

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

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COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

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

MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271

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

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
<http://planning.lacity.org>

June 25, 2015

Desmond 5500 Wilshire, LLC (O)
5141 California Avenue, Suite 100
Irvine, CA 92617

PSOMAS (R)
Joel B. Miller
555 S. Flower Street, Suite 4300
Los Angeles, CA 90071

Case No.: VTT-62842-M1
Related case: ZA-2007-4048-ZAA-SPR,
ZA-2005-8231-ZAA-SPR
5500-5528 Wilshire Boulevard
Wilshire Planning Area
Zone : [Q]C1.5-2-CDO and [Q]C4-2-
CDO
C. D. : 4
D. M. : 132 B 181 and 135 B 181
CEQA: ENV-2005-6291-MND-REC

LETTER OF CORRECTION

On March 14, 2006, in accordance with provisions of Section 17.03 and 17.15 of the Los Angeles Municipal Code, the Advisory Agency approved Vesting Tentative Tract Map VTT-62842 and subsequently processed a modification on September 17, 2007, VTT-62842-M1.

Based on information contained in a correspondence from the Bureau of Engineering, dated May 18, 2015, attached to the subject case file, it has been discovered that a condition was not included.

The following condition shall be added:

- 1(f). That the existing storm drain/sewer easement within the tract area be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
 - a. That consents to the easement being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
 - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the

interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

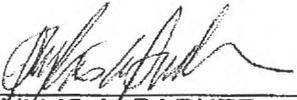
- 1(g). That any surcharge fee in conjunction with the street merger request be paid.
- 1(h). That a new public sanitary/drainage easement be dedicated on the map on a location and alignment satisfactory to the Valley District Engineering Office.

All other conditions remain unchanged.

The subdivider is advised that the above action does not extend the time for recording the final vesting tentative tract map.

If you have any questions, please call Phyllis A. Parker, City Planner at (213) 978-1364.

Michael J. LoGrande
Advisory Agency



PHYLLIS A. PARKER
Deputy Advisory Agency

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

WILLIAM ROSCHEN
PRESIDENT
REGINA M. FREER
VICE-PRESIDENT
SEAN O. BURTON
DIEGO CARDOSO
ROBIN R. HUGHES
FR. SPENCER T. KEZIOS
RICARDO LARA
CINDY MONTAÑEZ
MICHAEL K. WOO
JAMES WILLIAMS
COMMISSION EXECUTIVE ASSISTANT
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

EXECUTIVE OFFICES
S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271
VINCENT P. BERTONI, AICP
DEPUTY DIRECTOR
(213) 978-1272
JOHN M. DUGAN, AICP
DEPUTY DIRECTOR
(213) 978-1274
EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275
INFORMATION
(213) 978-1270
www.planning.lacity.org

March 12, 2009

Desmonds 5500 Wilshire, LLC (O)
5141 California Avenue, Suite 100
Irvine, CA 92617

Dale Goldsmith, Esq. (R)
Armbruster and Goldsmith, LLP
10940 Wilshire Boulevard, Suite 2100
Los Angeles, CA 90024

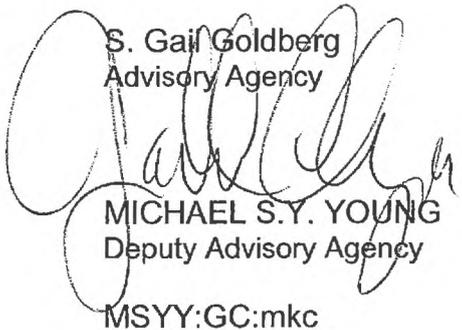
RE: VTT-62842-CN
Related Case: ZA 2007-4048(ZAA)
(SPR); ZA 2005-8231(ZAA)(SPR)
5500-5528 West Wilshire Boulevard
C.D.: 4
Existing Zones: [Q]C1.5-2-CDO, &
[Q]C4-2-CDO
D.M.: 132-B-181
Community Plan: Wilshire
ENV No. ENV-2005-6291-MND
Legal Description: Tract: 23023;
Lot: 1

EXTENSION OF TIME

On March 14, 2006 the Deputy Advisory Agency conditionally approved this vesting tentative tract map. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and Section 17.07 or 17.56-A of the Los Angeles Municipal Code, the Deputy Advisory Agency hereby grants a 6-year extension, totaling 9 years, from the decision date for the recording of the final map for Vesting Tentative Tract No. 62842-CN located at 5500-5528 West Wilshire Boulevard in the Wilshire Community Plan.

All tentative tract maps are automatically granted an additional one year as long as those maps were still valid as of July 15, 2008 and will expire before January 1, 2011.

