

TY OF LOS ANGELE

CALIFORNIA



FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

04-2658

CD 7

November 7, 2005

Building & Safety Department,
Attn: Zoning Coordinator
Office of Zoning Administration
City Planning Department
City Engineer
Councilmember Padilla

County of Los Angeles, Mountain &
Rural/Water, Sewage Sub. Programs
5050 Commerce Drive
Baldwin Park, CA 91706-1423
(with copy of Engineer's report)

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91356

Wagner-Kerr Associates
6740 Vesper Avenue, Ste. 200
Van Nuys, CA 91405

RE: APPROVING FINAL MAP OF TRACT NO. 54428 FOR PROPERTY LYING NORTHERLY OF
BRADLEY AVENUE AND EASTERLY OF POLK STREET

At the meeting of the Council held November 2, 2005, the following action was
taken:

Tract map approved for filing with the County Recorder.....
Parcel map approved for filing with the County Recorder.....
Bond approved is No. C-109000 of Contract.....
Attached City Engineer's report adopted.....
Ordinance adopted.....
Resolution adopted.....
FORTHWITH.....
Negative Declaration adopted.....
Categorically exempt.....
Generally exempt.....
EIR certified.....

PLACE IN FILES

NOV 09 2005

DEPUTY

Frank T. Martinez
City Clerk
SOS

steno/042658



AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER



Office of the City Engineer

Los Angeles, California

To The Honorable Council

Of the City of Los Angeles

OCT 31 2003

Honorable Members:

C. D. No 7

SUBJECT:

Final Map of Tract No. 54428

RECOMMENDATIONS:

1. Approve the final map of Tract No. 54428 lying northerly of Bradley Avenue and easterly of Polk Street and accompanying Subdivision Improvement Agreement and Contract with attached security documents.
2. Instruct the Planning Department to remove the (T) Tentative classification over the tract map area in connection with City Plan Case No. APCNV 2003-4602.

FISCAL IMPACT STATEMENT

The Subdivider has paid a fee of \$1,962.00 for the processing of this final tract map pursuant to Section 19.02(A)(2) of the Municipal Code. No additional City Funds are needed.

TRANSMITTALS:

1. Map of Tract No. 54428.
2. Unnumbered file for Tract No. 54428.
3. Subdivision Improvement Agreement and Contract with attached security documents.

DISCUSSION:

The tentative map of Tract No. 54428 was conditionally approved by the Advisory Agency on July 21, 2004 for a maximum new 13-unit detached single-family condominium project.

The Advisory Agency has determined that this project will not have a significant effect on the environment.

RECEIVED
CITY CLERK'S OFFICE

2005 NOV - 1 AM 7:10

CITY CLERK
BY  DEPUTY

SDR

Council

-2-

C.D. No. 7

Ordinance No. 176480, adopted February 4, 2005 placed an area including a portion of the tract in the (T)(Q) RD3-1 zone, as approved by the Council under Council File No. 04-2658. Filing of the final map will effectuate the rezoning of that portion of the tract map area.

The conditions of approval for the tract map have been fulfilled including payment of the Recreation and Parks Fee in the amount of \$36,738.00. Transmitted Subdivision Improvement Agreement and Contract with attached security documents guarantees construction of the required improvements. Upon approval by the Council, the final map will be transmitted to the County Engineer for filing with the County Recorder.

The expiration date of the tentative map approval is July 21, 2007.

The subdivider and engineer for this subdivision are:

Subdivider

Daniel Monteon
12710 N. Breadley Avenue
Sylmar, CA 91356

Report prepared by:

Land Development Group

Joseph Gnade
Civil Engineer
Phone (213)977-8931

EY/JG/WS
a:\wpdoc\tract 54428

Engineer

Wagner-Kerr Associates
6740 Vesper Avenue Suite 200
Van Nuys, CA 91405

Respectfully submitted,

Edmond Yew
Edmond Yew, Manager
Land Development Group
Bureau of Engineering

NOV 02 2005 - MAP & BOND APPROVED
CITY ENGR PTY APPROVED

Said Agreement is No.

Contract:

C-109000

COUNCIL VOTE

Nov 2, 2005 12:56:27 PM, #20

ITEM NO. (1)

Voting on Item(s): 1

Roll Call

| | |
|-----------|--------|
| CARDENAS | Yes |
| GARCEtti | Yes |
| GREUEL | Yes |
| HAHN | Yes |
| LABONGE | Yes |
| PARKS | Yes |
| PERRY | Absent |
| REYES | Yes |
| ROSENDAHL | Yes |
| SMITH | Absent |
| WEISS | Yes |
| ZINE | Yes |
| *PADILLA | Yes |
| VACANT | Absent |
| VACANT | Absent |

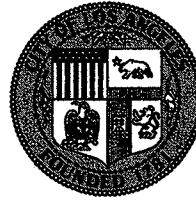
Present: 11, Yes: 11 No: 0

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City Clerk

KAREN E. KALFAYAN
Executive Officer

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CALIFORNIA



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HELEN GINSBURG
Chief, Council and Public Services Division

04-2658

CD 7

November 7, 2005

Building & Safety Department,
Attn: Zoning Coordinator
Office of Zoning Administration
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City Engineer
Councilmember Padilla

County of Los Angeles, Mountain &
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5050 Commerce Drive
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Categorically exempt.....
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SOS

steno/042658

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Los Angeles, California

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Of the City of Los Angeles

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Daniel Monteon
12710 N. Breadley Avenue
Sylmar, CA 91356

Report prepared by:

Land Development Group

Joseph Gnade
Civil Engineer
Phone (213)977-8931

Engineer

Wagner-Kerr Associates
6740 Vesper Avenue Suite 200
Van Nuys, CA 91405

Respectfully submitted,

Edmond Yew
Edmond Yew, Manager
Land Development Group
Bureau of Engineering

EY/JG/WS
a:\wpdoc\tract 54428

NOV 02 2005 - MAP & BOND APPROVED
CITY ENGR REPT ADOPTED

Said Agreement is No.

of contracts:

C-109000



RETURN IN FIVE DAYS TO
OFFICE OF
CITY CLERK
M. 395, 200 N. SPRING STREET
LOS ANGELES, CA 90012

**AN EQUAL EMPLOYMENT OPPORTUNITY -
AFFIRMATIVE ACTION EMPLOYER"**

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91356

WIXIE 919 1 30 11/24/2003

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 90012323995 *2952-03096-21-07

91342+4611-10 C030
9001273239

in Person

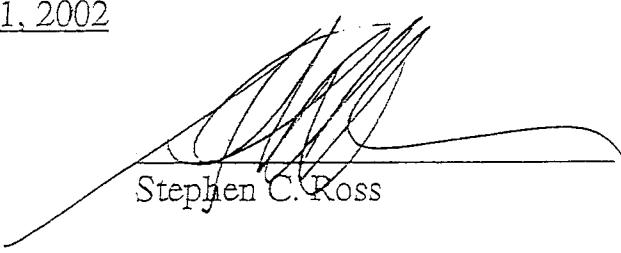
**WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF
SCRAP CORP II
TO TAKE ACTION WITHOUT A MEETING**

Pursuant to the authority set forth in Section 307(b) of the California Corporations Code and Section 5 of the Article IV of the Bylaws of SCRAP CORP II, a California corporation (the "Corporation"), the following actions are hereby taken by the written consent of all the members of the Board of Directors of the Corporation without meeting.

It is hereby resolved and agreed, that consent and authorization has been granted Stephen C. Ross, President, to execute any and all documents required to conduct the normal course of business operations, without the requirement of another corporate officer's signature being affixed thereon.

The undersigned, being the sole director of the Corporation, hereby consents to and adopts the foregoing resolutions and waives the requirement that a meeting be held to accomplish same.

Dated: October 1, 2002


Stephen C. Ross

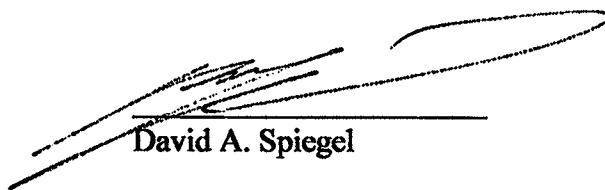
**UNANIMOUS WRITTEN CONSENT OF DIRECTORS
SPIEGEL DEVELOPMENT, INC.
TAKEN WITHOUT A MEETING**

Pursuant to the authority contained in Section 307(b) of the Corporations Code of the State of California, the following actions were taken by the unanimous written consent of all Directors without a meeting.

It is hereby resolved and agreed that consent and authorization has been granted to David A. Spiegel, President, to execute any and all documents required to conduct normal course of business operations, without the requirement of another corporate officer's signature being affixed thereon.

The undersigned, being the sole director of the Corporation, hereby consents to and adopts the foregoing Resolutions and waives the requirement that a meeting be held to accomplish same.

DATED: September 17, 2004


David A. Spiegel

State of California



SECRETARY OF STATE

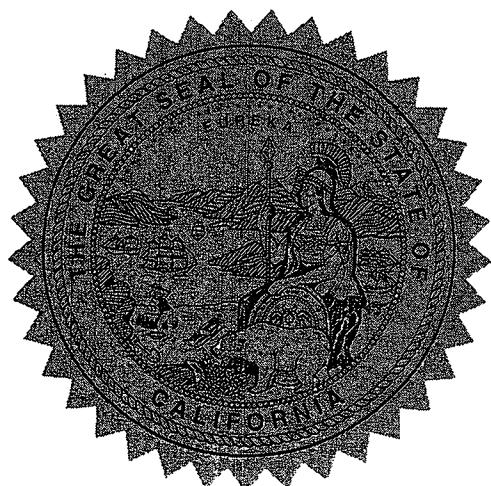
I, *Kevin Shelley*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 1 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

OCT 08 2003

Kevin Shelley
Secretary of State





State of California
Kevin Shelley
Secretary of State

LIMITED LIABILITY COMPANY - STATEMENT OF INFORMATION

Filing Fee \$20.00 - If Amendment, See Instructions

IMPORTANT - Read Instructions Before Completing This Form

1. LIMITED LIABILITY COMPANY NAME: (Do not alter if name is preprinted.)

SBD Venture Bradley, LLC

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

OCT 08 2003

KEVIN SHELLEY
Secretary of State

This Space For Filing Use Only

| | |
|--|---|
| 2. SECRETARY OF STATE FILE NUMBER <u>2003 32610007</u> | 3. STATE OR PLACE OF ORGANIZATION <u>California</u> |
| 4. PRINCIPAL EXECUTIVE OFFICE STREET ADDRESS <u>18455 Burbank Blvd, Suite 308</u> CITY <u>Tarzana</u> | STATE <u>CA</u> ZIP CODE <u>91356</u> |
| 5. CALIFORNIA OFFICE WHERE RECORDS ARE MAINTAINED (FOR DOMESTIC ONLY) STREET ADDRESS CITY | STATE <u>CA</u> ZIP CODE |
| 6. CHECK THE APPROPRIATE PROVISION BELOW AND NAME THE AGENT FOR SERVICE OF PROCESS <input checked="" type="checkbox"/> AN INDIVIDUAL RESIDING IN CALIFORNIA. <input type="checkbox"/> A CORPORATION WHICH HAS FILED A CERTIFICATE PURSUANT TO CALIFORNIA CORPORATIONS CODE SECTION 1505. AGENT'S NAME: <u>Stephen C. Ross</u> | |
| 7. ADDRESS OF THE AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL ADDRESS <u>18455 Burbank Blvd #308</u> CITY <u>Tarzana</u> | STATE <u>CA</u> ZIP CODE <u>91356</u> |
| 8. DESCRIBE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY. <u>Real Estate Development</u> | |
| 9. LIST THE NAME AND COMPLETE ADDRESS OF ANY MANAGER OR MANAGERS, OR IF NONE HAVE BEEN APPOINTED OR ELECTED, PROVIDE THE NAME AND ADDRESS OF EACH MEMBER. ATTACH ADDITIONAL PAGES, IF NECESSARY. | |
| 9a. NAME <u>David Spiegel</u> ADDRESS <u>13369 Ventura Blvd</u> CITY <u>Sherman Oaks</u> | STATE <u>CA</u> ZIP CODE <u>91401</u> |
| 9b. NAME ADDRESS CITY | STATE ZIP CODE |
| 9c. NAME ADDRESS CITY | STATE ZIP CODE |
| 10. CHIEF EXECUTIVE OFFICER (CEO), IF ANY NAME ADDRESS CITY | STATE ZIP CODE |
| 11. NUMBER OF PAGES ATTACHED, IF ANY: | |
| 12. THIS STATEMENT IS TRUE, CORRECT, AND COMPLETE. <u>Stephen C. Ross</u> | President, Scrap Corp II Managing Member SBD Venture Bradley, LLC 10/7/03 |
| TYPE OR PRINT NAME OF PERSON COMPLETING FORM | SIGNATURE |
| DUE DATE: | |
| SEC/STATE FORM LLC-12 (REV. 01/03) | |
| APPROVED BY SECRETARY OF STATE | |

OPERATING AGREEMENT
FOR
S&D VENTURE BRADLEY, LLC
A CALIFORNIA LIMITED LIABILITY COMPANY

16
8.8 This Operating Agreement (this "Agreement"), this 1 day of Aug, 2003, effective as of 8.8, 2003, by and among the parties listed on the signature pages hereof (collectively referred to as the "Members" or individually as a "Member"), with reference to the following facts:

A. On 8.8, 2003, Articles of Organization (the "Articles") for S&D Venture Bradley, LLC (the "Company"), a limited liability company under the laws of the State of California, were filed with the California Secretary of State.

B. The Members desire to adopt and approve an operating agreement for the Company under the Beverly-Killea Limited Liability Company Act (the "Act").

NOW, THEREFORE, the Members by this Agreement set forth the operating agreement for the Company upon the terms and subject to the conditions of this Agreement.

ARTICLE I
ORGANIZATIONAL MATTERS

1.1 Name. The name of the Company shall be "S&D Venture Bradley, LLC". The Company may conduct business under that name or any other name approved by the Members.

1.2 Term. The term of the Company commenced on 8.8, 2003 and, unless sooner terminated under Section 9.1, shall terminate on December 31, 2043.

1.3 Office and Agent. The Company shall continuously maintain an office and registered agent in the State of California as required by the Act. The principal office of the Company shall be at 18455 Burbank Blvd., Suite 308, Tarzana, California 91356 or such location as the Members may determine. The registered agent shall be as stated in the Articles or as otherwise determined by the Members.

1.4 Business of the Company. Notwithstanding the purpose of the Company which is described in the Articles, the Company shall not engage in any business other than the following without the consent of all of the Members:

(a) real estate development, construction, sale, investment and management; and

(b) such other activities directly related to the foregoing business as may be necessary or advisable in the reasonable opinion of the Members to further such business.

ARTICLE II
CAPITAL CONTRIBUTIONS

2.1 Capital Contributions. Each Member shall make a contribution to the capital of the Company in the amount shown opposite the Member's name on Exhibit A attached hereto. Except as provided in this Agreement, no Member may withdraw his or her capital contribution. In addition, if required by the lender, each Member shall execute financial guarantees of Company obligations to secure debt financing for the Company's project.

2.2 Capital Calls. The Manager may determine and it is contemplated that from time to time Capital Contributions in addition to the Members' initial Capital Contributions will be needed to enable the Company to conduct its business in accordance with the budget adopted by the Manager for the development of Company property. On making such a determination, the Managers shall give notice to all Members in writing at least 30 days before the date on which such additional Capital Contribution is due. The Notice shall set forth the amount of additional Capital Contribution needed, the purpose for which it is needed, and the date by which the Members shall contribute. Each Member shall be required to make an additional Capital Contribution in proportion to such Member's Percentage Interest. No Member may voluntarily make any additional Capital Contribution.

2.3 Failure To Make Capital Calls: If a Member fails for 30 days to make an additional Capital Contribution under Section 2.2 (a "Defaulting Member"):

A. The Defaulting Member shall indemnify and hold the Company and the other Members harmless from any loss, cost or expense, including reasonable attorney's fees caused by the failure to make the additional Capital Contribution. Such additional Capital Contributions that are not made by a Defaulting Member are referred to as Additional Capital Shortfall. A Member who makes the respective required additional Capital Contributions ("Nondefaulting Member") shall have the right, but not the obligation, to loan to the Defaulting Member an amount bearing the same ratio to the total amount of the Additional Capital Shortfall as a Nondefaulting Member's Percentage Interest bears to the total Percentage Interests of all Nondefaulting Members, which amount shall be then contributed to the Company as an additional Capital Contribution of the Defaulting Member. A Member loaning an additional Capital Contribution for a Defaulting Member under this Section 2.3(a) shall: (1) be paid interest by the Defaulting Member on the amount of such loan at an annual rate, from the date of the loan until paid, equal to the floating rate of two percent (2%) over the prime rate charged by Bank of America, or the highest rate permitted by applicable law, whichever rate is lower; and (2) receive all distributions that the Defaulting Member would otherwise be entitled to receive under the provisions of this Agreement until such time as the Nondefaulting Member has been paid all amounts due under this Section 2.3A, which distributions shall be applied first to attorneys' fees, costs, and expenses, if any; then to accrued and unpaid interest, and finally, in reduction of the principal amount of such loan. The Defaulting Member grants any Nondefaulting Members who make loans to the Company in accordance with this Section 2.3A a security interest in the Defaulting Member's Membership Interest to secure the Defaulting Member's obligations under this Section 2.3A. The Defaulting Member shall, within five (5) days of written notice, execute any documents or instruments reasonably necessary to enable Nondefaulting Members who make loans hereunder to perfect the foregoing security interests. Each Member irrevocably appoints each other Member, and any one of them acting alone, as his, her, or its attorney-in-fact for the limited purpose of executing, on behalf of such Member, if such Member becomes a Defaulting Member, any of the foregoing documents or instruments. Any distributions made with respect to amounts due pursuant to this Section 2.3A shall be deemed made to the Defaulting Member and shall reduce its Capital Account.

B. If the Defaulting Member fails to pay all sums due and owing to any Members who make loans under Section 2.3A, for a period of 180 days after such loan, each Member who has made loans under Section 2.3A may foreclose upon any security interest granted pursuant to this Section 2.3 by causing a transfer of a portion of the Defaulting Member's Membership Interest sufficient to cause the transferee Member to succeed to a portion of the Capital Account of the transferor Defaulting Member equal to the amount of the sums due and owing to such Member, with a corresponding reduction in the Defaulting Member's Capital Account. Accrued and unpaid interest and other amounts owed to members who have made loans hereunder (the "non-Capital Cost") shall also be paid by the Company to such Members, and shall be deemed a distribution to the Defaulting Member, thus reducing the Defaulting Member's Capital Account. All Members hereby agree that the foregoing constitutes and will constitute a disposition of collateral in a commercially reasonable manner. Reduction of a Defaulting Member's Capital Account to satisfy such Member's repayment obligations under this Section 2.3B shall be deemed a return of capital to that Member to the extent of such reduction.

C. On the occurrence of, and for the duration of, a default by any Member, the Defaulting Member shall not have any right to vote the Defaulting Member's Membership Interest or otherwise participate in the management or control of the business and affairs of the Company and any and all provision of this Agreement with respect to management and control shall be determined without including the Membership Interest of the Defaulting Member. On satisfaction of a Defaulting Member's obligations (whether by enforcement of a

remedy or otherwise) under Section 2.3B, that Member's right to vote shall be restored to the extent of any remaining Percentage Interest.

2.4 Capital Accounts. The Company shall establish an individual capital account ("Capital Account") for each Member. The Company shall determine and maintain each Capital Account in accordance with Treasury Regulations Section 1.704-1(b)(2)(iv). Upon a valid transfer of a Member's interest in the Company ("Membership Interest") in accordance with Article VI, such Member's Capital Account shall carry over to the new owner.

2.5 No Interest. The Company shall not pay any interest on capital contributions.

ARTICLE III MEMBERS

3.1 Admission of Additional Members. The Manager, with the approval of a majority interest of Members, may admit to the Company additional Members. Any additional Members shall obtain Membership Interests and will participate in the management, Net Profits, Net Losses, and distributions of the Company on such terms as are determined by the Manager and approved by a majority interest of Members. Notwithstanding the foregoing, Assignees may only be admitted as substitute Members in accordance with Article VI.

3.2 Payments to Members. Except as specified in this Agreement or pursuant to a transaction permitted by Sections 4.5 and 4.7, no Member or person or entity controlled by, controlling or under common control with the Member (each such person or entity is defined as an "Affiliate"), is entitled to remuneration for services rendered or goods provided to the Company. However, the Company shall reimburse the Members and their Affiliates for organizational expenses (including, without limitation, legal and accounting fees and costs) incurred to form the Company, prepare the Articles and this Agreement and, as approved by the Members, for the actual cost of goods and materials used by the Company. The Member shall be reimbursed such organizational expenses prior to the distribution of profits to the Members.

ARTICLE IV MANAGEMENT AND CONTROL OF THE COMPANY

4.1 Management and Powers. The business, property and affairs of the Company shall be managed exclusively by the designated Co-Managers, to wit: Scrap Corp II and Spiegel Development, Inc. (herein collectively referred to as the "Manager"). The Manager will undertake both executive and operational responsibilities on behalf of the Company. Spiegel Development, Inc. will be primarily responsible for providing loan qualification and related end loan financing to all prospective purchasers of Company property. Scrap Corp II shall be primarily responsible for processing of the entitlements for company projects, budget preparation, job costing, sub-contracting, financing, construction management, financial and tax reporting. The Manager, between themselves, from time to time, may delegate certain further responsibilities and duties to one or the other of them. Except as so specifically delegated, decisions of the Manager shall require the unanimous approval of both Scrap Corp II and Spiegel Development, Inc. Except for situations in which the approval of the Members is expressly required by the Articles or this Agreement, the Manager shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs. The Manager is authorized to endorse checks, drafts, and other evidence of indebtedness made payable to the order of the Company, and may sign all checks, drafts, and other instruments obligating the Company to pay money, and may sign contracts and obligations on behalf of the Company. The Manager may delegate others, acting alone, to sign checks and otherwise conduct banking activities or other business activities on behalf of the Company. A Manager shall not be liable to the Company or to any Member for any loss or damage sustained by the Company or any Member, unless the loss or damage shall have been the result of fraud, deceit, gross negligence, reckless or intentional misconduct, or a knowing violation of law by the Manager.

4.2 Election of Manager. The Company shall initially have two Managers, serving as Co-Managers. The number of Managers of the Company shall be fixed from time to time by the affirmative vote or written consent of a Majority Interest. Unless the Manager resigns or is removed, he or she shall hold office until a successor shall have been elected. Managers shall be elected by the affirmative vote or written consent of Members holding a Majority Interest.

4.3 Removal. Any Manager may be removed at any time, with or without cause, by the affirmative vote of a Majority Interest of Members. Any vacancy occurring for any reason in the number of Managers may be filled by the vote of a Majority Interest of Members.

4.4 Member Approval. No annual or regular meetings of the Members are required to be held. However, if such meetings are held, such meetings shall be noticed, held and conducted pursuant to the Act. In any instance in which the approval of the Members is required under this Agreement, such approval may be obtained in any manner permitted by the Act. Unless otherwise provided in this Agreement, approval of the Members shall mean the approval of Members who hold a majority of the Membership Interests.

4.5 Devotion of Time and Payment of Salary. The Manager shall devote whatever time or effort as he, she or it deems appropriate for the furtherance of the Company's business. Spiegel Development, Inc. shall be paid a fee for services rendered equal to 4% of the purchase price on the sale of each condominium unit by the Company. Scrap Corp II shall be paid a fee for services rendered equal to 3% of the purchase price on the sale of each condominium unit by the Company. In addition, the Company shall reimburse Scrap Corp II for all related site supervision costs and associated general labor costs as incurred by Scrap Corp II or its affiliates on behalf of the Company. Management fees earned shall be paid at times determined by the Manager.

4.6 Competing Activities. The Manager and any Members may engage or invest in any real estate or other activity outside of this Company and shall not be precluded from doing so because of any conflict that otherwise might be asserted against such individual by reason of his or her Management or Membership in the Company.

4.7 Transactions between the Company and the Members. Notwithstanding that it may constitute a conflict of interest, the Manager and each of the Members may engage in any transaction with the Company so long as such transaction is not expressly prohibited by this Agreement and so long as the terms and conditions of such transaction, on an overall basis, are fair and reasonable to the Company and are at least as favorable to the Company as those that are generally available from persons capable of similarly performing them or if the Manager or Members holding a majority of the Membership Interests held by the Members having no interest in such transaction (other than their interests as Members) approve the transaction in writing.

ARTICLE V ALLOCATIONS OF NET PROFITS AND NET LOSSES AND DISTRIBUTIONS

5.1 Definitions. When used in this Agreement, the following terms shall have the meanings set forth below:

"Code" shall mean the Internal Revenue Code of 1986, as amended from time to time, the provisions of succeeding law, and to the extent applicable, the Treasury Regulations.

"Company Minimum Gain" shall have the meaning ascribed to the term "Partnership Minimum Gain" in the Treasury Regulations Section 1.704-2(d).

"Member Nonrecourse Debt" shall have the meaning ascribed to the term "Partner Nonrecourse Debt" in Treasury Regulations Section 1.704-2(b)(4).

"Member Nonrecourse Deductions" shall mean items of Company loss, deduction, or Code Section 705(a)(2)(B) expenditures which are attributable to Member Nonrecourse Debt.

"Net Profits" and "Net Losses" shall mean the income, gain, loss, deductions, and credits of the Company in the aggregate or separately stated, as appropriate, determined in accordance with the method of accounting at the close of each fiscal year employed on the Company's information tax return filed for federal income tax purposes.

"Nonrecourse Liability" shall have the meaning set forth in Treasury Regulations Section 1.752-1(a)(2).

