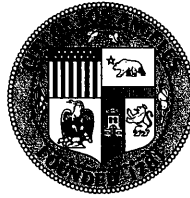


FRANK T. MARTINEZ
City Clerk

KAREN E. KALFAYAN
Executive Officer

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

CITY OF LOS ANGELES
CALIFORNIA



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

CLAUDIA M. DUNN
Chief, Council and Public Services Division
www.cityclerk.lacity.org

07-1511

CD 11

SEE ATTACHED FOR ADDITIONAL NOTIFICATIONS

June 15, 2007

Councilmember Rosendahl
Chief Legislative Analyst
City Planning Department
Attn: Mark Lopez
cc: Advisory Agency
Bureau of Engineering,
Land Development Group

Department of Building & Safety
c/o Zoning Coordinator
cc: Residential Inspection Unit
Department of Transportation,
Traffic/Planning Sections
Fire Department

RE: APPEAL ON TENTATIVE TRACT NO. 67016 FOR PROPERTY AT 1600 WESTGATE AVENUE

At the meeting of the Council held June 13, 2007, the following action was taken:

Attached report adopted	X
Attached motion (-) adopted	
Attached resolution adopted	
FORTHWITH	
Mayor concurred	
To the Mayor FORTHWITH	
Motion adopted to approve communication recommendation(s)	
Motion adopted to approve committee report recommendation(s)	
Findings adopted	X
Mitigated Negative Declaration adopted	X
Categorically exempt	
Generally exempt	

Frank T. Martinez

City Clerk
cr

07-1511

DETERMINATION MAILING
TT-67016-1A
MAILING DATE: 04/24/07 DJ

✓ Michael J. Miller
1611 Granville Ave. 8
Los Angeles, CA 90025

✓ Granville HOA
1611 Granville Ave. 1-12
Los Angeles, CA 90025

✓ Ardeshir Goiharizi
1611 Granville 11
Los Angeles, CA 90025

✓ Samuel and Patricia Shim
395 S. Smokeridge Terrace
Anaheim, CA 92807

✓ Lloyd Robert Pfeffer
11818 Idaho Ave. 3
Los Angeles, CA 90025

✓ Alcott Properties, LLC
10350 Santa Monica Blvd. 190
Los Angeles, CA 90025

✓ Idaho Elegant Apartment, LLC
10350 Santa Monica Blvd. 190
Los Angeles, CA 90025

FILE NO. 07-1511

Your	PLANNING AND LAND USE MANAGEMENT	Committee
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reports as follows:

MITIGATED NEGATIVE DECLARATION and PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to an appeal on Tentative Tract No. 67016 for property at 1600 Westgate Avenue.

Recommendations for Council action:

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 in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 07-1511 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 2006-4528-MND].
2. ADOPT the FINDINGS of the West Los Angeles Area Planning Commission (WLAAPC) as the FINDINGS of the Council.
3. RESOLVE TO DENY APPEAL filed by Michael J. Miller and Granvilla Homeowners Association from part of the decision of the WLAAPC in sustaining the decision of the Deputy Advisory Agency's approval of TT 67016 for the proposed construction of a 32-unit condominium with five units set aside for low income residential in the R3 Zone for property at 1600 Westgate Avenue, subject to Conditions of Approval.

Applicant: Alcott Properties, LLC
(aka Idaho Elegant Apartment, LLC)

TT 67016-1A

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

TIME LIMIT FILE - JUNE 15, 2007

(LAST DAY FOR COUNCIL ACTION - JUNE 15, 2007)

Summary:

On May 29, 2007, the Planning and Land Use Management (PLUM) Committee conducted a public hearing regarding an appeal filed by Michael J. Miller and Granvilla Homeowners Association from part of the decision of the WLAAPC in sustaining the decision of the Deputy Advisory Agency's approval of TT 67016. The project is for the proposed construction of a 32-unit condominium with five units set aside for low income residential in the R3 Zone, for property at 1600 Westgate Avenue, subject to Conditions of Approval.

Staff from the City Planning Department (staff) briefly described the project and appeal. It was reported that there are three lots with buildings which the applicant wishes to demolish. Staff further stated that the project is within the R3 zone in which 24 units are allowed by-right. Staff stated that there were several issues addressed by the appellant, such as height, noise, air, traffic, parking, written notice of intent to terminate, a vacancy rate of two

percent, and incomplete records. Staff further stated that the two issues that the appellant wishes to address are relative to the height of the building and tenant relocation, which was addressed at the WLAAPC meeting.

