



DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT



East Los Angeles Area Planning Commission

Date: March 25, 2015
Time: After 4:30 p.m.*
Place: Ramona Hall Community Center
Main Hall
4580 North Figueroa Street
Los Angeles, CA 90065

Public Hearing: Required
Appeal Status: Appealable to City Council

Case No.: VTT-72500-SL-1A
CEQA No.: ENV-2013-2877-MND-REC1
Incidental Cases: None
Related Cases: None
Council No.: 13
Plan Area: Silver Lake-Echo Park-
Elysian Valley
Specific Plan: None
Certified NC: Silver Lake
GPLU: Medium Residential
Zone: R3-1VL

Appellant: Hyperion Avenue
Neighborhood Association
Applicant: Jason Amoroso

**PROJECT
LOCATION:** 853-857 North Hyperion Avenue

PROJECT: Vesting Tentative Tract Map for small lot subdivision purposes to create eight (8) residential lots for the construction of eight (8) single-family dwellings.

**APPLICANT
REQUEST:** Deputy Advisory Agency approval, pursuant to Los Angeles Municipal Code (LAMC) Sections 12.22-C, 27, 17.03 and 17.15, a Vesting Tentative Tract Map for a small lot subdivision for a maximum of eight (8) lots.

**APPELLANT
REQUEST:** Appeal from the entire decision by the Deputy Advisory Agency in approving VTT-72500-SL.

RECOMMENDATION:

1. Deny the appeal on VTT-72500-SL.
2. Sustain the action of the Deputy Advisory Agency in approving VTT-72500-SL.
3. Adopt the Findings of the Deputy Advisory Agency.
4. Adopt Mitigated Negative Declaration ENV-2013-2877-REC1

MICHAEL J. LOGRANDE
Director of Planning

JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

JOEY VASQUEZ
City Planning Associate

ADVICE 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 *Area Planning Commission Secretariat, 200 North Spring Street, Room 272, 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 Commission 10 days 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 agendized 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.

TABLE OF CONTENTS

Background.....	4
Appeal.....	5
Staff Response/Comments	6
Recommendation.....	9

Exhibits:

1. Vicinity Map
2. Radius Map
3. Vesting Tentative Tract Map
4. Appeal Document
5. Letter of Determination
6. Environmental Document
7. Parcel Profile Report
8. Aerial Photograph

STAFF APPEAL REPORT

Background

The subject property is a relatively level, rectangular-shaped, interior, parcel of land, consisting of two lots, having a combined frontage of 100 feet on the west side of Hyperion Avenue and a uniform depth of 150 feet. The subject site contains a total of approximately 14,956 net square feet of lot area. The subject site is zoned R3-1VL and designated Medium Residential in the Silver Lake-Echo Park-Elysian Valley Community Plan.

The proposed tract is to create eight lots for eight single-family dwellings under the Small Lot Ordinance. As originally designed, lot sizes range from 1,499 square feet to 2,425 square feet, thereby meeting the minimum 600 square-foot lot size of the Small Lot Ordinance. Lot coverage ranges from 39 percent to 53 percent – less than the permitted 80 percent. Lot widths would be approximately 50 feet, thereby meeting the minimum lot width requirement of 16 feet. The proposed project is consistent with the density requirements of the R3 Zone – a maximum of 18 dwelling units are permitted on the site. The project will maintain a 15-foot front yard setback along Hyperion Avenue, consistent with the requirements of the R3 Zone. As required by the Small Lot Ordinance, the subdivision is maintaining at a minimum a five-foot setback from adjoining properties.

Based on the proposed site plan, each dwelling unit will be three stories and have a maximum height of 34 feet, which is consistent with the permitted height of 45 feet in Height District No. 1VL. All dwelling units will have a two-car garage. The subdivider proposed two guest parking spaces between Lots 1 and 3, Lots 2 and 4. The project proposal was to have vehicular access via a 12-foot wide driveway. The proposed project will have a common trash area and common recycling area.

In their comments, Building and Safety, Zoning requested resubmission of the map to provide and maintain a 20-foot common access clear to the sky for frontage and egress/ingress purposes all the way to the public street. The applicant was asked to either revise the map to show compliance with the requirement or obtain approval from the Department of City Planning to allow for a reduced common access or projection into the common access.

The subject properties are developed each with a single-family dwelling which will be demolished. Surrounding properties on the west side of Hyperion Avenue are zoned R3-1VL and are developed with single-family and multiple family dwellings. Surrounding properties on the east side of Hyperion Avenue are zoned RD2-1VL and are developed with single-family and multiple family dwellings.

A public hearing was held on the Vesting Tentative Tract Map on December 10, 2014. The project's architect and nine persons from the public, including three persons from the Urban Design and Preservation Committee of the Silver Lake Neighborhood Council, spoke at the hearing. The project architect described the proposed project and indicated that the proposal was a modification of a previous project located at 853

Hyperion for five homes. Based on community input and opposition to the original project, the revised project incorporates two lots (853-857 Hyperion) with four homes on each site, for a total of eight single-family homes on eight lots. The project architect stated that the average density on this side of Hyperion Avenue is 5.9 units per lot. The revised project eliminated roof decks and increased driveway and back-up space.

The nine persons from the public spoke in opposition to the project. Common issues raised were that the density, mass, scale, and three-story height of the project was incompatible with the character of the neighborhood. Also raised was the blind curve on Hyperion Avenue near the project site creating a dangerous traffic hazard and the inadequacy of the Mitigated Negative Declaration (MND) in addressing the impact of eight additional homes on the street. Concern was raised that the 12-foot driveway creates a public hazard by being too narrow for vehicles entering and exiting the site.

The Deputy Advisory Agency took the case under advisement to resolve safety issues with the Department of Transportation on the project's driveway width and the Fire Department on the location of power lines in front of the site. The Deputy Advisory Agency also wanted to further investigate concerns on the neighborhood character and height of the project.

In rendering a decision, the Deputy Advisory Agency approved the subdivision request subject to conditions. The Deputy Advisory Agency did not approve the buildings footprint and elevations, and directed the applicant to submit a revised map, including elevations. In the revised map, the applicant must observe the Department of Transportation's recommendation addressing vehicular access safety from Hyperion Avenue (Condition No. 8). The applicant was also directed to consult with the neighborhood council on the new proposed lot layout and elevations (Condition No. 15. c.). The neighborhood council must act within a reasonable time frame after receiving the proposed revised map for review from the applicant, and submit a recommendation and Neighborhood Council Minutes to the Advisory Agency. The revised map is further appealable to the Area Planning Commission.

THE APPEAL

One appeal was filed by Sallie Hofmeister on behalf of the Hyperion Avenue Neighbors Association, representing homeowners, renters and residents of Hyperion Avenue, Sanborn Avenue, and adjoining streets. The following is a summary of the appeal and staff's response.

Appellant: Sallie Hofmeister/Hyperion Avenue Neighbor Association

Appellant's Statement:

Objection No. 1. The Agency's Decision will negatively affect the Appellants because the Project fails to comply with applicable State and local ordinances and plans, including the City's General Plan, thereby permanently debasing the character, scale,

and livability of the Hyperion Avenue and Sanborn Avenue neighborhood and surrounding community.

Staff's Response:

The project is in compliance with the regulations of the Small Lot Ordinance and the Subdivision Map Act. The proposed project is consistent with the density requirements of the R3 Zone – a maximum of 18 lots/dwelling units are permitted on the site. The project will maintain a 15-foot front yard setback along Hyperion Avenue, consistent with the requirements of the R3 Zone. As required by the Small Lot Ordinance, the subdivision is maintaining a minimum a five-foot setback from adjoining properties.

Per Condition No. 15.c., the applicant is required to submit a revised map with a new building footprint/lot layout, and setback matrix to comply with the Department of Transportation's requirement of a minimum 20-foot wide drive isle for the first 20-foot distance from the ultimate property line.

The revised map will be submitted to the Silver Lake Neighborhood Council for their review and recommendation to the Advisory Agency. The revised map will be considered by the Advisory Agency along with the recommendation of the neighborhood council upon which the Advisory Agency will issue a letter of decision pertaining to the revised map. The decision on the revised map is appealable.

Appellant's Statement:

Objection No. 2. The Subdivision Map Act Findings of Fact are not supported by substantial evidence and therefore the Decision is an abuse of discretion.

Staff's Response:

The project is in compliance with the regulations of both the Small Lot Ordinance and the R3-1VL Zone. Los Angeles Municipal Code (LAMC) Section 17.03 grants the Advisory Agency authority to conditionally approve Tentative Maps of proposed subdivisions. As a condition of approval the applicant is required to submit a revised map with a new building footprint/layout and setback matrix. As mentioned above, the revised map can be appealed.

Appellant's Statement:

Objection No. 3. The Subdivision Map Act requires the Agency to find the proposed map to be consistent with the City of Los Angeles General Plan and the Silver Lake-Echo Park-Elysian Valley Community Plan.

Staff's Response:

The project is in compliance with the regulations of both the Small Lot Ordinance and the R3-1VL Zone. Projects are recommended to be compatible with the surrounding neighborhood in terms of form (i.e., how the entrance responds to the street) and character. All issues regarding height and density are regulated by the zoning regulations which are required to be consistent with the General Plan. Further, the required revised map will be submitted to the Silver Lake Neighborhood Council for further community input and review. The revised map will be considered by the Advisory Agency along with the recommendation of the neighborhood council upon which the Advisory Agency will issue a letter of decision pertaining to the revised map. Additional conditions may be imposed upon the discretion of the Advisory Agency.

Appellant's Statement:

Objection No. 4. The Project does not comply with the Small Lot Subdivision Guidelines.

Staff's Response:

The Small Lot Design Guidelines are recommended best practices and case studies to help shape small lot projects. They are neither requirements nor standards. The Small Lot Design Guidelines are not regulations, but illustrate a series of common design issues, best practices, and case studies. The Guidelines are not mandates for a project's approval.

Appellant's Statement:

Objection No. 5. The Mitigated Negative Declaration is legally deficient and fails to fully evaluate several potential significant impacts.

Staff's Response:

An initial study was done for the proposed project which determined that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case as mitigating conditions have been incorporated into project and which have been agreed to by the project proponent. Therefore, a Mitigated Negative Declaration was prepared.

The appellant argues that the project will have a significant effect on traffic and exacerbate a hazardous situation as the subject property is located on a hillside just south of a blind curve with a long history of traffic accidents. The original project proposal was to have vehicular access via a 12-foot wide driveway. Based on public testimony regarding traffic safety at the public hearing, the Department of Transportation revised their condition of approval requiring a curb-cut width of approximately 24 feet and a minimum drive isle of 20 feet for the first 20-foot distance

from the new property line. Additionally, the Bureau of Engineering is requiring widening on Hyperion Avenue adjoining the subdivision from the existing 15 feet to complete a 20-foot half roadway. This will provide additional relief for staging of vehicles entering and exiting the subject site.

Appellant's Statement:

Objection No. 6. The most basic mandate of CEQA is violated by not requiring the developer to specify a stable, accurate, and finite project description before approving the vesting tentative tract.

Staff's Response:

The appellants state that they and the public are being denied due process by not having the opportunity to provide testimony at a public hearing on the revised map. The revised map will be submitted to the Silver Lake Neighborhood Council for their review and input from the community. The revised map will be considered by the Advisory Agency after submittal of the Neighborhood Council's recommendation and minutes from the Council meeting. The Advisory Agency will then issue a letter of decision pertaining to the revised map. The decision on the revised map can be appealed.

Appellant's Statement:

Objection No. 7. The Project violates the Open Space Ordinance, LAMC 12.21-G.

Staff's Response:

LAMC Section 12.21-G regulates new construction (resulting in additional floor area and additional units) of a building or group of buildings containing six or more dwelling units on a lot. Small lot subdivisions are not condominiums or multiple residential dwelling units. Small lot properties are titled in fee simple, meaning they can be bought and sold just like conventional single-family homes (i.e., a dwelling unit on its own lot), in multiple family zones (R2, RD, R3, R4, R5, RAS and the P and C zones). As such, LAMC Section 12.21-G does not apply to small lot subdivisions as they are considered single-family lots. Furthermore, the small lot subdivision provisions stipulate maximum lot coverage of 80 percent per lot or throughout the project site. The revised map shall observe this provision (LAMC 12.22-C,27,d).