"Treasury Regulations" shall mean the final or temporary regulations that have been issued by the U.S. Department of Treasury pursuant to its authority under the Code, and any successor regulations.

5.2 Allocations of Net Profit and Net Loss.

A. Net Loss. Net Loss shall be allocated to the Members in proportion to their Membership Interest. Notwithstanding the previous sentence, loss allocations to a Member shall be made only to the extent that such loss allocations will not create a deficit Capital Account balance for that Member in excess of an amount, if any, equal to such Member's share of Company Minimum Gain that would be realized on a foreclosure of the Company's property. Any loss not allocated to a Member because of the foregoing provision shall be allocated to the other Members (to the extent the other Members are not limited in respect of the allocation of losses under this Section 5.2A). Any loss reallocated under this Section 5.2A shall be taken into account in computing subsequent allocations of income and losses pursuant to this Article V, so that the net amount of any item so allocated and the income and losses allocated to each Member pursuant to this Article V, to the extent possible, shall be equal to the net amount that would have been allocated to each such Member pursuant to this Article V if no reallocation of losses had occurred under this Section 5.2A.

B. Net Profit. Net Profit shall be allocated to the Members in proportion to their Membership Interests.

5.3 Special Allocations. Notwithstanding Section 5.2,

C. Minimum Gain Chargeback. If there is a net decrease in Company Minimum Gain during any fiscal year, each Member shall be specially allocated items of Company income and gain for such fiscal year (and, if necessary, in subsequent fiscal years) in an amount equal to the portion of such Member's share of the net decrease in Company Minimum Gain that is allocable to the disposition of Company property subject to a Nonrecourse Liability, which share of such net decrease shall be determined in accordance with Treasury Regulations Section 1.704-2(g)(2). Allocations pursuant to this Section 5.3A shall be made in proportion to the amounts required to be allocated to each Member under this Section 5.3A. The items to be so allocated shall be determined in accordance with Treasury Regulations Section 1.704-2(f). This Section 5.3A is intended to comply with the minimum gain chargeback requirement contained in Treasury Regulations Section 1.704-2(f) and shall be interpreted consistently therewith.

D. Chargeback of Minimum Gain Attributable to Member Nonrecourse Debt. If there is a net decrease in Company Minimum Gain attributable to a Member Nonrecourse Debt, during any fiscal year, each member who has a share of the Company Minimum Gain attributable to such Member Nonrecourse Debt (which share shall be determined in accordance with Treasury Regulations Section 1.704-2(i)(5)) shall be specially allocated items of Company income and gain for such fiscal year (and, if necessary, in subsequent fiscal years) in an amount equal to that portion of such Member's share of the net decrease in Company Minimum Gain attributable to such Member Nonrecourse Debt that is allocable to the disposition of Company property subject to such Member Nonrecourse Debt (which share of such net decrease shall be determined in accordance with Treasury Regulations Section 1.704-2(i)(5)). Allocations pursuant to this Section 5.3B shall be made in proportion to the amounts required to be allocated to each Member under this Section 5.3B. The items to be so allocated shall be determined in accordance with Treasury Regulations Section 1.704-2(i)(4). This Section 5.3B is intended to comply with the minimum gain chargeback requirement contained in Treasury Regulations Section 1.704-2(i)(4) and shall be interpreted consistently therewith.

E. Nonrecourse Deductions. Any nonrecourse deductions (as defined in Treasury Regulations Section 1.704-2(b)(1)) for any fiscal year or other period shall be specially allocated to the Members in proportion to their Membership Interests.

F. Member Nonrecourse Deductions. Those items of Company loss, deduction, or Code Section 705(a)(2)(B) expenditures which are attributable to Member Nonrecourse Debt for any fiscal year or other period shall be specially allocated to the Member who bears the economic risk of loss with respect to the Member Nonrecourse Debt to which such items are attributable in accordance with Treasury Regulations Section 1.704-2(i).

G. Qualified Income Offset. If a Member unexpectedly receives any adjustments, allocations, or distributions described in Treasury Regulations Section 1.704-1(b)(2)(ii)(d)(4), (5) or (6), or any other event creates a deficit balance in such Member's Capital Account in excess of such Member's share of Company Minimum Gain, items of Company income and gain shall be specially allocated to such Member in an amount and manner sufficient to eliminate such excess deficit balance as quickly as possible. Any special allocations of items of income and gain pursuant to this Section 5.3E shall be taken into account in computing subsequent allocations of income and gain pursuant to this Article V so that the net amount of any item so allocated and the income, gain, and losses allocated to each Member pursuant to this Section 5.3E to the extent possible, shall be equal to the net amount that would have been allocated to each such Member pursuant to the provisions of this Article V if such unexpected adjustments, allocations, or distributions had not occurred.

5.4 Code Section 704(c) Allocations. Notwithstanding any other provision in this Article V, in accordance with Code Section 704(c) and the Treasury Regulations promulgated thereunder, income, gain, loss, and deduction with respect to any property contributed to the capital of the Company shall, solely for tax purposes, be allocated among the Members so as to take account of any variation between the adjusted basis of such property to the Company for federal income tax purposes and its fair market value on the date of contribution. Allocations pursuant to this Section 5.4 are solely for purposes of federal, state and local taxes. As such, they shall not affect or in any way be taken into account in computing a Member's Capital Account or share of profits, losses, or other items of distributions pursuant to any provision of this Agreement.

5.5 Distribution of Assets by the Company. Subject to applicable law and any limitations contained elsewhere in this Agreement, the Manager or Members holding a majority of the Membership Interests may elect from time to time to cause the Company to make distributions. Distributions shall be made in the following order of priority:

A. First, upon the sale or refinancing of any Company property, to the repayment of the debt financing secured by the property sold or refinanced.

B. Second, to the remaining balance, if any, due on the land draw financing.

C. Third, to the Members in accordance with their Membership Interests to the extent of the first 12% of profit on sales.

D. Fourth, the sum of \$60,000.00 to Spiegel Development, Inc.

E. Fifth, to each of the Members in proportion to their unreturned capital contributions until each Member has recovered its capital contribution.

F. Sixth, to each of the Members in accordance with their Membership Interests.

The Members contemplate executing separate Deal Point Memos with respect to some or all of the various property acquisitions of the Company to equitably reflect the contributions to the Company on a property by property basis. While the Members each own a 50% interest in the profits and losses of the Company; each particular Deal Point Memo may indicate a different distribution priority than as set forth herein. If so, the terms of the particular Deal Point Memo shall prevail with respect to that property.

ARTICLE VI TRANSFER AND ASSIGNMENT OF INTERESTS

6.1 Transfer and Assignment of Interests. No Member shall be entitled to transfer, assign, convey, sell, encumber or in any way alienate all or any part of his or her Membership Interest (collectively, "transfer") except with the prior approval of the Manager or a majority of the Membership Interests.

6.2 Substitution of Members. A transferee of a Membership Interest shall have the right to become a substitute Member only if (i) consent of the Manager and/or Members is given in accordance with Section 6.1, (ii) such person executes an instrument satisfactory to the Members accepting and adopting the terms and provisions of this Agreement, and (iii) such person pays any reasonable expenses in connection with his or her admission as a new Member. The admission of a substitute Member shall not release the Member who assigned the Membership Interest from any liability that such Member may have to the Company.

6.3 Transfers in Violation of this Agreement and Transfers of Partial Membership Interest Upon a transfer in violation of this Article VI, the transferee shall have no right to exercise any rights of a Member. Such transferee shall only be entitled to receive the share of the Company's Net Profits, Net Losses and distributions of the Company's assets to which the transferor would otherwise be entitled. Notwithstanding the immediately preceding sentences, if, in the determination of the Manager, a transfer in violation of this Article VI would cause the termination of the Company under the Code, in the sole discretion of the Manager, the transfer shall be null and void.

ARTICLE VII CONSEQUENCES OF DISSOLUTION EVENTS AND TERMINATION OF MEMBERSHIP INTEREST

7.1 Dissolution Event. Upon the occurrence of the death, withdrawal, resignation, retirement, insanity, bankruptcy or dissolution of any Member ("Dissolution Event"), the Company shall dissolve unless all of the remaining Members ("Remaining Members") consent within ninety (90) days of the Dissolution Event to the continuation of the business of the Company. If the Remaining Members so consent, the Company and/or the Remaining Members shall have the right to purchase, and if such right is exercised, the Member (or his or her legal representative) whose actions or conduct resulted in the Dissolution Event ("Former Member") shall sell, the Former Member's Membership Interest ("Former Member's Interest") as provided in this Article VII.

7.2 Purchase Price. The purchase price for the Former Member's Interest shall be the fair market value of the Former Member's Interest as determined by an independent appraiser jointly selected by the Former Member and by Remaining Members holding a majority of the remaining Membership Interests. The Company and the Former Member shall each pay one-half of the cost of the appraisal. Notwithstanding the foregoing, if the Dissolution Event results from a breach of this Agreement by the Former Member, the purchase price shall be reduced by an amount equal to the damages suffered by the Company or the Remaining Members as a result of such breach. The Members, individually, or the Company may purchase life insurance policies on the lives of the Members to fund all or a portion of the purchase price.

7.3 Notice of Intent to Purchase. Within thirty (30) days after the fair market value of the Former Member's Interest has been determined in accordance with Section 7.3, each Remaining Member shall notify the Members in writing of his or her desire to purchase a portion of the Former Member's Interest. The failure of any Remaining Member to submit a notice within the applicable period shall constitute an election on the part of the Member not to purchase any of the Former Member's Interest. Each Remaining Member so electing to purchase shall be entitled to purchase a portion of the Former Member's Interest in the same proportion that the Membership Interest of the Remaining Member bears to the aggregate of the Membership Interests of all of the Remaining Members electing to purchase the Former Member's Interest.

7.4 Election to Purchase Less Than All of the Former Member's Interest. If any Remaining Member elects to purchase none or less than all of his or her pro rata share of the Former Member's Interest, then the Remaining Members can elect to purchase more than their pro rata share. If the Remaining Members fail to purchase the entire interest of the Former Member, the Company shall purchase any remaining share of the Former Member's Interest.

7.5 Payment of Purchase Price. The Company or the Remaining Members, as the case may be, shall pay at the closing all of the insurance proceeds, if any, insuring the life of the Former Member, up to the entire purchase price; and the remainder, if any, of the purchase price shall be paid one-fifth (1/5) at closing and the balance of the purchase price shall be paid in four equal annual principal installments, plus accrued interest, and be payable each year on the anniversary date of the closing. The unpaid principal balance shall accrue interest at the current applicable federal rate as provided in the Code for the month in which the initial payment is made, but the Company and the Remaining Members shall have the right to prepay in full or in part at any time without penalty. The obligation of each purchasing Remaining Member, and the Company, as applicable, to pay its portion of the balance due shall be evidenced by a separate promissory note executed by the respective purchasing Remaining Member or the Company, as applicable. Each such promissory note shall be in an original principal amount equal to the portion owed by the respective purchasing Remaining Member or the Company, as applicable. The promissory note executed by each purchasing Remaining Member shall be secured by a pledge of that portion of the Former Member's Interest purchased by such Remaining Member.

7.6 Closing of Purchase of Former Member's Interest. The closing for the sale of a Former Member's Interest pursuant to this Article VII shall be held at 10:00 a.m. at the principal office of Company no later than sixty (60) days after the determination of the purchase price, except that if the closing date falls on a Saturday, Sunday, or California legal holiday, then the closing shall be held on the next succeeding business day. At the closing, the Former Member shall deliver to the Company or the Remaining Members an instrument of transfer (containing warranties of title and no encumbrances) conveying the Former Member's Interest. The Former Member, the Company and the Remaining Members shall do all things and execute and deliver all papers as may be reasonably necessary fully to consummate such sale and purchase in accordance with the terms and provisions of this Agreement.

ARTICLE VIII ACCOUNTING, RECORDS, REPORTING BY MEMBERS

8.1 Books and Records. The books and records of the Company shall be kept in accordance with the accounting methods followed for federal income tax purposes. The Company shall maintain at its principal office in California all of the following:

A. A current list of the full name and last known business or residence address of each Member set forth in alphabetical order, together with the capital contributions, capital account and Membership Interest of each Member;

B. A copy of the Articles and any and all amendments thereto together with executed copies of any powers of attorney pursuant to which the Articles or any amendments thereto have been executed;

C. Copies of the Company's federal, state, and local income tax or information returns and reports, if any, for the six (6) most recent taxable years;

D. A copy of this Agreement and any and all amendments thereto together with executed copies of any powers of attorney pursuant to which this Agreement or any amendments thereto have been executed;

E. Copies of the financial statements of the Company, if any, for the six (6) most recent fiscal years; and

F. The Company's books and records as they relate to the internal affairs of the Company for at least the current and past four (4) fiscal years.

8.2 Reports. The Company shall cause to be filed, in accordance with the Act, all reports and documents required to be filed with any governmental agency. The Company shall cause to be prepared at least annually information concerning the Company's operations necessary for the completion of the Members' federal and state income tax returns. The Company shall send or cause to be sent to each Member within ninety (90) days after the end of each taxable year (i) such information as is necessary to complete the Members' federal and state income tax or information returns and (ii) a copy of the Company's federal, state, and local income tax or information returns for the year.

8.3 Bank Accounts. The Manager shall maintain the funds of the Company in one or more separate bank accounts in the name of the Company, and shall not permit the funds of the Company to be commingled in any fashion with the funds of any other person. The Manager, or either of them alone, shall have the power to sign all checks, drafts, and other instruments obligating the Company to pay money.

8.4 Tax Matters for the Company. The Manager is designated as "Tax Matters Partner" (as defined in Code Section 6231), to represent the Company (at the Company's expense) in connection with all examination of the Company's affairs by tax authorities and to expend Company funds for professional services and costs associated therewith.

ARTICLE IX DISSOLUTION AND WINDING UP

9.1 Conditions of Dissolution. The Company shall dissolve upon the occurrence of any of the following events:

- A. Upon the happening of any event of dissolution specified in the Articles;
- B. Upon the entry of a decree of judicial dissolution pursuant to Section 17351 of the Corporations Code;
- C. Upon the vote of Members holding at least seventy-five percent (75%) of the Membership Interests;
- D. The occurrence of a Dissolution Event and the failure of the Remaining Members to consent in accordance with Section 7.1 to continue the business of the Company within ninety (90) days after the occurrence of such event; or
- E. The sale of all or substantially all of the assets of Company.

9.2 Winding Up. Upon the dissolution of the Company, the Company's assets shall be disposed of and its affairs wound up. The Company shall give written notice of the commencement of the dissolution to all of its known creditors.

9.3 Order of Payment of Liabilities Upon Dissolution. After determining that all the known debts and liabilities of the Company have been paid or adequately provided for, the remaining assets shall be distributed to the Members in accordance with their positive capital account balances, after taking into account income and loss allocations for the Company's taxable year during which liquidation occurs.

9.4 Limitations on Payments Made in Dissolution. Except as otherwise specifically provided in this Agreement, each Member shall be entitled to look only to the assets of the Company for the return of his or her positive Capital Account balance and shall have no recourse for his or her Capital Contribution and/or share of Net Profits against any other Member except as provided in Article X.

9.5 Certificates. The Company shall file with the California Secretary of State a Certificate of Dissolution upon the dissolution of the Company and a Certificate of Cancellation upon the completion of the winding up of the Company's affairs.

ARTICLE X INDEMNIFICATION

10.1 Indemnification of Agents. The Company shall indemnify any Manager or Member and may indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding by reason of the fact that he or she is or was a Manager, Member, officer, employee or other agent of the Company or that, being or having been such a Manager, Member, officer, employee or agent, he or she is or was serving at the request of the Company as a manager, director, officer, employee or other agent of another limited liability company, corporation, partnership, joint venture, trust or other enterprise (all such persons being referred to hereinafter as an "agent"), to the fullest extent permitted by applicable law in effect on the date hereof and to such greater extent as applicable law may hereafter from time to time permit.

ARTICLE XI INVESTMENT REPRESENTATIONS

Each Member hereby represents and warrants to, and agrees with, the Members and the Company as follows:

11.1 Preexisting Relationship or Experience. He or she has a preexisting personal or business relationship with the Company or one or more of its officers or controlling persons, or by reason of his or her business or financial experience, or by reason of the business or financial experience of his or her financial advisor who is unaffiliated with and who is not compensated, directly or indirectly, by the Company or any affiliate or selling agent of the Company, he or she is capable of evaluating the risks and merits of an investment in the Company and of protecting his or her own interests in connection with this investment.

11.2 No Advertising. He or she has not seen, received, been presented with, or been solicited by any leaflet, public promotional meeting, article or any other form of advertising or general solicitation with respect to the sale of the Membership Interest.

11.3 Investment Intent. He or she is acquiring the Membership Interest for investment purposes for his or her own account only and not with a view to or for sale in connection with any distribution of all or any part of the Membership Interest. No other person will have any direct or indirect beneficial interest in or right to the Membership Interest.

ARTICLE XII MISCELLANEOUS

12.1 Counsel to the Company. Counsel to the Company may also be counsel to any Member or any Affiliate of a Member. The Members may execute on behalf of the Company and the Members any consent to the representation of the Company that counsel may request pursuant to the California Rules of Professional Conduct or similar rules in any other jurisdiction ("Rules"). The Company has initially selected Stern & Goldberg ("Company Counsel") as legal counsel to the Company. Each Member acknowledges that Company Counsel does not represent any Member in the absence of a clear and explicit agreement to such effect between the Member and Company Counsel, and that in the absence of any such written agreement Company Counsel shall owe no duties directly to a Member. Notwithstanding any adversity that may develop, in the event any dispute or controversy arises between any Members and the Company, then each Member agrees that Company Counsel may represent either the Company or such Member in any such dispute or controversy to the extent permitted by the Rules, and each Member hereby consents to such representation. Each Member further acknowledges that Company Counsel has represented the interests of Scrap Corp II and other business entities under common control in the past and in connection with the formation of the Company and the preparation and negotiation of this Agreement.

12.2 Complete Agreement. This Agreement and the Articles constitute the complete and exclusive statement of agreement among the Members with respect to the subject matter herein and therein and replace and supersede all prior written and oral agreements among the Members. To the extent that any provision of the Articles conflict with any provision of this Agreement, the Articles shall control.

12.3 Binding Effect. Subject to the provisions of this Agreement relating to transferability, this Agreement will be binding upon and inure to the benefit of the Members, and their respective successors and assigns.

12.4 Interpretation. All pronouns shall be deemed to refer to the masculine, feminine, or neuter, singular or plural, as the context in which they are used may require. All headings herein are inserted only for convenience and ease of reference and are not to be considered in the interpretation of any provision of this Agreement. Numbered or lettered articles, sections and subsections herein contained refer to articles, sections and subsections of this Agreement unless otherwise expressly stated. In the event any claim is made by any Member relating to any conflict, omission or ambiguity in this Agreement, no presumption or burden of proof or persuasion shall be implied by virtue of the fact that this Agreement was prepared by or at the request of a particular Member or his or her counsel.

12.5 Jurisdiction. Each Member hereby consents to the exclusive jurisdiction of the state and federal courts sitting in California in any action on a claim arising out of, under or in connection with this Agreement or the transactions contemplated by this Agreement. Each Member further agrees that personal jurisdiction over him or her may be effected by service of process by registered or certified mail addressed as provided in Section 12.8 of this Agreement, and that when so made shall be as if served upon him or her personally within the State of California.

12.6 Arbitration. Except as otherwise provided in this Agreement, any controversy between the parties arising out of this Agreement shall be submitted to arbitration in accordance with the rules of the Superior Court, County of Los Angeles, State of California, as then in effect. The costs of the arbitration, including any American Arbitration Association administration fee, the arbitrator's fee, and costs for the use of facilities during the hearings, shall be borne equally by the parties to the arbitration. Attorneys' fees may be awarded to the prevailing or most prevailing party at the discretion of the arbitrator. The provisions of Sections 1282.6, 1283, and 1283.05 of the California Code of Civil Procedure apply to the arbitration. The arbitrator shall not have any power to alter, amend, modify or change any of the terms of this Agreement nor to grant any remedy which is either prohibited by the terms of this Agreement, or not available in a court of law.

12.7 Severability. If any provision of this Agreement or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Agreement or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

12.8 Notices. Any notice to be given or to be served upon the Company or any party hereto in connection with this Agreement must be in writing (which may include facsimile) and will be deemed to have been given and received when delivered to the address specified by the party to receive the notice. Such notices will be given to a Member at the address specified in Exhibit A hereto. Any party may, at any time by giving five (5) days' prior written notice to the other Members, designate any other address in substitution of the foregoing address to which such notice will be given.

12.9 Amendments. All amendments to this Agreement will be in writing and signed by all of the Members.

12.10 Multiple Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

12.11 Attorney Fees. In the event that any dispute between the Company and the Members or among the Members should result in litigation or arbitration, the prevailing party in such dispute shall be entitled to recover from the other party all reasonable fees, costs and expenses of enforcing any right of the prevailing party,

including without limitation, reasonable attorneys' fees and expenses, all of which shall be deemed to have accrued upon the commencement of such action and shall be paid whether or not such action is prosecuted to judgment. Any judgment or order entered in such action shall contain a specific provision providing for the recovery of attorney fees and costs incurred in enforcing such judgment and an award of prejudgment interest from the date of the breach at the maximum rate allowed by law. For the purposes of this Section: (a) attorney fees shall include, without limitation, fees incurred in the following: (1) postjudgment motions; (2) contempt proceedings; (3) garnishment, levy, and debtor and third party examinations; (4) discovery; and (5) bankruptcy litigation and (b) prevailing party shall mean the party who is determined in the proceeding to have prevailed or who prevails by dismissal, default or otherwise.

12.12 Remedies Cumulative. The remedies under this Agreement are cumulative and shall not exclude any other remedies to which any person may be lawfully entitled.

IN WITNESS WHEREOF, all of the Members of S&D Venture Bradley, LLC, a California Limited Liability Company, have executed this Agreement, effective as of the date written above.

MEMBER:

SCRAP CORP II

By:

Stephen Ross, President

MEMBER:

SPIBGEI DEVELOPMENT, Inc.

By:

David Spiegel,

EXHIBIT "A"

CAPITAL CONTRIBUTION OF MEMBERS
AS OF

8/8, 2003

| MEMBER NAME | CONTRIBUTION | PERCENTAGE |
|---|--|------------|
| SCRAP CORP II | $\frac{1}{2}$ of the purchase price and closing costs necessary to close escrow for the purchase of 12710 Bradley Ave., Sylmar, CA 91342 | 50% |
| DAVID SPIEGEL AND SUZANNE CORTNEY 50% / 50% AS HUSBAND AND WIFE | assignment of purchaser's position in escrow to purchase unimproved real property located at 12710 Bradley Ave., Sylmar, CA 91342 at the agreed price of \$ <u> </u> (\$780,000 less actual cost to purchase said property; plus $\frac{1}{2}$ of the purchase price and closing costs necessary to close escrow for the purchase of 12710 Bradley Ave., Sylmar, CA 91342 | 50% |

TR - 54428

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

CITY PLANNING COMMISSION

MABEL CHANG
VICE-PRESIDENT
JOY ATKINSON
DAVID L. BURG
ERNESTO CARDENAS
DORENE DOMINGUEZ
MITCHELL B. MENZER
BRADLEY MINDLIN
THOMAS E. SCHIFF

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271

FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273

GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272

ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274

FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.lacity.org/PLN

Decision Date: July 21, 2004

Appeal Period Ends: August 3, 2004

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91343

Chuck Francoeur
18455 Burbank Boulevard, # 308
Tarzana, CA 91356

Spiegel Development, Inc.
13369 Ventura Boulevard
Sherman Oaks, CA 91423

Wagner-Kerr Associates, Inc.
6740 Vesper Avenue, Suite 200
Van Nuys, CA 91405

Re: Tract Map No.: 54428
Related Case: APCNV-2003-4602-ZC-F-ZAA
Council District : 7
Existing Zone: R1-1, proposed RD3-1
Community Plan: Sylmar
CEQA No.: ENV-2003-4603-MND
Fish and Game: Exempt

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 54428 composed of 1-lot, located at 12710 N. Bradley Avenue for a maximum new 13-unit detached single-family condominium as shown on map stamp-dated July 3, 2003 in the Sylmar Community Plan. This unit density is based on the RD3 Zone. (The subdivider is hereby advised that the Municipal Code 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 Advisory Agency or a City Planner call (213) 978-1330. The Advisory Agency's approval is subject to the following conditions:

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



BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of land be dedicated along Bradley Avenue adjoining the subdivision to complete a 32-foot wide half street dedication in accordance with Collector Street Standards satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. 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 Inter-Departmental Letter dated October 6, 2003, Log No. 41216 and attached to the case file for Tract No. 54428.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following item shall be satisfied:
 - a. Obtain permits for demolition or removal of all existing structures. Provide copy of demolition permit and signed inspection card to show completion of work.

DEPARTMENT OF TRANSPORTATION

4. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 18-foot reservoir space be provided between any security gate(s) and the property line.
 - b. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 25.

FIRE DEPARTMENT

5. 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. 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.

- c. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.
- d. 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.
- 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. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- g. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

DEPARTMENT OF WATER AND POWER

- 6. 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

- 7. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c).)
 - a. That ONE street lighting facility be installed along Bradley Avenue to serve the subject property, as required by the Bureau of Street Lighting.

BUREAU OF SANITATION

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

INFORMATION TECHNOLOGY AGENCY

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 120 S. San Pedro Street, Room 600, Los Angeles, CA 90012, (213) 485-7969.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the RD3 Zone.

STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNING

11. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.

