017 and referenced in the memo dated February 15, 2018 and attached to the case file. Conditions have been recommended and included to ensure that the development site is physically suitable, per the Department of Building and Safety Grading Division.

The project site is in a developed hillside residential neighborhood which generally slopes up to the east. The surrounding area is characterized by gently-to-moderately sloping terrain and is developed with buildings and improved streets. Surrounding properties are primarily within the RD2-1VL and R3-1VL Zones and consist of a variety of single and multi-family residences. A small parking lot borders the subject property to the north. Properties to the west of Hoover Street, approximately 200 feet west of the subject property, are zoned RD1.5-1XL and include a variety of single and multi-family residences. The nearest commercial uses are approximately 700 feet south of the project site, along Hoover Street, and include small restaurants and retail stores. As a continuation of the existing residential use, the proposed project is compatible with the surrounding area.

The Department of City Planning, on April 27, 2018, determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section I, Class 32. This exemption is for infill developments meeting the following five criteria: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) The site can be adequately served by all required utilities and public services. Planning staff also evaluated the exceptions to the use of categorical exemptions for the proposed project listed under "CEQA Guidelines" Section 15300.2 and determined that none of the exceptions apply to the proposed project. Therefore, material evidence supports that 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 General Plan identifies (through its Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning applying to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The project site is located within the Silver Lake – Echo Park – Elysian Valley Community Plan, one of 35 Community Plans which form the land use element of the General Plan, with a land use designation of Low Medium II Residential corresponding to the RD1.5, RD2, RW2, and RZ2.5 Zones. The property is currently zoned RD2-1VL, and is thus consistent with the existing land use designation. The existing RD2-1VL Zone permits a density of one unit per 2,000 square feet of lot area. As such, the applicant would be permitted to construct a maximum of 15 dwelling units on the subject property, which is 30,005 square feet in net area. With 14 small lot homes proposed, the project's density is below the maximum allowable density for the RD2 Zone.

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 project is located. 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.**

Both the project site and the surrounding area are urbanized, have been developed and improved with structures, and do not provide a natural habitat for either fish or wildlife. Additionally, the project was identified as being Categorically Exempt from further CEQA review pursuant to Class 32 for infill development, and that it would not result in significant impacts relating to biological resources. As such, the project will not cause substantial environmental damage or injury to 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, etc.) and the Building Code. Other health and safety-related requirements as mandated by law (e.g. asbestos abatement, seismic safety, flood hazard management, etc.) would apply where applicable to ensure the public health and welfare.

The project is not located over a hazardous materials site, and it is not in a flood hazard area or (per the Department of Building and Safety, Grading Division) located on unsuitable soil conditions. 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. Additionally, 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, where collected sewage is directed to sewer treatment plants which have been upgraded to meet Statewide Ocean Discharge Standards. Therefore, no adverse impacts to the public health or safety would occur as a result of the design and

improvement of the site, and the design of the subdivision and the proposed 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 is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of 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 other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed 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 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. A solar report, dated January 19, 2018, was submitted with the tract application. The lot layout of the subdivision has taken into consideration the maximization of the north/south orientation. The topography of the site has also been considered in the maximization of passive and natural heating and cooling opportunities. However, the orientation of the subject property and the presence of self-blockage are not conducive to passive energy gain.

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 tract map was filed. 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 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. 78257-SL.

VINCENT P. BERTONI, AICP  
Advisory Agency



COURTNEY SHUM  
Deputy Advisory Agency

CS:MS:bk

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 Central 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,  
Room 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/>.**

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

If you have any questions, please call Development Services Center staff at (213) 482-7077, (818) 374-5050, or (310) 231-2598.

# VESTING TENTATIVE TRACT NO. 78257

FOR SMALL LOT SUBDIVISION PURPOSES  
PER ORDINANCE 176354

BEING A SUBDIVISION OF LOT 24, 25, 26, AND PORTION OF ADRIAN STREET IN BLOCK "F" OF LINCOLNIAN HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE 70 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY

DATE OF PLAN: JANUARY 17, 2018  
DATE OF FIELD SURVEY: SEPTEMBER 2017  
ADDRESS: 760-788 HYPERION AVENUE, LOS ANGELES, CA 90029  
APN: 5427-011-027, 5427-011-028, 5427-011-029 AND 5427-011-030  
THOMAS GUIDE PAGE: 594-B6  
OWNER/SUBDIVIDER: 764-776 HYPERION, LLC.  
10100 SANTA MONICA BLVD., SUITE 300  
LOS ANGELES, CA 90067  
(310) 772-2268

AREA:  
GROSS: 30,005 SF, 0.69 ACRES  
NET: 30,005 SF, 0.69 ACRES

BENCHMARK:

12-08070 ELEV=360.455 FT (NAVD 1988) (2000 ADJ.)

