#### **DEPARTMENT OF** CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN PRESIDENT

> CAROLINE CHOE VICE-PRESIDENT

HELEN CAMPBELL JENNA HORNSTOCK HELEN LEUNG KAREN MACK DANA M. PERLMAN

# CITY OF LOS ANGELES

**CALIFORNIA** 



KAREN BASS

**EXECUTIVE OFFICES** 

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

VINCENT P. BERTONI, AICP DIRECTOR

SHANA M.M. BONSTIN DEPUTY DIRECTOR

ARTHI L. VARMA, AICP DEPUTY DIRECTOR

LISA M. WEBBER, AICP

February 3, 2023

Owner/Applicant

Going West, LLC Banarsi Agarwal 2701 190th St. Suite 201 Redondo, CA 90278

Representative

**BMR Enterprises** Aaron Belliston 5250 Lankershim Blvd. Suite 500 North Hollywood, CA 91601

RE: Vesting Tentative Tract Map No. 82200

Related Case: ADM-2018-3304-SLD Address: 1819-1821 S. Westholme Ave. Community Plan: West Los Angeles

Council District: 5 – Katy Young Yaroslavsky

Zone: R3-1-0

CEQA: ENV-2018-3305-CE

#### **EXTENSION OF TIME**

On February 6, 2020, the Deputy Advisory Agency conditionally approved Vesting Tentative Tract Map No. 82200 for a maximum of 6 residential dwelling units on 5 small lots, as shown on map stamp-dated August 23, 2019 in the R3-1-O Zone, located at 1819-1821 S. Westholme Ave. within the West Los Angeles Community Plan.

Pursuant to LAMC Section 17.07 A.1, the final map must be recorded within three years of the approval. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and LAMC Section 17.07 A.2, the Deputy Advisory Agency is authorized to grant a six-year extension for the recording of the final Vesting Tentative Tract Map No. 82200.

Therefore, the new expiration date for the subject map and related Case No. 82200 is February 6, 2029.

VINCENT P. BERTONI, AICP Director of Planning

Nelson Rodriguez

Deputy Advisory Agency

VPB:NR:BMO

cc: Councilmember Katy Young Yaroslavsky

# TIME EXTENSION PER CHAPTER 1 OF LAMC

City of Los Angeles - Department of City Planning

	1.	TIME	EX1	ΓENSION	I REQUES
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CASE #:	PROJECT ADDRESS:	1819 - 1821 S. Westholme Ave.
DATE OF APPROVAL:02/06/20	EFFECTIVE DATE OF	APPROVAL:02/24/20
JUSTIFICATION/REASON FOR TIME EXTENSION The applicant must set forth the reasons for re to support a finding that the subject project construction could not have begun and carried in the case of an approval that does not re commenced.	equesting the extension could not have a valic on diligently without so	l permit from LADBS issued, and that uspension or abandonment of work; or
Final map was unable to record as of yet due to	o delays related to COV	ID-19.
		<del></del>

## 3. ADDITIONAL INFORMATION/REQUIREMENTS

- Time extensions for approvals determined by the Director of Planning, the Zoning Administrator, or the Area/City Planning Commission can only be granted for cases filed on or prior to May 19<sup>th</sup>, 2012 (effective date of Multiple Approvals Ordinance Ord. 182,106).
- By-Right Time Extensions per Ordinance 182,106 are not granted via this form. See the form titled "By-Right Time Extensions per Ordinance 182,106" (CP-7746.1) to effectuate by-right extensions.
- Tract Maps, Parcel Maps, Private Streets, and other approvals determined by the Advisory Agency are allowed a 6 year extension pursuant to LAMC Section 17.07 A2. An additional 1 year extension may be granted for approvals that were already granted a 5 year time extension pursuant to LAMC Section 17.07 A2, prior to the effective date of Ordinance 180,647, effective 04/30/09 (which extended the time extension life from 5 years to 6 years).
- Time extension application must be filed with a copy of the final Letter of Determination. If an application was approved after an appeal to the APC, CPC, or City Council, a copy of the Letter of Determination approved by that body must be filed.