Appellant's Statement:

Objection No. 8. The Appellants are aggrieved and denied due process by the lack of availability of information.

Staff's Response:

The appellant states that "as of February 3, 2015, the Geology & Soils Report was still not available at the City of Los Angeles Department of Building and Safety Records desk". The Department of Building and Safety has the responsibility to review and approve geology and soils reports required for properties located in a hillside area. The Department of Building and Safety's approval letter of the Geology and Soils Report Update, dated September 10, 2014, lists all the conditions of approval for the project. This letter and all correspondence from other City agencies commenting on the project were included in the case file and were available to the public for review. The availability of the Geology and Soils Report at the Department of Building and Safety is beyond the scope of the Deputy Advisory Agency. Planning Department staff requested a copy of the soils and geology report from the applicant which is in the environmental file (ENV-2013-2877-MND-REC1).

Staff's Recommendation:

In consideration of the foregoing, it is submitted that the Deputy Advisory Agency acted reasonably in approving Vesting Tentative Tract No. 72500-SL. Staff recommends that decision of the Deputy Advisory Agency be sustained and the appeal be denied.

EXHIBIT 1



©1994 Thomas Bros. Maps

VICINITY MAP

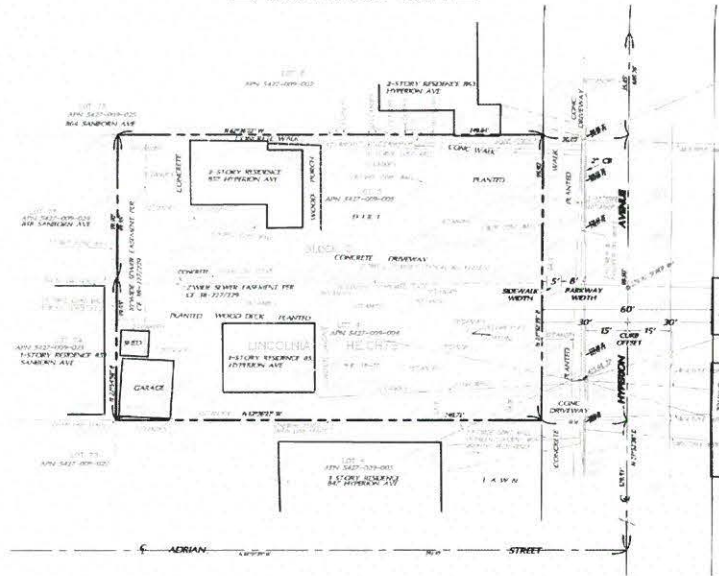
PROJECT SITE: 853-857 HYPERION AVENUE

GC MAPPING SERVICE, INC.
3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM

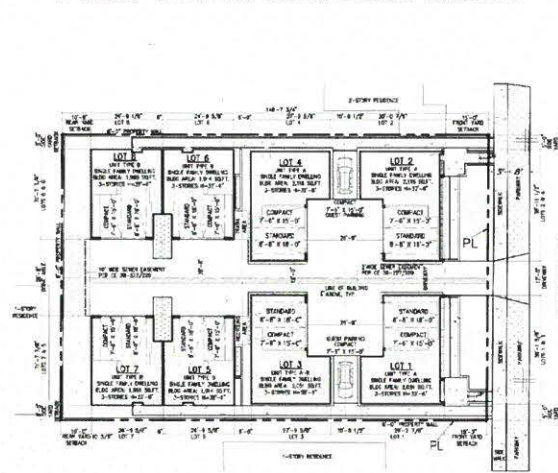
EXHIBIT 2

EXHIBIT 3

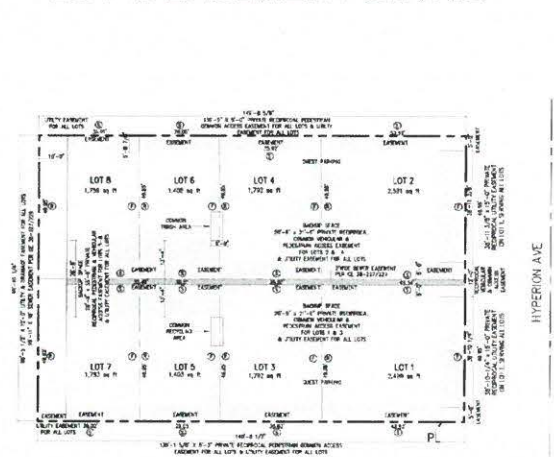
EXISTING SITE



PROPOSED DEVELOPMENT



LOT & EASEMENT DETAIL



ABBREVIATIONS:

AC ASPHALT CONCRETE
BDC BUILDING
BS BOTTOM OF STEPS
BY BOTTOM OF YARD
CL CENTER LINE
CONC CONCRETE
EC EDGE OF CONCRETE
ED EDGE OF DECK
EG EDGE OF GUTTER
EL EDGE OF LANDING
ES EDGE OF STEPS
EW EDGE OF WALK
FF FINISH FLOOR
FL FLOW LINE
FS FINISH SURFACE
FW FACE OF WALK
GB GRADE BREAK
GP GARAGE FINISH FLOOR
HP HIGH POINT (WIRE)
LP LOW POINT (WIRE)
NG NATURAL GROUND
OH OVERHEAD WIRE
PH POWER POLE
TC TOP OF CURB
TL TOP OF LANDING
TOS TOP OF SLOPE
TP TOP OF POLE
TS TOP OF STEPS
TW TOP OF WALL
TYP TYPICAL

LEGEND:

CLAY ANCHOR
ELECTRIC PALLBOX
SEWER CLEANOUT
PIPE HYDRANT
POWER POLE
SEWER MAN HOLE
TREE
PALM TREE
WATER METER
WATER VALVE
FRONT YARD DESIGNATION
REAR YARD DESIGNATION
SIDE YARD DESIGNATION

SETBACK MATRIX

	FRONT (EAST)	N SIDE	S SIDE	REAR (WEST)
LOT 1	15'-0"	6'-0"	5'-0"	5'-0"
LOT 2	15'-0"	5'-0"	6'-0"	5'-0"
LOT 3	5'-0"	6'-0"	5'-0"	3'-0"
LOT 4	5'-0"	5'-0"	6'-0"	3'-0"
LOT 5	3'-0"	7'-0"	5'-0"	0'-3"
LOT 6	3'-0"	5'-0"	7'-0"	0'-3"
LOT 7	0'-3"	7'-0"	5'-0"	10'-0"
LOT 8	0'-3"	5'-0"	7'-0"	10'-0"

AREA		
AREA DESCRIPTION	S.F.	AC.
NET	14,956.3	.34
GROSS (TO C/L OF HYPERION AVE)	17,950.0	.41

SURVEYOR

CHRIS NELSON & ASSOCIATES INC.
31238 VIA COLINA SUITE C
WESTLAKE VILLAGE, CA 91362
PHONE: (818) 991-1040
CONTACT: CHRIS NELSON

LEGAL DESCRIPTION

LOT 3 & 4, BLOCK C, M.R. 18-70
FOR ADDITIONAL BOUNDARY INFORMATION SEE CORNER RECORD FILED WITH THE
LOS ANGELES COUNTY SURVEYORS OFFICE
A.P.N. 5427-009-003 & 004
853 AND 857 N. HYPERION AVENUE, LOS ANGELES, CA 90029

NOTES:

- TOTAL AREA: 14,956.3 S.F. OR .34 ACRES
- EXISTING & PROPOSED ZONING: R3-1VL
- ASSESSOR PARCEL NO. 5427-009-003, 5427-009-004
- THOMAS GUIDE: 284-BB
- THERE ARE NO PROTECTED TREES ON SITE.
- ALL TREES ON SITE ARE TO BE REMOVED
- CURRENT USE: RESIDENTIAL
- SITE SLOPES TO REAR WEST END. MAINLY LEVEL DUE TO PREVIOUS GRADING
- SEWAGE DISPOSAL BY UNDERGROUND SEWER SYSTEM
- NO OAK TREES ON PROPERTY, EXISTING PALMS AND TREES TO BE REMOVED
- SITE IS WITHIN DESIGNATED HILLSIDE AREA
- SITE IS NOT WITHIN THE COASTAL ZONE
- SITE IS WITHIN SPECIAL GRADING AREA (BOE BASIC GRID MAP A-13372)
- PROPERTY IS NOT LOCATED IN THE LIQUIDATION OR HIGH FIRE HAZARD AREA
- NEAREST FAULT: JAMES ELYSIAN FAULT - DISTANCE TO FAULT: 0.77 MI
- SMALL LOT SINGLE FAMILY SUBDIVISION IN THE R3-1VL ZONE, PURSUANT TO ORDINANCE NO. 176,354
- 8 LOT SMALL SUBDIVISION WITH 16 TOTAL PARKING SPACES (16 PARKING SPACES + 2 GUEST SPACES) - HEIGHT OF BUILDINGS: 36'-0"



CORRECTION

PREPARED BY:



PACIFIC COAST CIVIL, INC.
30141 AGOURA ROAD, SUITE 200
AGOURA HILLS, CA 91301
PH: (818) 865-4168
FAX: (818) 865-4198

VESTING TENTATIVE TRACT MAP NO. 72500

FOR SMALL LOT SUBDIVISION PURPOSES

853 & 857 N. HYPERION AVE.
LOS ANGELES, CA, 90029

APPLICANT

AM REAL HYPERION INVESTOR, LLC.
A CA LIMITED LIABILITY COMPANY
27200 AGOURA ROAD SUITE 201
CALABASAS, CA 91301
PHONE: (818) 571-2920
CONTACT: JASON AMOROSO

DATE: 9/9/2014
DRAWN: ML

HYPERION AVE

S1



EXHIBIT 4

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

APPEAL TO THE: East Los Angeles Area Planning Commission
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: VTT-72500-SL; ENV-2013-2877-REC1

PROJECT ADDRESS: 853-857 North Hyperion Ave

FINAL DATE TO APPEAL: February 6, 2015

- TYPE OF APPEAL:
1. ☐ Appeal by Applicant
 2. ☒ Appeal by a person, other than the applicant, claiming to be aggrieved
 3. ☐ Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION – Please print clearly

Name: Sallie Hofmeister

- Are you filing for yourself or on behalf of another party, organization or company?
- ☐ Self ☒ Other: Hyperion Avenue Neighbor Association

Address: 863 Hyperion Ave
Los Angeles, CA Zip: 90029

Telephone: 323-663-6062 E-mail: modhof@roadrunner.com

- Are you filing to support the original applicant's position?
- ☐ Yes ☒ No

REPRESENTATIVE INFORMATION

Name: _____

Address: _____

_____ Zip: _____

Telephone: _____ E-mail: _____

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

☒ Entire

☐ Part

Your justification/reason must state:

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

ADDITIONAL INFORMATION/REQUIREMENTS

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
 - Master Appeal Form
 - Justification/Reason for Appealing document
 - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."

--CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____

Date: 2/6/15

Planning Staff Use Only

Amount	Reviewed and Accepted by	Date
Receipt No.	Deemed Complete by	Date

☒ Determination Authority Notified

☐ Original Receipt and BTC Receipt (if original applicant)

ATTACHMENT TO APPEAL
VTT-72500-SL
ENV-2013-2877-REC1

Appellants: The Hyperion Avenue Neighbors Association, representing homeowners, renters and residents of Hyperion Ave, Sanborn Ave, and adjoining streets hereby appeal the Deputy Advisory Agency of the City of Los Angeles (the "Agency") January 26, 2015 Letter of Determination (the "Decision") approving Mitigated Negative Declaration ENV-2013-2877-MND-REC1 as the environmental clearance and Vesting Tentative Tract Map No. 72500-SL, 853-857 Hyperion Avenue, Los Angeles, CA 90029 in which the above referenced project is located (the "Subject Property"). (For purposes of this Appeal, the proposed project that is the subject of the Agency Decision will hereinafter be referred to as the "Project" as submitted by the "Applicants".)