1 1/2" BOLT IN CONC MON L.A. B-2-E; 1.9FT W/O W CURB HOOVER ST; 18.8FT N OF N CURB LINE MARATHON ST 8IN BELOW SWK UNDER IRON COVER

FLOOD ZONE: ZONE X, FEMA PANEL NO. 0601371610F

DISTRICT MAP NO: 142-5A201

ZONING: RD2-1VL (NO ZONING CHANGE)

ALLOWABLE BUILDING HEIGHT: 45FT

PARKING: 28 SPACES PROVIDED (2 PER DWELLING)  
4 GUEST SPACES

NOTES:

- SMALL LOT SUBDIVISION IN RD2-1VL ZONE PURSUANT TO ORDINANCE NO. 176,354 (NO ZONING CHANGE)
- PROPOSED STRUCTURES SHOWN HEREON ARE APPROXIMATE
- THERE ARE NO PROTECTED TREES ON-SITE. ALL EXISTING TREES TO BE REMOVED.
- THE SUBDIVISION CONSISTS OF A 14 LOT SMALL LOT SUBDIVISION COMPRISED OF 14 SINGLE-FAMILY DWELLINGS WITH 28 PARKING SPACES AND 4 GUEST SPACES
- SEWERS ARE IN AND AVAILABLE
- UTILITY INFORMATION SHOWN HEREON IS PER RECORD DATA
- PROJECT IS LOCATED IN A HILLSIDE GRADING AREA
- PROJECT IS NOT LOCATED IN A LIQUEFACTION ZONE
- PROJECT IS NOT LOCATED IN A HIGH FIRE HAZARD SEVERITY ZONE
- PROJECT WILL BE ENCLOSED BY MAXIMUM 12" HIGH RETAINING WALL ON THE NORTH, EAST AND SOUTH PROPERTY LINES; MAXIMUM 3'-6" IN THE FRONT YARD SETBACK
- DEDICATION: NO DEDICATION IS REQUIRED

GRADING QUANTITIES: CUT = 8,625 CY, FILL = 0 CY, EXPORT = 8,625 CY

LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 25 IN BLOCK "F" OF LINCOLNIAN HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE(S) 70 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:

LOT 26 IN BLOCK "F" OF LINCOLNIAN HEIGHTS TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE(S) 70 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:

THE REAL PROPERTY SITUATED IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BOUNDED ON THE NORTH BY A LINE PARALLEL WITH AND DISTANT 10 FEET SOUTHERLY FROM THE SOUTHERLY LINE OF LOT 15, IN BLOCK "B" OF LINCOLNIAN HEIGHTS, AS PER MAP RECORDED IN BOOK 18, PAGES 70 OF MISCELLANEOUS RECORDS OF SAID COUNTY, SOUTH BY THE NORTHERLY LINE OF LOT 26 IN BLOCK "F" OF SAID LINCOLNIAN HEIGHTS, EAST BY THE PROLONGATION OF THE EASTERLY LINE OF SAID LOT 26 AND WEST BY A PROLONGATION OF THE WESTERLY LINE OF SAID LOT 26, FRONTING 50 FEET ON HYPERION AVENUE WITH A UNIFORM DEPTH OF 150 FEET AND BEING FORMERLY A PORTION OF ADRIAN STREET, VACATED BY LOS ANGELES CITY ORDINANCES NOS. 6371 AND 8702 (NEW SERIES).

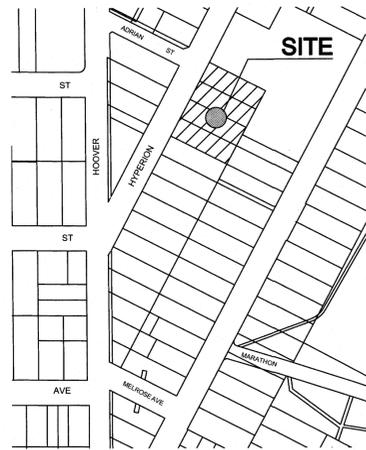
APN: 5427-011-028, 5427-011-029 AND 5427-011-030

THE ABOVE DESCRIBED PROPERTY IS THE SAME LAND DESCRIBED IN NORTH AMERICAN TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT NO. 1488933, DATED FEBRUARY 16, 2017.