CP-7746 (05/18/12) Page 1 of 2

4:	OWNER,	/APPL	<b>ICANT</b>	INFORM	MATION
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Applicant: Banarsi Agarwal	Company: Going West, LLC
Address: 2701 190th St. Suite 201	Telephone: 323-677-2500
Zip: 90278	E-mail: info@bmrla.com
Property Owner:	Company: Going West , LLC
Address: 2701 190th St. Suite 201	Telephone: 323-677-2500
Zip: 90278	E-mail: info@bmrla.com
Representative: Aaron Belliston	Company: BMR Enterprises
Address: 5250 Lankershim Blvd. Ste 500	Telephone: 323-839-4623
Zip: 91601	E-mail: aaron@bmrla.com

# 5. APPLICANT'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

- a. The undersigned is the owner or lessee if entire site is leased, or authorized agent of the owner with power of attorney or officers of a corporation (submit proof). (NOTE: for zone changes lessee may not sign).
- b. The information presented is true and correct to the best of my knowledge.
- In exchange for the City's processing of this Application, the undersigned Applicant agrees to defend, indemnify and hold harmless the City, its agents, officers or employees, against any legal claim, action, or proceeding against the City or its agents, officers, or employees, to attack, set aside, void or annul any approval given as a result of this Application.

Signature: ALL-PURPOSE ACKNOWLEDGMENT State of California County of (Insert Name of Notary Public and Title) 19ARWAL, who proved to me on the basis of satisfactory personally appeared evidence to be the person(s) whose name(s) is/age subscribed to the within instrument and acknowledged to me that he/she/threy executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(e) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my frand and official seal. DEBRA J. GUTIERREZ Notary Public - California Los Angeles County Commission # 2308524 Comm. Expires Oct 26, 2023

Planning Staff Use Only

Amoun 250.91 Invoice No. 85 765 Reviewed and Accepted by Byennen Obuto Date 01/26/23

# DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN PRESIDENT

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# CITY OF LOS ANGELES



#### **EXECUTIVE OFFICES**

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SHANA M.M. BONSTIN

TRICIA KEANE

ARTHI L. VARMA, AICP

LISA M. WEBBER, AICP

March 10, 2020

# Applicant/Owner:

Banarsi Agarwal 530 N Francisca LLC 2701 190<sup>th</sup> Street #201 Redondo Beach, CA 90278

# Representative:

Aaron Belliston BMR Enterprises 5250 Lankershim Blvd, Ste. 500 Los Angeles, CA 91601 Case Number: VTT-82200-SL

CEQA Number: ENV-2018-3305-CE Location: 1819-1821 South Westholme

Avenue

Zone: R3-1-0

Plan Area: West Los Angeles Council District: 5-Koretz

Land Use Designation: Medium

Residential

Legal Description: Lot 19, Block 127,

Tract TR 5609

# LETTER OF CORRECTION

On February 6, 2020, in accordance with the provisions of Section 17.06 and 17.53 of the Los Angeles Municipal Code (LAMC), the Deputy Advisory Agency approved Preliminary Parcel Map No. VTT-82200-SL, located at 1819-1821 South Westholme Avenue for a maximum of 6 dwelling units on 5 small lots as shown on map stamp-dated August 23, 2019.

On February 10, 2020, the applicant requested a formal correction Condition 17(c) of the Conditions of Approval. This correction is for the covering requirements of on-site automobile spaces and for allowed materials of the perimeter wall/fence. This Correction Letter serves to modify and clarify previously approved Conditions of Approval.

(Added text is <u>italicized underlined and bolded</u>.)