The Hyperion Avenue Neighbors Association (the "Appellants") reserves the right to augment the appeal application in the future.

Project: A Vesting Tentative Tract Map of eight single family lots for the purposes of a small lot subdivision.

1. Appellants are aggrieved parties.

Appellants provided written and oral testimony to the Agency objecting to the Project as proposed. The Agency's Decision will negatively affect the Appellants because the Project fails to comply with applicable State and local ordinances and plans, including the City's General Plan, thereby permanently debasing the character, scale, and livability of the Hyperion Avenue and Sanborn Avenue neighborhood and surrounding community.

Additionally, the Agency's Decision negatively impacts Appellants by eroding long established, community consistent standards as they relate to side yards and setbacks, scale and massing, and neighborhood character.

Furthermore, allowing the Project Applicants to deviate from the Los Angeles General Plan, the Silver Lake Echo Park Elysian Valley Community Plan, the California Environmental Quality Act and long-established design precedents only invites future landowners to request (and receive) additional exceptions and variances (calculations, aesthetics, neighborhood character, open space, etc.) from existing ordinances and plans, further eroding the community character and quality of life. However slight the exception may be perceived, a slippery slope is created.

For these and many other reasons, the Appellants are aggrieved parties for purposes of the instant appeal.

2. Subdivision Map Act Findings of Fact are not supported by substantial evidence and therefore the Decision is an abuse of discretion.

In setting forth its authority to approve this Project, the Agency specifically references the State of California Government Code "Subdivision Map Act", citing §66473.1, §66474.60,

§66474.61 and §66474.63 in its Findings of Fact.

§66474.60 grants an agency the authority to officially approve a project providing the procedures “are governed by the provisions of this chapter and by the additional provisions of local ordinances dealing with subdivisions.” §66474.61 grants an agency the authority to deny an approval if it finds, in relation to a proposed project that the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans. (Gov’t Code §66474.61(b).) Thus, the Agency may approve the Applicant’s Project providing the approval process is governed by the “Subdivision Map Act” and “the additional provision of local ordinances dealing with subdivisions.” (Gov’t Code §66474.60.) Since the Los Angeles Municipal Code does not confer upon the Advisory Agency the authority to deviate from the express provisions of the zoning code, the Decision is not compliant with the Subdivision Map Act.

3. The Subdivision Map Act requires the Agency to find the proposed map to be consistent with the City of Los Angeles General Plan and the Silver Lake Echo Park Elysian Valley Community Plan. (Gov’t Code § 66473.5)

“Support efforts of active neighborhood groups to preserve and rehabilitate local neighborhoods and strengthen neighborhood character and identity.” (p. I-7)

“Enhancing quality of life and preserving neighborhood character are priorities of the Plan, based on input from community stakeholders.” (p. III-1)

“Preserving and enhancing the positive characteristics of existing residential neighborhoods while providing a variety of housing opportunities with compatible new housing.” (p. III-1)

“Preserving and enhancing the positive characteristics of existing development, such as scale, height, bulk, setbacks and appearance, and uses which together provide the foundation for community identity.” (p. III-1)

“Where appropriate and possible, traditional courtyard-style, multiple family housing developments that incorporate open space, provide a friendly environment for pedestrians, and de-emphasize in their design vehicular access and parking are encouraged.” (p. III-1)

“Where feasible, Multiple Family Residential development of five or more units should be designed around a landscaped focal point or courtyard to serve as an amenity for residents.” (p. V-7)

“Require use-able open space for outdoor activities, especially for children.” (p. V-8)

Objective 1-1: Achieve and maintain a housing supply sufficient to meet the diverse economic and socioeconomic needs of current and projected population. (p. III-2)

Policy 1-1.1: Maintain an adequate supply and distribution of multiple family, low income and

special needs housing opportunities in the Community Plan Area. (p. III-2)

Policy 1-1.2: Improve the quality of existing single family and multiple family housing throughout the Plan Area. (p. III-3)

Policy 1-1.6 Promote the preservation of existing single and multiple family neighborhoods. (p. III-4)

4. The Project does not comply with the Small Lot Subdivision Guidelines.

The Agency has erred and abused its discretion by issuing guidelines that must be complied with and approving the Project.

- a. The Project is not context sensitive. [Guidelines, p. 1]
- b. The Design is not compatible with the existing neighborhood. [Guidelines, p. 6]
- c. The Developer has not considered the design elements of the 8 homes and how they will enhance the overall neighborhood character. [Guidelines, p. 8]
- d. The characteristics of the Project do not relate to the surrounding built form, respecting the overall neighborhood character and existing topography. [Guidelines, p. 9]
- e. The Project is not compatible with the existing neighborhood. [Guidelines, p. 9]
- f. The Project does not take into account the neighborhood context for existing front yard setbacks. [Guidelines, p. 10]
- g. The Project's building heights are not constructed with a building to height ratio of 1-4. [Guidelines, p. 17]
- h. The Project is not appropriately designed to and scaled to transition from the single-family properties surrounding it. [Guidelines, p. 24]
- i. The Project does not minimize the number of windows and balconies overlooking neighboring interior private yards and windows. [Guidelines, p. 24]

5. The Mitigated Negative Declaration Is Legally Deficient and Fails to Fully Evaluate Several Potential Significant Impacts.

California Law supports the strong presumption in favor of requiring preparation of an Environmental Impact Report (EIR) based on the "Fair Argument" where, as here, the record contains substantial evidence that a project may have a significant impact on the environment. *Laurel Heights Improvement Association v. Regents of University of California* (1993) 6 Cal.4th, 112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.

Where based on observation, the opinions of area residents are relevant to impacts such as aesthetics and traffic and constitute substantial evidence in support of a "Fair Argument" for an EIR. *Ocean View Estates Homeowners Association, Inc. v. Montecito Water District* (2004) 116 Cal.App.4th 396, 402; *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 355-356; *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322.

The Failure of the Agency to Support its Findings by Substantial Evidence Constitutes an Abuse of Discretion and a Failure to Proceed in a Manner Required by Law. The Appellants are aggrieved by the Agency failing to require a full Environmental Impact Report (EIR).

a. A "Fair Argument" exists that the Project will significantly affect the following:

- Aesthetics (visual character, light);
- Air Quality (construction, operational);
- Biological Resources (tree removal);
- Geology and Soils (construction, seismic, flood control);
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Land Use;
- Noise (construction, operational);
- Public Services (fire protection, schools);
- Recreation (parks);
- Traffic/Transportation (curve/driveway);
- Utilities (water, solid waste)

b. In particular, a "Fair Argument" exists that the Project will significantly affect Traffic/Transportation.

Hyperion Ave is a substandard street yet serves as a major connector between Sunset Blvd and Temple St, Melrose Ave, Beverly Blvd. The Subject Property is located on a hillside just south of a blind S curve with a long history of accidents, some of them fatal. MND Section XVI. Transportation/Traffic d. asks "Substantially increase hazards due to a design feature (eg., sharp curves or dangerous intersections)?" The Agency has determined that adding a driveway serving 18 cars in this location presents a less than significant impact without providing findings or evidence. Hyperion Ave is currently classified as a Local Street.

The Environmental Impact Report State Clearinghouse No.2002041009, City of LA EIR No. 2005-2158(EIR), CPC No. 97-0043(CPU) completed as part of the Hollywood Community Plan, states: "Hyperion Avenue is a Secondary Highway in the Plan Area with two lanes in each direction as well as time restricted and metered parking lanes on both sides of the street from Glendale Boulevard to Fountain Avenue where it transitions into a Collector street." Had the Agency required an EIR, the EIR would have determined that Hyperion Ave functions as Collector street, is outdated in its classification, and

therefore requires greater dedications and improvements. The Appellants and the public are aggrieved by the lack of a EIR and the potential public safety consequences.

c. In addition, a “Fair Argument” exists that the Project will significantly affect Land Use.

The Agency has failed to conform to the General and the Community Plan “*Policy 1-1.1 Maintain an adequate supply and distribution of multiple family, low income and special needs housing opportunities in the Community Plan Area*” (p. III-2) by allowing land zoned for multiple dwellings to be developed with single family homes. The Agency consequently has erred and abused its discretion by increasing the availability of single-family homes at the expense of reducing the availability of apartments and condominiums; affecting the overall mix of housing opportunities in the City of Los Angeles. The Agency is thereby discriminating against and pushing out multiple family, low income and special needs residents.

6. The Most Basic Mandate of CEQA is violated by not requiring the Developer to specify a stable, accurate, and finite Project description before approving the Vesting Tentative Tract.

The Agency is requiring the Subdivider shall submit a revised Small Lot Subdivision Map observing Condition No. 8 (DOT) with a new building foot print/lot layout, and setback matrix as well as dedications and improvements of Hyperion Avenue. And then the City will be considering the revised map. The Appellants and the public are being denied due process by not having the opportunity to provide testimony at a public hearing on a stable, accurate, and finite Project description.

7. The Project violates the Open Space Ordinance, LAMC Section 12.21 G.

Ordinance 171,753 amends LAMC Section 12.21 G to read: Open Space Requirement for Six or More Residential Units. Purpose: It is the purpose of this subsection to establish reasonable and uniform regulations to provide usable open space as a means to fulfill the following objectives: afford occupants of multiple residential dwelling units opportunities for outdoor living and recreation; provide safer play areas for children as an alternative to the surrounding streets, parking areas, and alleys; improve the aesthetic quality of multiple residential dwelling units by providing relief to the massing of buildings through the use of landscape materials and reduced lot coverage; and provide a more desirable living environment for occupants of multiple residential dwelling units by increasing natural light and ventilation, improving pedestrian circulation and providing access to on-site recreation facilities.

8. The Appellants are aggrieved and denied due process by the lack of availability of information.

As of February 3rd, 2015, the Geology & Soils Report was still not available at the City of Los Angeles Department of Building and Safety Records desk. In fact, the Address Summary report for 853-857 Hyperion did not contain any documents or references pertaining to the Project and had last been updated December 12th, 1990.

EXHIBIT 5

**DEPARTMENT OF
CITY PLANNING**

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT
RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
DANA M. PERLMAN
MARTA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271

ALAN BELL, AICP
DEPUTY DIRECTOR
(213) 978-1272

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

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

Decision Date: January 26, 2015

Appeal End Date: February 6, 2015

Jason Amoroso (A)(O)
AmReal Hyperion Investors, LLC
27200 Agoura Road, Suite 201
Calabasas, CA 91301

Alan Dana, Assoc. AIA (R)
modative
3221 Hutchison Avenue, Suite G
Los Angeles, CA 90034

RE: Vesting Tentative Tract No. 72500-SL
853-857 North Hyperion Avenue
Silver Lake-Echo Park-Elysian Valley
Planning Area
Zone : R3-1VL
D.M. : 144A201
C.D. : 13
CEQA: ENV-2013-2877-MND-REC1
Legal Description: Lincolnian Heights
Tract, Block C, Lots 3 and 4

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Mitigated Negative Declaration ENV-2013-2877-MND-REC1 as the environmental clearance and approved Vesting Tentative Tract No. 72500-SL, located at 853-857 North Hyperion Avenue for a maximum of eight (8) lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354, in the Silver Lake-Echo Park-Elysian Valley Community Plan. This unit density is based on the R3 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following conditions:

NOTES 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.

The approved Small Lot Subdivision is not vested to the provisions of Section 12.22-C.27 until a final map is recorded. Building permit applications prior to the recordation of a final map must comply with all of the provisions of the LAMC including but not limited to setbacks, access width, open space, and passageway unless the Planning Department has granted approval of deviations from the provisions of said LAMC Section.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
2. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176,354" satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
4. That the owners of the property record an agreement satisfactory to the City Engineering that they will provide name signs for the common access driveways.
5. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

6. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated November 24, 2014, Log No. 86354 and attached to the case file for Tract No. 72500-SL.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

7. 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. Provide a copy of ZA case ZA-2013-2876-ZAA. Show compliance with all the conditions/requirements of the ZA case as applicable, or evidence of termination for the subject ZA case.
 - c. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be rechecked as per net lot area after street dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.