LOT 24, BLOCK "F" OF LINCOLNIAN HEIGHTS, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18 PAGE 70 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5427-011-027

THE ABOVE DESCRIBED PROPERTY IS THE SAME LAND DESCRIBED IN NORTH AMERICAN TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT NO. 1517118, DATED JULY 12, 2017.

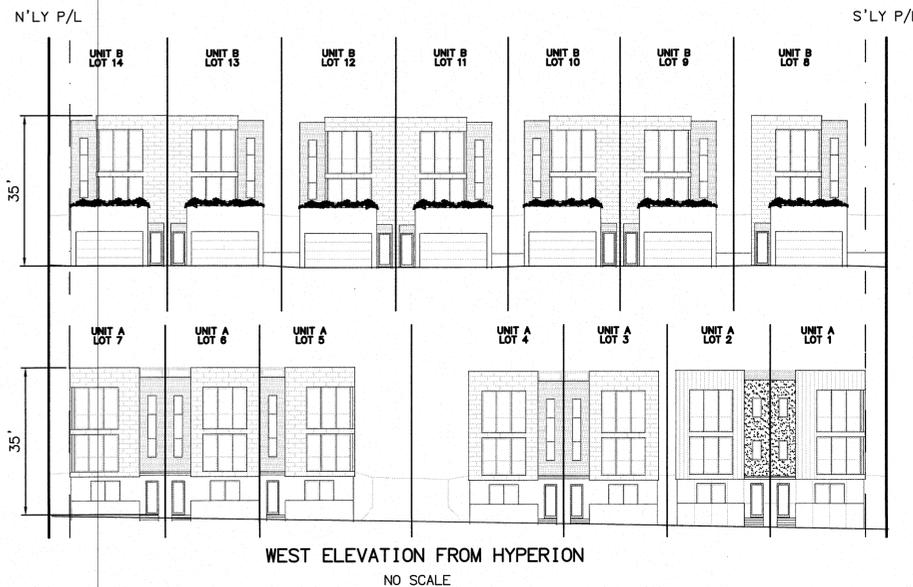
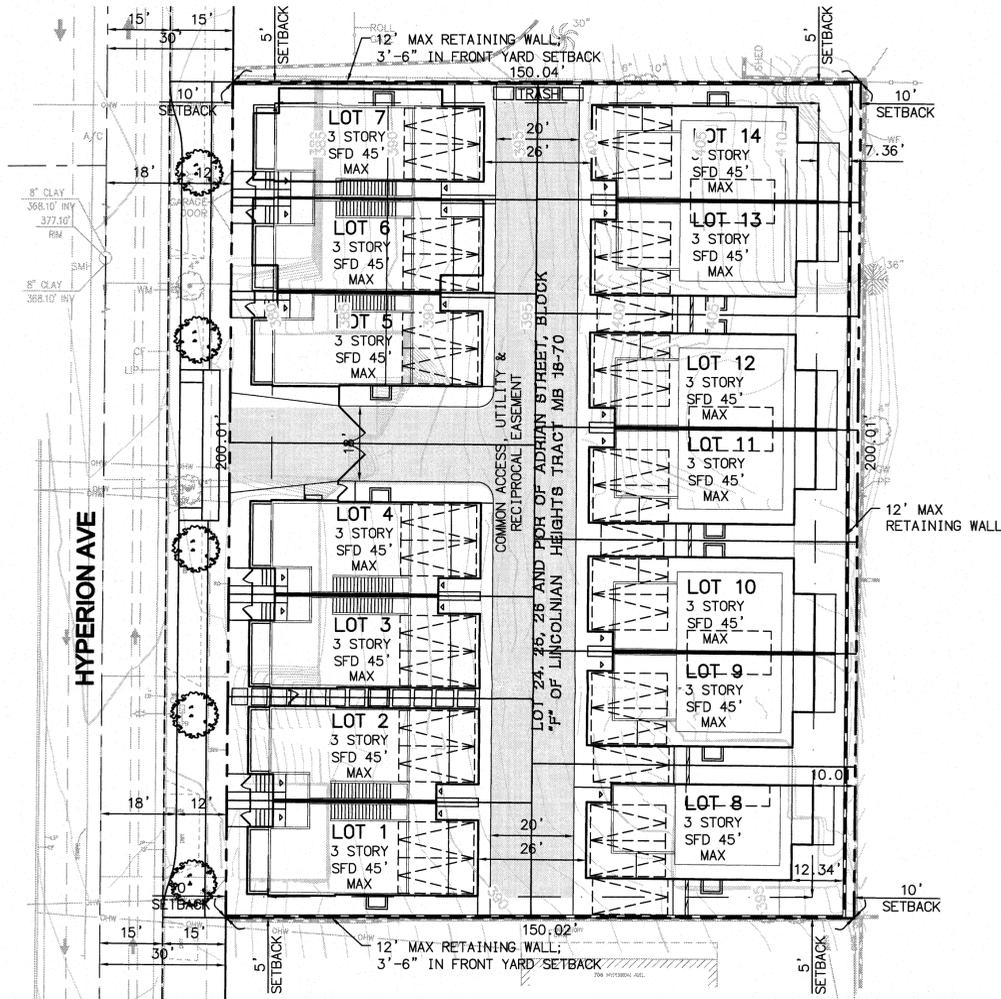