## **REVISED CONDITIONS OF APPROVAL**

Condition No. 17(c):

The applicant requested that Condition No. 17(c) be modified to permit uncovered parking spaces as covered parkings are not required in the Los Angeles Municipal Code (LAMC) or any relevant policies of the Department of City Planning. Therefore, Condition No. 17(c) has been modified to read:

# DEPARTMENT OF

COMMISSION OFFICE (213) 978-1300

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# CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI

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SHANA M.M. BONSTIN

TRICIA KEANE DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP

Decision Date: 02/06/2020

Applicant/Owner:

Banarsi Agarwal 530 N Francisca LLC 2701 190<sup>th</sup> Street #201 Redondo Beach, CA 90278

Representative:

Aaron Belliston BMR Enterprises 5250 Lankershim Blvd, Ste. 500 Los Angeles, CA 91601 Case Number: VTT-82200-SL CEQA Number: ENV-2018-3305-CE

Location: 1819-1821 South Westholme

Avenue

**Zone:** R3-1-O

Plan Area: West Los Angeles Council District: 5-Koretz

Land Use Designation: Medium Residential Legal Description: Lot 19, Block 127, Tract

TR 5609

Last Day to File an Appeal: 02/24/2020

In accordance with provisions of Section 17.06 and 17.15 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. VTT-82200-SL, located at 1819-1821 Westholme Avenue **for a maximum of 6 residential dwelling units on 5 small lots** in accordance to the West Los Angeles Community Plan. This unit density is based on the R3-1-O 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.) The Advisory Agency's approval is subject to the following conditions:

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

# **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

Any questions regarding this report should be directed to Mr. Georgic Avanesian or Julia Li of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

- 1. That if this tract map is approved as" Small Lot Subdivision" then, 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 all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
- 4. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the West Los Angeles Engineering District Office.
- 5. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
- 6. That the subdivider make a request to the West Los Angeles District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 7. That all pedestrian common access easements be shown on the final map.

# DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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

8. 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 Geology and Soils Report Approval dated September 19, 2018, Log No. 103736 and attached to the case file for Tract No. 82200.

## 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 Laura Duong at (213) 482-0434 to schedule an appointment.

- 9. <u>That prior to recordation of the final map</u>, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. 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. 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.
  - c. Dimension the reciprocal private easement for pedestrian and driveway egress and ingress, back up space, drainage, and utilities on the final map.

#### Notes:

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

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

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

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

Parking spaces are not allowed to backup onto a public street when the driveway is serving more than dwelling units. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

#### DEPARTMENT OF TRANSPORTATION

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

#### FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished <u>BY APPOINTMENT ONLY</u>, in order to assure that you receive service with a minimum amount of waiting please call (213) 264-6807. You should advise any consultant representing you of this requirement as well.

- 11. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
  - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - c. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire

lane.

- d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- f. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- g. Fire lanes, where required and dead ending streets shall terminate in a cul-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.
- h. Submit plot plans indicating access road and turning area for Fire Department approval.
- i. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- j. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- k. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- I. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- m. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- p. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- q. Site plans shall include all overhead utility lines adjacent to the site.
- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

- s. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- t. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- u. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- v. A "Top Change" will be required on the closest fire hydrant to upgrade from a single 4" to a double 2 ½" x 4".

# **DEPARTMENT OF WATER AND POWER**

Questions regarding WSO clearance should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1218.

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

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

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

13. 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.

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.

#### **BUREAU OF SANITATION**

14. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure, as stated in the memo dated September 19, 2019. 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

15. To assure that cable television facilities will be installed in the same manner as other required improvements, please email <a href="mailto:cabletv.ita@lacity.org">cabletv.ita@lacity.org</a> that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

## **DEPARTMENT OF RECREATION AND PARKS**

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

Park fees are paid at 221 North Figueroa Street. Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-26 for any questions or comments, at your convenience.

## URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

Note: All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

#### **DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS**

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

- 17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of five small lots including four single-family dwellings and one duplex for a total of six dwellings.
  - b. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82200-SL shall not be issued until after the final map has been recorded.
  - That the subdivider shall comply with the West Los Angeles Transportation Improvement and Mitigation Specific Plan <u>prior to the issuance of a building or grading permit</u>.

Provide a minimum of 2 covered off-street parking spaces per dwelling unit. Lots with less than 50 feet frontage shall have one guest parking provided on site.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning.