- d. Resubmit the map to provide and maintain a minimum 20 ft. common access clear to sky for frontage and egress/ingress purposes all the way to the public street. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning to allow for a reduced common access or projection into the common access.
- e. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress, utilities, drainage, and back up space in the final map. Separate easement covenant shall be recorded if the easement is not shown on the final map.

Notes:

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

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

Backup space for parking space with less than 26'-8" shall provide sufficient garage door opening width to comply with the current Zoning Code requirement.

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

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

DEPARTMENT OF TRANSPORTATION

- 8. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. Project's curb-cut width should be approximately $W = 24'$ Case 2 and drive isle should be a minimum of 20-foot wide for the first 20-foot distance from the ultimate property line.
 - b. Parking stalls shall not be designed so that a vehicle is required to back out onto any public street or sidewalk. Parking stalls that serve two

dwelling units or less with driveway access that is not major or secondary highway are exempt from this restriction. (LAMC Section 12.21 A-5 (i))

- c. A minimum of 20-foot reservoir space be provided between any ingress security gate(s) and the property line, or to the satisfaction of the Department of Transportation.
- d. 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 3. For an appointment, call (213) 482-7024.
- e. That a fee in the amount of \$197 be paid for the Department of Transportation as required per Ordinance No. 180,542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

FIRE DEPARTMENT

- 9. 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. All homes shall have noncombustible roofs. (Non-wood)
 - b. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
 - c. The entrance or exit of ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
 - d. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
 - e. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
 - f. 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.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a

minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

10. That prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter dated November 6, 2014 attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Lockwood Avenue Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 213-580-2950, and the principals or designees of Lockwood Avenue Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

DEPARTMENT OF WATER AND POWER

11. 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 SANITATION

12. 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

13. 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) 978-0856.

DEPARTMENT OF RECREATION AND PARKS

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

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

15. 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 eight (8) lots.
- b. Provide a minimum of two (2) off-street parking spaces per dwelling unit.
- c. **Note to City Zoning Engineer and Plan Check.**

Small Lot Subdivision Map.

Subdivider shall submit a revised Small Lot Subdivision Map observing Condition No. 8 (DOT) with a new building foot print/lot layout, and setback matrix.

The applicant is advised to consult with the neighborhood council on the new proposed lot layout and elevations, and the neighborhood council must act within a reasonable time frame after receiving the proposed revised map for review from the applicant, and submit a recommendation and Neighborhood Council Minutes to the Advisory Agency.

The proposed revised map will be considered by the Advisory Agency along with recommendations from the neighborhood council and then issue a letter of decision pertaining to the revised map.

- 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. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. 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.
- g. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any

claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

- h. A Maintenance Association shall be formed, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the association and shall be subject to a proportionate share of the maintenance. The Maintenance Association shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
- i. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 16. 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. 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.
- 17. 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 and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.
 - MM-2. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
 - MM-3. All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at

a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

- MM-4. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.
- MM-5. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- MM-6. **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs 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 applicable State and Federal rules and regulations.
- MM-7. **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-8. The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.
- MM-9. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.
- MM-10. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- MM-11. In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

- Weather-based irrigation controller with rain shutoff
- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

MM-12. If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.

MM-13. Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.

MM-14. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.

MM-15. A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.

MM-16. Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

MM-17. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

MM-18. Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

MM-19. Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

MM-20. **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

MM-21. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle demolition and construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, bricks, metals, wood, and vegetation. Non recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

18. **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 construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

- CM-4. 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-5. All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-6. All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8. Trucks having no current hauling activity shall not idle but be turned off.
- CM-9. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- CM-10. Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.
- CM-11. The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- CM-12. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

CM-13. Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage of two-way traffic on streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following:

- No construction equipment or material shall be permitted to be stored within the public right-of-way.
- If the property fronts on a designated Red Flag Street, on noticed "Red Flag" days, all the workers shall be shuttled from an off-site area, located on a non-Red Flag Street, to and from the site in order to keep roads open on Red Flag days.
- During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route.
- Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays.
- All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time.
- A radio operator shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors.
- During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.

CM-14. 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.

- CM-15. 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-16. 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.
- CM-17. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-18. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.
- CM-19. 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-20. 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-21. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-22. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-23. No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- CM-24. All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS

- SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
 - 1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

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

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceeds 15%.
 - (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 are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.

- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

- No street lighting requirements.

Notes:

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

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

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree 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 Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
- a. Improve Hyperion Avenue 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 or a 10-foot full width concrete sidewalk with tree wells.
 - (2) Suitable surfacing to join the existing pavements and to complete a 20-foot half roadway.

- (3) Any necessary removal and reconstruction of existing improvements.
 - (4) The necessary transitions to join the existing improvements.
- b. Construct the necessary mainline sewer satisfactory to the Central District Engineering Office.

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. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

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

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

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

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

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this 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-2013-2877-MND on June 25, 2014. On October 16, 2014, the Department of City issued a Reconsideration of the previously issued Mitigated Negative Declaration (ENV-2013-2877-MND-REC1). The Committee found that potential negative impact could occur from the project's implementation due to:

- need for landscaping;
- existing ambient air pollution levels;
- potential loss of significant trees;
- potential seismic activity;
- potential soil erosion;

toxic/hazardous materials;
stormwater pollution;
additional demand on the City's sewer system;
increasing demand on available water resources;
noise from the site;
flood hazard;
consumption of non-renewable energy resources;
insufficient school capacity;
increase of solid waste.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2013-2877-MND-REC1 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 17 and 18 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.

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. 16.

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 Vesting Tentative Tract No. 72500-SL the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Silver Lake-Echo Park-Elysian Valley Community Plan designates the subject property for Medium Residential density with the corresponding zone of R3. The property contains approximately 14,956 net square feet and is presently zoned R3-1VL. The proposed vesting tentative tract map is consistent with the Silver Lake-Echo Park-Elysian Valley Community Plan. The subject property is not located in a Specific Plan. As conditioned, the project is in conformance 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 Silver Lake-Echo Park-Elysian Valley Community Plan designates the subject property for Medium Residential land use with the corresponding zone of R3. The property contains approximately 0.34 net acres (14,956 net square feet) and is presently zoned R3-1VL.

The proposed project is to create eight lots for the construction of eight single-family dwellings under the Small Lot Ordinance. Lot sizes will range from 1,499 square feet to 2,425 square feet, thereby meeting the minimum lot size requirement of 600 square feet per the Small Lot Ordinance. All eight lots exceed the minimum lot width of 16 feet. Lot coverage will range from 39 percent to 53 percent – less than the permitted 80 percent. Slight variations may incur in a required revised map. The project will maintain a 15-foot front yard setback along Hyperion Avenue, consistent with the requirements of the R3 Zone. As required by the Small Lot Ordinance, the subdivision will maintain at a minimum a five-foot setback from adjoining properties. As required by the Ordinance, the proposed project is consistent with the density requirements of the R3 Zone.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make improvements on Hyperion Avenue in order to meet current street standards.

In reviewing safety concerns, the Deputy Advisory Agency considered potential traffic hazards and required the applicant to submit a revised tract map observing specific recommendations from the Department of Transportation.

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

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

The site is located in a hillside area. The Grading Division of the Department of Building and Safety has reviewed the Geology and Soils Report for the proposed project and has approved the tract map subject to all requirements and conditions contained in Inter-Departmental Letter dated November 24, 2014, Log No. 86354, and as conditioned by the Department of City Planning for the tract approval (Condition No. 6).

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

The subject property is currently developed with two single-family dwellings which will be demolished. The site is zoned R3 and designated Medium Residential in the Silver Lake-Echo Park-Elysian Valley Community Plan. Adjacent land uses include a mix of single-family homes and multiple family dwellings. The 14,956 net square-foot site is sufficient in size for a 8-lot small lot

subdivision. The site is therefore physically suitable for the proposed density of development.

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

The Deputy Advisory Agency, certified that Mitigated Negative Declaration No. ENV-2013-2877-MND-REC1 reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 17 and 18 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.

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

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

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

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

There are two sanitary sewer easements located on the property within the proposed subdivision. During plan check the Department of Building and Safety will review the plans to ensure that no structures encroach on the easements and right-of-way, and thereby cause no conflict.

- (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. 72500-SL.

Michael J. LoGrande
Advisory Agency



JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

JCRN:JV:th

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 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

Forms are also available on-line at <http://cityplanning.lacity.org>

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.

EXHIBIT 6

**DEPARTMENT OF
CITY PLANNING**

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

AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT
RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
DANA M. PERLMAN
MARTA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271

ALAN BELL, AICP
DEPUTY DIRECTOR
(213) 978-1272

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

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

Date: October 16, 2014

To: Dana A. Sayles, AICP
ThreeSixty
4309 Overland Avenue
Culver City, CA 90230

**RE: RECONSIDERATION, ENV-2013-2877-MND-REC1, 853-857 NORTH
HYPERION AVENUE; SILVER LAKE-ECHO PARK-ELYISAN VALLEY
COMMUNITY PLAN AREA**

The Department of City Planning has issued a Reconsideration of the previously issued Mitigated Negative Declaration (ENV-2013-2877-REC1) for a project located at 853 North Hyperion Avenue and originally described as:

A Vesting Tentative Tract Map for a Small Lot subdivision to create five lots for five single-family dwellings and a Zoning Administrator's Adjustment to permit: 1) a reduced front yard setback of 6 feet, in lieu of the required 15 feet; 2) a reduced southerly side yard of 5 feet, in lieu of the required 6 feet; 3) a reduced rear yard of 10 feet, in lieu of the required 15 feet; 4) an approximately 0-foot separation between buildings, in lieu of the required 11 feet; and 5) no open space per dwelling unit, in lieu of the required 175 square feet per dwelling unit. The project site is an approximately 7,493 square-foot lot in the R3-1VL Zone.

In a letter dated September 11, 2014, the applicant's representative requested a reconsideration of Mitigated Negative Declaration ENV-2013-2877-MND, issued on June 25, 2014. Since the effective date of the MND, the subject property has been sold and the new ownership has modified the project. The property assemblage now includes two lots located at 853-857 North Hyperion Avenue. The revised project includes the creation of eight lots for the construction, use and maintenance of eight single-family dwellings pursuant to the Small Lot Subdivision Ordinance.

Since the effective date of the MND, the Los Angeles City Council approved an amendment to the Small Lot Ordinance (Ordinance No. 183,165) to allow construction of small lot projects prior to final map recordation. The previously requested Zoning Administrator Adjustments are therefore no longer necessary.

As such, the project description is revised to read as follows:

A Vesting Tentative Tract Map for a Small Lot subdivision to create eight lots for eight single-family dwellings. The project site is an approximately 14,956 square-foot lot in the R3-1VL Zone.

The project location is revised to read:

853-857 North Hyperion Avenue.

As the previously issued Mitigated Negative Declaration ENV-2013-2877-MND addressed the potential environmental impacts of the proposed project, the mitigation measures imposed still serve to mitigate the impacts of the project to less than significant levels as required by the California Environmental Quality Act (CEQA).

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jon Foreman', with a long horizontal flourish extending to the right.

Jon Foreman
Senior City Planner

JF:JV

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
City of Los Angeles

COUNCIL DISTRICT
CD 13 - MITCH O'FARRELL

PROJECT TITLE
ENV-2013-2877-MND

CASE NO.
VTT-72500-SL, ZA-2013-2876-ZAA

PROJECT LOCATION
853 N HYPERION AVE

PROJECT DESCRIPTION

A Vesting Tentative Tract Map for a Small Lot subdivision to create five lots for five single-family dwellings and a Zoning Administrator's Adjustment to permit: 1) a reduced front yard setback of 6 feet, in lieu of the required 15 feet; 2) a reduced southerly side yard of 5 feet, in lieu of the required 6 feet; 3) a reduced rear yard of 10 feet, in lieu of the required 15 feet; 4) an approximately 0-foot separation between buildings, in lieu of the required 11 feet; and 5) no open space per dwelling unit, in lieu of the required 175 square feet per dwelling unit. The project site is an approximately 7,493 square-foot lot in the R3-1VL Zone.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY

Hyperion Partners, LLC
6250 Hollywood Boulevard, #9M
Los Angeles, CA 90028

FINDING:

The City Planning Department 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

(CONTINUED ON PAGE 2)

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 the 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

TITLE

TELEPHONE NUMBER

JOEY VASQUEZ

City Planning Associate

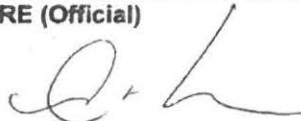
(213) 978-1487

ADDRESS

SIGNATURE (Official)

DATE

200 N. SPRING STREET, 7th FLOOR
LOS ANGELES, CA. 90012



JUNE 25, 2014

I-10. Aesthetics (Landscape Plan)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a less than significant level 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 and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

III-10. Air Pollution (Demolition, Grading, and Construction Activities)

- 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 construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- 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.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.