VICINITY MAP  
NTS

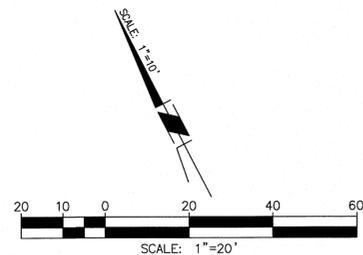
LEGEND:

- BUILDING LIMITS
- RIGHT OF WAY
- PROPERTY LINE
- BUILDING SETBACK
- ROADWAY CENTERLINE
- CURB
- RETAINING WALL
- LIMITS OF GRADING
- GARDEN WALL
- ACCESS/UTILITY EASEMENTS

PROPOSED SETBACK MATRIX				
LOT	FRONT YARD	NORTH SIDE YARD	SOUTH SIDE YARD	REAR YARD
1	10 FT.	0 FT.	5 FT.	13 FT.
2	10 FT.	2.5 FT.	0 FT.	13 FT.
3	10 FT.	0 FT.	2.5 FT.	13 FT.
4	10 FT.	13.9 FT.	0 FT.	13 FT.
5	10 FT.	0 FT.	13.9 FT.	13 FT.
6	10 FT.	0 FT.	0 FT.	13 FT.
7	10 FT.	5 FT.	0 FT.	13 FT.
8	13 FT.	4.5 FT.	9 FT.	10 FT.
9	13 FT.	0 FT.	4.5 FT.	10 FT.
10	13 FT.	4 FT.	0 FT.	10 FT.
11	13 FT.	0 FT.	4 FT.	10 FT.
12	13 FT.	4.5 FT.	0 FT.	10 FT.
13	13 FT.	0 FT.	4.5 FT.	10 FT.
14	13 FT.	5 FT.	0 FT.	10 FT.



WEST ELEVATION FROM HYPERION  
NO SCALE



LOS ANGELES DEPT. OF CITY PLANNING  
SUBMITTED FOR FILING  
TRACT MAP  
MAY 17 2018  
REVISED MAP EXTENSION OF TIME  
FINAL MAP UNIT MODIFIED  
DEPUTY ADVISORY AGENCY