- d. <u>Note to City Zoning Engineer and Plan Check.</u> 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 setback from the perimeter boundary of the subdivision measure less than the yards required pursuant to LAMC Section 12.22 C,27:
  - (i) Setbacks shall be permitted as follows:

	Setback Matrix					
Lot No.	Front	Rear	Side 1	Side 2		
	(N/S/E/W)	(N/S/E/W)	(N/S/E/W)	(N/S/E/W)		
1	15'-0" (East)	0' (West)	5'-0" (North)	14'-0" (South)		
2	5'-0" (North)	14'-0" (South)	0' (West)	0' (East)		
3	5'-0" (North)	14'0"(South)	0' (West)	0' (East)		
4	5'-0" (North)	14'-0" (South)	0' (West)	0' (East)		
5	5'-0"(North)	5'-0" (South)	10' (West)	0' (East)		

- (ii) The Common Access Driveway may have a minimum width of fourteen feet clear-to-sky.
- e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry or wood wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- h. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including <u>but not limited to</u>, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court

- costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- (v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

i. A Community Maintenance Agreement shall be prepared, 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 party to the agreement and shall be subject to a proportionate share of the maintenance. The Community 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.

j. That 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.

#### **Tenant Relocation Conditions**

- 18. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
- 19. Prior to obtaining a demolition permit, the applicant shall submit proof that the tenants were provided relocation assistance in accordance to the provisions of LAMC Section 47.07-D.

## DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT- 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. <u>Prior to recordation of the final map</u>, the subdivider shall submit a plot plan for approval by the Development Services Center 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.
  - All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
- SL-2. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. 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.

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 Los Angeles Municipal Code (LAMC).
  - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
  - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.
  - (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
  - (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
  - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
  - (k) That no public street grade exceeds 15%.
  - (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private streets, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements are either constructed <u>prior to recordation of the final</u> <u>map</u> or that the construction is suitably guaranteed:
  - (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract 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 Westholme 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 Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
  - (1) Improve Westholme Avenue adjoining the subdivision by the construction of the followings:
    - A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway or a 10-foot full width concrete sidewalk with tree wells.
    - ii. Suitable surfacing to join the existing pavements and to complete a 20foot half roadway. This is to match the existing half roadway adjoining the tract.
    - iii. Any necessary removal and reconstruction of existing improvements.
    - iv. The necessary transitions to join the existing improvements.
  - (2) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

#### NOTES:

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

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

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

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

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

The subdivider should consult the Department of Water and Power to obtain energy saving design

features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this nocost consultation service will be provided to the subdivider upon his request.

# FINDINGS OF FACT (CEQA)

The Advisory Agency determines that based on the whole of the administrative record as supported by the justification prepared and found in the environmental case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Article 19, Section 15332 (Class 32) and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

# FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-82200-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 Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land. The site is also located within the West Los Angeles Transportation Improvement and Mitigation Specific Plan. The Specific Plan helps mitigate the cumulative impacts of development by requiring new development to contribute a fair share towards completing needed regional transportation improvements, in addition to completing required project specific mitigations.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the West Los Angeles Community Plan, which designates the site with a Medium Residential land use designation. The land use designation lists the R2, RD, RMP, RW2, R3, RAS3, R4, RAS4, and R5 Zone as the corresponding zones. The Project Site is zoned R3-1-O, which is consistent with the land use designation. The site is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan Ordinance Nos. 186,105 and 186,108 (Effective June 28, 2019). A permit shall not be issues for any Project until the Department of Transportation (DOT) and the Bureau of Engineering's (BOE) City Engineer have certified the following: 1) Payment of an Transportation Impact Assessment (TIA) fee due or that the payment has been guaranteed to the satisfaction of DOT; and/or 2) completion of any transportation measures, or that their completion has

been guaranteed to the satisfication of DOT and/or BOE. The project site has approximately 7,500 square feet of lot area, which would permit a maximum of nine dwelling units. As shown on the Vesting Tentative Tract Map No. 82200-SL, the Project proposes to subdivide the project site into five small lots for 4 four-story single-family dwelling units and 1 four-story duplex, pursuant to LAMC Section 12.22 C,27, which is consistent with the density permitted by the zone.