IV-70. Tree Removal (Non-Protected Trees)

- 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 less than significant level by the following measures:
- Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.
- All significant (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division the Department of Public Works, Bureau of Street Services.

VI-10. Seismic

- Environmental impacts to the safety of future occupants may result due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a less than significant level by the following measure:
- The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

VI-20. Erosion/Grading/Short-Term Construction Impacts

- Short-term erosion impacts may result from the construction of the proposed project. However, these impacts can be mitigated to a less than significant level by the following measures:
- The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Public Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.
- Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMPs includes but is not limited to the following mitigation measures:
 - a. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
 - b. Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

VI-30. Erosion/Grading/Short-Term Construction Impacts (Hillside Grading Areas)

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impact will be mitigated to a less than significant level by the following measures:
- The grading plan shall conform with the City's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Building and Safety Department. These measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

VIII-10. Explosion/Release (Existing Toxic/Hazardous Construction Materials)

- Due to the age of the building(s) being demolished, toxic and/or hazardous construction materials may be located in the structure(s). Exposure to such materials during demolition or construction activities could be hazardous to the health of the demolition workers, as well as area residents, employees, and future occupants. However, these impacts can be mitigated to a less than significant level by the following measure:
- **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs 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 applicable State and Federal rules and regulations.
- **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

VIII-40. Hillside Construction Staging and Parking Plan

- Prior to the issuance of a grading or building permit, the applicant shall submit a Construction Staging and Parking Plan to the Department of Building and Safety and the Fire Department for review and approval. The plan shall identify where all construction materials, equipment, and vehicles will be stored through the construction phase of the project, as well as where contractor, subcontractor, and laborers will park their vehicles so as to prevent blockage of two-way traffic on streets in the vicinity of the construction site. The Construction Staging and Parking Plan shall include, but not be limited to, the following:
- No construction equipment or material shall be permitted to be stored within the public right-of-way.
- If the property fronts on a designated Red Flag Street, on noticed "Red Flag" days, all the workers shall be shuttled from an off-site area, located on a non-Red Flag Street, to and from the site in order to keep roads open on Red Flag days.
- During the Excavation and Grading phases, only one truck hauler shall be allowed on the site at any one time. The drivers shall be required to follow the designated travel plan or approved Haul Route.
- Truck traffic directed to the project site for the purpose of delivering materials, construction-machinery, or removal of graded soil shall be limited to off-peak traffic hours, Monday through Friday only. No truck deliveries shall be permitted on Saturdays or Sundays.
- All deliveries during construction shall be coordinated so that only one vendor/delivery vehicle is at the site at one time, and that a construction supervisor is present at such time.
- A radio operator shall be on-site to coordinate the movement of material and personnel, in order to keep the roads open for emergency vehicles, their apparatus, and neighbors.
- During all phases of construction, all construction vehicle parking and queuing related to the project shall be as required to the satisfaction of the Department of Building and Safety, and in substantial compliance with the Construction Staging and Parking Plan, except as may be modified by the Department of Building and Safety or the Fire Department.

IX-20. Stormwater Pollution (Demolition, Grading, and Construction Activities)

-

- 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.
- 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.
- 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.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or be covered with tarps or plastic sheeting.

IX-120. Flooding/Tidal Waves

- Environmental impacts may result due to the location of the proposed project in an area which is potentially subject to flood hazards. However, any flood hazard that exists will be mitigated to a less than significant level by the following measure:
- The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective 7/3/98.

XII-20. Increased Noise Levels (Demolition, Grading, and Construction Activities)

- 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.
- Demolition and construction 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.

XIV-60. 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 less than significant level by the following measure:
- The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XVI-60. Inadequate Emergency Access (Hillside Streets – Construction Activities)

- No parking shall be permitted on the street during Red Flag Days in compliance with the "Los Angeles Fire Department Red Flag No Parking" program.
- All demolition and construction materials shall be stored on-site and not within the public right-of-way during demolition, hauling, and construction operations.

XVII-10. Utilities (Local Water Supplies - Landscaping)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g. use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials

- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

XVII-20. Utilities (Local Water Supplies - All New Construction)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
- Install high-efficiency toilets (maximum 1.28 gpf), including dual-flush water closets, and high-efficiency urinals (maximum 0.5 gpf), including no-flush or waterless urinals, in all restrooms as appropriate.
- Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for all landscape irrigation uses.
- Single-pass cooling equipment shall be strictly prohibited from use. Prohibition of such equipment shall be indicated on the building plans and incorporated into tenant lease agreements. (Single-pass cooling refers to the use of potable water to extract heat from process equipment, e.g. vacuum pump, ice machines, by passing the water through equipment and discharging the heated water to the sanitary wastewater system.)

XVII-40. Utilities (Local Water Supplies - New Residential)

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.
- Install and utilize only high-efficiency clothes washers (water factor of 6.0 or less) in the project, if proposed to be provided in either individual units and/or in a common laundry room(s). If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.
- Install and utilize only high-efficiency Energy Star-rated dishwashers in the project, if proposed to be provided. If such appliance is to be furnished by a tenant, this requirement shall be incorporated into the lease agreement, and the applicant shall be responsible for ensuring compliance.

XVII-90. Utilities (Solid Waste Recycling)

- Environmental impacts may result from project implementation due to the creation of additional solid waste. However, this potential impact will be mitigated to a less than significant level by the following measure:
- **(Operational)** Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- **(Construction/Demolition)** Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- **(Construction/Demolition)** To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

XVII-100. Utilities (Solid Waste Disposal)

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

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY
and CHECKLIST
(CEQA Guidelines Section 15063)

LEAD CITY AGENCY: City of Los Angeles		COUNCIL DISTRICT: CD 13 - MITCH O'FARRELL	DATE: 05/29/2014
RESPONSIBLE AGENCIES: Department of City Planning			
ENVIRONMENTAL CASE: ENV-2013-2877-MND		RELATED CASES: VTT-72500-SL, ZA-2013-2876-ZAA	
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 MAP SMALL LOT			
ENV PROJECT DESCRIPTION: A Vesting Tentative Tract Map for a Small Lot subdivision to create five lots for five single-family dwellings and a Zoning Administrator's Adjustment to permit: 1) a reduced front yard setback of 6 feet, in lieu of the required 15 feet; 2) a reduced southerly side yard of 5 feet, in lieu of the required 6 feet; 3) a reduced rear yard of 10 feet, in lieu of the required 15 feet; 4) an approximately 0-foot separation between buildings, in lieu of the required 11 feet; and 5) no open space per dwelling unit, in lieu of the required 175 square feet per dwelling unit. The project site is an approximately 7,493 square-foot lot in the R3-1VL Zone.			
ENVIRONMENTAL SETTINGS: The project site is a relatively level, rectangular-shaped, interior, record lot, having a frontage of approximately 50 feet on the west side of Hyperion Avenue and a uniform depth of 150 feet. The site is designated Medium Residential in the Silver Lake-Echo Park-Elysian Valley Community Plan and is zoned R3-1VL. The subject site is developed with a single-family dwelling, garage, and shed. Properties to the north, south, and west are zoned R3-1VL and are developed with single-family and multi-family dwellings. Properties to the east are zoned RD2-1VL and are developed with single-family and multi-family dwellings. Hyperion Avenue, adjoining the subject property to the east is a local street dedicated a width of 60 feet and improved with asphalt roadway, concrete gutter, curb, and sidewalk. The subject property is located in a hillside area and 845 yards from the Upper Elysian Park Earthquake Fault. There are no other known hazards associated with the subject property.			
PROJECT LOCATION: 853 N HYPERION AVE			
COMMUNITY PLAN AREA: SILVER LAKE - ECHO PARK - ELYSIAN VALLEY STATUS: <input checked="" type="checkbox"/> Does Conform to Plan <input type="checkbox"/> Does NOT Conform to Plan		AREA PLANNING COMMISSION: EAST LOS ANGELES	CERTIFIED NEIGHBORHOOD COUNCIL: SILVER LAKE
EXISTING ZONING: R3-1VL		MAX. DENSITY/INTENSITY ALLOWED BY ZONING: 800 SQ. FT./DU	

GENERAL PLAN LAND USE: MEDIUM RESIDENTIAL	MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION: (20+ TO 55)	LA River Adjacent: NO
	PROPOSED PROJECT DENSITY: 5 SINGLE-FAMILY DWELLINGS	

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.

City Planning Associate

(213) 978-1487

Signature

Title

Phone

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 "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may 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 whatever 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 type="checkbox"/> GREEN HOUSE GAS EMISSIONS	<input type="checkbox"/> POPULATION AND HOUSING
<input type="checkbox"/> AGRICULTURE AND FOREST RESOURCES	<input checked="" type="checkbox"/> HAZARDS AND HAZARDOUS MATERIALS	<input checked="" type="checkbox"/> PUBLIC SERVICES
<input checked="" type="checkbox"/> AIR QUALITY	<input checked="" type="checkbox"/> HYDROLOGY AND WATER QUALITY	<input type="checkbox"/> RECREATION
<input checked="" type="checkbox"/> BIOLOGICAL RESOURCES	<input type="checkbox"/> LAND USE AND PLANNING	<input checked="" type="checkbox"/> TRANSPORTATION/TRAFFIC
<input type="checkbox"/> CULTURAL RESOURCES	<input type="checkbox"/> MINERAL RESOURCES	<input checked="" type="checkbox"/> UTILITIES AND SERVICE SYSTEMS
<input checked="" type="checkbox"/> GEOLOGY AND SOILS	<input checked="" type="checkbox"/> NOISE	<input type="checkbox"/> MANDATORY FINDINGS OF SIGNIFICANCE

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

Background

PROPONENT NAME:

Hyperion Partners, LLC

PHONE NUMBER:

(619) 203-6384

APPLICANT ADDRESS:

6250 Hollywood Boulevard, #9M

Los Angeles, CA 90028

AGENCY REQUIRING CHECKLIST:

Department of City Planning

DATE SUBMITTED:

09/13/2013

PROPOSAL NAME (if Applicable):

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

I. AESTHETICS

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 within a state 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. AGRICULTURE AND FOREST RESOURCES

a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

III. AIR QUALITY

a.	Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?		✓		
e.	Create objectionable odors affecting a substantial number of people?				✓

IV. BIOLOGICAL RESOURCES

a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or 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 local or regional plans, policies, regulations or by the California Department of Fish and Game or US 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 a tree preservation policy or ordinance?		✓		
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

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				✓
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 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

a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 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.		✓		
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?		✓		
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?				✓
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				✓
e.	Result in substantial soil erosion or the loss of topsoil?		✓		
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
g.	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?				✓
h.	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. GREEN HOUSE GAS EMISSIONS

a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

VIII. HAZARDS AND HAZARDOUS MATERIALS

a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
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 people residing or working in the project area?				✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

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?				✓
--	--	--	--	---

IX. HYDROLOGY AND WATER QUALITY

a. Violate any water quality standards or waste discharge requirements?			✓	
b. Substantially deplete groundwater supplies or interfere substantially 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 preexisting nearby wells would drop to a level which would not support existing land uses or planned 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?			✓	
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?			✓	
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?			✓	
f. Otherwise substantially degrade water quality?		✓		
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓	
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
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?		✓		
j. Inundation by seiche, tsunami, or mudflow?				✓

X. LAND USE AND PLANNING

a. Physically divide an established community?				✓
b. Conflict with any 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, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

XI. MINERAL RESOURCES

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?				✓
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?				✓

XII. NOISE

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b. Exposure of persons 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?		✓		

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

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?				✓
XIII. POPULATION AND HOUSING					
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?			✓	
XIV. PUBLIC SERVICES					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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: Fire protection?			✓	
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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: Police protection?			✓	
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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: Schools?		✓		
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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: Parks?			✓	
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the 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: Other public facilities?			✓	
XV. 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?			✓	
XVI. TRANSPORTATION/TRAFFIC					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	

Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards 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 due 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.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

XVII. UTILITIES AND SERVICE SYSTEMS

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 storm water 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 resources, 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?			✓	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a 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 that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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 will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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-2013-2877-MND** and the associated case(s), **VTT-72500-SL, ZA-2013-2876-ZAA**. 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:

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 <http://www.lacity.org> ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ 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 NO.:	DATE:
JOEY VASQUEZ	City Planning Associate	(213) 978-1487	04/24/2014

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS

a.	LESS THAN SIGNIFICANT IMPACT	The proposed project complies with the height requirements of the zone, therefore there will be a less than significant impact to any scenic vistas.	
b.	NO IMPACT	There are no scenic resources located on the property.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	There may be environmental impacts to the character and aesthetics of the neighborhood from the development of five single-family dwellings on the site.	I-10
d.	LESS THAN SIGNIFICANT IMPACT	The project will result in a net increase of four dwelling units. Impacts of increased illumination will be less than significant.	