The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency. **Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. 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 13 dwelling units.
- b. Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency. All guest spaces shall be readily accessible, conveniently located and specifically reserved for guest parking.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

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 (200 No. Spring Street, Room 763).

c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency acting as a Planning Commission Hearing Officer, pursuant to Case No. APCNV-2003-4603-ZC-F-ZAA, has recommended for approval by the Planning Commission the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site:

Recommended variations for approval by the Planning Commission:

- 1) A 6-foot in height wall/fence within the front yard setback;
- 2) A reduced space between structures of 8-feet in lieu of 10-feet;
- 3) A reduced front yard setback of 13-feet in lieu of 15-feet for proposed unit nos. 1 & 13 which front on Bradley Avenue.

d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

e. Install within the project an air filtration system to reduce the air quality effects on the proposed residents.

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. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

13. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Zone Change Ordinance and approved Zoning Administrator's Adjustment and Zoning Administrator's Determination pursuant to Case No. APCNV 2003-4602-ZC-F-ZAA shall be submitted to the satisfaction of the Advisory Agency. In the event that APCNV 2003-4602-ZC-F-ZAA is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

14. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the

subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 11, 15, 16, and C-4 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

15. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1 All common open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
- MM-2 The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- MM-3 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- MM-4 The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.
- MM-5 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-6 Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
- MM-7 Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-8 Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak

stormwater discharge rate will result in increased potential for downstream erosion.

MM-9 Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.

MM-10 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

MM-11 Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.

MM-12 Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

MM-13 Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.

MM-14 All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.

MM-15 Legibility of stencils and signs must be maintained.

MM-16 Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

MM-17 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

MM-18 Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

MM-19 The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such

activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

MM-20 The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

MM-21 Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

MM-22 There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

MM-23 Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.

MM-24 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

MM-25 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

MM-26 Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

MM-27 Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

MM-28 The applicant shall institute a recycling program to the satisfaction of the Advisory Agency to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills.

MM-29 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

16. **Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or 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:**

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract

map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

CM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

CM-3 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

CM-4 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

CM-5 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

CM-6 All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

CM-8 The project shall 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 at adjacent uses unless technically infeasible.

CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-12 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

CM-13 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

CM-14 Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

CM-15 Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

CM-16 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-17 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-18 Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

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

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

C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.

C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule

applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-4. 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.

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

C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

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

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting 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 exceed 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private 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.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
- (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 planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Bradley Avenue being dedicated and adjoining the subdivision by the construction of the following:

- (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
- (2) Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
- (3) Any necessary removal and reconstruction of existing improvements.
- (4) The necessary transitions to join the existing improvement all satisfactory to the City Engineer.

NOTES:

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

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 17.05N of the Los Angeles Municipal Code.

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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

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)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV 2003-4603-MND on August 27, 2003. The Committee found that potential negative impact could occur from the project's implementation due to:

- existing ambient air pollution levels.
- potential loss of significant trees.
- noise from the site.
- potential seismic activity.
- design of the parking area and access driveway.
- need for landscaping.
- lack of open space.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV 2003-4603-MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a level of insignificance through implementation of Condition Nos. 11, 15, 16, and C-4 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, and risk of upset are concerned. However, measures are required as part of this approval which will mitigate the above mentioned impacts to a level of insignificance. Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife. In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158)

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 14.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract No. 54428, 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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.
- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Sylmar Community Plan designates the subject property for Low Medium I Residential land use with the corresponding zones of R2, RD5, RD4 and RD3. The property contains approximately 1.0 net acres (43,620 net square feet after required dedication) and is presently zoned R1-1. The proposed development of 13 detached single-family condominium units is not allowable under the current adopted zone, but is allowable and consistent with the planned land use and zoning should the Zone Change, Zoning Administrator's Adjustment and Zoning Administrator's Determination case APCNV 2003-4602-ZC-ZAA-F be approved.

The site is not located in the Flood Plain Management Specific Plan area (flood hazard area/hillside area/mud prone area).

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

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

The development of this tract is an infill of an otherwise mix-density residential neighborhood.

The site is level and is not located in a slope stability study area, or high erosion hazard area. The site is located in a fault-rupture study zone, however, measures are required as part of this approval which will mitigate the impacts to a level of insignificance.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of building and Safety.

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

The Initial Study prepared for the project identifies potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, and risk of upset are concerned.

However measures are required as part of this approval which will mitigate the above mentioned impacts to a level of insignificance.

Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158).

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

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

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being 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 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.

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

(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)

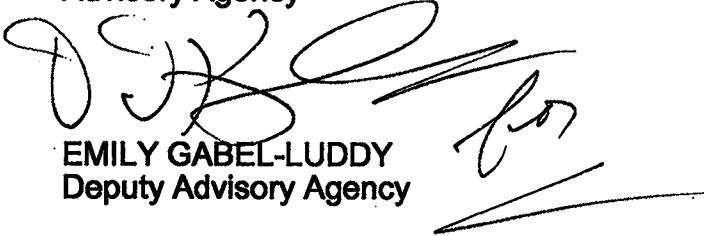
- 1). In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
- 2). 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.

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

These findings shall apply to both the tentative and final maps for Tract No. 54428.

Con Howe
Advisory Agency



EMILY GABEL-LUDDY
Deputy Advisory Agency

EGL:DLK:jh

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, 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 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213.482.7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818.374.5050

Forms are also available on-line at www.lacity.org/pln.

If you have any questions, please call Subdivision staff at (213) 978-1330.

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

MABEL CHANG
VICE-PRESIDENT
JOY ATKINSON
DAVID L. BURG
DORENE DOMINGUEZ
MITCHELL B. MENZER
BRADLEY MINDLIN
THOMAS E. SCHIFF

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1247

MAR 30 2005

DATE: _____

CHUCK FRANCOEUR
6345 BALBOA BLVD, SUITE 155
ENCINO, CA, 91316

City of Los Angeles
CALIFORNIA



JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271
FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273
GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272
ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.lacity.org/pln

Re: Tract No.: TT-54428
Council District No.: 07
Zone: RD3-1
Site Address: 12710 N BRADLEY AVE

RECREATION AND PARK FEE CALCULATION

In accordance with the provisions of Section 17.12 of the Los Angeles Municipal Code, the Advisory Agency on the above date, determined that a fee in the following amount be paid to or suitably guaranteed with the Department of Recreation and Parks prior to recordation of the final tract or parcel map.

| | | |
|----|-------------------------------------|-------------|
| 1. | No. of dwelling units/lots approved | 13 |
| 2. | Units/Lots being requested | 13 |
| 3. | Existing Zone within project | RD3-1 |
| 4. | Fee per unit | \$2,826.00 |
| 5. | Total fee to be paid | \$36,738.00 |

This calculation is based upon the current year Quimby fee rates. Fees may be paid prior to recordation of the final map, or may be guaranteed to be paid within one year after Council approval of the final map. If this fee is not paid before May 1, 2005, the amount of the fee shall automatically be subject to recalculation by the Advisory Agency. Dwelling Unit Construction Tax previously paid will be deducted from the above fee if a copy of the receipt accompanies payment.

If provision to guarantee payment is desired, arrangements must be made with the Department of Recreation and Parks. In the event that final map approval does not occur within six months of receipt of a guarantee of payment, the amount of the fee is subject to recalculation. Checks should be made payable to the Department of Recreation and Parks and may be mailed to 1200 West 7th Street, Suite 700, Los Angeles, CA 90017, Telephone (213) 928-9162 (213) 928-9132.

Con Howe
Advisory Agency

GARLAND CHENG
Deputy Advisory Agency

cc: Dept. of Recreation& Parks
Bureau of Engineering – 2
Lourdes Ramiro
MS 115 – BAS Dept.

FORM GEN 160 (REV 6-80)

C/S

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: April 7, 2005

TO: Emily Gabel-Luddy, Deputy Advisory Agency, City Planning Department
200 N. Spring St., 7th Floor, CH, Los Angeles, CA 90012 2601; Stop 395FROM: *CD/CD for*
Kathleen Chan, Acting Superintendent of Planning & Construction
Recreation and Parks Department (213) 928-9132/(213)928-9162SUBJECT: RECREATION AND PARK FEE CLEARANCE

The developer of Tentative Tract No. 54428 Parcel Map L.A. No. _____ Case No. _____ is obligated to pay a fee of \$36,738.00 on 13 dwelling unit(s), site address, 12710 N Bradley Ave in the RD3-1 Zone, in CD 7 as approved by the Advisory Agency letter/ Ordinance No. _____ dated 03/30/05 all in accordance with Section 17.12/Section 12.33 of the Los Angeles Municipal Code.

The developer has met this obligation by:

1. Dedication of _____ acres of land, accepted by the Board of Recreation and Park Commissioners on _____ (Board Report No. _____)
2. Payment of a fee of \$36,738.00.
3. Certificates of Deposit guaranteeing payment of a fee of \$ _____.
4. Payment of a Dwelling Unit Construction Tax of \$ _____ on _____.
5. Prior payment to Recreation and Parks of a fee of \$ _____ on _____. This payment has been deducted from the total Section 17.12 fee.
6. Receiving from the Advisory Agency, a recreation area credit of \$ _____ on _____. (Section 17.12 (F) of the Los Angeles Municipal Code).
7. Registering a copy of the Covenant and Agreement associated with this tentative tract or parcel map, or Zone Change attached as Los Angeles County document No. _____.

CITY CLERK PLEASE NOTE.
 NOTE: This clearance also applies to City Planning Case (CPC) No. _____

KC:CD/vq
cd:plkfccscl

cc: Land Development Group, BOE, Public Works. 201 N. Figueroa St. Ste 200, L.A.90012; Attn: Michelle Lee, Tel:213-977-8944; Fax: 213-580-8893
Building & Safety, 201 No. Figueroa St.9th Floor, L.A. 90012 Attn: Ann Omistom, Tel:213-482-6890; Lourdes Ramiro, Tel: 213-482-6809 Fax:213-482-6591
Subdivision/Tracts, 201 N. Spring St. Rm 750, L.A.90012; Attn: Garland Cheng/Nelson Rodriguez Tel: 213-978-1330; Subdivision/Tracts-Pat Brown Tel:213-978-1326; Parcel Maps-Lynn Harper, Tel 213-978-1349; Fax:213-978-1343
City Planning: Zone Change, Site Plan/Plan Approvals Unit 201 N. Spring St. Rm 601, L.A.90012; Attn: David Weintraub, Tel: 213-978-1217; Haideh Aghassi, Tel 213-978-1220; Fax:213-978-6566

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: OCT 09 2003

To: Mr. Con Howe, Director
Department of City Planning
Attention: Deputy Advisory Agency
Edmond Yew

From: Edmond Yew, Manager
Land Development Group
Bureau of Engineering

Subject: Tentative Tract Map No. 54428 - Transmittal of Map.

Transmitted is a print of tentative map of Tract Map No. 54428 lying northeasterly of Bradley Avenue and southeasterly of Polk Street in Council District No. 7.

This map has been filed for a 13-unit new condominium purposes over a parcel of land in the existing (T)(Q) RD3-1 zone. The subdivision layout is generally satisfactory as submitted, except for the additional public street dedication as stated herein.

There is an existing sewer available in Bradley Avenue adjoining the subdivision. The construction of house connection sewers will be required to serve the tract. This tract will connect to the public sewer system and will not result in violation of the California Water Code. I therefore recommend that you make the necessary determination.

I recommend that the tentative map of Tract No. 54428 be approved, subject to the standard conditions issued by your department and the following special conditions:

1. That a 2-foot wide strip of land be dedicated along Bradley Avenue adjoining the subdivision to complete a 32-foot wide half street dedication in accordance with Collector Street Standards satisfactory to the City Engineer.
2. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Bradley Avenue being dedicated and adjoining the subdivision by the construction of the following:

- (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
- (2) Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
- (3) Any necessary removal and reconstruction of existing improvements.

Mr. Howe

-2-

(4) The necessary transitions to join the existing improvement all satisfactory to the City Engineer.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 977-6335.

EY/GA/qt
H:ldg\gtWP961

Enc.

cc: Valley Engineering District Office

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

MICHELL B. MENZER
PRESIDENT
JOSEPH KLEIN
VICE-PRESIDENT
RICHARD BROWN
MABEL CHANG
DORENE DOMINGUEZ
JAVIER O. LOPEZ
PASTOR GERARD MCCALLUM II
TOM SCHIFF

GABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1247

CITY OF LOS ANGELES
CALIFORNIA



JAMES K. HAHN
MAYOR

TT FEE PAID
OCT 02 2003

03 JUL 29 AM 7:45

EXECUTIVE OFFICES

5TH FLOOR

CON HOWE
DIRECTOR
(213) 978-1271

FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273

GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272

ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274

FAX: (213) 978-1275
INFORMATION
(213) 978-1270

Filing Notification and Distribution

July 03, 2003

DATE OF FILING AND MAP STAMP DATE

LOCATION:

ADDRESS: 12710 N. Bradley Avenue

COMMUNITY: Sylmar

| | |
|--|--|
| (X) COUNCIL DISTRICT NO. 7 | Hillside: ()Yes (X)No |
| (X) Neighborhood Planning (Check Office below) | |
| (X) Valley | () Community Plan Revision |
| () West Los Angeles | (X) Department of Recreation and |
| () Harbor | Parks |
| () Metro E/S | (X) Department of Telecommunications |
| Department of Public Works | (X) Bureau or Street Lighting |
| (X) Bureau of Engineering | (No. P.S.) |
| (X) Bureau of Sanitation | () Community Redevelopment Agency |
| Department of Building and Safety | (See Counter Map) (No P.S.) |
| (X) Grading Engineer | () Animal Regulation (Hillside) |
| (X) Zoning Engineer | (X) Housing Department |
| (X) Department of Transportation | (X) Board of Education (No P.S.) |
| Department of Water and Power | (X) Los Angeles County Health |
| (X) Underground Design | Department (No P.S.) |
| (X) Real Estate | () City of Beverly Hills |
| (X) Water System | (See Counter Map) (No P.S.) |
| (X) Fire Department (mark "Fire") | () Dan O'Connell (If in Mulholland Scenic |
| | Corridor) |

The above tract has been filed with the Advisory Agency. (X) Imaging Services
(X) GIS - c/o Fae Tsukamoto

The Advisory Agency will await your report and recommendation regarding the above matter for 39 days. If we have not received a written report from you after 40 days from the date of filing, we will assume that you have no report to make.

Con Howe
Director of Planning

EMILY GABEL-LUDDY
Deputy Director of Planning

CP-6300 (5/23/00)



TENTATIVE TRAC

IN THE CITY OF L

A ONE LOT SUBDIVISION FOR COND

13 SINGLE FAMILY DETACHED

COUNCIL DISTRIC

OWNER :

DANIEL MONTEON
12710 BRADLEY AVENUE
SYLMAR, CA. 91343

NOTES :

1. ZONE : EXISTING : R-1, 1
2. PUBLIC SEWERS ARE AVA
BRADLEY AVENUE
3. DRAINAGE TO BE TAKEN
VIA DRIVEWAY.
4. 13 SINGLE FAMILY DETAC
5. PARKING :
a) 26 GARAGE PARKING (1
b) 8 GUEST PARKING (1
6. TREES : NO OAK TREES;
7. ALL EXISTING STRUCTURE
8. THERE ARE NO KNOWN PO
WITHIN THIS PROPOSED DE
9. ALL EXISTING STRUCTURE

SITE ADDRESS :

12700 & 12710 BRADLEY AVE.
SYLMAR, CA. 91342

AREA :

GROSS = 47,985 SQ.FT. (1.10 ACRES)
NET = 43,620 SQ.FT. (1.00 ACRES)

SCALE : 1" = 40'

0' 10' 20' 30' 40' 50' 60' 70' 80'

(1185)

TRACT NO. 54428

CITY OF LOS ANGELES

ISION FOR CONDOMINIUM PURPOSES

ILY DETACHED HOUSING UNITS

CIL DISTRICT #7

LOS ANGELES DEPT. OF CITY PLANNING
SUBMITTED FOR FILING
 TENTATIVE MAP

JUL 03 2003

REVISED MAP FINAL MAP UNIT
 TIME EXTENSION
FILING FEE: DEPUTY ADVISORY AGENCY
DIVISION OF LAND

ES :

EXISTING : R-I, PROPOSED : ((T)(Q)RD3-1)

SEWERS ARE AVAILABLE IN
Y AVENUE

GE TO BE TAKEN TO BRADLEY AVE.
VEWAY.

LE FAMILY DETACHED HOUSING UNITS

G :
ARAGE PARKING (2 PER UNIT)
EST PARKING (UNCOVERED)

NO OAK TREES; 8 TREES 8" TO BE REMOVED (SEE TREE
REPORT)

STING STRUCTURES TO BE REMOVED

ARE NO KNOWN POTENTIALLY DANGEROUS AREAS
THIS PROPOSED DEVELOPMENT.

STING STRUCTURES TO BE REMOVED

LEGAL DESCRIPTION :

LOT 85 OF TRACT 5909, IN THE CITY OF
LOS ANGELES, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA, AS PER MAP RECORDED
IN BOOK 77 PAGES 16 AND 17 OF MAPS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID
COUNTY.

APN : 2506030001

TG : 481-J5

145.5'

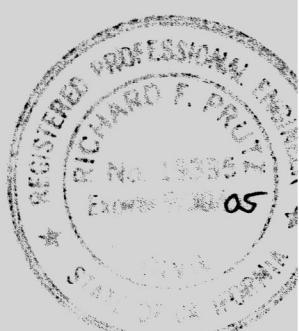
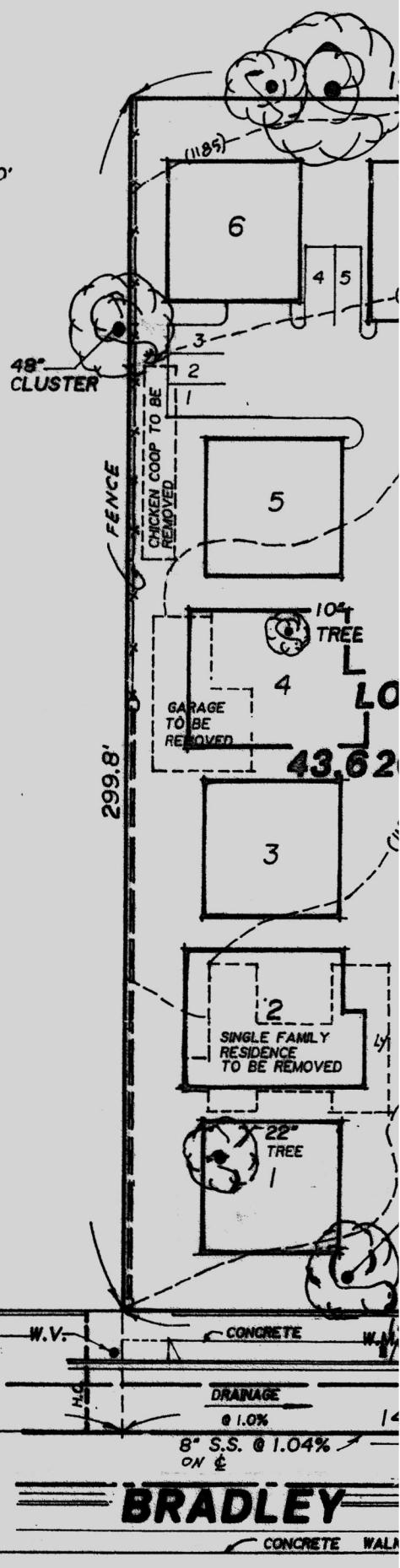
(1185)

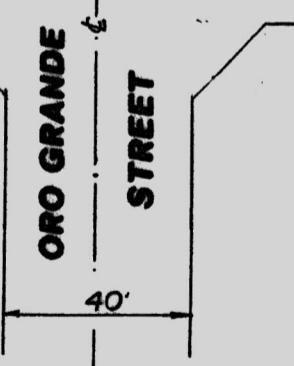
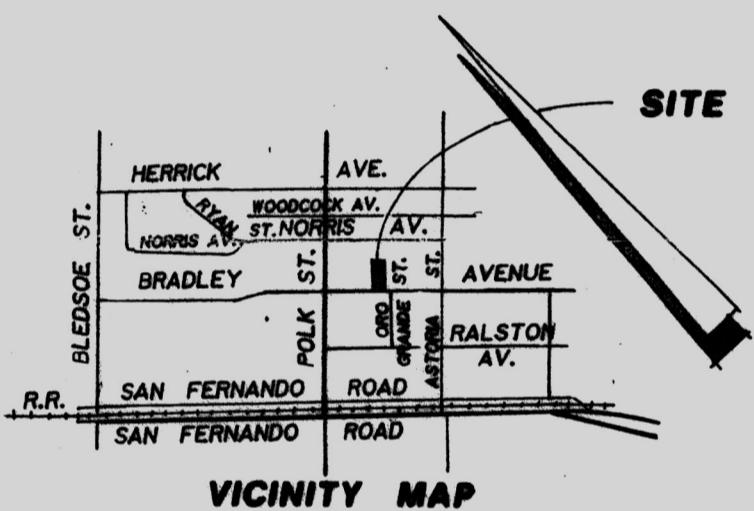
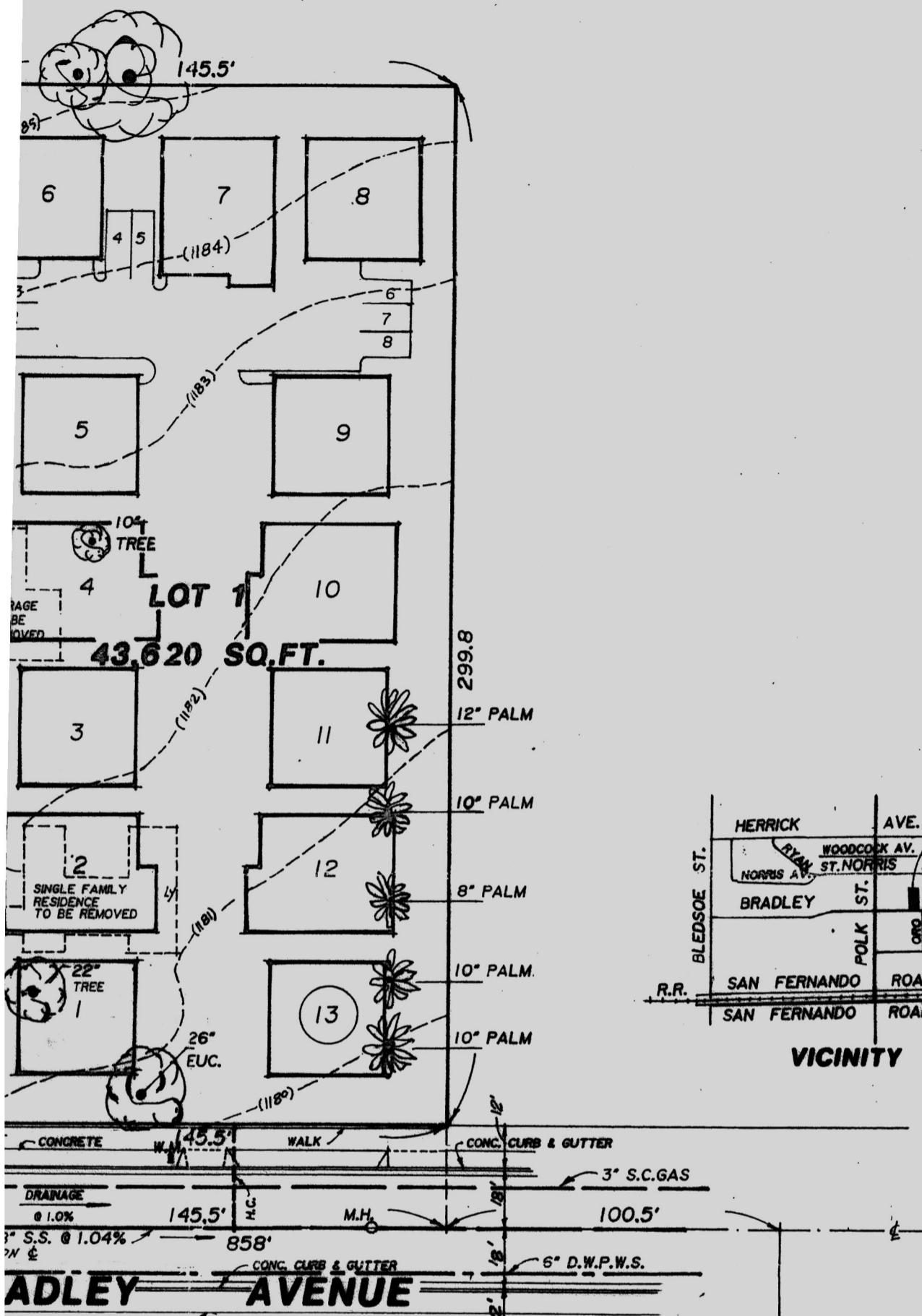
POLK STREET

SCALE : 1" = 40'

0' 10' 20' 40' 80'

GRAPHIC SCALE





PREPARED UNDER THE DIRECTION OF

Richard F. Prutz
RICHARD F. PRUTZ R.C.E. 19335



**WAGNER-KERR
ASSOCIATES, INC.**

LAND PLANNING CONSULTANTS
CIVIL ENGINEERING • LAND SURVEYING

6740 VESPER AVENUE • VAN NUYS, CALIF. 91405 • (818)781-0711 • (323)873-3304

DATE MAY , 03

W.O. 4630

54428

N. BRADLEY AVE.
E. POLK ST.

LAND DEVELOPMENT
GROUP - SUITE 200
201 NO. FIGUEROA ST.
LOS ANGELES, CA 90012

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-2658

ITY OF LOS ANGELE
CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

CPC APC NV 2003-4602-ZC-F
CD 7 RETD. PLAN COMM.