Pursuant to LAMC Section 1706 B. A, a Vesting Tentative Tract Map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. It is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The Vesting Tentative Tract Map indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and/or pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C,27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C,27 and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. As the project site is zoned R3-1-O, the zone, would permit a maximum of nine (9) dwelling units on the approximately 7,500 square-foot site. As the map is proposed for a five (5) small lot subdivision, it is consistent with the density permitted by the zone. As a small lot subdivision, the map indicates the common access easements from the public right-of-ways for vehicular access.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended improvements to the public right-of-way along Westholme Avenue, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting has recommended the relocation and upgrade of one streetlight located on Westholme Avenue. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The project site is a 7,500 square foot lot zoned R3-1-O and located within the West Los Angeles Community Plan Area, West Los Angeles Transportation Improvement and Mitigation Specific Plan Area, with a Medium Residential land use designation. The site is currently developed with an existing two-unit multi-family dwelling and an accessory structure. The proposed project consists of the demolition of the existing multi-family dwelling and an accessory structure and the subdivision of the land into five (5) small lots, construction a of a connected of 4 four-story single –family dwellings and one (1) four-story duplex building with twelve parking spaces featuring a total floor area of approximately 10,067 square feet. The proposed residential floor area consists of approximately 10,067 square feet and six dwelling units which is below the maximum amount after consideration per LAMC Section 12.10.

The project site is located approximately 0.22 km from the Santa Monica Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area, a high fire hazard severity zone, flood zone, landslide, liquefaction, or tsunami inundation zone. The site is located within a Methane Zone and Special Grading Area and will need to comply with all applicable regulations as it pertains to development within a Methane Zone and Special Grading Area. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is not within a Flood Zone. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The Department of Building and Safety, Grading Division issued a Geology and Soils Report Approval letter on September 19, 2018 (Log No. 103736) which details conditions of approval which must be followed. Therefore, the site will be physically suitable for the proposed type of development.

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

The properties to the north, south, east, and west all have a land use designation of Medium Residential and are zoned R3-1-O. The site is developed with a multi-story, residential building. The properties are developed with multi-family residential uses. The project site, which is comprised of one parcel, consists of approximately 7,500 square feet of land and is developed with one two-unit multi-family dwelling and an accessory unit. The Project proposes to construct five small lot homes, which would be four stories with a maximum height of 45 feet. As proposed, the density and height is consistent with the zone and land use designation, which would permit a maximum of nine dwelling units and a height of 45 feet. The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The Department of Building and Safety, Grading Division issued a Geology and Soils Report Approval letter on September 19, 2018 (Log No. 103736) which details conditions of approval which must be followed. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be

required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site is currently developed with two (2) residential dwelling units and an accessory structure and four (4) significant non-protected 8" trunk diameter including one significant non-protected street tree. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

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

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

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

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along South Westholme Avenue, which is a public street. The project site consists of a parcel identified as Lot No. 19 of Tract 5609 and is identified by the Assessor Parcel No. 4317-004-013. While the project will provide a private easement for common/vehicular access purposes within the subdivision, there are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map. There are easements contained within the aforementioned property. Any proposed development in close proximity to the easemetns must secure Department of Public Works approval.

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

(h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING

# OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

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

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

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract No VTT-82200-SL.

VINCENT P. BERTONI, AICP Advisory Agency

Sergio Ibarra

Deputy Advisory Agency

SI:CC:JO

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

Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077 Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard Room 251 Van Nuys, CA 91401 (818) 374-5050 West Los Angeles
Development Services
Center
1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2912

# Forms are also available on-line at <a href="http://cityplanning.lacity.org">http://cityplanning.lacity.org</a>

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under the provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ mandate pursuant to that section is filed no later than the 90<sup>th</sup> day following the date on which the City's decision becomes final.