II. AGRICULTURE AND FOREST RESOURCES

a.	NO IMPACT	The project is located in an urban area.	
b.	NO IMPACT	The project site is zoned for residential use.	
c.	NO IMPACT	The project is zoned for residential use.	
d.	NO IMPACT	The project is located in an urban area.	
e.	NO IMPACT	The project is located in an urban area.	

III. AIR QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	The project has the potential to contribute to a reduction in air quality; however, it does not reach a daily threshold of potential significance for air quality per SQAMD.	
b.	LESS THAN SIGNIFICANT IMPACT	The project has the potential to contribute to a reduction in air quality; however, it does not reach a daily threshold of potential significance for air quality per SQAMD.	
c.	LESS THAN SIGNIFICANT IMPACT	The project has the potential to contribute to a reduction in air quality; however, it does not reach a daily threshold of potential significance for air quality per SQAMD.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Short-term air quality impacts may occur during the construction phase of the project.	III-10
e.	NO IMPACT	No objectionable odors are anticipated to result from the residential project.	

IV. BIOLOGICAL RESOURCES

a.	NO IMPACT	The project is located in a residentially developed area.	
----	-----------	---	--

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

b.	NO IMPACT	The project is located in a residentially developed area.	
c.	NO IMPACT	The project is not located near federally protected wetlands.	
d.	NO IMPACT	The project is located in a residentially developed area and will not interfere with the movement of any species.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	Five non-protected trees with a diameter of 12 inches or more will be removed from the property.	IV-70
f.	NO IMPACT	The proposed project is not in violation of any conservation plan.	

V. CULTURAL RESOURCES

a.	NO IMPACT	The project will not have an effect on a historical resource.	
b.	NO IMPACT	The project is not located in an area of known archaeological resources.	
c.	NO IMPACT	The project is not located in an area of known paleontological resources.	
d.	NO IMPACT	The project is not located in an area of known human remains.	

VI. GEOLOGY AND SOILS

a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located 845 yards from the Upper Elysian Park Earthquake Fault.	VI-10
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located 845 yards from the Upper Elysian Park Earthquake Fault.	VI-10
c.	NO IMPACT	The project is not located in a liquefaction area.	
d.	NO IMPACT	The project is not located in a landslide area.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project may result in soil erosion during construction.	VI-20, VI-30
f.	NO IMPACT	The project is not located on a geologic unit or soil that is unstable.	
g.	NO IMPACT	The project is not located on expansive soil.	
h.	NO IMPACT	The project does not require the use of septic tanks or alternative waste water disposal systems.	

VII. GREEN HOUSE GAS EMISSIONS

a.	LESS THAN SIGNIFICANT IMPACT	Compliance with the City of Los Angeles Green Building Code will reduce any potential impact to less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	Compliance with the City of Los Angeles Green Building Code will reduce any potential impact to less than significant.	

VIII. HAZARDS AND HAZARDOUS MATERIALS

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

a.	NO IMPACT	The project will not transport or manage hazardous or potentially hazardous explosive substances.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project involves the demolition of a structure which may contain toxic substances.	VIII-10
c.	NO IMPACT	The project will not use hazardous materials.	
d.	NO IMPACT	The project site is not located on a list of hazardous materials sites.	
e.	NO IMPACT	The project is not located within an airport hazard zone.	
f.	NO IMPACT	The project is not within the vicinity of a private airstrip.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located in a hillside area.	VIII-40
h.	NO IMPACT	The subject property is not located within a Very High Fire Hazard Severity Zone.	

IX. HYDROLOGY AND WATER QUALITY

a.	LESS THAN SIGNIFICANT IMPACT	With the incorporation of the below referenced mitigation measures, the proposed project is not anticipated to violate any water quality standards or waste discharge requirements.	
b.	LESS THAN SIGNIFICANT IMPACT	The project will comply with L.A.M.C. Section 64.70.	
c.	LESS THAN SIGNIFICANT IMPACT	The project will comply with L.A.M.C. Section 64.70.	
d.	LESS THAN SIGNIFICANT IMPACT	The project will comply with L.A.M.C. Section 64.70.	
e.	LESS THAN SIGNIFICANT IMPACT	The project will comply with L.A.M.C. Section 64.70.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located in a hillside area. There may be an impact to water quality during the construction phase of the project.	IX-20
g.	LESS THAN SIGNIFICANT IMPACT	The property is not located in a 100-year flood hazard area.	
h.	LESS THAN SIGNIFICANT IMPACT	The property is not located in a 100-year flood hazard area.	
i.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located in a potential inundation area.	IX-120
j.	NO IMPACT	The property is not located in an inundation zone for seiches, tsunamis, or mudflow.	

X. LAND USE AND PLANNING

a.	NO IMPACT	The proposed project will not physically divide an established community.	
----	-----------	---	--

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

b.	LESS THAN SIGNIFICANT IMPACT	There is a City Council Motion to reduce the density in the area. If the density is reduced and the project has not been vested, then the project must comply with the new regulations.	
c.	NO IMPACT	The project does not conflict with any applicable habitat conservation plan or natural community conservation plan.	

XI. MINERAL RESOURCES

a.	NO IMPACT	The site is not located in an area of known mineral resources.	
b.	NO IMPACT	There are no known locally important mineral resources on the subject property.	

XII. NOISE

a.	LESS THAN SIGNIFICANT IMPACT	The project will not result in noise levels in excess of established standards.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	There may be an increase in groundborne vibration during the construction phase of the project.	XII-20
c.	LESS THAN SIGNIFICANT IMPACT	Following construction, there should not be a substantial permanent increase in noise beyond what presently exists in the area.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project may result in a temporary increase in ambient noise levels during the construction phase.	XII-20
e.	NO IMPACT	The project is not located within an airport land use plan.	
f.	NO IMPACT	The project is not located within the vicinity of a private airstrip.	

XIII. POPULATION AND HOUSING

a.	LESS THAN SIGNIFICANT IMPACT	The project will result in a net increase of four dwelling units. The project will be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	The project will result in the demolition of one dwelling unit. Less than significant impact.	
c.	LESS THAN SIGNIFICANT IMPACT	The project will result in the demolition of one dwelling unit. Less than significant impact.	

XIV. PUBLIC SERVICES

a.	LESS THAN SIGNIFICANT IMPACT	The project is located within a fire service area.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed project does not meet the threshold of 75 or more residential units to require review by LAPD.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	School fees shall be paid to off-set any future impacts to schools.	XIV-60

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

d.	LESS THAN SIGNIFICANT IMPACT	No impacts are anticipated in matters relating to parks. Only residential use is planned.	
e.	LESS THAN SIGNIFICANT IMPACT	There are no anticipated impacts on other governmental services from this project.	

XV. RECREATION

a.	LESS THAN SIGNIFICANT IMPACT	The project will be required to pay Quimby fees for the construction of dwelling units to offset the impact to parks.	
b.	LESS THAN SIGNIFICANT IMPACT	The project does not include recreational facilities nor will it require the construction or expansion of such.	

XVI. TRANSPORTATION/TRAFFIC

a.	LESS THAN SIGNIFICANT IMPACT	The proposed project does not reach a threshold that requires preliminary review by LADOT, nor does it appear to conflict with any applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed project does not reach a threshold that requires preliminary review by LADOT, nor does it appear to conflict with any applicable plans for designated roads or highways.	
c.	NO IMPACT	The project will have no impacts on air traffic patterns.	
d.	LESS THAN SIGNIFICANT IMPACT	The project does not include any hazardous design features.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project is located in a hillside area.	XVI-60
f.	LESS THAN SIGNIFICANT IMPACT	The proposed project does not conflict with alternative transportation policies, plans, or programs.	

XVII. UTILITIES AND SERVICE SYSTEMS

a.	LESS THAN SIGNIFICANT IMPACT	There will be less than significant impacts based upon the estimated output of gallons of wastewater per day in conjunction with the City of Los Angeles' current capacity.	
b.	LESS THAN SIGNIFICANT IMPACT	There will be less than significant impacts based upon the estimated output of gallons of wastewater per day in conjunction with the City of Los Angeles' current capacity.	
c.	LESS THAN SIGNIFICANT IMPACT	There will be less than significant impacts based upon the estimated output of gallons of wastewater per day in conjunction with the City of Los Angeles' current capacity.	

Impact?	Explanation	Mitigation Measures
---------	-------------	---------------------

d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project has the potential to cumulatively impact existing water supplies.	XVII-10, XVII-20, XVII-40
e.	LESS THAN SIGNIFICANT IMPACT	The estimated output of the proposed project will not be substantial enough to impact the City of Los Angeles' capacity.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	The project will have a cumulative impact on the City's waste disposal capacity.	XVII-90, XVII-100
g.	LESS THAN SIGNIFICANT IMPACT	The project as mitigated will be in compliance with state, federal, and local statutes and regulations related to solid waste.	

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a.	LESS THAN SIGNIFICANT IMPACT	The project will not have the potential to negatively affect these categories with the application of the above referenced mitigation measures.	
b.	LESS THAN SIGNIFICANT IMPACT	The project has impacts that are individually limited but cumulatively considerable; however, mitigation measures have been incorporated to ensure that any such impacts are reduced to a less than significant level.	
c.	LESS THAN SIGNIFICANT IMPACT	With the applied mitigation measures, the proposed project will not significantly impact human beings.	