PLANNING FILES

FEB 24 2005

February 22, 2005

Councilmember Padilla
Office of the Mayor
City Planning Commission
Attn: Gabriele Williams
(w/copy of ordinance)
Geographic Information Section
Attn: Fae Tsukamoto
Bureau of Engineering,
Land Development Group

Department of Transportation,
Traffic/Planning Sections
Department of Building & Safety
c/o Zoning Coordinator
cc: Residential Inspection Unit
Bureau of Street Lighting,
"B" Permit Section
Fire Department
Director of Planning
(SEE ATTACHED SHEET FOR FURTHER NOTIFICATIONS)

RE: ZONE CHANGE AT 12700 AND 12710 NORTH BRADLEY AVENUE

At the meeting of the Council held February 4, 2005, the following action was taken:

| | |
|--|-------------------------------------|
| Attached report adopted..... | <input checked="" type="checkbox"/> |
| Mayor concurred | <input type="checkbox"/> |
| To the Mayor FORTHWITH | <input type="checkbox"/> |
| Motion adopted to approve communication recommendation(s) | <input type="checkbox"/> |
| Motion adopted to approve committee report recommendation(s) | <input type="checkbox"/> |
| Ordinance adopted..... | <input checked="" type="checkbox"/> |
| Ordinance number..... | 176480 |
| Effective date..... | 03/30/05 |
| Posted date..... | 02/18/05 |
| Mayor approved | 02/16/05 |
| Findings adopted..... | <input checked="" type="checkbox"/> |
| Mitigated Negative Declaration adopted..... | <input checked="" type="checkbox"/> |

Frank T. Martinez

City Clerk
SOS

FF
steno/042658

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER



Spiegel Development, Inc.
13369 Ventura Blvd.
Sherman Oaks, CA 91423

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91343

OFFICE OF THE MAYOR
RECEIVED
2005 FEB -8 PM 1:46
CITY OF LOS ANGELES

TIME LIMIT FILES
ORDINANCES

RECEIVED
CITY CLERK'S OFFICE Stamp
2005 FEB -8 PM 1:42
CITY CLERK
BY _____ DEPUTY

COUNCIL FILE NUMBER 04-2658

COUNCIL DISTRICT 7

COUNCIL APPROVAL DATE FEBRUARY 4, 2005

LAST DAY FOR MAYOR TO ACT FEB 18 2005

ORDINANCE TYPE: Ord of Intent Zoning Personnel General
Improvement LAMC LAAC CU or Var Appeals - APCNV 2003-4602 ZC ZAD-F ZAA

SUBJECT MATTER: THE ZONE CHANGE, INCIDENT TO SUBDIVISION, FROM (T) (Q) RD3-1 AND R1-1 TO (T) (Q) RD3-1, SUBJECT TO CONDITIONS OF APPROVAL, FOR THE PROPOSED SUBDIVISION OF ONE LOT FOR A NEW 13-UNIT DETACHED SINGLE FAMILY CONDOMINIUM ON A 2.03 NET ACRE AT 12700 AND 12710 NORTH BRADLEY AVENUE

APPROVED DISAPPROVED

| | | |
|---|-------------------------------------|--------------------------|
| PLANNING COMMISSION | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| DIRECTOR OF PLANNING | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| CITY ATTORNEY | <input type="checkbox"/> | <input type="checkbox"/> |
| CITY ADMINISTRATIVE OFFICER | <input type="checkbox"/> | <input type="checkbox"/> |
| PLANNING AND LAND USE MANAGEMENT COMMITTEE | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO: FEB 16 2005
*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c)

RECEIVED
CITY CLERK'S OFFICE

2005 FEB 16 PM 2:14

BY _____
CITY CLERK
DEPUTY

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)
DATE RECEIVED FROM MAYOR FEB 16 2005 ORDINANCE NO. 176480

DATE PUBLISHED _____ DATE POSTED FEB 18 2005 EFFECTIVE DATE MAR 30 2005

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: Yes [] No []

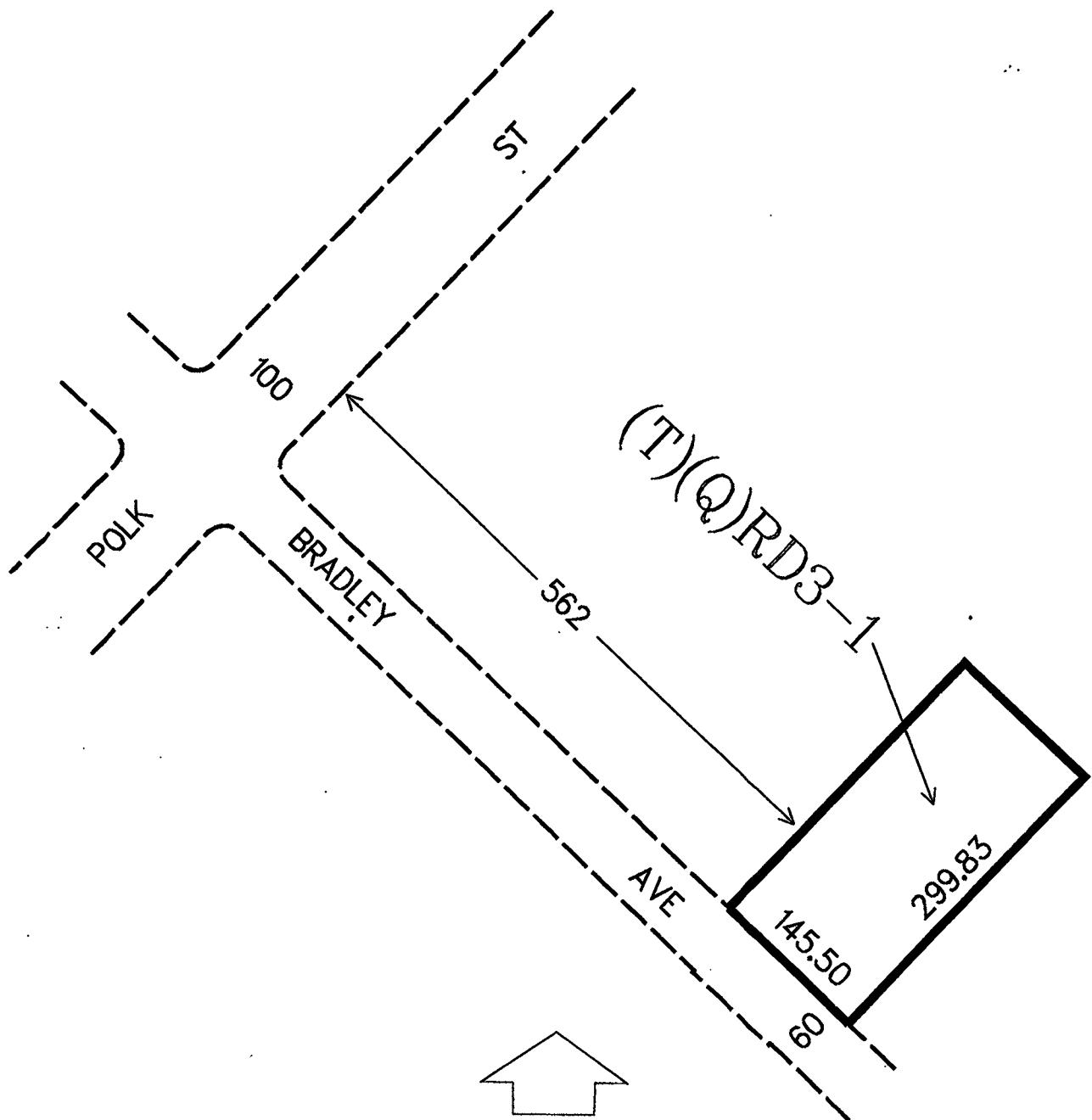
FEB 22 2005

ORDINANCE NO. 176480

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



NOT TO SCALE

C.M. 219B149, 222B149

APCNV 2003-4602-ZC-ZAD

DLB/AE

09/24/04

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G. 2 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (Q) Qualified Classification:

Entitlement

1. **Use.** Limit the proposed development to a maximum of 13 dwelling units.
2. **Parking.** Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency.
3. **Height.** No building or structure located on the subject property shall exceed 45 feet in height.
4. **Plans.** That Prior to the issuance of building permits, detailed development plans, including a project design plan be consistent with Chapter V of the Slymar Community Plan.

Environmental Conditions

***Erosion/Grading/Short Term Construction Impacts:
Air Quality***

5. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM)
6. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM)
7. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM)
8. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. (MM)
9. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (MM)
10. The applicant shall install air filtration system(s) to reduce the diminished air quality effect on occupants of the project. (MM)

Noise

11. The project shall 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 at adjacent uses unless technically infeasible. (MM)
12. Construction shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. (MM)
13. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.(MM)
14. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (MM)
15. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM).

General Construction

16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site. (MM)
17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. (MM)
18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible. (MM)
19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets. (MM)
21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills. (MM)
22. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. (MM)

23. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, ti will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules regulations. (MM)
24. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. (MM)

Landscaping/Aesthetic

25. All common open areas not used for buildings, driveways, parking area, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. (MM)
26. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. (MM)
27. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. (MM)

Stormwater

28. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. (MM)
29. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion. (MM)
30. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. (MM)
31. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. (MM)
32. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. (MM)

33. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains. (MM)
34. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from Department of Public Works, Stormwater Management Division. (MM)
35. All storm drain inlets and catch basin within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. (MM)
36. Legibility of stencils and signs must be maintained. (MM)
37. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. (MM)

Schools

38. Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)
39. The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (MM)
40. The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety (MM)
41. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus. (MM)
42. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the street adjacent to the school. (MM)
43. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours. (MM)

44. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

Administrative Conditions:

45. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorders Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date, shall be provided to the Planning Department.

46. **Approval verification and submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

47. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.

48. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.

49. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.

50. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a covenant and agreement (Planning Department General Form CP-6770.M) in a manner satisfactory to the Planning Department, requiring the subdivider to identify (a)mitigation monitor(s) who shall require periodic status reports on the implementation of mitigation items required by conditions 5-44. The mitigation monitor(s) shall be identified as to their areas of responsibility, post construction maintenance) to ensure continued implementation of the above mentioned mitigation items.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of FEB 04 2005.

FRANK T. MARTINEZ, City Clerk

By B. Watt
Deputy

Approved FEB 16 2005

James H. Hahn
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Pursuant to Section 552 of the City Charter, the North Valley Area Planning Commission on October 21, 2004, recommended that this ordinance be adopted by the City Council.

By _____

Fely C. Ringol
Commission Executive Assistant

City Attorney

File No. 04-2658

DECLARATION OF POSTING ORDINANCE

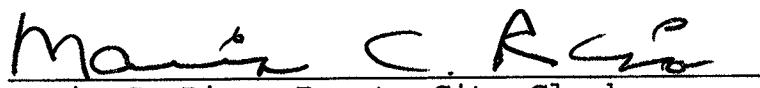
I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 176480 - Zone change at 12700 and 12710 North Bradley Avenue - APCNV 2003-4602-ZC-ZAD - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on February 4, 2005, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on February 18, 2005, I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) One copy on the bulletin board at the Main Street entrance to Los Angeles City Hall; 2) one copy on the bulletin board at the ground level Los Angeles Street entrance to the Los Angeles Police Department; and 3) one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on February 18, 2005 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 18th day of February 2005 at Los Angeles, California.


Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: Mar. 30, 2005

Council File No. 04-2658

(Rev. 3/21/03)

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

FILE NO. 04-2658

Your **PLANNING AND LAND USE MANAGEMENT** Committee
reports as follows:

Public Comments Yes XX No

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change at 12700 and 12710 North Bradley Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2658 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-4603 MND].
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC) as the Findings of Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the zone change, incident to subdivision, from (T)(Q)RD3-1 and R1-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed subdivision of one lot for a new 13-unit detached single family condominium on a 2.03 net acre located at 12700 and 12710 North Bradley Avenue.

Applicant: Daniel Monteon/Spiegel Development Inc./
Montage Development

APCNV 2003-4602 ZC ZAD-F ZAA

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - MARCH 23, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 23, 2005)

Summary:

At its meeting held January 26, 2005, the Planning and Land Use Management Committee recommended that Council approve the accompanying ordinance effecting the zone change, incident to subdivision, from (T)(Q)RD3-1 and R1-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed subdivision of one lot for a new 13-unit detached single family condominium on a 2.03 net acre located at 12700 and 12710 North Bradley Avenue.

As indicated in Recommendation No. 5 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

... whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

Ed. P. Reyes
Tony Cardenas

| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| REYES: | YES |
| CARDENAS: | YES |
| WEISS: | ABSENT |

BG:ys
1-28-05
Enc: APCNV 2003-4602 ZC ZAD-F ZAA
Ordinance
CD 7
Attachment: "Q" and "T" Conditions of Approval
#042658

MT.
REPT., NEG DEC,
FINDINGS & DRD.
ADOPTED

FEB 04 2005

LOS ANGELES CITY COUNCIL

COUNCIL VOTE

Feb 4, 2005 11:45:55 AM, #5

ITEM(S)

Voting on Item(s): 1,2,3,4,5
Roll Call

| | |
|--------------|--------|
| CARDENAS | Yes |
| *GARCETTI | Yes |
| GREUEL | Yes |
| HAHN | Yes |
| LABONGE | Absent |
| LUDLOW | Yes |
| MISCIKOWSKI | Yes |
| PARKS | Yes |
| PERRY | Absent |
| REYES | Yes |
| SMITH | Yes |
| VILLARAIGOSA | Yes |
| WEISS | Yes |
| ZINE | Yes |
| PADILLA | Absent |

Present: 12, Yes: 12 No: 0

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G. 2 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (Q) Qualified Classification:

Entitlement

1. **Use.** Limit the proposed development to a maximum of 13 dwelling units.
2. **Parking.** Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency.
3. **Height.** No building or structure located on the subject property shall exceed 45 feet in height.
4. **Plans.** That Prior to the issuance of building permits, detailed development plans, including a project design plan be consistent with Chapter V of the Slymar Community Plan.

Environmental Conditions***Erosion/Grading/Short Term Construction Impacts:
Air Quality***

5. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM)
6. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM)
7. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM)
8. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. (MM)
9. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (MM)
10. The applicant shall install air filtration system(s) to reduce the diminished air quality effect on occupants of the project. (MM)

Noise

11. The project shall 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 at adjacent uses unless technically infeasible. (MM)
12. Construction shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. (MM)
13. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.(MM)
14. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (MM)
15. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM).

General Construction

16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site. (MM)
17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. (MM)
18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible. (MM)
19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets. (MM)
21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills. (MM)
22. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. (MM)

23. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, ti will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules regulations. (MM)
24. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. (MM)

Landscaping/Aesthetic

25. All common open areas not used for buildings, driveways, parking area, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. (MM)
26. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. (MM)
27. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. (MM)

Stormwater

28. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. (MM)
29. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion. (MM)
30. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. (MM)
31. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. (MM)
32. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. (MM)

33. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains. (MM)
34. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from Department of Public Works, Stormwater Management Division. (MM)
35. All storm drain inlets and catch basin within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. (MM)
36. Legibility of stencils and signs must be maintained. (MM)
37. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. (MM)

Schools

38. Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)
39. The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (MM)
40. The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety (MM)
41. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus. (MM)
42. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the street adjacent to the school. (MM)
43. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours. (MM)

44. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

Administrative Conditions:

45. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorders Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date, shall be provided to the Planning Department.
46. **Approval verification and submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
47. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.
48. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
49. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
50. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a covenant and agreement (Planning Department General Form CP-6770.M) in a manner satisfactory to the Planning Department, requiring the subdivider to identify (a)mitigation monitor(s) who shall require periodic status reports on the implementation of mitigation items required by conditions 5-44. The mitigation monitor(s) shall be identified as to their areas of responsibility, post construction maintenance) to ensure continued implementation of the above mentioned mitigation items.

CONDITIONS OF APPROVAL

Zone Change

CONDITIONS FOR EFFECTUATING THE (T) TENTATIVE CLASSIFICATION

Pursuant to section 12.32 G.1 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (T) Tentative Classification.

Procedure: The tentative classification shall be removed by the recordation of a final tract map for Tentative Tract Map 54428 as approved by the Advisory Agency on July 21, 2004, and by any subsequent actions on this map approved by the Advisory Agency or by provision of the following or by the posting of guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the City Planning Department for attachment to the subject City Plan Case File. Recommendation that recordation of the final map of Tract Map 54428 be made as a condition of the Zone Change Approval. The above language does not preclude the Advisory Agency from requiring the recordation of a final map for compliance with the subject conditions or similar conditions:

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

1. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.
2. **Street Dedications and Improvements.** Street Dedications and improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.

APCNV 2003-4602(ZC)(ZAD-F)(ZAA)
12700 & 12710 N. Bradley Avenue

T-2

6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the appropriate recreation and park fees to the Department of Recreation and Parks.

**PLANNED LAND USE MANAGEMENT COMMITTEE
SUGGESTED NOTIFICATION OF COUNCIL ACTION**

Council File No. 04-2658

sign

Applicant/Appellant/Owner

Representative

See attached

Council Member(s) Padilla

Office of the Mayor (w/file) - Section _____

City Attorney (w/blue slip) - Attn: _____

City Administrative Officer (CAO) _____

Chief Legislative Analyst (CLA) _____

City Planning Department - Attn: _____

City Planning Commission - Attn: Gabriele Williams (w/copy of Ordinance)
(ZC; HD; BL; HE; HPOZ; GPA; SPE; CPU; CPR; CA; ICO; TOD; SP; CDO)

Director of Planning (same as Commission) _____

Office of Zoning Administration - (all ZA cases; CU; ZV) _____

Advisory Agency - (PM; TT; CPU; CPR; CA; ICO; TOD; SP; CDO) _____

Community Planning Section - (DRB; CPU; CPR; CPE; TT; PM; CA; ICO; CDO; HE) _____

Geographic Information Section - Attn: Fae Tsukamoto - (same as Commission) _____

Information Technology Agency - (large projects) _____

Bureau of Engineering, Land Development & Mapping Division - (generally most cases) _____

Department of Transportation, Traffic/Planning Sections - (generally most cases) _____

Department of Building & Safety c/o Zoning Coordinator - (generally most cases) _____

Residential Inspection Unit - Mail Stop 115 - (SPE; HE; CU; ICO; ZC; generally most cases) _____

Bureau of Street Lighting, "B" Permit Section - (all zoning cases) _____

Department of Water and Power - (DB & large projects) _____

Fire Department - (all zoning & hillside cases) _____

Police Department - (beer & wine; adult entertainment, revocations) _____

Community Development Department _____

Los Angeles County Assessor - (CU appeals & large projects) _____

Spiegel Development, Inc.
13369 Ventura Blvd.
Sherman Oaks, CA 91423

Chuck Francoeur
18455 Burbank Bl vd., #308
Tarzana, CA 91356

Daniel Monteon
12710 N. Bradley Ave.
Sylmar, CA 91343

Wagner-Kerr Associates, Inc.
6740 Vesper Ave., Ste. 200
Van Nuys, CA 91405

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-2658

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
Council File Information - (213) 978-1043
General Information - (213) 978-1133
Fax: (213) 978-1040

HELEN GINSBURG
Chief, Council and Public Services Division

February 2, 2005

ALL COUNCILMEMBERS:

The attached copy of a Mitigated Negative Declaration, in connection with Council File No. 04-2658 is being sent to you for your information and review before it is considered by the City Council on February 4, 2005, as Item No. 3, Council District No. 7.

City Clerk
kw

Item 3

CF 04-2658

CD 7

CCl mtg 2/4/05



DOCUMENT FILED
City Clerk's Office

No. PL 46-03

Certified by *[Signature]*
DATE: AUG 29 2003

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

| | | |
|---|--|---|
| LEAD CITY AGENCY LOS ANGELES CITY PLANNING DEPARTMENT | | COUNCIL DISTRICT 7 |
| PROJECT TITLE ENV-2003-4603-MND | | CASE NO. TT-54428, APCNV-2003-4602 |
| PROJECT LOCATION 12710 North Bradley Avenue; Sylmar | | |
| PROJECT DESCRIPTION Tentative Tract, Zone Change and Variance for the subdivision of a 43,620 square-foot parcel into thirteen, 2-story detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone. | | |
| NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY Spiegel Development Inc. 13369 Ventura Boulevard Sherman Oaks, CA 91423 | | |
| FINDING: <p>The <u>City Planning Department</u> of the City of Los Angeles has proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance.</p> <p style="text-align: center;">(CONTINUED ON PAGE 2)</p> | | |
| SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED. | | |
| Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt this mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made. | | |
| THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED. | | |
| NAME OF PERSON PREPARING THIS FORM Nicholas Hendricks | TITLE CITY PLANNING ASSISTANT | TELEPHONE NUMBER (213)978-1359 |
| ADDRESS 200 N. Spring Street, Room 763 Los Angeles, CA 90012 | SIGNATURE (Official) Emily Gabel-Luddy, Supervisor Environmental Unit <i>Emily Gabel-Luddy</i> | DATE 08/27/03 |

I b2. Aesthetics (Landscaping)

Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

I b4. Aesthetics (Graffiti)

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

I c1. Aesthetics (Light)

Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

III d1. Air Pollution (Stationary)

Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

IV f.

Tree Removal (Non-Oaks)

Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675.

VI a ii.

Seismic

Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

VI b2.

Erosion/Grading/Short-Term construction Impacts

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

Air Quality

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- The project shall 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 at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Do not hose down pavement at material spills. Use dry cleanup methods whenever

possible.

- Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

VII b5.

Explosion/Release (Asbestos Containing Materials)

Due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:

- Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

VIII c2.

Single Family Dwelling (10+ Home Subdivision/Multi Family)

Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate

from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Preserve riparian areas and wetlands.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways.
 - Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
 - Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- Promote natural vegetation by using parking islands and other landscaped areas.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within

(CONTINUED ON NEXT PAGE)

the project area.

- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or manufacturer's instructions.

Hillside Residential Subdivision:

In addition to the following provisions, applicant must meet the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period.

(CONTINUED ON NEXT PAGE)

The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
- Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. A sediment trap below the pipe outlet is recommended if runoff is sediment laden. Inspect, repair, and maintain the outlet protection after each significant rain.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or manufacturer's instructions.

XI a1. Increased Noise Levels (Parking Wall)

Environmental impacts to the adjacent residential properties may result due to noise from parking on the site. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- A 6-foot-high solid decorative masonry wall adjacent to these residences shall be constructed if no such wall exists.

XIII a. Public Services (Fire)

Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:

The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIII c1. Public Services (Schools)

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XIII c2. Public Services (Schools)

Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a level of insignificance by the following measures:

- The developer and contractors must maintain ongoing contact with administrator of the local school. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that

students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

XIII e. Public Services (Street Improvements Not Required By DOT)

Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

XIV a. Recreation (Increase Demand For Parks Or Recreational Facilities)

Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17.12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

XV d. Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible

uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XVI f. Utilities (Solid Waste)

Environmental impacts may result from project implementation due to the creation of the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills by the year 2,000.
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

XVII.d. End

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval be the decision-making body except as noted on the face page of this document.

Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 615, CITY HALL
 LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
AND CHECKLIST
 (Article IV – City CEQA Guidelines)

| | | |
|------------------------------------|--|-----------------|
| LEAD CITY AGENCY | COUNCIL DISTRICT | DATE |
| <u>Department of City Planning</u> | CD 7 | August 22, 2003 |
| RESPONSIBLE AGENCIES | | |
| PROJECT TITLE/NO. | CASE NO. | |
| ENV-2003-4603-MND | APCNV-2003-4602/TT 54428 | |
| PREVIOUS ACTIONS CASE NO. | <input type="checkbox"/> DOES have significant changes from previous actions. <input type="checkbox"/> DOES NOT have significant changes from previous actions. | |

PROJECT DESCRIPTION: Tentative Tract, Zone Change , and Variance for the subdivision of a 43,620 square foot parcel into 13, 2-story, detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone.

ENVIRONMENTAL SETTING: North, east, south, and west - multi-family and single-family residences in the R2-1, [T][Q]RD3-1, and R1-1 zones.

PROJECT LOCATION:

12710 N. Bradley Avenue

| | | |
|------------------------------------|---------------------------------|---|
| PLANNING DISTRICT | AREA PLANNING COMMISSION | STATUS: |
| Sylmar | North Valley | <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> PROPOSED <input checked="" type="checkbox"/> ADOPTED date: 1997 |
| EXISTING ZONING | MAX. DENSITY ZONING | <input checked="" type="checkbox"/> DOES CONFORM TO PLAN |
| R1-1 | RD3 | |
| PLANNED LAND USE & ZONE | MAX. DENSITY PLAN | <input type="checkbox"/> DOES NOT CONFORM TO PLAN |
| Low Medium I Residential | Low Medium I Residential | |
| SURROUNDING LAND USES | PROJECT DENSITY | <input type="checkbox"/> NO DISTRICT PLAN |
| See Environmental Setting above | RD3-1 | |

DETERMINATION (To be completed by Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

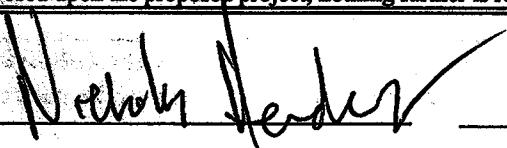
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

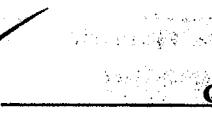
I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nicholas Hendricks


SIGNATURE

City Planning Assistant


TITLE

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9) The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

BACKGROUND

| | |
|---|--|
| PROPOSER NAME <u>Rhonda Lieberman Wagner-Kerr Associates, Inc</u> | PHONE NUMBER <u>818-781-0711</u> |
| PROPOSER ADDRESS <u>6740 Vesper Avenue, Suite 200</u> | DATE SUBMITTED <u>July 3, 2003</u> |
| AGENCY REQUIRING CHECKLIST <u>Department of City Planning</u> | |
| PROPOSAL NAME (If Applicable) | |

ENVIRONMENTAL IMPACTS

(Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

I. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?

c. Substantially degrade the existing visual character or quality of the site and its surroundings?