A representative speaking on behalf of the appellant stated that there was no mention of the variance requirement in the first hearing to go from a 44-foot high development to a 54 foot high development. He also stated that there are fears that big buildings will surround the residents, causing a loss of light, in addition to traffic and parking problems. He also stated that the building will be an eyesore.

A representative speaking on behalf of the sub-divider reminded the PLUM Committee that the appeal is only relative to the issue of height. He also stated that SB 1818 allows two incentives to be chosen, one of which is relevant to height, which is what was chosen by his client. Therefore, the height is allowed by the law. He also reasoned that the area is a multi-family area with varying heights, some of which were also approved for 54 feet. He further stated that there was confusion as to the amount of affordable housing that must be provided. The sub-divider is not sure what is more feasible, five low or three very-low income units, so the representative requested that the sub-divider be granted the option. He stated that the sub-divider is interested in providing five low-income units which allows more affordable housing, though it may be more feasible to provide three.

A representative speaking on behalf of some of the tenants spoke on the need to have tenant mitigation conditions identified separately in the entitlement letter. He further stated that this was done in this situation and that this policy should be put in place and made mandatory.

A representative speaking on behalf of Council District 11, Councilmember Bill Rosendahl, stated that the WLAAPC accepted the 10-point agreement between the applicant and the tenants. The Council office is in support of the agreement, which includes the five low income units.

After careful consideration of the documents on the file, and of the testimony provided at the hearing, the Committee recommended that Council deny the appeal and approve Tentative Tract No. 67016 to permit the construction of a 32-unit condominium for property at 1600 Westgate Avenue. The matter is now being forwarded to the Council for its consideration.

Respectfully submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
REYES:	YES
HUIZAR:	YES
WEISS:	YES

SH
6-1-07
CD 11

Attachment: Conditions of Approval

#071511

[Handwritten signature]
[Handwritten signature]
Findings: Rpt
ADOPTED

JUN 13 2007

LOS ANGELES CITY COUNCIL
mt Neg Dec adopted

Conditions of Approval

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Tentative Tract No. 67016 composed of 1-lot, located at 1600 Westgate Avenue for a maximum **32-unit residential condominium with 5-units set aside for Low Income residential** as shown on map stamp-dated May 24, 2006 in the West Los Angeles Community Plan. This unit density is based on the R3 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 2-foot wide strips of land be dedicated along Idaho Avenue and Westgate Avenue adjoining the subdivision to complete 32-foot wide half right-of-way dedications including a 15-foot radius property line return at their intersection in accordance with Collector Street Standards, satisfactory to the City Engineer.
2. That a 2.5-foot wide strip of land be dedicated along the alley adjoining the tract to complete a 10-foot wide half-alley dedication satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

3. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

4. 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 items shall be satisfied:
 - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.

TENTATIVE TRACT NO. 67016

PAGE 2

DEPARTMENT OF TRANSPORTATION

5. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
 - b. Driveways and vehicular access to projects shall be provided from alley and/or Westgate Avenue.
 - c. Parking stalls shall be designed so that a vehicle is not required to back out into or out of any public street or sidewalk.
 - d. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A Parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045.

FIRE DEPARTMENT

6. 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.

DEPARTMENT OF WATER AND POWER

7. 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

8. 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

TENTATIVE TRACT NO. 67016

PAGE 3

condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c).)

- a. One (1) new light is required on Idaho Avenue.
- b. One (1) new light is required on Westgate Avenue.
- c. Prior to final recordation for this project or issuance of the certificate of occupancy, the developer shall cause Developer shall cause Owner to give written consent to the Bureau of Street Lighting for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

BUREAU OF SANITATION

9. 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

10. 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, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 922-8363.

DEPARTMENT OF RECREATION AND PARKS

11. That the Quimby fee be based on the R3 Zone.

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 32 dwelling units. **Five units shall be set aside for Low Income households.**
 - b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/2 guest parking spaces per dwelling. All guest spaces shall be readily

accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

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 750).

- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.
 - 1. Per SB1818, a by-right incentive to allow an increase in Floor Area Ratio (FAR) of 20% to a maximum 3.6:1.
 - 2. Per SB1818, a by-right incentive to allow an increase in the height of the building 20% to a maximum of 54 feet.
 - 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. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project.
 - 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 the subdivider shall record and execute a Covenant and Agreement to comply with the **West Los Angeles Transportation Improvement and Mitigation Specific Plan** prior to the issuance of a building permit, grading permit and the recordation of the final tract map.
 - 14. Owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make (5) units of the condominium development available for sale

solely to low income households, at sales price determined to be affordable to low income households by the Los Angeles Housing Department, for a period of (30) years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

15. 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 No(s). 12, 16, 17, and 18 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.
16. 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 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 decision maker.
 - MM-2 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-3 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-4 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-5 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-6 Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.
- MM-7 Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection.
- MM-8 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-9 Preserve riparian areas and wetlands.
- 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 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.
- MM-14 Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-15 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-16 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-17 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.
- MM-18 Legibility of stencils and signs must be maintained.
- MM-19 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.
- MM-20 The storage area must be paved and sufficiently impervious to contain leaks and spills.
- MM-21 The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- MM-22 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-23 Runoff from hillside areas can be collected in a vegetative swale, wet pond, or extended detention basin, before it reaches the storm drain system.
- MM-24 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.
- MM-25 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 device 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.
- MM-26 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.

17. **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 Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-15 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-16 Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-17 Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.

CM-18 All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.

DEPARTMENT OF CITY PLANNING-TENANT RELOCATION CONDITIONS

18. Prior to the issuance of a grading or building permit, or the recordation of the final map -- which ever occurs first -- the subdivider shall submit a relocation plan to the Deputy Advisory Agency for review and approval.

19. Prior to 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 provide tenant relocation assistance in accordance to the provisions of Section 47.07.D of the L.A.M.C.

Prior to obtaining a demolition permit, the applicant shall submit proof that the tenants were provided relocation assistance in accordance to the provisions of Section 47.07.D of the L.A.M.C.

20. Prior the issuance of a grading or building permit, or the recordation of the final map, -- which ever occurs first -- 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-in-interest to provide tenant relocation assistance in accordance to that in effect on January 29, 2007 for the current applicant, and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolitions. The covenant and agreement shall be executed and recorded within 10 days after the tentative map is approved and becomes effective following the expiration of any applicable appeal period (and final action thereon). A copy of the covenant and agreement required by this condition shall be provided to each tenant within five days of recordation of the covenant and agreement. (Agreed to by subdivider at West Los Angeles APC hearing, April 18, 2007)

21. Prior to the issuance of a grading or building permit, or the recordation of the final map -- which ever occurs first -- the subdivider and all successors-in-interest shall submit proof satisfactory to the Advisory Agency that all tenant relocation assistance payments and services owing the tenants pursuant to LAMC Section 47.07 and the conditions of this grant were actually received by the tenants in accordance with all laws relating to such assistance in effect on January 29, 2007. (Agreed to by subdivider at West Los Angeles APC hearing, April 18, 2007)

22. Prior to 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-in-interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22-151.27 of the Los Angeles Municipal Code as it relates to the eviction of the tenants; and further that prior to the issuance of a demolition permit, building permit, or the recordation of the final map, the subdivider or the subdivider's successors-in-interest to provide proof satisfactory to the Advisory Agency of the fact that full compliance with the foregoing statutes and ordinances was effectuated in accordance with all laws relating to such assistance in effect on January 29, 2007 for the current applicant. Such proof would take the form of the Los Angeles Housing Department (LAHD) relocation paperwork signed off by a representative of the LAHD. (Agreed to by subdivider at West Los Angeles APC hearing, April 18, 2007)

23. The subdivider agrees to pay each tenant in residence on January 29, 2007 who has not already entered into a separate relocation benefits agreement with the subdivider \$6,450 and a rent-free extension of time to vacate their apartment on or before August 31, 2007 beginning May 1, 2007. (Agreed to by subdivider at West Los Angeles APC hearing, April 18, 2007)

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 permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. 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.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- a. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
- b. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
- c. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
- d. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.

- 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.

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- (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:
 - 1. Improve Idaho Avenue and Westgate Avenue adjoining the subdivision by the construction of new 5-foot concrete sidewalks and reconstruction of the existing curbs and gutters to provide for new concrete curbs and 2-foot concrete gutters including any necessary removal and reconstruction of the existing improvements all satisfactory to the City Engineer.
 - 2. Improve the alley adjoining the subdivision by the construction of suitable resurfacing to complete a 17.5-foot wide alley, including construction of a new 2-foot wide longitudinal gutter together with any necessary removal and reconstruction of existing improvements all including the reconstruction of the alley intersection with Idaho Avenue all satisfactory to the City Engineer