EXHIBIT 7



City of Los Angeles Department of City Planning

2/24/2015

PARCEL PROFILE REPORT

PROPERTY ADDRESSES

853 N HYPERION AVE

ZIP CODES

90029

RECENT ACTIVITY

None

CASE NUMBERS

CPC-1986-255

ORD-165167-SA5020

ZA-2013-2876-ZAA

VTT-72500-SL

ENV-2013-2877-MND

MND-90-183-SUB

Address/Legal Information

PIN Number	144A201 394
Lot/Parcel Area (Calculated)	7,478.1 (sq ft)
Thomas Brothers Grid	PAGE 594 - GRID B6
Assessor Parcel No. (APN)	5427009004
Tract	LINCOLNIAN HEIGHTS
Map Reference	M R 18-70
Block	C
Lot	4
Arb (Lot Cut Reference)	None
Map Sheet	144A201

Jurisdictional Information

Community Plan Area	Silver Lake - Echo Park - Elysian Valley
Area Planning Commission	East Los Angeles
Neighborhood Council	Silver Lake
Council District	CD 13 - Mitch O'Farrell
Census Tract #	1959.01
LADBS District Office	Los Angeles Metro

Planning and Zoning Information

Special Notes	None
Zoning	R3-1VL
Zoning Information (ZI)	None
General Plan Land Use	Medium Residential
General Plan Footnote(s)	Yes
Hillside Area (Zoning Code)	Yes
Baseline Hillside Ordinance	No
Baseline Mansionization Ordinance	No
Specific Plan Area	None
Special Land Use / Zoning	None
Design Review Board	No
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
POD - Pedestrian Oriented Districts	None
CDO - Community Design Overlay	None
NSO - Neighborhood Stabilization Overlay	No
Streetscape	No
Sign District	No
Adaptive Reuse Incentive Area	None
CRA - Community Redevelopment Agency	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No

Assessor Information

Assessor Parcel No. (APN)	5427009004
Ownership (Assessor)	
Owner1	AMREAL HYPERION INVESTORS LLC
Address	27200 AGOURA RD STE 201 CALABASAS CA 91301
Ownership (City Clerk)	
Owner	HYPERION PARTNERS LLC
Address	

APN Area (Co. Public Works)*	0.172 (ac)
Use Code	0100 - Single Residence
Assessed Land Val.	\$1,188,276
Assessed Improvement Val.	\$20,399
Last Owner Change	06/26/14
Last Sale Amount	\$1,185,011
Tax Rate Area	13
Deed Ref No. (City Clerk)	939264 939263 300713-14 1108409

Building 1	
Year Built	1922
Building Class	D5A
Number of Units	1
Number of Bedrooms	2
Number of Bathrooms	1
Building Square Footage	768.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5

Additional Information

Airport Hazard	None
Coastal Zone	None
Farmland	Area Not Mapped
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	Yes
Oil Wells	None

Seismic Hazards

Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	0.77303376
Nearest Fault (Name)	Upper Elysian Park
Region	Los Angeles Blind Thrusts
Fault Type	B
Slip Rate (mm/year)	1.30000000
Slip Geometry	Reverse
Slip Type	Poorly Constrained

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

Down Dip Width (km)	13.00000000
Rupture Top	3.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	50.00000000
Maximum Magnitude	6.40000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	No
Tsunami Inundation Zone	No
Economic Development Areas	
Business Improvement District	None
Renewal Community	No
Revitalization Zone	Central City
State Enterprise Zone	None
State Enterprise Zone Adjacency	No
Targeted Neighborhood Initiative	None
Public Safety	
Police Information	
Bureau	Central
Division / Station	Rampart
Reporting District	204
Fire Information	
Division	1
Battalion	11
District / Fire Station	6
Red Flag Restricted Parking	No

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number:	CPC-1986-255
Required Action(s):	Data Not Available
Project Descriptions(s):	AB-283 PROGRAM - GENERAL PLAN/ZONE CONSISTENCY - SILVER LAKE AREA - COMMUNITY WIDE ZONE CHANGES AND COMMUNITY PLAN CHANGES TOBRING THE ZONING INTO CONSISTENCY WITH THE COMMUNITY PLAN. INCLUDES CHANGES OF HEIGHT AS NEEDED. REQUIRED BY COURT AS PART OF SETTLEMENT IN THE HILLSIDE FEDERATION LAWSUIT
Case Number:	ZA-2013-2876-ZAA
Required Action(s):	ZAA-AREA,HEIGHT,YARD,AND BLDG LINE ADJMNTS GT 20% (SLIGHT MODIFICATIONS)
Project Descriptions(s):	8-LOT SMALL LOT SUBDIVISION WITH 18 PARKING SPACES IN THE R3-1VL ZONE
Case Number:	VTT-72500-SL
Required Action(s):	SL-SMALL LOT SUBDIVISION
Project Descriptions(s):	8-LOT SMALL LOT SUBDIVISION WITH 18 PARKING SPACES IN THE R3-1VL ZONE
Case Number:	ENV-2013-2877-MND
Required Action(s):	MND-MITIGATED NEGATIVE DECLARATION
Project Descriptions(s):	8-LOT SMALL LOT SUBDIVISION WITH 18 PARKING SPACES IN THE R3-1VL ZONE
Case Number:	MND-90-183-SUB
Required Action(s):	SUB-SUBDIVISIONS
Project Descriptions(s):	Data Not Available

DATA NOT AVAILABLE

ORD-165167-SA5020



Address: 853 N HYPERION AVE
APN: 5427009004
PIN #: 144A201 394

Tract: LINCOLNIAN HEIGHTS
Block: C
Lot: 4
Arb: None

Zoning: R3-1VL
General Plan: Medium Residential



Streets Copyright (c) Thomas Brothers Maps, Inc.



City of Los Angeles Department of City Planning

2/24/2015 PARCEL PROFILE REPORT

PROPERTY ADDRESSES

859 N HYPERION AVE
857 N HYPERION AVE

ZIP CODES

90029

RECENT ACTIVITY

VTT-72500-SL
DIR-2009-2355-SPP

CASE NUMBERS

CPC-1986-255
ORD-165167-SA5020
ZA-2009-3566-ZAA
TT-48964
ENV-2009-3567-CE
MND-90-183-SUB

Address/Legal Information

PIN Number	144A201 387
Lot/Parcel Area (Calculated)	7,478.1 (sq ft)
Thomas Brothers Grid	PAGE 594 - GRID B6
Assessor Parcel No. (APN)	5427009003
Tract	LINCOLNIAN HEIGHTS
Map Reference	M R 18-70
Block	C
Lot	3
Arb (Lot Cut Reference)	None
Map Sheet	144A201

Jurisdictional Information

Community Plan Area	Silver Lake - Echo Park - Elysian Valley
Area Planning Commission	East Los Angeles
Neighborhood Council	Silver Lake
Council District	CD 13 - Mitch O'Farrell
Census Tract #	1959.01
LADBS District Office	Los Angeles Metro

Planning and Zoning Information

Special Notes	None
Zoning	R3-1VL
Zoning Information (ZI)	None
General Plan Land Use	Medium Residential
General Plan Footnote(s)	Yes
Hillside Area (Zoning Code)	Yes
Baseline Hillside Ordinance	No
Baseline Mansionization Ordinance	No
Specific Plan Area	None
Special Land Use / Zoning	None
Design Review Board	No
Historic Preservation Review	No
Historic Preservation Overlay Zone	None
Other Historic Designations	None
Other Historic Survey Information	None
Mills Act Contract	None
POD - Pedestrian Oriented Districts	None
CDO - Community Design Overlay	None
NSO - Neighborhood Stabilization Overlay	No
Streetscape	No
Sign District	No
Adaptive Reuse Incentive Area	None
CRA - Community Redevelopment Agency	None
Central City Parking	No
Downtown Parking	No
Building Line	None
500 Ft School Zone	No
500 Ft Park Zone	No

Assessor Information

Assessor Parcel No. (APN)	5427009003
Ownership (Assessor)	
Owner1	AMREAL HYPERION INVESTORS LLC
Address	27200 AGOURA RD UNIT 201 AGOURA HILLS CA 91301
Ownership (City Clerk)	
Owner	ASHE, LINDA
Address	857 HYPERION AVENUE LOS ANGELES CA 90029
APN Area (Co. Public Works)*	0.172 (ac)
Use Code	0200 - 2 units (4 stories or less)
Assessed Land Val.	\$713,986
Assessed Improvement Val.	\$178,496
Last Owner Change	04/01/14
Last Sale Amount	\$875,008
Tax Rate Area	13
Deed Ref No. (City Clerk)	69213
	421162
	1985063
	1416219
	1058464
	1003203
Building 1	
Year Built	1923
Building Class	D45
Number of Units	2
Number of Bedrooms	3
Number of Bathrooms	2
Building Square Footage	1,432.0 (sq ft)
Building 2	No data for building 2
Building 3	No data for building 3
Building 4	No data for building 4
Building 5	No data for building 5

Additional Information

Airport Hazard	None
Coastal Zone	None
Farmland	Area Not Mapped
Very High Fire Hazard Severity Zone	No
Fire District No. 1	No
Flood Zone	None
Watercourse	No
Hazardous Waste / Border Zone Properties	No
Methane Hazard Site	None
High Wind Velocity Areas	No
Special Grading Area (BOE Basic Grid Map A-13372)	Yes
Oil Wells	None

Seismic Hazards

Active Fault Near-Source Zone	
Nearest Fault (Distance in km)	0.75822048
Nearest Fault (Name)	Upper Elysian Park
Region	Los Angeles Blind Thrusts
Fault Type	B
Slip Rate (mm/year)	1.30000000
Slip Geometry	Reverse

This report is subject to the terms and conditions as set forth on the website. For more details, please refer to the terms and conditions at zimas.lacity.org
 (*) - APN Area is provided "as is" from the Los Angeles County's Public Works, Flood Control, Benefit Assessment.

Slip Type	Poorly Constrained
Down Dip Width (km)	13.00000000
Rupture Top	3.00000000
Rupture Bottom	13.00000000
Dip Angle (degrees)	50.00000000
Maximum Magnitude	6.40000000
Alquist-Priolo Fault Zone	No
Landslide	No
Liquefaction	No
Tsunami Inundation Zone	No
Economic Development Areas	
Business Improvement District	None
Renewal Community	No
Revitalization Zone	Central City
State Enterprise Zone	None
State Enterprise Zone Adjacency	No
Targeted Neighborhood Initiative	None
Public Safety	
Police Information	
Bureau	Central
Division / Station	Rampart
Reporting District	204
Fire Information	
Division	1
Batallion	11
District / Fire Station	6
Red Flag Restricted Parking	No

CASE SUMMARIES

Note: Information for case summaries is retrieved from the Planning Department's Plan Case Tracking System (PCTS) database.

Case Number: CPC-1986-255
Required Action(s): Data Not Available
Project Descriptions(s): AB-283 PROGRAM - GENERAL PLAN/ZONE CONSISTENCY - SILVER LAKE AREA - COMMUNITY WIDE ZONE CHANGES AND COMMUNITY PLAN CHANGES TOBRING THE ZONING INTO CONSISTENCY WITH THE COMMUNITY PLAN. INCLUDES CHANGES OF HEIGHT AS NEEDED. REQUIRED BY COURT AS PART OF SETTLEMENT IN THE HILLSIDE FEDERATION LAWSUIT

Case Number: ZA-2009-3566-ZAA
Required Action(s): ZAA-AREA,HEIGHT,YARD,AND BLDG LINE ADJMNTS GT 20% (SLIGHT MODIFICATIONS)
Project Descriptions(s): ZONING ADMINISTRATOR'S ADJUSTMENT, PURSUANT TO SECTION 12.28, TO ALLOW A 5' PASSAGE WAY IN LIEU OF THE REQUIRED 10' TO THE FRONT OF THE STREET PURSUANT TO SECTION 12.21C2(B)

Case Number: TT-48964
Required Action(s): Data Not Available
Project Descriptions(s):

Case Number: ENV-2009-3567-CE
Required Action(s): CE-CATEGORICAL EXEMPTION
Project Descriptions(s): ZONING ADMINISTRATOR'S ADJUSTMENT, PURSUANT TO SECTION 12.28, TO ALLOW A 5' PASSAGE WAY IN LIEU OF THE REQUIRED 10' TO THE FRONT OF THE STREET PURSUANT TO SECTION 12.21C2(B)

Case Number: MND-90-183-SUB
Required Action(s): SUB-SUBDIVISIONS
Project Descriptions(s): Data Not Available

DATA NOT AVAILABLE

ORD-165167-SA5020



Address: 859 N HYPERION AVE
APN: 5427009003
PIN #: 144A201 387










Tract: LINCOLNIAN HEIGHTS
Block: C
Lot: 3
Arb: None

Zoning: R3-1VL
General Plan: Medium Residential



LEGEND

GENERALIZED ZONING

	OS, GW
	A, RA
	RE, RS, R1, RU, RZ, RW1
	R2, RD, RMP, RW2, R3, RAS, R4, R5
	CR, C1, C1.5, C2, C4, C5, CW, ADP, LASED, CEC, USC, PVSP
	CM, MR, WC, CCS, UV, UI, UC, M1, M2, LAX, M3, SL
	P, PB
	PF
	HILLSIDE

GENERAL PLAN LAND USE

LAND USE

RESIDENTIAL

	Minimum Residential
	Very Low / Very Low I Residential
	Very Low II Residential
	Low / Low I Residential
	Low II Residential
	Low Medium / Low Medium I Residential
	Low Medium II Residential
	Medium Residential
	High Medium Residential
	High Density Residential
	Very High Medium Residential