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

 II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the

California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

 III. AIR QUALITY. The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:

a. Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan?

b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. BIOLOGICAL RESOURCES. Would the project:

| | | | | |
|--|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service ? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service ? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

V. CULTURAL RESOURCES: Would the project:

| | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d. Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS. Would the project:

a. Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving :

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

b. Result in substantial soil erosion or the loss of topsoil?

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. HYDROLOGY AND WATER QUALITY. Would the proposal result in:

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

f. Otherwise substantially degrade water quality?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

h. Place within a 100-year flood plain structures which would impede or redirect flood flows?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

j. Inundation by seiche, tsunami, or mudflow?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

IX. LAND USE AND PLANNING. Would the project:

a. Physically divide an established community?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

X. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

XI. NOISE. Would the project:

- a. Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

XII. POPULATION AND HOUSING. Would the project:

- a. Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?
- c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a. Fire protection?
- b. Police protection?

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| c. Schools? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Other governmental services (including roads)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XIV. RECREATION.

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

XV. TRANSPORTATION/CIRCULATION.

Would the project:

a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)?

b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e. Result in inadequate emergency access?

f. Result in inadequate parking capacity?

g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

XVI. UTILITIES. Would the project:

- a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d. Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?
- e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g. Comply with federal, state, and local statutes and regulations related to solid waste?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).
- c. Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document, the environmental case file known as ENV-2003-4603-MND and the associated case, APCNV-2003-4602-ZC-F/TT 54428. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

This document was prepared in compliance with Public Resources Code section 21082.2 and CEQA Guidelines sections 15063, 15064, 15065, 15070, and 15071.

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at www.lacity.org ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) www.lacity.org/PLN/ or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

| PREPARED BY | TITLE | TELEPHONE # | DATE |
|--------------------|-------------------------|----------------|-----------------|
| Nicholas Hendricks | City Planning Assistant | (213) 978-1359 | August 22, 2003 |

ATTACHMENT A
ENV-2003-4603-MND
Explanations for Initial Study Checklist Findings

The proposed project will not result in a significant environmental impact for the following reasons (except where noted):

Aesthetics - See the following section "Potentially Significant Impacts."

Agricultural Resources - N/A

Air Quality - See the following section "Potentially Significant Impacts."

Biological Resources - See the following section "Potentially Significant Impacts."

Cultural Resources - There are no historic/cultural resources on site.

Geology/Soils - See the following section "Potentially Significant Impacts."

Hazards & Hazardous Materials - See the following section "Potentially Significant Impacts."

Hydrology/Water Quality - See the following section "Potentially Significant Impacts."

Land Use/Planning - Project is consistent with the General Plan Designation.

Mineral Resources - N/A

Noise - See the following section "Potentially Significant Impacts."

Population/Housing - project involves the removal of one single-family residence in a predominantly multi-family and single-family residential area.

Public Services - See the following section "Potentially Significant Impacts."

Recreation - See the following section "Potentially Significant Impacts."

Transportation/Traffic - See the following section "Potentially Significant Impacts."

Utilities/Service Systems - There are adequate Utility/Service systems in the area. However, project is subject to the solid waste reduction policies of the City of Los Angeles.

Mandatory Findings of Significance - Project impacts are less than significant with mitigation (CEQA 15064).

Potentially Significant Impacts

Aesthetics - Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

Air Quality - Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

See Geology/Soils for construction related impact mitigation.

Biological Resources - Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree

- expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675.

Geology/Soils - Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Erosion/Grading/Short-Term construction Impacts

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

Air Quality

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- The project shall 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 at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

Hazards & Hazardous Materials - Due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:

- Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be

present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

Hydrology/Water Quality - Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board.

(A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

Noise - Environmental impacts to the adjacent residential properties may result due to noise from parking on the site. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- A 6-foot-high solid decorative masonry wall adjacent to these residences shall be constructed if no such wall exists.

See Geology/Soils for construction related impact mitigation.

Public Services - Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a level of insignificance by the following measures:

- The developer and contractors must maintain ongoing contact with administrator of the local school. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct proportion to those caused by the proposed project's implementation.

Recreation - Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

Transportation/Traffic - Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

Utilities/Service Systems - Environmental impacts may result from project implementation due to the creation of the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills.
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Reference Materials Used

See City's Website and Environmental File for listed referenced materials: www.lacity.org . All addresses and phone numbers can be accessed through the City's website or in the Environmental Review Unit, Room 763.

Seismic Hazards Map - <http://gmw.consrv.ca.gov/shmp/>

Navigate LA - <http://boemaps.eng.ci.la.ca.us/index01.htm>

ZIMAS - www.lacity.org/PLN/

Radius and Vicinity Maps - Environmental file.

Planning and Zoning Code - www.lacity.org/PLN/

DOT ISAF/Site Plan Review Traffic Analysis - Environmental file.

Fish and Wildlife Service <http://endangered.fws.gov/>

Federal Register - http://www.access.gpo.gov/su_docs/aces140.html

CEQA Thresholds Guide, City of Los Angeles - In Room 763

FISH AND GAME FEE (AB 3158)

ENV-2003-4603-MND

Based on the Initial Study prepared by the Environmental Staff, it is recommended that the project be:

Exempt from the Fish and Game Fee*

Not Exempt from the Fish and Game Fee

Items checked on the Initial Study Checklist (circle when appropriate):

AIR QUALITY: III a III b III c III d

BIOLOGICAL RESOURCES: IV a IV b IV c IV d IV e IV f

GEOLOGY AND SOILS: VI a VI b VI c VI d VI e

HAZARDS & HAZARDOUS MATERIALS: VII a VII b VII c VII d VII e VII f VII g VII h

HYDROLOGY & WATER QUALITY: VIII a VIII b VIII c VIII d VIII e VIII f VIII g VIII h VIII i
VIII j

MANDATORY FINDINGS: XVII a XVII b XVII c

* A Certificate of Fee Exemption will be prepared by the environmental staff

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

| | |
|---|----------------------------------|
| PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY) TRACT/PARCEL MAP NO. 54428 ZA NO. | MND NO. ENV-2003-4603-MND |
| PROJECT DESCRIPTION Tentative Tract, Zone Change and Variance for the subdivision of a 43,620 square-foot parcel into thirteen, 2-story detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone. | |
| PROJECT ADDRESS 12710 North Bradley Avenue; Sylmar COUNTY OF LOS ANGELES | |
| APPLICANT NAME AND ADDRESS Spiegel Development Inc. 13369 Ventura Boulevard Sherman Oaks, CA 91423 | |
| FINDINGS OF EXEMPTIONS Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on <u>August 22, 2003</u> it is determined that the subject project, which is located in Los Angeles County, WILL NOT have an adverse impact in wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because: <input type="checkbox"/> The Initial Study prepared for the project identifies no, potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. <input checked="" type="checkbox"/> Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance. <input type="checkbox"/> The project site, as well as the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife. | |
| CERTIFICATION I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. | |
| CHIEF PLANNING OFFICIAL | SIGNATURE |
| DATE OF PREPARATION | PRINT NAME |

LEAD CITY AGENCY

LOS ANGELES CITY PLANNING DEPARTMENT, 200 N. SPRING STREET, ROOM 763, LOS ANGELES, CA 90012
 COUNTY OF LOS ANGELES

(FORM 4/92)



North Valley Area Planning Commission

200 North Spring Street, Room 532, Los Angeles, CA 90012-4801 (213) 978-1300

FC
5

Determination Mailing Date: NOV 30 2004

CITY COUNCIL
Room 395, City Hall

CASE NO. APCNV 2003-4602(ZC)(ZAD-F)(ZAA)

Related Case: Tentative Tract 54428

CEQA: ENV 2003-4603-MND

Location: 12700 & 12710 N. Bradley Avenue

Council District: 7 ✓

Plan Area: Sylmar

Request(s): Zone Change incident to Subdivision, Zoning

Zoning Administrator's Determination, and

Administrator's Adjustment

Applicant: Daniel Monteon/Spiegel Development, Inc./
Montage Development

At its meeting on October 21, 2004, the following action was taken by the North Valley Area Planning Commission:

1. **Approved** Zone Change incident to subdivision from the existing (T)(Q)RD3-1, and R1-1, to (T)(Q)RD3-1, as set forth in Section 12.32 of the Municipal Code, subject to the attached Conditions of Approval.
2. **Approved** the Zoning Administrator's Determination as filed.
3. **Approved** the Zoning Administrator's Adjustment as filed.
4. **Approved** Findings. (Attached)
5. **Adopted** Mitigated Negative Declaration No. ENV 2003-4603-MND.
6. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

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

This action was taken by the following vote:

Moved: Winger
Seconded: Stavaris
Ayes: Honda, Lett, Torres

Vote: 5-0

Fely C. Rungol, Commission Executive Assistant
North Valley Area Planning Commission

Effective Date/Appeals: The Commission's determination will be final 20 days from the mailing date of this determination unless an appeal is filed to the City Council within that time. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Third Floor, Los Angeles, or at 6255 Van Nuys Boulevard, First Floor, Van Nuys.

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

Attachments: (T) Conditions, Zone Change Ordinance, Zone Change Map, (Q) Conditions, Zone Change Signature Sheet, Conditions of Approval (Zoning Administrator Determination and Adjustment), Findings

PLAN & LAND USE MGT.

DEC 29 2004

RECEIVED
CITY CLERK'S OFFICE

2004 DEC 22 PM 3:11

ME LIMIT: 3-23-05

1 DAY FOR

INCIL ACTION: 3-23-05

CITY CLERK
BY Vm DEPUTY

PLUMM
1/24/05

CONDITIONS OF APPROVAL

Zone Change

CONDITIONS FOR EFFECTUATING THE (T) TENTATIVE CLASSIFICATION

Pursuant to section 12.32 G.1 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (T) Tentative Classification.

Procedure: The tentative classification shall be removed by the recordation of a final tract map for Tentative Tract Map 54428 as approved by the Advisory Agency on July 21, 2004, and by any subsequent actions on this map approved by the Advisory Agency or by provision of the following or by the posting of guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the City Planning Department for attachment to the subject City Plan Case File. Recommendation that recordation of the final map of Tract Map 54428 be made as a condition of the Zone Change Approval. The above language does not preclude the Advisory Agency from requiring the recordation of a final map for compliance with the subject conditions or similar conditions:

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

1. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.
2. **Street Dedications and Improvements.** Street Dedications and improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.

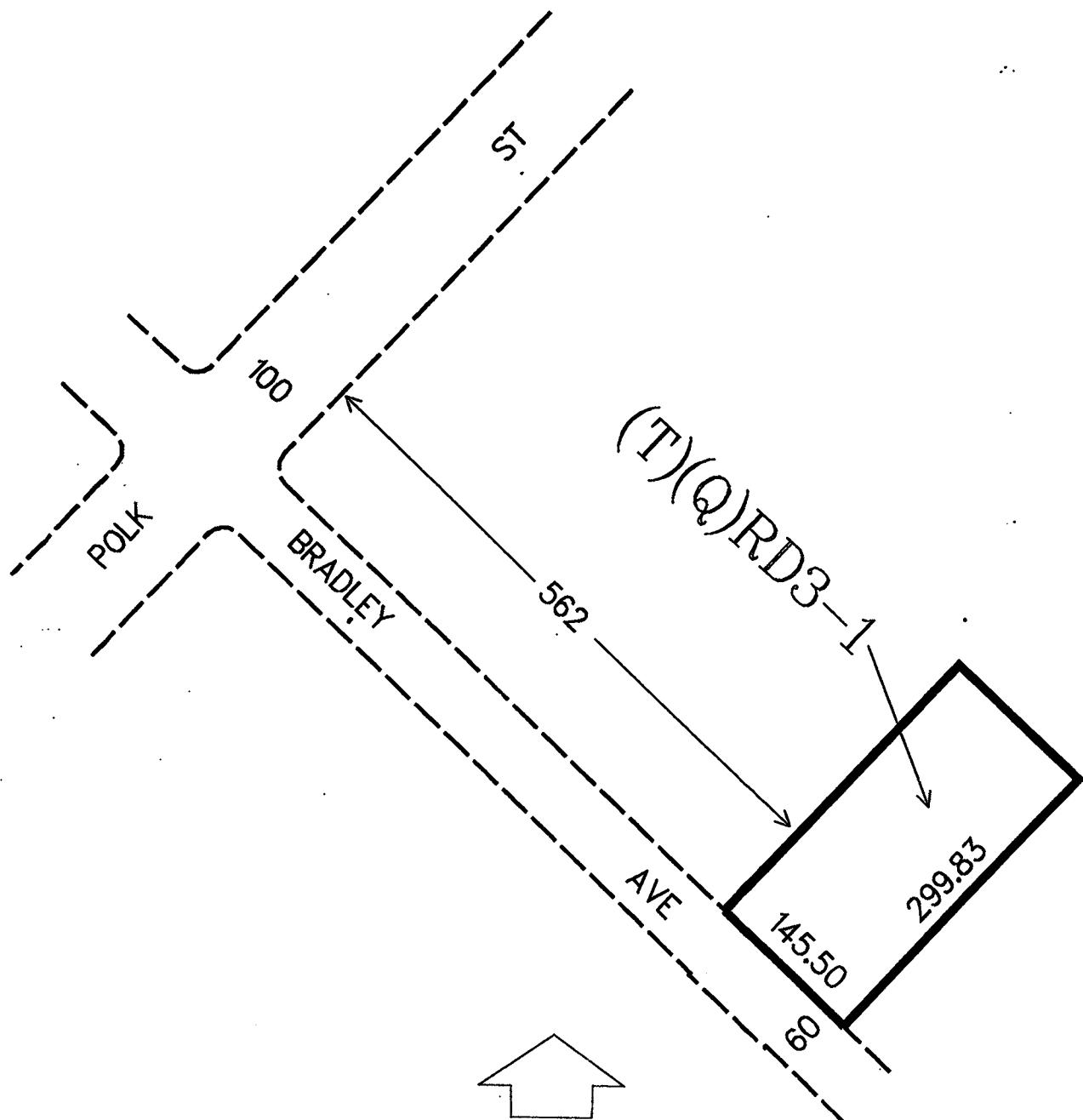
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the appropriate recreation and park fees to the Department of Recreation and Parks.

ORDINANCE NO. _____

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



NOT TO SCALE

C.M. 219B149, 222B149

APCNV 2003-4602-ZC-ZAD

DLB/AE

09/24/04

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G. 2 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (Q) Qualified Classification:

Entitlement

1. **Use.** Limit the proposed development to a maximum of 13 dwelling units.
2. **Parking.** Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency.
3. **Height.** No building or structure located on the subject property shall exceed 45 feet in height.
4. **Plans.** That Prior to the issuance of building permits, detailed development plans, including a project design plan be consistent with Chapter V of the Slymar Community Plan.

Environmental Conditions

***Erosion/Grading/Short Term Construction Impacts:
Air Quality***

5. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM)
6. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM)
7. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM)
8. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. (MM)
9. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (MM)
10. The applicant shall install air filtration system(s) to reduce the diminished air quality effect on occupants of the project. (MM)

Noise

11. The project shall 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 at adjacent uses unless technically infeasible. (MM)
12. Construction shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. (MM)
13. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.(MM)
14. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (MM)
15. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM).

General Construction

16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site. (MM)
17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. (MM)
18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible. (MM)
19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets. (MM)
21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills. (MM)
22. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. (MM)

23. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, ti will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules regulations. (MM)
24. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. (MM)

Landscaping/Aesthetic

25. All common open areas not used for buildings, driveways, parking area, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. (MM)
26. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. (MM)
27. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. (MM)

Stormwater

28. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. (MM)
29. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion. (MM)
30. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. (MM)
31. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. (MM)
32. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. (MM)

33. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains. (MM)
34. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from Department of Public Works, Stormwater Management Division. (MM)
35. All storm drain inlets and catch basin within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. (MM)
36. Legibility of stencils and signs must be maintained. (MM)
37. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. (MM)

Schools

38. Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)
39. The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (MM)
40. The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety (MM)
41. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus. (MM)
42. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the street adjacent to the school. (MM)
43. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours. (MM)

44. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

Administrative Conditions:

45. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorders Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date, shall be provided to the Planning Department.
46. **Approval verification and submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
47. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.
48. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
49. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
50. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a covenant and agreement (Planning Department General Form CP-6770.M) in a manner satisfactory to the Planning Department, requiring the subdivider to identify (a)mitigation monitor(s) who shall require periodic status reports on the implementation of mitigation items required by conditions 5-44. The mitigation monitor(s) shall be identified as to their areas of responsibility, post construction maintenance) to ensure continued implementation of the above mentioned mitigation items.

Sec. ___. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located in the Main Street lobby to the City Hall; one copy on the bulletin board located at the ground level at the Los Angeles Street entrance to the Los Angeles Police Department; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

FRANK T. MARTINEZ, City Clerk

By _____
Deputy

Approved _____

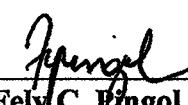
Mayor

Approved as to Form and Legality

ROCKARD J. DELGADILLO, City Attorney

Pursuant to Section 552 of the City Charter, the North Valley Area Planning Commission on October 21, 2004, recommended that this ordinance be adopted by the City Council.

By _____



Fely C. Ringol
Commission Executive Assistant

City Attorney

File No. _____

CONDITIONS OF APPROVAL
Zoning Administrator's Determination & Zoning Administrator's Adjustment

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The developer shall submit a plot plan that conforms to the project as approved by the decision maker to the satisfaction of the Zoning Administrator, marked as Exhibit A.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be included in and printed on the "notes" portion of the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

FINDINGS OF FACT
Zone Change & Zoning Administrator's Adjustment

ZONE CHANGE

1. **General Plan Land Use Designation.** The subject property is located within an area covered by the Slymar Community Plan, which was adopted by the City Council on August 8, 2003 (Case No. CPC-93-0345-CPU). The Plan map designates the subject property for Low Medium I Residential, with corresponding zones of R2, RD5, RD4, and RD3. Thus, the recommended (T)(Q)RD3 is consistent with the land use designation on the plan map and is in substantial conformance with the purpose, intent and provisions of the General Plan as reflected in the adopted district plan.
2. **General Plan Text.** The Slymar Community Plan text includes the following relevant statements in the land use objectives, policies and programs section:
 - 1) Require that new single and multi-family residential development be designed in accordance with the Design Guidelines in Chapter V. (Policy 1-1.6)
 - 2) Provide for the development of townhomes and other similar condominium type housing units to increase home ownership options. (Policy 1-5.1)
3. The **Transportation Element** of the General Plan will not be affected by the recommended action herein. Moreover, requirements from the Bureau of Engineering on street dedication and improvements were included in the attached Advisory Agency Action for Tract 54428 all satisfactory to the City Engineer and consistent with Municipal Code Section 17.05.
4. The **Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
5. **Environmental.** See "**ADDITIONAL MANDATORY FINDINGS OF FACT, Environmental,**" below.
6. **Fish and Game.** See "**ADDITIONAL MANDATORY FINDINGS OF FACT, Fish and Game,**" below.
7. The action, as recommended, has been made contingent upon compliance with the "T" and "Q" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan.

8. Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

ZONING ADMINISTRATOR'S DETERMINATION

9. **The proposed wall will be in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The proposed project will be an attractive gated development with various recessed areas to provide landscaped setbacks along the Bradley Avenue frontage. The Los Angeles Municipal code limits fence heights in the front yards to 42 inches, permitting no security for such a project. The proposed 6-foot wall will be constructed of decorative masonry or concrete and wrought iron, respectively. The proposed wall will not only be attractive but will also provide security for the development. Perimeter fencing or walls are commonly used in connection with condominium developments providing substantially more secure open space and, in that regard the proposed 6-foot wall will be in conformity with the public necessity, convenience, general welfare and good zoning practice.

10. **The proposed wall will be in substantial conformance with the various elements and objectives of the General Plan.**

The property is located in the Sylmar Community Plan and is designated Low Medium I Density Residential with corresponding zones of RD3, RD4, and RD5. The existing zone is (T)(Q)RD3 and R1-1. The General Plan does not specifically designate uses permitted by conditional uses or similar quasi-judicial approvals. The LAMC permits the requested use within the zones corresponding to the land use designation. Further, the General Plan does not address minor deviations in the height of fences and walls. As such, the proposed wall and gates will be in substantial conformance with the various elements and objectives of the General Plan.

11. **The public safety aspects of permitting a higher wall, including but not limited to, the resulting degree of visibility across sidewalks from driveways, and the possible obstruction of visibility of moving traffic on abutting streets or alleys.** The sections of the wall which will be over in height pose no safety issues in that the walls angle in toward the gate on both sides, creating their own visibility triangle, allowing exiting drivers to observe both pedestrian and vehicular traffic. Therefore, there is neither obstruction of visibility of moving traffic on abutting streets or alleys nor obstruction related to visibility across sidewalks from driveways.

12. The effect of a higher wall on light, air, and ventilation to the subject property and adjoining properties.

The subject property is currently developed with a 2 single-family home, and is surrounded with homes, all containing 6-foot walls along the property lines. Neither these existing walls and fences nor the proposed walls have any effect on light, air, and ventilation as it related to the subject property or adjoining properties. There are no adjoining structures close enough to the proposed wall and gates to be affected. Therefore, there will be no affect on light, air, and ventilation related to either the subject property or the adjoining properties.

13. The overall effect on the immediate and surrounding neighborhood of permitting a higher wall, after giving due consideration to the character of the area, the prevailing pattern of development, and the height of existing fences, walls, and hedges located in the immediate area.

The proposed wall and gates will have no effect on the immediate and surrounding neighborhood. There are existing 6-foot walls and fences in the vicinity, a common pattern of development in this portion of the San Fernando Valley where multiple unit developments are occurring. Properties in all four directions are developed with either single-family homes, or similar RD type condominiums to the proposed project, including the development across the street on Bradley Avenue.

14. Effect of a higher wall on the view, visual perspective and other amenities enjoyed by the occupants of abutting and surrounding properties, which effect may be particularly significant in hillside areas

The proposed wall and gates will have no effect on the immediate and surrounding neighborhood. There are existing 6-foot walls and fences in the vicinity, a common pattern of development in this portion of the San Fernando Valley where multiple unit developments are occurring. Properties in all four directions are developed with either single-family homes, or similar RD type condominiums to the proposed project, including the development across the street on Bradley Avenue.

15. The possible effect of permitting a higher wall on the solar access of abutting or surrounding properties.

There will be no impacts on the solar access of abutting or surrounding properties. The proposed wall, connects the side property lines and returns 15 feet within the front yard, providing usable yard area for the two homes constructed closest to Bradley Avenue. Those homes are set back 13 feet from Slymar Avenue and 15 to 18 feet from the side yard lines. Surrounding properties are developed such that they also will not be affected as it relates to solar access. Therefore, there is no impact on the solar access of abutting or surrounding properties. The proposed wall will not be materially detrimental to the property or improvements in the same zone or vicinity in which the property is located.

ZONING ADMINISTRATOR'S ADJUSTMENT

16. That the granting of such adjustments will result in the development compatible and consistent with the surrounding uses.

The proposed 2-story detached condominium project will be consistent with the nearby condominium developments to the immediate southwest in the RD3-1 Zone. The development of detached units will give the project more of a single-family character with all rear units observing a 15-foot rear yard setback. Furthermore, those 15-foot setbacks will be the private backyards of the units with landscaping. Compared to attached units. The slightly reduced space between buildings will be much more attractive.

The purpose of a side yard setback is to provide additional protection for property development that abuts the side property line. In the subject case, the future development to the west of the site in the proposed RD3 Zone could also be developed with 6-foot side yards unless it is combined with other lots. This is only an 18" reduction in the setback for only 2 units. The site plan contains 10 units which will observe a much larger side yard set back of 15' feet to 18 feet, in lieu of the 10 feet yard requirement.

The reduced front yards are of 13 feet, is two feet short of the required 15 feet, and only apply to dwelling units 1 and 13, which side onto Bradley Avenue with the 6-foot wall along the frontage. Therefore, granting this adjustment will result in a development compatible and consistent with the surrounding uses.

17. That the granting of such adjustments will be in conformance with the intent and purpose of the General Plan of the City.

Sylmar District Plan recommends Low Medium I Residential Density corresponding to the RD3, RD4, and RD5 Zones. The proposed project is consistent with the General Plan in that the proposed 14 units is below the maximum density permitted by the Plan. The issue of space between buildings is a technical zoning issue related to Fire Department requirements and is not addressed in the General Plan. The Fire Department has reviewed the design of the proposed project, including the reduced space between buildings and has approved it.

The reduced side yard setbacks of only one unit on the west and one unit on the east would certainly not conflict with the intent and purpose of the General Plan. Six-foot side yards are permitted throughout the city on narrower lots, since the required side yard is based on 10% of width up to 10 feet. Therefore, the granting of this adjustment will be in conformance with the intent and purpose of the General Plan of the City.

The reduced front yard setbacks of 13 feet in lieu of the required 15 feet for two units will not conflict with the intent and purpose of the General Plan. The reduced front yards are 13 feet, two feet short of the required 15 feet, and apply to dwelling units 1 and 13, which side onto Bradley Avenue with the 6-foot wall along the frontage. Therefore, the granting of these adjustments will be in conformance with the intent and purpose of the General Plan.

18. That the granting of such adjustments is in conformance with the spirit and intent of the Planning and Zoning Code of the City.