DATE	REVISION

VESTING TENTATIVE TRACT MAP NO. 78257  
FOR SMALL LOT SUBDIVISION PURPOSES

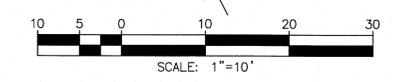
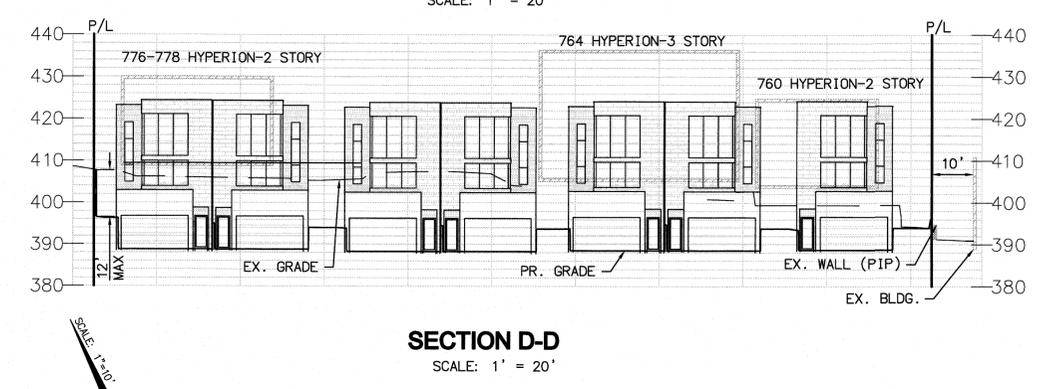
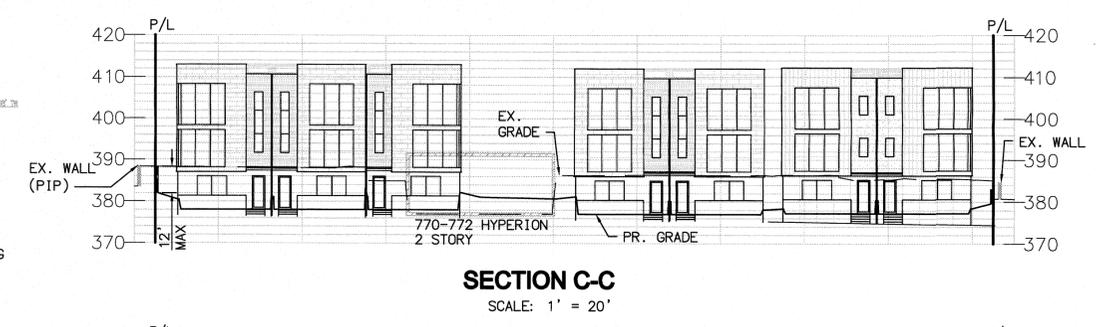
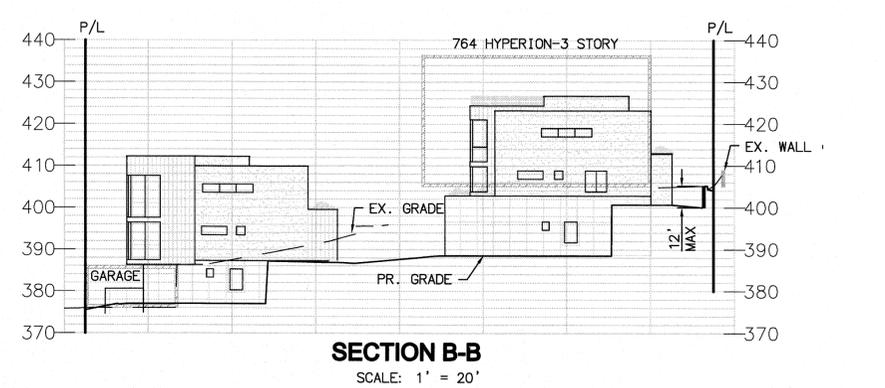
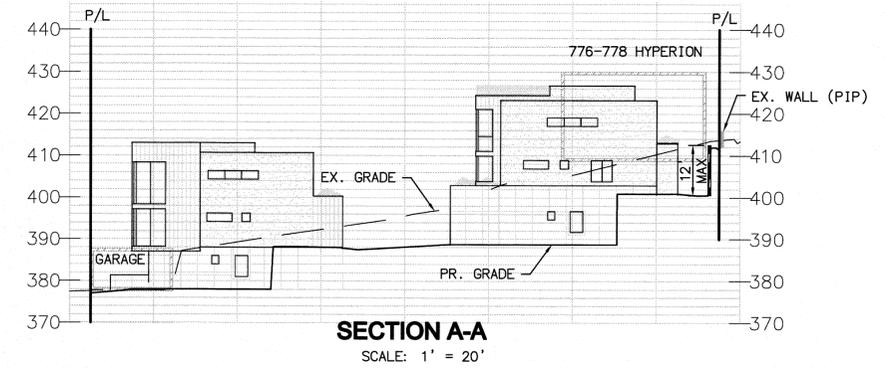
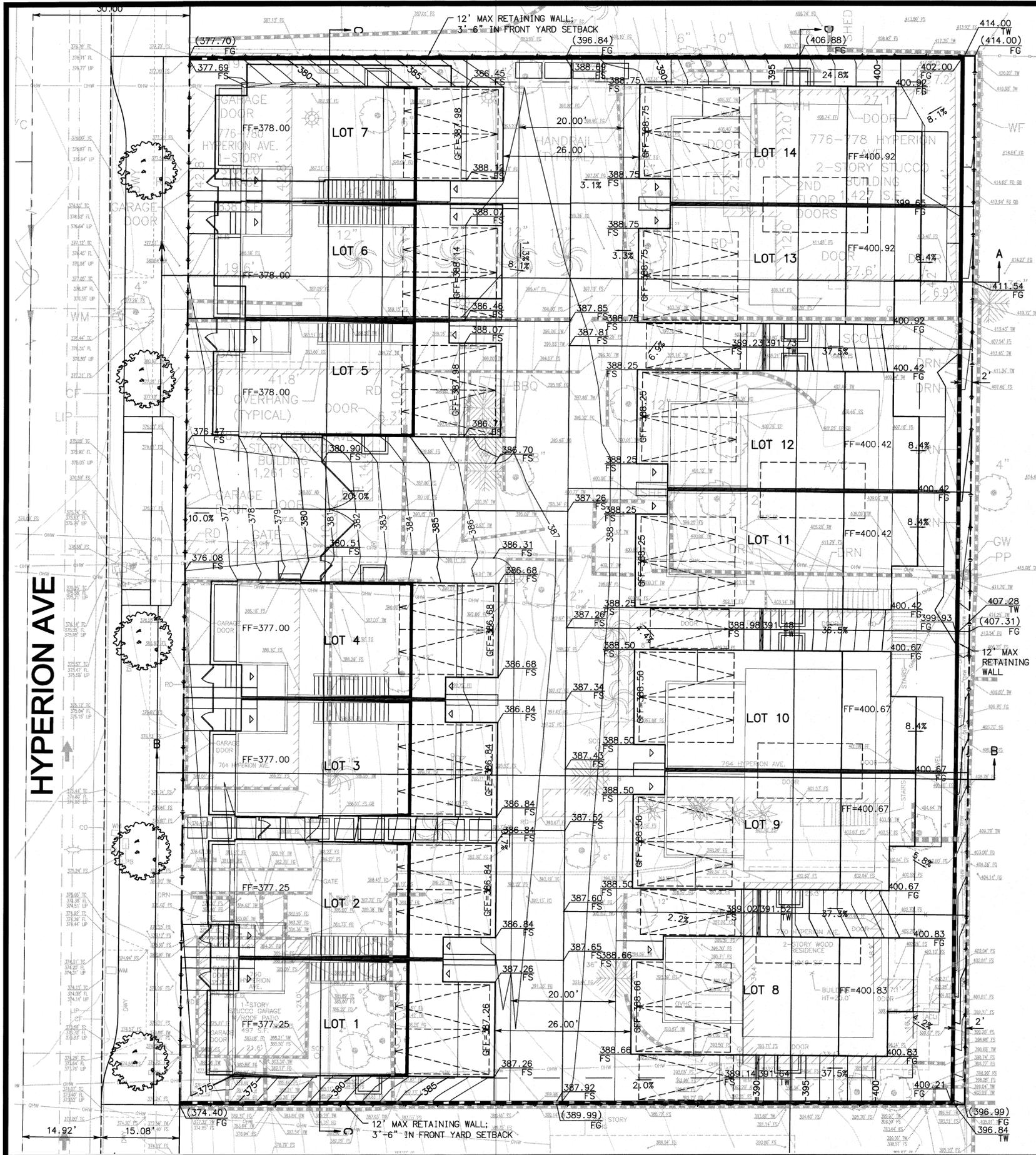
PREPARED BY:



SHEET

1

OF 2 SHEETS



DATE	REVISION

PRELIMINARY GRADING

PREPARED BY:

**DELANE**  
ENGINEERING

2812 SANTA MONICA BLVD., SUITE 206  
SANTA MONICA, CALIFORNIA 90404  
PHONE: 310.546.5711 WWW.DELANEENGINEERING.COM

SHEET  
**2**  
OF 2 SHEETS

PLOT DATES: 5/7/18 8:49 PM FILE NAME: H:\PDATA\01071\CAD\LAND\VAL\VAL\71-171-171-02.DWG SAVE DATE: 4/20/18 DPOCN