COMMERCIAL

	Limited Commercial
	Limited Commercial - Mixed Medium Residential
	Highway Oriented Commercial
	Highway Oriented and Limited Commercial
	Highway Oriented Commercial - Mixed Medium Residential
	Neighborhood Office Commercial
	Community Commercial
	Community Commercial - Mixed High Residential
	Regional Center Commercial




INDUSTRIAL

	Commercial Manufacturing
	Limited Manufacturing
	Light Manufacturing
	Heavy Manufacturing
	Hybrid Industrial

PARKING

	Parking Buffer
---	----------------

PORT OF LOS ANGELES

	General / Bulk Cargo - Non Hazardous (Industrial / Commercial)
	General / Bulk Cargo - Hazard
	Commercial Fishing
	Recreation and Commercial
	Intermodal Container Transfer Facility Site



LOS ANGELES INTERNATIONAL AIRPORT

	Airport Landside
	Airport Airside
	Airport Northside

OPEN SPACE / PUBLIC FACILITIES

	Open Space
	Public / Open Space
	Public / Quasi-Public Open Space
	Other Public Open Space
	Public Facilities

INDUSTRIAL

	Limited Industrial
	Light Industrial

FRAMEWORK

COMMERCIAL

	Neighborhood Commercial
	General Commercial
	Community Commercial
	Regional Mixed Commercial

CIRCULATION

STREET

-  Arterial Mountain Road
-  Collector Scenic Street
-  Collector Street
-  Collector Street (Hillside)
-  Collector Street (Modified)
-  Collector Street (Proposed)
-  Country Road
-  Divided Major Highway II
-  Divided Secondary Scenic Highway
-  Local Scenic Road
-  Local Street
-  Major Highway (Modified)
-  Major Highway I
-  Major Highway II
-  Major Highway II (Modified)



















-  Major Scenic Highway
-  Major Scenic Highway (Modified)
-  Major Scenic Highway II
-  Mountain Collector Street
-  Park Road
-  Parkway
-  Principal Major Highway
-  Private Street
-  Scenic Divided Major Highway II
-  Scenic Park
-  Scenic Parkway
-  Secondary Highway
-  Secondary Highway (Modified)
-  Secondary Scenic Highway
-  Special Collector Street
-  Super Major Highway

FREEWAYS

-  Freeway
-  Interchange
-  On-Ramp / Off- Ramp
-  Railroad
-  Scenic Freeway Highway

MISC. LINES




-  Airport Boundary
-  Bus Line
-  Coastal Zone Boundary
-  Coastline Boundary
-  Collector Scenic Street (Proposed)
-  Commercial Areas
-  Commercial Center
-  Community Redevelopment Project Area
-  Country Road
-  DWP Power Lines
-  Desirable Open Space
-  Detached Single Family House
-  Endangered Ridgeline
-  Equestrian and/or Hiking Trail
-  Hiking Trail
-  Historical Preservation
-  Horsekeeping Area
-  Local Street

-  MSA Desirable Open Space
-  Major Scenic Controls
-  Multi-Purpose Trail
-  Natural Resource Reserve
-  Park Road
-  Park Road (Proposed)
-  Quasi-Public
-  Rapid Transit Line
-  Residential Planned Development
-  Scenic Highway (Obsolete)
-  Secondary Scenic Controls
-  Secondary Scenic Highway (Proposed)
-  Site Boundary
-  Southern California Edison Power
-  Special Study Area
-  Specific Plan Area
-  Stagecoach Line
-  Wildlife Corridor

POINTS OF INTEREST

 Alternative Youth Hostel (Proposed)	 Horticultural Center	 Public Elementary School
 Animal Shelter	 Hospital	 Public Elementary School (Proposed)
 Area Library	 Hospital (Proposed)	 Public Golf Course
 Area Library (Proposed)	HW House of Worship	 Public Golf Course (Proposed)
 Bridge	 Important Ecological Area	 Public Housing
 Campground	 Important Ecological Area (Proposed)	 Public Housing (Proposed Expansion)
 Campground (Proposed)	 Interpretive Center (Proposed)	 Public Junior High School
 Cemetery	 Junior College	 Public Junior High School (Proposed)
HW Church	 MTA / Metrolink Station	 Public Middle School
 City Hall	 MTA Station	 Public Senior High School
 Community Center	 MTA Stop	 Public Senior High School (Proposed)
 Community Library	MWD MWD Headquarters	 Pumping Station
 Community Library (Proposed Expansion)	 Maintenance Yard	 Pumping Station (Proposed)
 Community Library (Proposed)	 Municipal Office Building	 Refuse Collection Center
 Community Park	 Municipal Parking lot	 Regional Library
 Community Park (Proposed Expansion)	 Neighborhood Park	 Regional Library (Proposed Expansion)
 Community Park (Proposed)	 Neighborhood Park (Proposed Expansion)	 Regional Library (Proposed)
 Community Transit Center	 Neighborhood Park (Proposed)	 Regional Park
 Convalescent Hospital	 Oil Collection Center	 Regional Park (Proposed)
 Correctional Facility	 Parking Enforcement	RPD Residential Plan Development
 Cultural / Historic Site (Proposed)	 Police Headquarters	 Scenic View Site
 Cultural / Historical Site	 Police Station	 Scenic View Site (Proposed)
 Cultural Arts Center	 Police Station (Proposed Expansion)	 School District Headquarters
DMV DMV Office	 Police Station (Proposed)	 School Unspecified Loc/Type (Proposed)
DWP DWP	 Police Training site	 Skill Center
 DWP Pumping Station	PO Post Office	 Social Services
 Equestrian Center	 Power Distribution Station	 Special Feature
 Fire Department Headquarters	 Power Distribution Station (Proposed)	 Special Recreation (a)
 Fire Station	 Power Receiving Station	 Special School Facility
 Fire Station (Proposed Expansion)	 Power Receiving Station (Proposed)	 Special School Facility (Proposed)
 Fire Station (Proposed)	C Private College	 Steam Plant
 Fire Supply & Maintenance	E Private Elementary School	 Surface Mining
 Fire Training Site	 Private Golf Course	 Trail & Assembly Area
 Fireboat Station	 Private Golf Course (Proposed)	 Trail & Assembly Area (Proposed)
 Health Center / Medical Facility	JH Private Junior High School	UTL Utility Yard
 Helistop	PS Private Pre-School	 Water Tank Reservoir
 Historic Monument	 Private Recreation & Cultural Facility	 Wildlife Migration Corridor
 Historical / Cultural Monument	SH Private Senior High School	 Wildlife Preserve Gate
 Horsekeeping Area	SF Private Special School	
 Horsekeeping Area (Proposed)	 Public Elementary (Proposed Expansion)	

SCHOOLS/PARKS WITH 500 FT. BUFFER

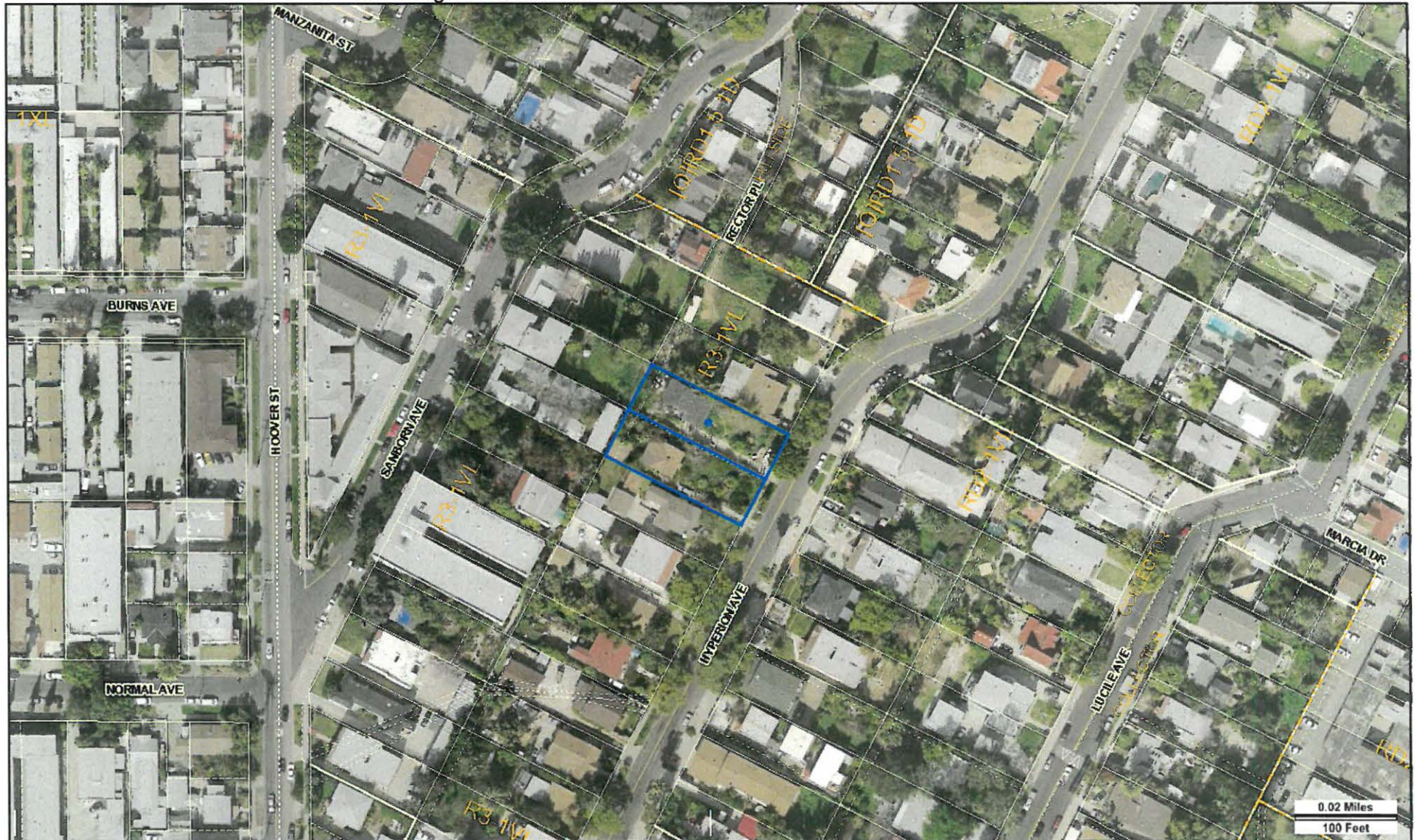
-  Existing School/Park Site
-  Planned School/Park Site
-  Inside 500 Ft. Buffer

- | | |
|--|--|
|  Aquatic Facilities |  Opportunity School |
|  Beaches |  Other Facilities |
|  Charter School |  Park / Recreation Centers |
|  Child Care Centers |  Parks |
|  Elementary School |  Performing / Visual Arts Centers |
|  Golf Course |  Recreation Centers |
|  High School |  Span School |
|  Historic Sites |  Special Education School |
|  Horticulture/Gardens |  Senior Citizen Centers |
|  Middle School |  Skate Parks |

OTHER SYMBOLS

- | | | |
|---|---|--|
|  Lot Line |  Airport Hazard Zone |  Flood Zone |
|  Tract Line |  Census Tract |  Hazardous Waste |
|  Lot Cut |  Coastal Zone |  High Wind Zone |
|  Easement |  Council District |  Hillside Grading |
|  Zone Boundary |  LADBS District Office |  Historic Preservation Overlay Zone |
|  Building Line |  Downtown Parking |  Specific Plan Area |
|  Lot Split |  Fault Zone |  Very High Fire Hazard Severity Zone |
|  Community Driveway |  Fire District No. 1 |  Oil Wells |
|  Tract Map | | |
|  Parcel Map | | |
|  Lot Ties | | |
|  Building Outlines | | |

EXHIBIT 8



Address: 859 N HYPERION AVE

APN: 5427009003

PIN #: 144A201 387

Tract: LINCOLNIAN HEIGHTS

Block: C

Lot: 3

Arb: None

Zoning: R3-1VL

General Plan: Medium Residential