The Zoning Code specifies space between buildings primarily for fire safety. It specifically mentions the RD Zones and permits any number of dwelling units to be attached in one building as long as a 20-foot space or separation is provided between the individual buildings. This separation requirement is reduced to 10 feet if no more than three units are attached in one building. The intent of the Zoning Code is clear. If a fire starts in one unit of a 10-unit building, then no more than all 10-units would be damaged since the other buildings would be 20 feet away and could be better protected. If a fire starts in one unit in a 3-unit building, then no more than all 3 units would be damaged since the other 3-unit buildings would be 10 feet away and could be better protected. The subject proposal provides better fire protection than any of the above. Each unit is being completely detached similar to a single-family residence. The requested adjustment would be in keeping with the spirit and intent of the Zoning Code.

The reduced side yard setbacks for 2 of the 13 proposed units is necessitated by the desire to provide detached homes instead of attaching the units. The purpose of a side yard setback is to provide additional protection for property development that abuts the side property line. In the subject case, the future development to the west of the site in the proposed RD3 Zone could be developed with 6-foot side yards unless it is combined with other lots. One dwelling unit observes the 8'-6" foot side yard on the west side and the other dwelling unit observes this deviation on the east side. The granting of these adjustments is in conformance with the spirit and intent of the Planning and Zoning Code.

19. That there are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.

The subject property is rectangular in shape with a frontage of 145 feet, twice the width of most single-family lots fronting on Bradley Avenue. The site is larger than most of the properties in the vicinity, and identical to the site abutting to the northwest. The purpose and intent of the specific zoning regulation related to space between buildings is to minimize fire danger by requiring 10-foot spaces between residential building containing up to 3 units each, or 20-foot spaces between residential buildings containing substantially more than 3 units. The Fire Department has approved the development design, accepting the trade of all units being detached in exchange for reduced space between buildings. The units around the perimeter of the site dictate

the location of the T-shaped fire lane. The strict application of the zoning regulation would result in practical difficulties in that the 13 proposed units would be reduced to 10 units, serious impacting the feasability of the proposed detached project.

The second adjustment issue involves reduced side yard setbacks for 2 of the 13 proposed units. The cumulative distances between units and the full 10-foot side yards would reduce the density to a point of infeasibility. The purpose of a side yard and front yard setbacks are to provide additional protection for property development that abuts the property line. In the subject case, the development to the west of the site will not be required to provide more than a 6-foot side yard due to the narrow width of the site. Six-foot side yards are permitted throughout the city on narrower lots since the required side yard is based on 10% of lot width up to 10 feet. Only two units of the proposed 13 require a reduced side yard. And, only two of the proposed 13 required a reduced front yard setback.

The strict application of the zoning regulations in this particular case would result in reducing the number of units and affecting the feasability of the project. Therefore, the site and/or existing improvements make strict adherence to zoning regulations impractical or feasible.

ADDITIONAL MANDATORY FINDINGS OF FACT

20. **Flood Management.** The subject property is not located in an area for which a flood insurance rate map has been prepared. The National Flood Insurance Program rate map, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
21. **Environmental.** On August 27, 2003, the City Planning Department issued a Mitigated Negative Declaration No. ENV-2003-4603 and determined that by imposing conditions the impacts could be reduced to a level of insignificant. The records upon which this decision is based are with the Environmental Review Section in Room 763, 200 North Spring Street.
22. **Fish and Game.** The subject project, which is located in Los Angeles County will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.
23. **Applicable Charter Sections.** Charter Section 564 and Los Angeles Municipal Code Sections 12.36-B (Multiple Quasi-Judicial Approvals), C (both Quasi-Judicial and Legislative Approvals), and D (Multiple Approvals, Including Subdivision Approvals) address projects requiring multiple approvals. The recommended action is consistent with the above-mentioned provisions.

LOS ANGELES CITY PLANNING DEPARTMENT
RECOMMENDATION REPORT

NORTH VALLEY AREA PLANNING COMMISSION

DATE: **October 7, 2004**
TIME: **after 4:30 p.m.**
PLACE: **Marvin Braude Building
First Floor Conference Room
6262 Van Nuys Bl.
Van Nuys, CA 91401**

Public Hearing: December 18, 2003

CASE NO. APCNV-2003-4602-ZC-ZAD(F)-ZAA
ZONE CHANGE INCIDENT TO SUBDIVISION,
ZONING ADMINISTRATOR'S DETERMINATION &
ZONING ADMINISTRATOR'S ADJUSTMENT
CEQA: ENV-2003-4603-MND
Related Cases: Tentative Tract 54428
Location: 12700 & 12710 N Bradley Avenue
Council District: 7
Plan Area: Sylmar
Plan Land Use: Low Medium I Residential
Zone: (T)(Q)RD3-1 & R1-1
District Map: 222B149
Legal Description: See Attached Tentative Tract Map

PROJECT: A proposed subdivision of a 1-lot for a new 13-unit detached single-family condominium on a 2.03 net acre.

REQUEST:

- 1) A Zone Change incident to subdivision pursuant to Section 12.32 of the Municipal Code from (T)(Q)RD3-1 & R1-1 to (T)(Q)RD3-1.
- 2) A Zoning Administrator's Determination pursuant to Section 12.24 X 7 of the Municipal Code to permit a 6-foot in height wall/fence in the front yard in lieu of the required 3.5-foot limit in the RD3 Zone.
- 3) A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code to permit a reduced space between buildings of 8-feet in lieu of the required 10-feet.
- 4) A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code for a side yard setback to 8'-6" feet in lieu of the required 10-feet for Dwelling Units 6 & 8.
- 5) A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code to permit a front yard setback to 13-feet in lieu of the required 15-feet for Dwelling Units 1 & 13.

APPLICANT: Daniel Monteon/Spiegel Development, Inc./Montage Development

RECOMMENDATION:

1. **Approve** a Zone Change incident to subdivision from the existing (T)(Q)RD3-1 & R1-1 to (T)(Q)RD3-1, as set forth in Section 12.32 of the Municipal Code.
2. **Approve**, the Zoning Administrator's Determination as filed.
3. **Approve**, the Zoning Administrator's Adjustments as filed.
4. **Adopt** Mitigated Negative Declaration No. ENV-2002-4064
5. **Adopt** the attached Zone Change, ZAD, and ZAA Findings.
6. **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. **Advise** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.


EMILY GABEL-LUDDY
Associate Zoning Administrator/
Deputy Advisory Agency

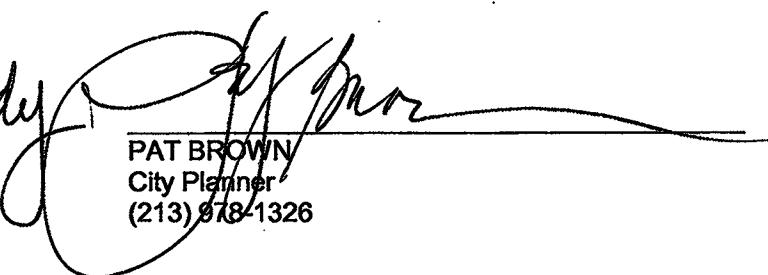

PAT BROWN
City Planner
(213) 978-1326

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 - Exhibit No. 1 Area Map
 - Exhibit No. 2 Radius Map
 - Exhibit No. 3 Tentative Tract Map
 - Exhibit No. 4 Tentative Tract Approval Letter
 - Exhibit No. 5 MND-2003-4603

NOTICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the **CITYWIDE Commission Secretariat, 200 North Spring Street, 5th FLOOR, Los Angeles, CA 90012** (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendaized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

CONDITIONS OF APPROVAL**Zone Change****CONDITIONS FOR EFFECTUATING THE
(T) TENTATIVE CLASSIFICATION**

Pursuant to section 12.32 G.1 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (T) Tentative Classification.

Procedure: The tentative classification shall be removed by the recordation of a final tract map for Tentative Tract Map 54428 as approved by the Advisory Agency on July 21, 2004, and by any subsequent actions on this map approved by the Advisory Agency or by provision of the following or by the posting of guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the City Planning Department for attachment to the subject City Plan Case File. Recommendation that recordation of the final map of Tract Map 54428 be made as a condition of the Zone Change Approval. The above language does not preclude the Advisory Agency from requiring the recordation of a final map for compliance with the subject conditions or similar conditions:

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

1. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.
2. **Street Dedications and Improvements.** Street Dedications and improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.

5. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.
6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the appropriate recreation and park fees to the Department of Recreation and Parks.

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G. 2 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (Q) Qualified Classification:

Entitlement

1. **Use.** Limit the proposed development to a maximum of 13 dwelling units.
2. **Parking.** Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency.
3. **Height.** No building or structure located on the subject property shall exceed 45 feet in height.
4. **Plans.** That Prior to the issuance of building permits, detailed development plans, including a project design plan be consistent with Chapter V of the Slymar Community Plan.

Environmental Conditions***Erosion/Grading/Short Term Construction Impacts:
Air Quality***

5. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM)
6. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM)
7. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM)
8. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. (MM)
9. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (MM)
10. The applicant shall install air filtration system(s) to reduce the diminished air quality effect on occupants of the project. (MM)

Noise

11. The project shall 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 at adjacent uses unless technically infeasible. (MM)
12. Construction shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. (MM)
13. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.(MM)
14. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (MM)
15. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM).

General Construction

16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site. (MM)
17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. (MM)
18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible. (MM)
19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets. (MM)
21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills. (MM)
22. The design and construction of the project shall conform to the Uniform Building

Code seismic standards as approved by the Department of Building and Safety. (MM)

23. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules regulations. (MM)
24. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. (MM)

Landscaping/Aesthetic

25. All common open areas not used for buildings, driveways, parking area, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. (MM)
26. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. (MM)
27. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. (MM)

Stormwater

28. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. (MM)
29. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion. (MM)
30. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. (MM)

31. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. (MM)
32. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. (MM)
33. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains. (MM)
34. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from Department of Public Works, Stormwater Management Division. (MM)
35. All storm drain inlets and catch basin within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. (MM)
36. Legibility of stencils and signs must be maintained. (MM)
37. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. (MM)

Schools

38. Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)
39. The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (MM)
40. The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety (MM)
41. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods

when school is in session especially when students are arriving or departing from the campus. (MM)

42. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the street adjacent to the school. (MM)
43. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours. (MM)
44. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

Administrative Conditions:

45. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorders Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date, shall be provided to the Planning Department.
46. **Approval verification and submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
47. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.
48. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
49. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
50. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a covenant and agreement (Planning Department General Form CP-6770.M) in a manner satisfactory to the Planning Department, requiring the subdivider to identify (a)mitigation monitor(s) who shall require periodic status reports on the implementation of mitigation items required by conditions 5-44. The mitigation monitor(s) shall be identified as to their areas of responsibility, post construction maintenance) to ensure continued implementation of the above mentioned mitigation items.

DETERMINATION**Zoning Administrator's Determination & Zoning Administrator's Adjustment**

Pursuant to Los Angeles Municipal Code Section 12.24 X 7, I hereby **APPROVE**

A Zoning Administrator's Determination from Section 12.21 C.1. (g) to construct a 6-foot block wall in lieu of the permitted 3.5 foot within the front yard setback in the RD3 Zone.

Pursuant to Los Angeles Municipal Code Section 12.28 A, I hereby **APPROVE**

A Zoning Administrator's Adjustment from Section 12.21.C.2(a) to permit a deviation to 8-feet for the Space between Buildings in lieu of the required 10-feet; and

A Zoning Administrator's Adjustment from Section 12.09.1 B.2.(b) to permit a Side Yard Setback to 8'-6" feet in lieu of the required 10-feet for Units 6 & 8; and

A Zoning Administrator's Adjustment from Section 12.09.1 B.1. to permit a Front Yard Setback to 13-feet in lieu of the required 15-feet for Units 1 & 13.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The developer shall submit a plot plan that conforms to the project as approved by the decision maker to the satisfaction of the Zoning Administrator, marked as Exhibit A.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective conditions, if, in the Administrator's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.
4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be included in and printed on the "notes" portion of the building plans submitted

to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES - TIME EXTENSION

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within two years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void. A Zoning Administrator may extend the termination date for one additional period not to exceed one year, prior to the termination date of the period, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a public Office of the Department of City Planning setting forth the reasons for said request and a Zoning Administrator determines that good and reasonable cause exists therefore.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"If any portion of a privilege authorized by a variance or conditional use is utilized, the conditions of the variance or conditional use authorization immediately become effective and must be strictly complied with. The violation of any valid condition imposed by the Administrator, Board or Commission in connection with the granting of any variance, approval of a conditional use or other action pursuant to the authority of this chapter, shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not

complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning or the appeal will not be accepted. **Forms are available on-line at www.lacity.org/pln.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street, #300
Los Angeles, CA 90012
(213) 977-6083

6251 Van Nuys Boulevard
First Floor
Van Nuys, CA 91401
(818) 756-8596

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

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. 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. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT
Zone Change & Zoning Administrator's Adjustment

ZONE CHANGE

1. **General Plan Land Use Designation.** The subject property is located within an area covered by the Slymar Community Plan, which was adopted by the City Council on August 8, 2003 (Case No. CPC-93-0345-CPU). The Plan map designates the subject property for Low Medium I Residential, with corresponding zones of R2, RD5, RD4, and RD3. Thus, the recommended (T)(Q)RD3 is consistent with the land use designation on the plan map and is in substantial conformance with the purpose, intent and provisions of the General Plan as reflected in the adopted district plan.
2. **General Plan Text.** The Slymar Community Plan text includes the following relevant statements in the land use objectives, policies and programs section:
 - 1) Require that new single and multi-family residential development be designed in accordance with the Design Guidelines in Chapter V. (Policy 1-1.6)
 - 2) Provide for the development of townhomes and other similar condominium type housing units to increase home ownership options. (Policy 1-5.1)
3. **The Transportation Element** of the General Plan will not be affected by the recommended action herein. Moreover, requirements from the Bureau of Engineering on street dedication and improvements were included in the attached Advisory Agency Action for Tract 54428 all satisfactory to the City Engineer and consistent with Municipal Code Section 17.05.
4. **The Sewerage Facilities Element** of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.
5. **Environmental.** See "**ADDITIONAL MANDATORY FINDINGS OF FACT, Environmental,**" below.
6. **Fish and Game.** See "**ADDITIONAL MANDATORY FINDINGS OF FACT, Fish and Game,**" below.
7. The action, as recommended, has been made contingent upon compliance with the "T" and "Q" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan.

8. Based upon the above findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.

ZONING ADMINISTRATOR'S DETERMINATION

9. **The proposed wall will be in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The proposed project will be an attractive gated development with various recessed areas to provide landscaped setbacks along the Bradley Avenue frontage. The Los Angeles Municipal code limits fence heights in the front yards to 42 inches, permitting no security for such a project. The proposed 6-foot wall will be constructed of decorative masonry or concrete and wrought iron, respectively. The proposed wall will not only be attractive but will also provide security for the development. Perimeter fencing or walls are commonly used in connection with condominium developments providing substantially more secure open space and, in that regard the proposed 6-foot wall will be in conformity with the public necessity, convenience, general welfare and good zoning practice.

10. **The proposed wall will be in substantial conformance with the various elements and objectives of the General Plan.**

The property is located in the Sylmar Community Plan and is designated Low Medium I Density Residential with corresponding zones of RD3, RD4, and RD5. The existing zone is (T)(Q)RD3 and R1-1. The General Plan does not specifically designate uses permitted by conditional uses or similar quasi-judicial approvals. The LAMC permits the requested use within the zones corresponding to the land use designation. Further, the General Plan does not address minor deviations in the height of fences and walls. As such, the proposed wall and gates will be in substantial conformance with the various elements and objectives of the General Plan.

11. **The public safety aspects of permitting a higher wall, including but not limited to, the resulting degree of visibility across sidewalks from driveways, and the possible obstruction of visibility of moving traffic on abutting streets or alleys.**

The sections of the wall which will be over in height pose no safety issues in that the walls angle in toward the gate on both sides, creating their own visibility triangle, allowing exiting drivers to observe both pedestrian and vehicular traffic. Therefore, there is neither obstruction of visibility of moving traffic on abutting streets or alleys nor obstruction related to visibility across sidewalks from driveways.

12. **The effect of a higher wall on light, air, and ventilation to the subject property and adjoining properties.**

The subject property is currently developed with a 2 single-family home, and is surrounded with homes, all containing 6-foot walls along the property lines. Neither these existing walls and fences nor the proposed walls have any effect on light, air, and ventilation as it related to the subject property or adjoining properties. There are no adjoining structures close enough to the proposed wall and gates to be affected. Therefore, there will be no affect on light, air, and ventilation related to either the subject property or the adjoining properties.

13. The overall effect on the immediate and surrounding neighborhood of permitting a higher wall, after giving due consideration to the character of the area, the prevailing pattern of development, and the height of existing fences, walls, and hedges located in the immediate area.

The proposed wall and gates will have no effect on the immediate and surrounding neighborhood. There are existing 6-foot walls and fences in the vicinity, a common pattern of development in this portion of the San Fernando Valley where multiple unit developments are occurring. Properties in all four directions are developed with either single-family homes, or similar RD type condominiums to the proposed project, including the development across the street on Bradley Avenue.

14. Effect of a higher wall on the view, visual perspective and other amenities enjoyed by the occupants of abutting and surrounding properties, which effect may be particularly significant in hillside areas

The proposed wall and gates will have no effect on the immediate and surrounding neighborhood. There are existing 6-foot walls and fences in the vicinity, a common pattern of development in this portion of the San Fernando Valley where multiple unit developments are occurring. Properties in all four directions are developed with either single-family homes, or similar RD type condominiums to the proposed project, including the development across the street on Bradley Avenue.

15. The possible effect of permitting a higher wall on the solar access of abutting or surrounding properties.

There will be no impacts on the solar access of abutting or surrounding properties. The proposed wall, connects the side property lines and returns 15 feet within the front yard, providing usable yard area for the two homes constructed closest to Bradley Avenue. Those homes are set back 13 feet from Slymar Avenue and 15 to 18 feet from the side yard lines. Surrounding properties are developed such that they also will not be affected as it relates to solar access. Therefore, there is no impact on the solar access of abutting or surrounding properties. The proposed wall will not be materially detrimental to the property or improvements in the same zone or vicinity in which the property is located.

ZONING ADMINISTRATOR'S ADJUSTMENT

16. That the granting of such adjustments will result in the development compatible and consistent with the surrounding uses.

The proposed 2-story detached condominium project will be consistent with the nearby condominium developments to the immediate southwest in the RD3-1 Zone. The development of detached units will give the project more of a single-family character with all rear units observing a 15-foot rear yard setback. Furthermore, those 15-foot setbacks will be the private backyards of the units with landscaping. Compared to attached units. The slightly reduced space between buildings will be much more attractive.

The purpose of a side yard setback is to provide additional protection for property development that abuts the side property line. In the subject case, the future development to the west of the site in the proposed RD3 Zone could also be developed with 6-foot side yards unless it is combined with other lots. This is only an 18" reduction in the setback for only 2 units. The site plan contains 10 units, which will observe a much larger side yard set back of 15' feet to 18 feet, in lieu of the 10 feet yard requirement.

The reduced front yards are of 13 feet, is two feet short of the required 15 feet, and only apply to dwelling units 1 and 13, which side onto Bradley Avenue with the 6-foot wall along the frontage. Therefore, granting this adjustment will result in a development compatible and consistent with the surrounding uses.

17. That the granting of such adjustments will be in conformance with the intent and purpose of the General Plan of the City.

Sylmar District Plan recommends Low Medium I Residential Density corresponding to the RD3, RD4, and RD5 Zones. The proposed project is consistent with the General Plan in that the proposed 14 units is below the maximum density permitted by the Plan. The issue of space between buildings is a technical zoning issue related to Fire Department requirements and is not addressed in the General Plan. The Fire Department has reviewed the design of the proposed project, including the reduced space between buildings and has approved it.

The reduced side yard setbacks of only one unit on the west and one unit on the east would certainly not conflict with the intent and purpose of the General Plan. Six-foot side yards are permitted throughout the city on narrower lots, since the required side yard is based on 10% of width up to 10 feet. Therefore, the granting of this adjustment will be in conformance with the intent and purpose of the General Plan of the City.

The reduced front yard setbacks of 13 feet in lieu of the required 15 feet for two units will not conflict with the intent and purpose of the General Pan. The reduced

front yards are 13 feet, two feet short of the required 15 feet, and apply to dwelling units 1 and 13, which side onto Bradley Avenue with the 6-foot wall along the frontage. Therefore, the granting of these adjustments will be in conformance with the intent and purpose of the General Plan.

18. That the granting of such adjustments is in conformance with the spirit and intent of the Planning and Zoning Code of the City.

The Zoning Code specifies space between buildings primarily for fire safety. It specifically mentions the RD Zones and permits any number of dwelling units to be attached in one building as long as a 20-foot space or separation is provided between the individual buildings. This separation requirement is reduced to 10 feet if no more than three units are attached in one building. The intent of the Zoning Code is clear. If a fire starts in one unit of a 10-unit building, then no more than all 10-units would be damaged since the other buildings would be 20 feet away and could be better protected. If a fire starts in one unit in a 3-unit building, then no more than all 3 units would be damaged since the other 3-unit buildings would be 10 feet away and could be better protected. The subject proposal provides better fire protection than any of the above. Each unit is being completely detached similar to a single-family residence. The requested adjustment would be in keeping with the spirit and intent of the Zoning Code.

The reduced side yard setbacks for 2 of the 13 proposed units is necessitated by the desire to provide detached homes instead of attaching the units. The purpose of a side yard setback is to provide additional protection for property development that abuts the side property line. In the subject case, the future development to the west of the site in the proposed RD3 Zone could be developed with 6-foot side yards unless it is combined with other lots. One dwelling unit observes the 8'-6" foot side yard on the west side and the other dwelling unit observes this deviation on the east side. The granting of these adjustments is in conformance with the spirit and intent of the Planning and Zoning Code.

19. That there are no adverse impacts from the proposed adjustment or any adverse impacts have been mitigated.

The subject property is rectangular in shape with a frontage of 145 feet, twice the width of most single-family lots fronting on Bradley Avenue. The site is larger than most of the properties in the vicinity, and identical to the site abutting to the northwest. The purpose and intent of the specific zoning regulation related to space between buildings is to minimize fire danger by requiring 10-foot spaces between residential building containing up to 3 units each, or 20-foot spaces between residential buildings containing substantially more than 3 units. The Fire Department has approved the development design, accepting the trade of all units being detached in exchange for reduced space between buildings. The units around the perimeter of the site dictate the location of the T-shaped fire lane. The strict application of the zoning regulation would result in practical difficulties in that

the 13 proposed units would be reduced to 10 units, serious impacting the feasibility of the proposed detached project.

The second adjustment issue involves reduced side yard setbacks for 2 of the 13 proposed units. The cumulative distances between units and the full 10-foot side yards would reduce the density to a point of infeasibility. The purpose of a side yard and front yard setbacks are to provide additional protection for property development that abuts the property line. In the subject case, the development to the west of the site will not be required to provide more than a 6-foot side yard due to the narrow width of the site. Six-foot side yards are permitted throughout the city on narrower lots since the required side yard is based on 10% of lot width up to 10 feet. Only two units of the proposed 13 require a reduced side yard. And, only two of the proposed 13 required a reduced front yard setback.

The strict application of the zoning regulations in this particular case would result in reducing the number of units and affecting the feasibility of the project. Therefore, the site and/or existing improvements make strict adherence to zoning regulations impractical or feasible.

ADDITIONAL MANDATORY FINDINGS OF FACT

- 20. Flood Management.** The subject property is not located in an area for which a flood insurance rate map has been prepared. The National Flood Insurance Program rate map, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.
- 21. Environmental.** On August 27, 2003, the City Planning Department issued a Mitigated Negative Declaration No. ENV-2003-4603 and determined that by imposing conditions the impacts could be reduced to a level of insignificant. The records upon which this decision is based are with the Environmental Review Section in Room 763, 200 North Spring Street.
- 22. Fish and Game.** The subject project, which is located in Los Angeles County will not have an impact on fish or wildlife resources or habitat upon which fish and wildlife depend, as defined by California Fish and Game Code Section 711.2.
- 23. Applicable Charter Sections.** Charter Section 564 and Los Angeles Municipal Code Sections 12.36-B (Multiple Quasi-Judicial Approvals), C (both Quasi-Judicial and Legislative Approvals), and D (Multiple Approvals, Including Subdivision Approvals) address projects requiring multiple approvals. The recommended action is consistent with the above-mentioned provisions.

STAFF REPORT**Request:**

The requested action is for a Zone Change pursuant to Section 12.32 of the Municipal Code from (T)(Q)RD3-1 & R1-1 to (T)(Q)RD3-1. A Zoning Administrator's Determination pursuant to Section 12.24 X 7 of the Municipal Code to permit a 6-foot wall in the front yard in lieu of the required 3.5-foot limit. A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code to permit a reduced space between building of 8-feet in lieu of the required 10-feet. A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code for a side yard setback to 8'-6" feet in lieu of the required 10-feet for dwelling units 6 and 8. A Zoning Administrator's Adjustment pursuant to Section 12.28 of the Municipal Code to permit a front yard setback to 13-feet in lieu of the required 15-feet for dwelling units 1 & 13.

Proposed Project:

A proposed subdivision for a maximum of 13-unit detached single-family condominium on a 1.0 net acre.

Subject Property:

Existing Land Use: Low Medium I Residential

Plan Land Use: Low Medium with corresponding zones of R2, RD5, RD4, and RD3.

Existing Zone: (T)(Q)RD3-1 & R1-1

Site Net Area: 43,620 net square feet after required dedications

Surrounding Land Use and Zoning:

North, east, south, and west are all multi-family and single-family residences in the R2-1, (Q)RD3-1, and R1-1 Zones.

Street Classification:

Bradley Avenue, adjoining the subject property to the south designated as a Collector Street with a variable of 60 to 62 feet dedication.

Prior Relevant Cases: (On-site)

Tentative Tract Map No. 54428 - On July 21, 2004, the Advisory Agency approved a maximum of 13-unit detached single-family condominium development.

Relevant Cases (Off-Site)

CPC-1985-588-ZC - On December 12, 1985, the City Planning Commission approved a zone change from R1-1 to RD3-1.

Reports Received

Bureau of Engineering reports that a 2-foot strip of land be dedicated along Bradley Avenue adjoining the subdivision to complete a 32-foot wide half street dedication in accordance with Collector Street Standards satisfactory to the City Engineer.

Department of Building and Safety - Grading Division 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 Inter-Department Letter dated October 6, 2003, Log No. 41216 and attached to the case file for Tract No. 54428.

Department of Building and Safety - Zoning Division, requires that they obtain permits for demolition or removal of all existing structures. Provide copy of demolition permit and signed inspection card to show completion of work.

Department of Transportation, reports a minimum of 18-foot reservoir space be provided between any security gate(s) and the property line. A property area and driveway plan be submitted to the Citywide Planning Coordination Section.

Department of Fire Department, recommends submittal of plot plans for approval and review prior to recordation of the final map and 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.

SUMMARY OF PUBLIC HEARING AND COMMUNICATIONS

The public hearing for the Zone Change, Zoning Administrator's Determination, Zoning Administrator's Adjustment, and the Tentative Tract Map were held concurrently by the Advisory Agency on December 18, 2003. The results of the hearing are as follows:

Speakers: The applicant's representative.

Hearing Officer Comments:

The Engineer advised the Subdivision Committee that the original site plan has been revised since its submission. The new plan is proposing a new single-family condominium development as opposed to the original site plan. The representative requested additional modifications to the proposed development such as; building separations and yard setbacks, he also stated that there will be 6 guest parking.

The Advisory Agency advised the applicant that they must submit an amended Zone Change application and recommended approval of the Zone Change as amended.

Therefore, the new R1-1 Zone will afford construction of single-family detached condominiums in a character and appearance consistent with the surrounding area. It will result in an increase in housing opportunities, and the Hearing Officer recommends approval of the new recommended Zone Change, Zoning Administrator's Determination, and the Zoning Administrator's Adjustment.

EGL/PB/SJP

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MAP

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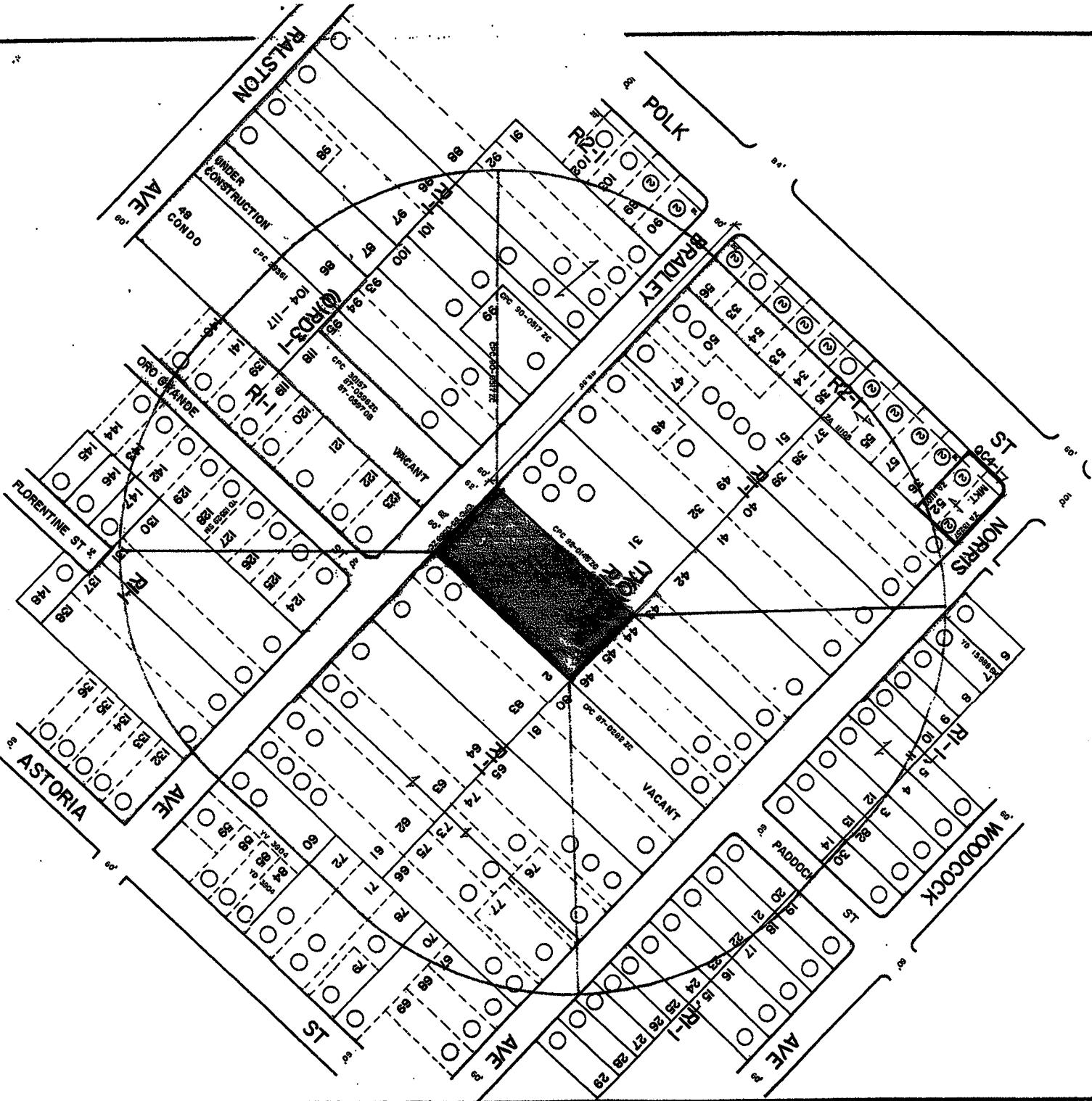
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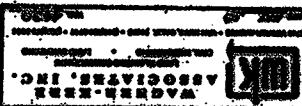
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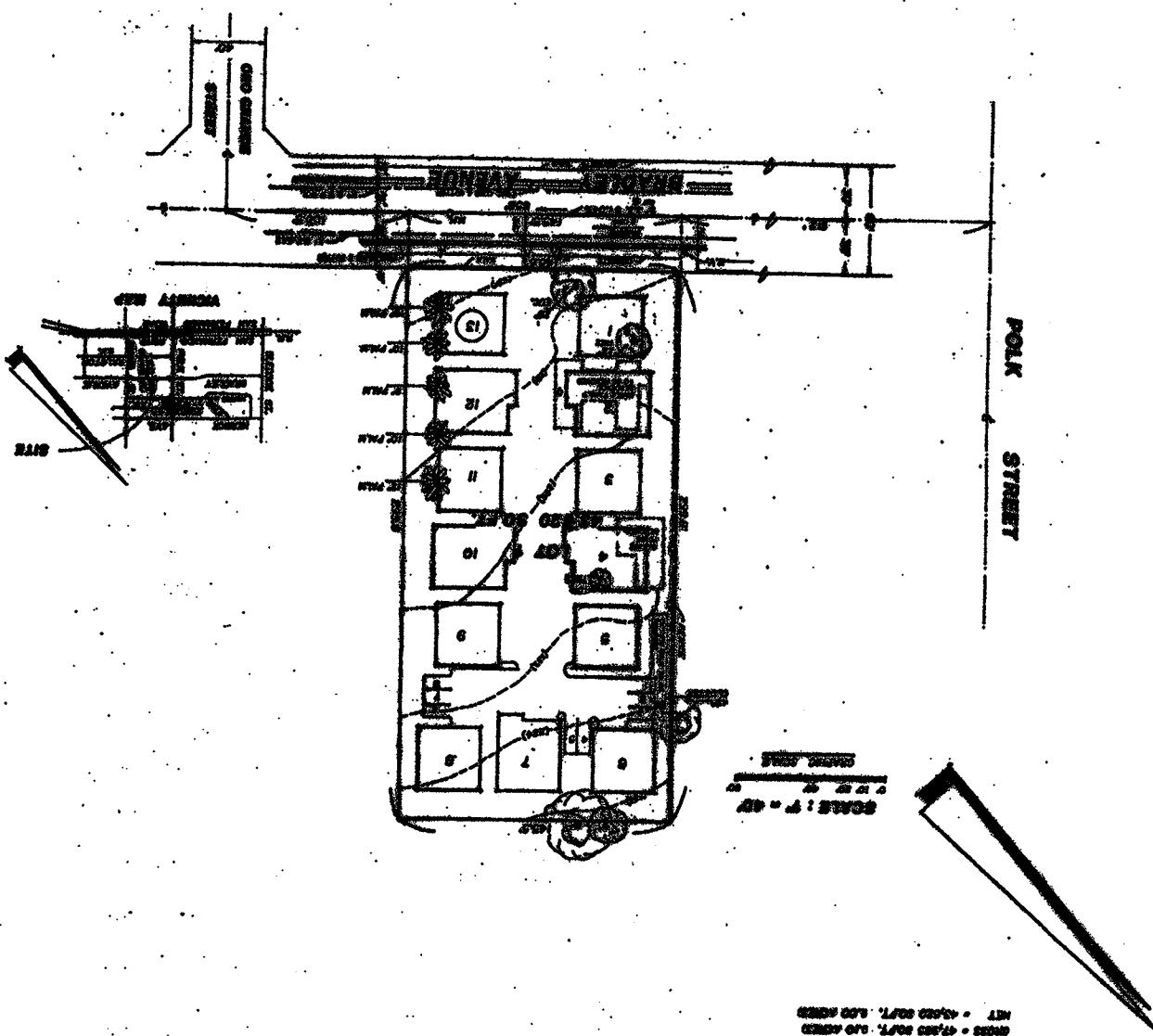
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|--|--|
|  QMS Quality Mapping Service Zoning Consultant | |
| 14540 Archwood St, Suite 201 Van Nuys, California 91405 Phone (818) 897-7445 - Fax (818) 897-0361 | |
| DRAWN BY: R. MARKARIAN | |
| TENTATIVE TRACT NO. 54428 | |
| ZONE CHANGE 8 | |
| ZONE CHANGE REQUEST I (T)R03-1, R1 to T)R03-1 | |
| THOMAS BROTHERS Page: 481 Grid: J6 LEGAL LOT: 85 TRACT: 5909 CONTACT: SPIEGEL | CD: 7 CT: 1070.20 P.A.: 218 (SYLMAR) USES: FIELD PHONE: (818) 741-0711 NET AC: 1.04 QMS 05-129A |
| CASE NO.: DATE: 05-15-98 Updated: | |





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2020 RELEASE UNDER E.O. 14176

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APCNV 2003 4602

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
CITY PLANNING COMMISSION

MABEL CHANG
VICE-PRESIDENT
JOY ATKINSON
DAVID L. BURG
ERNESTO CARDENAS
DORENE DOMINGUEZ
MITCHELL B. MENZER
BRADLEY MINDLIN
THOMAS E. SCHIFF

CABRIELE WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA



JAMES K. HAHN
MAYOR

EXECUTIVE OFFICES

CON HOWE
DIRECTOR
(213) 978-1271

FRANKLIN P. EBERHARD
DEPUTY DIRECTOR
(213) 978-1273

GORDON B. HAMILTON
DEPUTY DIRECTOR
(213) 978-1272

ROBERT H. SUTTON
DEPUTY DIRECTOR
(213) 978-1274

FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.lacity.org/PLN

Decision Date: July 21, 2004

Appeal Period Ends: August 3, 2004

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91343

Chuck Francoeur
18455 Burbank Boulevard, # 308
Tazana, CA 91356

Spiegel Development, Inc.
13369 Ventura Boulevard
Sherman Oaks, CA 91423

Wagner-Kerr Associates, Inc.
6740 Vesper Avenue, Suite 200
Van Nuys, CA 91405

Re: Tract Map No.: 54428
Related Case: APCNV-2003-4602-ZC-F-ZAA
Council District : 7
Existing Zone: R1-1, proposed RD3-1
Community Plan: Sylmar
CEQA No.: ENV-2003-4603-MND
Fish and Game: Exempt

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 54428 composed of 1-lot, located at 12710 N. Bradley Avenue for a maximum new 13-unit detached single-family condominium as shown on map stamp-dated July 3, 2003 in the Sylmar Community Plan. This unit density is based on the RD3 Zone. (The subdivider is hereby advised that the Municipal Code 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 Advisory Agency or a City Planner call (213) 978-1330. The Advisory Agency's approval is subject to the following conditions:

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



BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That a 2-foot wide strip of land be dedicated along Bradley Avenue adjoining the subdivision to complete a 32-foot wide half street dedication in accordance with Collector Street Standards satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

2. 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 Inter-Departmental Letter dated October 6, 2003, Log No. 41216 and attached to the case file for Tract No. 54428.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following item shall be satisfied:
 - a. Obtain permits for demolition or removal of all existing structures. Provide copy of demolition permit and signed inspection card to show completion of work.

DEPARTMENT OF TRANSPORTATION

4. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 18-foot reservoir space be provided between any security gate(s) and the property line.
 - b. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 25.

FIRE DEPARTMENT

5. 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. 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.

INFORMATION TECHNOLOGY AGENCY

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 120 S. San Pedro Street, Room 600, Los Angeles, CA 90012, (213) 485-7969.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the RD3 Zone.

STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNING

11. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.

The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency. **Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

12. 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 13 dwelling units.
- b. Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency. All guest spaces shall be readily accessible, conveniently located and specifically reserved for guest parking.

If guest parking spaces are gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted. Tandem parking spaces shall not be used for guest parking.

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 (200 No. Spring Street, Room 763).

c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency acting as a Planning Commission Hearing Officer, pursuant to Case No. APCNV-2003-4603-ZC-F-ZAA, has recommended for approval by the Planning Commission the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site:

Recommended variations for approval by the Planning Commission:

- 1) A 6-foot in height wall/fence within the front yard setback;
- 2) A reduced space between structures of 8-feet in lieu of 10-feet;
- 3) A reduced front yard setback of 13-feet in lieu of 15-feet for proposed unit nos. 1 & 13 which front on Bradley Avenue.

d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

e. Install within the project an air filtration system to reduce the air quality effects on the proposed residents.

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. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

13. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Zone Change Ordinance and approved Zoning Administrator's Adjustment and Zoning Administrator's Determination pursuant to Case No. APCNV 2003-4602-ZC-F-ZAA shall be submitted to the satisfaction of the Advisory Agency. In the event that APCNV 2003-4602-ZC-F-ZAA is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

14. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the

subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 11, 15, 16, and C-4 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

15. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- MM-1 All common open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.
- MM-2 The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- MM-3 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- MM-4 The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.
- MM-5 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-6 Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.
- MM-7 Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-8 Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak

stormwater discharge rate will result in increased potential for downstream erosion.

MM-9 Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.

MM-10 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

MM-11 Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.

MM-12 Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

MM-13 Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.

MM-14 All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.

MM-15 Legibility of stencils and signs must be maintained.

MM-16 Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

MM-17 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

MM-18 Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

MM-19 The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such

activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

MM-20 The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.

MM-21 Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.

MM-22 There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.

MM-23 Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.

MM-24 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

MM-25 The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

MM-26 Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

MM-27 Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

MM-28 The applicant shall institute a recycling program to the satisfaction of the Advisory Agency to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills.

MM-29 Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

16. **Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or 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:**

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract

map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

- Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.
- Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
- If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

CM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

CM-3 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.

CM-4 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

CM-5 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

CM-6 All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

CM-8 The project shall 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 at adjacent uses unless technically infeasible.

CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-12 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

CM-13 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

CM-14 Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

CM-15 Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

CM-16 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-17 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-18 Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

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

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

C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.

C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule

applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-4. 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.

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

C-5. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

If a building permit for apartments will not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant will not request a permit for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

BUREAU OF ENGINEERING - STANDARD CONDITIONS

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

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting 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 exceed 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private 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.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.

- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
- (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 planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

Improve Bradley Avenue being dedicated and adjoining the subdivision by the construction of the following:

- (1) A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk and landscaping of the parkway.
- (2) Suitable surfacing to join the existing pavement and to complete a 22-foot half roadway.
- (3) Any necessary removal and reconstruction of existing improvements.
- (4) The necessary transitions to join the existing improvement all satisfactory to the City Engineer.

NOTES:

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

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 17.05N of the Los Angeles Municipal Code.

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.

No building permit will be issued until the subdivider has secured a certification from the Housing Authority that the development complies with the requirements for low-and moderate-income housing, per Section 12.39-A of the LAMC.

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)

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV 2003-4603-MND on August 27, 2003. The Committee found that potential negative impact could occur from the project's implementation due to:

- existing ambient air pollution levels.
- potential loss of significant trees.
- noise from the site.
- potential seismic activity.
- design of the parking area and access driveway.
- need for landscaping.
- lack of open space.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV 2003-4603-MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a level of insignificance through implementation of Condition Nos. 11, 15, 16, and C-4 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, and risk of upset are concerned. However, measures are required as part of this approval which will mitigate the above mentioned impacts to a level of insignificance. Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife. In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158)

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 14.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract No. 54428, 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 IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**
- (b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

The adopted Sylmar Community Plan designates the subject property for Low Medium I Residential land use with the corresponding zones of R2, RD5, RD4 and RD3. The property contains approximately 1.0 net acres (43,620 net square feet after required dedication) and is presently zoned R1-1. The proposed development of 13 detached single-family condominium units is not allowable under the current adopted zone, but is allowable and consistent with the planned land use and zoning should the Zone Change, Zoning Administrator's Adjustment and Zoning Administrator's Determination case APCNV 2003-4602-ZC-ZAA-F be approved.

The site is not located in the Flood Plain Management Specific Plan area (flood hazard area/hillside area/mud prone area).

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

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

The development of this tract is an infill of an otherwise mix-density residential neighborhood.

The site is level and is not located in a slope stability study area, or high erosion hazard area. The site is located in a fault-rupture study zone, however, measures are required as part of this approval which will mitigate the impacts to a level of insignificance.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map.

The soils and geology reports for the proposed subdivision were found to be adequate by the Grading Division of the Department of building and Safety.

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

The Initial Study prepared for the project identifies potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, and risk of upset are concerned.

However measures are required as part of this approval which will mitigate the above mentioned impacts to a level of insignificance.

Furthermore, the project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

In light of the above, the project qualifies for the De Minimis Exemption for Fish and Game fees (AB 3158).

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

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

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which is currently being 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 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.

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

(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)

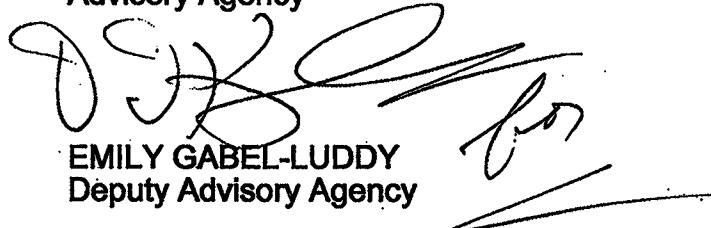
- 1). In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.
- 2). 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.

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

These findings shall apply to both the tentative and final maps for Tract No. 54428.

Con Howe
Advisory Agency



EMILY GABEL-LUDDY
Deputy Advisory Agency

EGL:DLK:jh

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, 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:

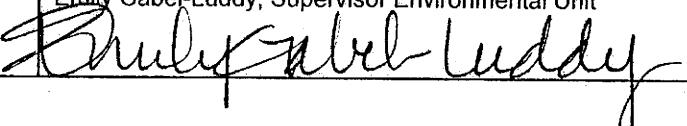
Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
213.482.7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Blvd., Room 251
Van Nuys, CA 91401
818.374.5050

Forms are also available on-line at www.lacity.org/pln.

If you have any questions, please call Subdivision staff at (213) 978-1330.

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 395, CITY HALL
 LOS ANGELES, CALIFORNIA 90012
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
PROPOSED MITIGATED NEGATIVE DECLARATION

| | | |
|---|---|------------------|
| LEAD CITY AGENCY | COUNCIL DISTRICT | |
| LOS ANGELES CITY PLANNING DEPARTMENT | 7 | |
| PROJECT TITLE | CASE NO. | |
| ENV-2003-4603-MND | TIC54428 APCNV-2003-4602 | |
| PROJECT LOCATION | | |
| 12710 North Bradley Avenue; Sylmar | | |
| PROJECT DESCRIPTION | <p>Tentative Tract, Zone Change and Variance for the subdivision of a 43,620 square-foot parcel into thirteen, 2-story detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone.</p> | |
| NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY | <p>Spiegel Development Inc. 13369 Ventura Boulevard Sherman Oaks, CA 91423</p> | |
| FINDING: | <p>The <u>City Planning Department</u> of the City of Los Angeles has proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance.</p> | |
| (CONTINUED ON PAGE 2) | | |
| SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED. | | |
| <p>Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-maker may adopt this mitigated negative declaration, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.</p> | | |
| THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED. | | |
| NAME OF PERSON PREPARING THIS FORM | TITLE | TELEPHONE NUMBER |
| Nicholas Hendricks | CITY PLANNING ASSISTANT | (213)978-1359 |
| ADDRESS | SIGNATURE (Official) Emily Gabel-Luddy, Supervisor Environmental Unit | DATE |
| 200 N. Spring Street, Room 763 Los Angeles, CA 90012 |  | 08/27/03 |

I b2. Aesthetics (Landscaping)

Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

I b4. Aesthetics (Graffiti)

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

I c1. Aesthetics (Light)

Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

III d1. Air Pollution (Stationary)

Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

IV f. Tree Removal (Non-Oaks)

Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675.

VI a ii. Seismic

Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

VI b2. Erosion/Grading/Short-Term construction Impacts

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

Air Quality

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- The project shall 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 at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Do not hose down pavement at material spills. Use dry cleanup methods whenever

possible.

- Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

VII b5. Explosion/Release (Asbestos Containing Materials)

Due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:

- Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

VIII c2. Single Family Dwelling (10+ Home Subdivision/Multi Family)

Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate

(CONTINUED ON NEXT PAGE)

from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Preserve riparian areas and wetlands.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Guest parking lots constitute a significant portion of the impervious land coverage. To reduce the quantity of runoff, parking lots can be designed one of two ways.
 - Hybrid Lot - parking stalls utilize permeable materials, such as crushed aggregate, aisles are constructed of conventional materials such as asphalt.
 - Parking Grove - is a variation on the permeable stall design, a grid of trees and bollards are added to delineate parking stalls. This design presents an attractive open space when cars are absent, and shade when cars are present.
- Promote natural vegetation by using parking lot islands and other landscaped areas.
- Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- Promote natural vegetation by using parking islands and other landscaped areas.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within

(CONTINUED ON NEXT PAGE)

the project area.

- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- Cut and fill sloped in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair and maintain the outlet protection after each significant rain.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.

Hillside Residential Subdivision:

In addition to the following provisions, applicant must meet the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

- Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period.

The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Protect slopes and channels and reduce run-off velocities by complying with Chapter IX, Division 70 of the Los Angeles Municipal Code and utilizing vegetation (grass, shrubs, vines, ground covers, and trees) to provide long-term stabilization of soil.
- Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical device composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. A sediment trap below the pipe outlet is recommended if runoff is sediment laden. Inspect, repair, and maintain the outlet protection after each significant rain.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or manufacturer's instructions.

XI a1. Increased Noise Levels (Parking Wall)

Environmental impacts to the adjacent residential properties may result due to noise from parking on the site. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- A 6-foot-high solid decorative masonry wall adjacent to these residences shall be constructed if no such wall exists.

XIII a. Public Services (Fire)

Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

XIII c1. Public Services (Schools)

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XIII c2. Public Services (Schools)

Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a level of insignificance by the following measures:

- The developer and contractors must maintain ongoing contact with administrator of the local school. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that

students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

- The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

XIII e. Public Services (Street Improvements Not Required By DOT)

Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

XIV a. Recreation (Increase Demand For Parks Or Recreational Facilities)

Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

XV d. Safety Hazards

Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible

uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

XVI f. Utilities (Solid Waste)

Environmental impacts may result from project implementation due to the creation of the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills by the year 2,000.
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

XVII d. End

The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.

Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES
 OFFICE OF THE CITY CLERK
 ROOM 615, CITY HALL
 LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
AND CHECKLIST
 (Article IV – City CEQA Guidelines)

| | | |
|------------------------------------|---------------------------------|--|
| LEAD CITY AGENCY | COUNCIL DISTRICT | DATE |
| Department of City Planning | CD 7 | August 22, 2003 |
| RESPONSIBLE AGENCIES | | |
| PROJECT TITLE/NO. | CASE NO. | |
| ENV-2003-4603-MND | APCNV-2003-4602/TT 54428 | |
| PREVIOUS ACTIONS CASE NO. | | <input type="checkbox"/> DOES have significant changes from previous actions. <input type="checkbox"/> DOES NOT have significant changes from previous actions. |

PROJECT DESCRIPTION: Tentative Tract, Zone Change , and Variance for the subdivision of a 43,620 square foot parcel into 13, 2-story, detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone.

ENVIRONMENTAL SETTING: North, east, south, and west – multi-family and single-family residences in the R2-1, [T][Q]RD3-1, and R1-1 zones.

PROJECT LOCATION:

12710 N. Bradley Avenue

| | | |
|------------------------------------|---------------------------------|---|
| PLANNING DISTRICT | AREA PLANNING COMMISSION | STATUS |
| Sylmar | North Valley | <input type="checkbox"/> PRELIMINARY <input type="checkbox"/> PROPOSED <input checked="" type="checkbox"/> ADOPTED date: 1997 |
| EXISTING ZONING | MAX. DENSITY ZONING | <input checked="" type="checkbox"/> DOES CONFORM TO PLAN |
| R1-1 | RD3 | |
| PLANNED LAND USE & ZONE | MAX. DENSITY PLAN | <input type="checkbox"/> DOES NOT CONFORM TO PLAN |
| Low Medium I Residential | Low Medium I Residential | |
| SURROUNDING LAND USES | PROJECT DENSITY | <input type="checkbox"/> NO DISTRICT PLAN |
| See Environmental Setting above | RD3-1 | |

DETERMINATION (To be completed by Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

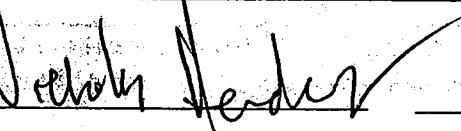
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nicholas Hendricks



City Planning Assistant

SIGNATURE

TITLE

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
- 5) Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.

- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated

7) Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.

9) The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Land Use/Planning | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Population/Housing | |

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

BACKGROUND

| | |
|---|--|
| PROPOSER NAME <u>Rhonda Lieberman Wagner-Kerr Associates, Inc</u> | PHONE NUMBER <u>818-781-0711</u> |
| PROPOSER ADDRESS <u>6740 Vesper Avenue, Suite 200</u> | DATE SUBMITTED <u>July 3, 2003</u> |
| AGENCY REQUIRING CHECKLIST <u>Department of City Planning</u> | |
| PROPOSAL NAME (If applicable) | |

ENVIRONMENTAL IMPACTS

(Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

I. AESTHETICS. Would the project:

- a. Have a substantial adverse effect on a scenic vista?
- b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, or other locally recognized desirable aesthetic natural feature within a city-designated scenic highway?
- c. Substantially degrade the existing visual character or quality of the site and its surroundings?
- d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

II. AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

III. AIR QUALITY. The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:

- a. Conflict with or obstruct implementation of the SCAQMD or Congestion Management Plan?
- b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment (ozone, carbon monoxide, & PM 10) under an applicable federal or state ambient air quality standard?

d. Expose sensitive receptors to substantial pollutant concentrations?

e. Create objectionable odors affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service ?

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the City or regional plans, policies, regulations by the California Department of Fish and Game or U.S. Fish and Wildlife Service ?

c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means?

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands)?

f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

V. CULTURAL RESOURCES: Would the project:

a. Cause a substantial adverse change in significance of a historical resource as defined in State CEQA §15064.5?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

b. Cause a substantial adverse change in significance of an archaeological resource pursuant to State CEQA §15064.5?

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d. Disturb any human remains, including those interred outside of formal cemeteries?

VI. GEOLOGY AND SOILS. Would the project:

a. Exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving :

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

b. Result in substantial soil erosion or the loss of topsoil?

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

VII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?

g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

VIII. HYDROLOGY AND WATER QUALITY. Would the proposal result in:

a. Violate any water quality standards or waste discharge requirements?

b. Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

f. Otherwise substantially degrade water quality?

| | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

g. Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

h. Place within a 100-year flood plain structures which would impede or redirect flood flows?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

j. Inundation by seiche, tsunami, or mudflow?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

IX. LAND USE AND PLANNING. Would the project:

a. Physically divide an established community?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b. Conflict with applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

X. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

| | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

XI. NOISE. Would the project:

- a. Exposure of persons to or generation of noise in level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b. Exposure of people to or generation of excessive groundborne vibration or groundborne noise levels?
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

XII. POPULATION AND HOUSING. Would the project:

- a. Induce substantial population growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?
- c. Displace substantial numbers of people necessitating the construction of replacement housing elsewhere?

XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- a. Fire protection?
- b. Police protection?

- c. Schools?
- d. Parks?
- e. Other governmental services (including roads)?

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

| | | | |
|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XIV. RECREATION.

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

| | | | |
|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. TRANSPORTATION/CIRCULATION. Would the project:

- a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to ratio capacity on roads, or congestion at intersections)?
- b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e. Result in inadequate emergency access?
- f. Result in inadequate parking capacity?
- g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

| | | | |
|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI. UTILITIES. Would the project:

| Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------|--|------------------------------|-----------|
|--------------------------------|--|------------------------------|-----------|

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d. Have sufficient water supplies available to serve the project from existing entitlements and resource, or are new or expanded entitlements needed?

e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

g. Comply with federal, state, and local statutes and regulations related to solid waste?

XVII. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b. Does the project have impacts which are individually limited, but cumulatively considerable?
("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

c. Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as ENV-2003-4603-MND and the associated case, APCNV-2003-4602-ZC-F/IT 54428. Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) will not:

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

This document was prepared in compliance with Public Resources Code section 21082.2 and CEQA Guidelines sections 15063, 15064, 15065, 15070, and 15071.

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at www.lacity.org; City Planning - and Zoning Information Mapping Automated System (ZIMAS) www.lacity.org/PLN or EIR Unit, City Hall, 200 N Spring Street, Room 763.

Seismic Hazard Maps - <http://gmw.consrv.ca.gov/shmp/>

Engineering/Infrastructure/Topographic Maps/Parcel Information - <http://boemaps.eng.ci.la.ca.us/index01.htm> or City's main website under the heading "Navigate LA".

| PREPARED BY | TITLE | TELEPHONE # | DATE |
|--------------------|-------------------------|----------------|-----------------|
| Nicholas Hendricks | City Planning Assistant | (213) 978-1359 | August 22, 2003 |

ATTACHMENT A
ENV-2003-4603-MND
Explanations for Initial Study Checklist Findings

The proposed project will not result in a significant environmental impact for the following reasons (except where noted):

Aesthetics - See the following section "Potentially Significant Impacts."

Agricultural Resources - N/A

Air Quality - See the following section "Potentially Significant Impacts."

Biological Resources - See the following section "Potentially Significant Impacts."

Cultural Resources - There are no historic/cultural resources on site.

Geology/Soils - See the following section "Potentially Significant Impacts."

Hazards & Hazardous Materials - See the following section "Potentially Significant Impacts."

Hydrology/Water Quality - See the following section "Potentially Significant Impacts."

Land Use/Planning - Project is consistent with the General Plan Designation.

Mineral Resources - N/A

Noise - See the following section "Potentially Significant Impacts."

Population/Housing - project involves the removal of one single-family residence in a predominantly multi-family and single-family residential area.

Public Services - See the following section "Potentially Significant Impacts."

Recreation - See the following section "Potentially Significant Impacts."

Transportation/Traffic - See the following section "Potentially Significant Impacts."

Utilities/Service Systems - There are adequate Utility/Service systems in the area. However, project is subject to the solid waste reduction policies of the City of Los Angeles.

Mandatory Findings of Significance - Project impacts are less than significant with mitigation (CEQA 15064).

Potentially Significant Impacts

Aesthetics - Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department.

Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a level of insignificance by the following measure:

- Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E.
- Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

Air Quality - Adverse impacts upon future occupants may result from the project implementation due to existing ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a level of insignificance by the following measure:

- The applicant shall install air filtration system(s) to reduce the diminished air quality effects on occupants of the project.

See Geology/Soils for construction related impact mitigation.

Biological Resources - Environmental impacts from project implementation may result due to the loss of significant trees on the site. However, the potential impacts will be mitigated to a level of insignificance by the following measures:

- Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree

- expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.
- The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.

Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675.

Geology/Soils - Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Erosion/Grading/Short-Term construction Impacts

Short-term air quality and noise impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a level of insignificance by the following measures:

Air Quality

- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- The project shall 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 at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

General Construction

Sediment carries with it other work-site pollutants such as pesticides, cleaning solvents, cement wash, asphalt, and car fluids that are toxic to sea life.

- All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

Hazards & Hazardous Materials - Due to the age of the building(s) being demolished, asbestos containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:

- Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be

present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

Hydrology/Water Quality - Environmental impacts may result from the development of this project. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board.

(A copy of the SUSMP can be downloaded at: <http://www.swrcb.ca.gov/rwqcb4/>).

Noise - Environmental impacts to the adjacent residential properties may result due to noise from parking on the site. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- A 6-foot-high solid decorative masonry wall adjacent to these residences shall be constructed if no such wall exists.

See Geology/Soils for construction related impact mitigation.

Public Services - Environmental impacts may result from project implementation due to the location of the project in an area having marginal fire protection facilities. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a level of insignificance by the following measure:

- Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

Environmental impacts may result from project implementation due to the close proximity of the project to a school. However, the potential impact will be mitigated to a level of insignificance by the following measures:

- The developer and contractors must maintain ongoing contact with administrator of the local school. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.
- The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus.
- There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the streets adjacent to the school.
- Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours.
- Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.

Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:

The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct proportion to those caused by the proposed project's implementation.

Recreation - Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated by the following measure:

- Per Section 17.12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

Transportation/Traffic - Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a level of insignificance by the following measure:

- Submit a parking and driveway plan, that incorporates design features that shall reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.

Utilities/Service Systems - Environmental impacts may result from project implementation due to the creation of the creation of additional solid waste. However, this potential impact will be mitigated to a level of insignificance by the following measures:

- The applicant shall institute a recycling program to the satisfaction of the Zoning Administrator to reduce the volume of solid waste going to landfills in compliance with the City's goal of a 50% reduction in the amount of waste going to landfills.
- Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.

Reference Materials Used

See City's Website and Environmental File for listed referenced materials: www.lacity.org . All addresses and phone numbers can be accessed through the City's website or in the Environmental Review Unit, Room 763.

Seismic Hazards Map - <http://gmw.consrv.ca.gov/shmp/>

Navigate LA - <http://boemaps.eng.ci.la.ca.us/index01.htm>

ZIMAS - www.lacity.org/PLN/

Radius and Vicinity Maps - Environmental file.

Planning and Zoning Code - www.lacity.org/PLN/

DOT ISAF/Site Plan Review Traffic Analysis - Environmental file.

Fish and Wildlife Service <http://endangered.fws.gov/>

Federal Register - http://www.access.gpo.gov/su_docs/aces140.html

CEQA Thresholds Guide, City of Los Angeles - In Room 763

FISH AND GAME FEE (AB 3158)

ENV-2003-4603-MND

Based on the Initial Study prepared by the Environmental Staff, it is recommended that the project be:

Exempt from the Fish and Game Fee*

Not Exempt from the Fish and Game Fee

Items checked on the Initial Study Checklist (circle when appropriate):

AIR QUALITY: III a III b III c III d

BIOLOGICAL RESOURCES: IV a IV b IV c IV d IV e IV f

GEOLOGY AND SOILS: VI a VI b VI c VI d VI e

HAZARDS & HAZARDOUS MATERIALS: VII a VII b VII c VII d VII e VII f VII g VII h

HYDROLOGY & WATER QUALITY: VIII a VIII b VIII c VIII d VIII e VIII f VIII g VIII h VIII i
VIII j

MANDATORY FINDINGS: XVII a XVII b XVII c

* A Certificate of Fee Exemption will be prepared by the environmental staff.

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

| | |
|--|----------------------------------|
| PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY) TRACT/PARCEL MAP NO. 54428 ZA NO. | MND NO. ENV-2003-4603-MND |
| PROJECT DESCRIPTION Tentative Tract, Zone Change and Variance for the subdivision of a 43,620 square-foot parcel into thirteen, 2-story detached condominium units with a total of 34 parking spaces in the proposed [T][Q]RD3-1 zone. | |
| PROJECT ADDRESS 12710 North Bradley Avenue; Sylmar COUNTY OF LOS ANGELES | |
| APPLICANT NAME AND ADDRESS Spiegel Development Inc. 13369 Ventura Boulevard Sherman Oaks, CA 91423 | |
| FINDINGS OF EXEMPTIONS Based on the Initial Study prepared by the City Planning Department and all evidence in the record, on <u>August 22, 2003</u> it is determined that the subject project, which is located in Los Angeles County, WILL NOT have an adverse impact in wildlife resources or their habitat as defined by Fish and Game Code Section 711.2 of the Fish and Game Code, Because: <input type="checkbox"/> The Initial Study prepared for the project identifies no, potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset are concerned. <input checked="" type="checkbox"/> Measures are required as part of this approval which will mitigate the above mentioned impacts, to a level of insignificance. <input type="checkbox"/> The project site, as well as the surrounding area (is presently) (was) developed with residential structures and does not provide a natural habitat for either fish or wildlife. | |
| CERTIFICATION I hereby certify that the Los Angeles Planning Department has made the above findings of fact and that based upon the initial study and hearing record the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code. | |
| CHIEF PLANNING OFFICIAL | SIGNATURE |
| DATE OF PREPARATION | PRINT NAME |

LEAD CITY AGENCY
 LOS ANGELES CITY PLANNING DEPARTMENT, 200 N. SPRING STREET, ROOM 763, LOS ANGELES, CA 90012
 COUNTY OF LOS ANGELES
 (FORM 4/92)

[Back](#)[Edit](#)**File Number**

86-0094

Last Changed Date

12/23/2004

Title

12710 BRADELY AVENUE

Initiated by

Planning

Subject

PC 85-588 ZC - Hazel Corbett - Request to approve a change from the present R1-1 zone to the (T)(Q)RD3-1 zone on property located on the north east side of Bradley Avenue, beginning 562' south east of Polk Street, having a frontage of approximately 146' and a depth of approximately 300'.

NEW COUNCIL FILE 04-2658

Council District

1

Date Received

01/17/1986

File History

1-17-86 - For ref

1-21-86 - Ref to P&E Committee

1-22-86 - File to Finn Chairman

1-27-86 - File to P&E Committee Clerk for report

2-21-86 - For Ref - Planning - PC 85-588 ZC - Request to deny the appeal of Hazel Corbett relative to the change of zone from (T)(Q)RD3-1 on a property located at 12710 Bradley Avenue, which requires an 8' split face, solid masonry wall with a top cap to be constructed on the northwest, northeast and southeast property lines, with the split face facing the adjoining properties.

2-21-86 - File to P&E Committee Clerk

2-26-86 - Ref to P&E Committee

2-27-86 - File to Finn Chairman

3-4-86 - File to P&E Committee Clerk for report

5-7-86 - P&E Committee report adopted recommending that the appeal by Hazel Corbett, applicant - owner, from the action of City Planning Commission imposing "Q" condition No. 5 requiring an eight-foot high split face wall in approving a change of zone from R1-1 to (T)(Q) RD3-1 on property located on the northeasterly side of Bradley Avenue, beginning 562' south easterly of Polk Street, having a frontage of 145' and depth of 300' (12710 Bradley Avenue), BE GRANTED subject to six "Q" Conditions including the modification of "Q" Condition No 5. That Planning Department be instructed to prepare and present the necessary new ordinance changing the zone from R1-1 to (T)(Q)RD3-1 for the sub property.

5-13-86 - File to Planning

6-3-86 - File to City Attorney

6-5-86 - File to Planning per City Attorney (JLB) Memo

6-11-86 - File to Finn for draft of Ordinance OK

7-10-86 - File and Ordinance to Calendar Clerk

7-25-86 - Ordinance changing zone from R1-1 to (T)(Q) RD3-1 on property located on the

northeast side of Bradley Avenue beginning 562 feet southeast of Polk Street - Categorical Exemption APPROVED - Findings ADOPTED - Ordinance OVER ONE WEEK TO August 1, 1986.
8-1-86 - Ordinance ADOPTED
8-5-86 - File to Mayor for signature
8-8-86 - File in files

Ordinance

161584

Back

Edit

FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

When making inquiries
relative to this matter
refer to File No.

04-2658

CITY OF LOS ANGEL

CALIFORNIA



JAMES K. HAHN
MAYOR

Office of the
CITY CLERK

Council and Public Services

Room 395, City Hall

Los Angeles, CA 90012

Council File Information - (213) 978-1043

General Information - (213) 978-1133

Fax: (213) 978-1040

HELEN GINSBURG

Chief, Council and Public Services Division

CD 7

February 22, 2005

Councilmember Padilla
Office of the Mayor
City Planning Commission
Attn: Gabriele Williams
(w/copy of ordinance)
Geographic Information Section
Attn: Fae Tsukamoto
Bureau of Engineering,
Land Development Group

Department of Transportation,
Traffic/Planning Sections
Department of Building & Safety
c/o Zoning Coordinator
cc: Residential Inspection Unit
Bureau of Street Lighting,
"B" Permit Section
Fire Department
Director of Planning
(SEE ATTACHED SHEET FOR FURTHER NOTIFICATIONS)

RE: ZONE CHANGE AT 12700 AND 12710 NORTH BRADLEY AVENUE

At the meeting of the Council held February 4, 2005, the following action
was taken:

| | |
|--|-------------------------------------|
| Attached report adopted..... | <input checked="" type="checkbox"/> |
| Mayor concurred | <input type="checkbox"/> |
| To the Mayor FORTHWITH | <input type="checkbox"/> |
| Motion adopted to approve communication recommendation(s) | <input type="checkbox"/> |
| Motion adopted to approve committee report recommendation(s) | <input type="checkbox"/> |
| Ordinance adopted..... | <input checked="" type="checkbox"/> |
| Ordinance number..... | 176480 |
| Effective date..... | 03/30/05 |
| Posted date..... | 02/18/05 |
| Mayor approved | 02/16/05 |
| Findings adopted..... | <input checked="" type="checkbox"/> |
| Mitigated Negative Declaration adopted..... | <input checked="" type="checkbox"/> |

Frank T. Martinez

City Clerk
SOS

steno/042658

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER



Spiegel Development, Inc.
13369 Ventura Blvd.
Sherman Oaks, CA 91423

Daniel Monteon
12710 N. Bradley Avenue
Sylmar, CA 91343

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

FILE NO. 04-2658

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

| | | |
|-----------------|------------|-----------|
| Public Comments | <u>Yes</u> | <u>No</u> |
| | <u>XX</u> | — |

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to zone change at 12700 and 12710 North Bradley Avenue.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the lead agency City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 04-2658 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV 2003-4603 MND].
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (APC) as the Findings of Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the North Valley APC, effecting the zone change, incident to subdivision, from (T)(Q)RD3-1 and R1-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed subdivision of one lot for a new 13-unit detached single family condominium on a 2.03 net acre located at 12700 and 12710 North Bradley Avenue.

Applicant: Daniel Monteon/Spiegel Development Inc./
Montage Development

APCNV 2003-4602 ZC ZAD-F ZAA

Said rezoning shall be subject to the "Q" Qualified classification zone limitations substantially as shown on the sheet(s) attached to the Committee report.

4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Committee report.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
7. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: The Planning Department reports that there is no General Fund impact, as administrative costs are recovered through fees.

TIME LIMIT FILE - MARCH 23, 2005

(LAST DAY FOR COUNCIL ACTION - MARCH 23, 2005)

Summary:

At its meeting held January 26, 2005, the Planning and Land Use Management Committee recommended that Council approve the accompanying ordinance effecting the zone change, incident to subdivision, from (T)(Q)RD3-1 and R1-1 to (T)(Q)RD3-1, subject to conditions of approval, for the proposed subdivision of one lot for a new 13-unit detached single family condominium on a 2.03 net acre located at 12700 and 12710 North Bradley Avenue.

As indicated in Recommendation No. 5 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

... whenever property remains in a "Q" Qualified classification for six years . . . after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

El P. Reyes
Tony Cardenas

| <u>MEMBER</u> | <u>VOTE</u> |
|---------------|-------------|
| REYES: | YES |
| CARDENAS: | YES |
| WEISS: | ABSENT |

BG:ys
1-28-05
Enc: APCNV 2003-4602 ZC ZAD-F ZAA
Ordinance
CD 7
Attachment: "Q" and "T" Conditions of Approval

#042658

MIT.
REPT., NEG DEC,
FINDING & ORD.
ADOPTED

FEB 04 2005

LOS ANGELES CITY COUNCIL

APCNV 2003-4602(ZC)(ZAD-F)(ZAA)
12700 & 12710 N. Bradley Avenue

Q-1

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G. 2 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (Q) Qualified Classification:

Entitlement

1. **Use.** Limit the proposed development to a maximum of 13 dwelling units.
2. **Parking.** Provide 26 garage parking spaces or 2 covered off-street parking spaces per dwelling unit, plus 6 guest parking spaces or $\frac{1}{2}$ guest per unit or as shall be satisfactory to the Advisory Agency.
3. **Height.** No building or structure located on the subject property shall exceed 45 feet in height.
4. **Plans.** That Prior to the issuance of building permits, detailed development plans, including a project design plan be consistent with Chapter V of the Slymar Community Plan.

Environmental Conditions

Erosion/Grading/Short Term Construction Impacts: Air Quality

5. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind. (MM)
6. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust. (MM)
7. All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust. (MM)
8. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust. (MM)
9. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions. (MM)
10. The applicant shall install air filtration system(s) to reduce the diminished air quality effect on occupants of the project. (MM)

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Q-2

Noise

11. The project shall 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 at adjacent uses unless technically infeasible. (MM)
12. Construction shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday. (MM)
13. Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.(MM)
14. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. (MM)
15. The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment. (MM).

General Construction

16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site. (MM)
17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. (MM)
18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible. (MM)
19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting. (MM)
20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets. (MM)
21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills. (MM)
22. The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety. (MM)

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23. Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules regulations. (MM)
24. The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation. (MM)

Landscaping/Aesthetic

25. All common open areas not used for buildings, driveways, parking area, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the Planning Department. (MM)
26. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. (MM)
27. Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties. (MM)

Stormwater

28. Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required. (MM)
29. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion. (MM)
30. Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. (MM)
31. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation. (MM)
32. Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles. (MM)

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33. Install roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains. (MM)
34. Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from Department of Public Works, Stormwater Management Division. (MM)
35. All storm drain inlets and catch basin within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping. (MM)
36. Legibility of stencils and signs must be maintained. (MM)
37. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers. (MM)

Schools

38. Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area. (MM)
39. The developer and contractors must maintain ongoing contact with administrator of Herrick Avenue Elementary School. The administrative offices should be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer must obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (323)227-4400 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained. (MM)
40. The developer should install appropriate traffic signs around the site to ensure pedestrian and vehicle safety (MM)
41. Haul route scheduling should be sequenced to minimize conflicts with pedestrians, school buses and cars at the arrival and dismissal times of the school day. Haul route trucks shall not be routed past the school during periods when school is in session especially when students are arriving or departing from the campus. (MM)
42. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any of the street adjacent to the school. (MM)
43. Due to noise impacts on the schools, no construction vehicles or haul trucks may be staged or idled on these streets during school hours. (MM)

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Q-5

44. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances. (MM)

Administrative Conditions:

45. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorders Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date, shall be provided to the Planning Department.
46. **Approval verification and submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approvals, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.
47. **Definition.** Any agencies, public officials, or legislation referenced in these conditions shall mean the agencies, public officials, legislation or their successors, designees or amendments to any legislation.
48. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except as such regulations are herein specifically varied or required.
49. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any other designated agency, or the agency's successor, and in accordance with any stated laws or regulations, or any amendments thereto.
50. **Mitigation Monitoring.** Prior to the issuance of any building permit the applicant shall prepare and record a covenant and agreement (Planning Department General Form CP-6770.M) in a manner satisfactory to the Planning Department, requiring the subdivider to identify (a)mitigation monitor(s) who shall require periodic status reports on the implementation of mitigation items required by conditions 5-44. The mitigation monitor(s) shall be identified as to their areas of responsibility, post construction maintenance) to ensure continued implementation of the above mentioned mitigation items.

CONDITIONS OF APPROVAL

Zone Change

CONDITIONS FOR EFFECTUATING THE (T) TENTATIVE CLASSIFICATION

Pursuant to section 12.32 G.1 of the Los Angeles Municipal Code the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the (T) Tentative Classification.

Procedure: The tentative classification shall be removed by the recordation of a final tract map for Tentative Tract Map 54428 as approved by the Advisory Agency on July 21, 2004, and by any subsequent actions on this map approved by the Advisory Agency or by provision of the following or by the posting of guarantees satisfactory to the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approvals or guarantees provided to the City Planning Department for attachment to the subject City Plan Case File. Recommendation that recordation of the final map of Tract Map 54428 be made as a condition of the Zone Change Approval. The above language does not preclude the Advisory Agency from requiring the recordation of a final map for compliance with the subject conditions or similar conditions:

Notice. Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

1. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owners in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Furthermore, the agreement shall be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be given to the City Planning Department for attachment to the subject file.
2. **Street Dedications and Improvements.** Street Dedications and improvements shall be provided to the satisfaction of the City Engineer.
3. **Sewer.** Construction of necessary sewer facilities, or payment of sewer fees, shall be to the satisfaction of the City Engineer.
4. **Drainage.** Construction of necessary drainage and storm water runoff drainage facilities to the satisfaction of the City Engineer.
5. **Driveway/Parking Area Plan.** Preparation of a parking area and driveway plan to the satisfaction of the appropriate District Offices of the Bureau of Engineering and the Department of Transportation.

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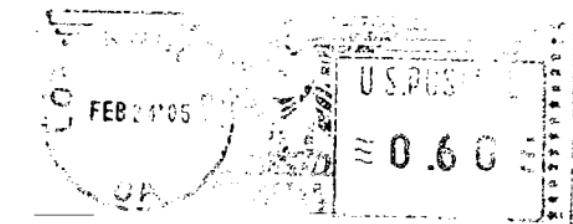
T-2

6. **Fire.** Incorporate into the building plans the recommendations of the Fire Department relative to fire safety, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit.
7. **Cable.** Make any necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05.N to the satisfaction of the Department of Telecommunications.
8. **Recreation and Park Fees.** Payment of the appropriate recreation and park fees to the Department of Recreation and Parks.



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Daniel Monteon
12710 N. Bradley Avenue
Sylmar CA 91343



Calendar

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PALMDALE CA 93551-1217

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