Therefore, the new expiration date for the subject (*tract/parcel*) map is **March 14, 2016** and no further extension of time to record a final map can be granted.

S. Gail Goldberg
Advisory Agency

MICHAEL S.Y. YOUNG
Deputy Advisory Agency
MSYY:GC:mkc

NOTE: IF THERE IS A RELATED CASE WITH
YOUR TRACT / PARCEL, THIS EXTENSION
WILL NOT EXTEND THE RELATED CASE
APPROVAL.

CITY OF LOS ANGELES

CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF CITY PLANNING

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LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
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(213) 978-1300

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S. GAIL GOLDBERG, AICP
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(213) 978-1271

EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
(213) 978-1270

www.planning.lacity.org

Decision Date: September 17, 2007

Appeal Period Ends: September 27, 2007

Desmonds 5500 Wilshire, LLC (O)
5141 California Avenue, Suite 100
Irvine, CA 92617

Oriana A. Slasor (E)
Fusco Engineering
16975 Von Karman, Suite 100
Irvine, CA 92606

Dale Goldsmith, Esq. (R)
A.J. Jarasunas, Esq.
Armbruster and Goldsmith, LLP
10940 Wilshire Boulevard, Suite 2100
Los Angeles, CA 90024

Re: Vesting Tentative Tract No. 62842-M1
Address: 5500-5528 W. Wilshire
Boulevard
Related Case: ZA 2007-4048-ZAA-SPR,
ZA 2005-823-ZAA-SPR
Council District: 4
Existing Zone: [Q]C1.5-2-CDO and
[Q]C4-2-CDO
Community Plan: Wilshire
ENV No.: ENV-2005-6291-MND-REC

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code, the Advisory Agency approved the **MODIFICATION** of Vesting Tentative Tract No. 62842 composed of a two-lot subdivision, located at 5500-5528 W. Wilshire Boulevard for a maximum new **125-unit condominium and 50 joint live/work units (50,000 square feet maximum) and the preservation and restoration of Desmond's Tower** as shown on revised map stamp dated August 23, 2007 in the Wilshire Community Plan. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following modified conditions:

BUREAU OF ENGINEERING – SPECIFIC CONDITIONS

EXISTING CONDITION NO. 1 e reads:

That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.

DELETE CONDITION NO. 1 e

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

EXISTING CONDITION NO. 3 g reads:

Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.

DELETE CONDITION NO. 3 g

EXISTING CONDITION NO. 3 h reads:

Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.

DELETE CONDITION NO. 3 h

EXISTING CONDITION NO. 3 i reads:

Each air space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

DELETE CONDITION NO. 3 i

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

EXISTING CONDITION NO. 12 a reads:

Limit the proposed development to a maximum of 125 dwelling units and 33 joint live/work units.

EXISTING CONDITION NO. 12 a to read:

Limit the proposed development to a maximum of 125 dwelling units and 50 joint live/work units (50,000 square feet maximum).

FINDINGS OF FACT (CEQA - Modified Finding)

The Department of City Planning issued Mitigated Negative Declaration ENV 2005-6291 MND on January 18, 2006. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (landscaping, light);
- Air Quality (construction, operation);
- Geology and Soils (seismic);
- Hazardous Materials (methane gas);
- Hydrology and Water Quality (storm water runoff);
- Noise (construction, parking ramps,);
- Public Services (fire, schools, street dedications);
- Recreation (parks);
- Transportation/Traffic
- Utilities

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV 2005-6291 MND 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. 5a, 10, 12e, 12h, 19 and 20 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, Storm water Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned. The project site, as well as the surrounding area is presently developed with residential structures and does not provide a natural habitat for either fish or wildlife.

In 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. 18.

Furthermore, the Advisory Agency hereby finds that modifications to and/or corrections 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.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 62842, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Wilshire Community Plan designates the subject property for Regional Center Commercial land use with the corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The property is located not in a Specific Plan. The property contains approximately 2.2 net acres (95,837 net square feet after required dedication) and is presently zoned [Q]C4-2-CDO and [Q]C1.5-2-CDO. The proposed development of 125 condominium units and 50 joint live/work units (50,000 square feet maximum) is allowable under the current adopted zone and the land use designation.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms with both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance No. 172,081).

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

- (b) **THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

Wilshire Boulevard is a Class II Major Highway dedicated to a 100-foot width at the project's street frontage and Dunsmuir Avenue and Burnside Avenue are Local Streets dedicated to a 60-foot width. The Bureau of Engineering is requiring a 2-foot dedication along Wilshire Boulevard to complete a 52-foot wide half street dedication in accordance with Major Highway Standards, including a 20-foot radius property line return at the intersections with Burnside Avenue and a 15-foot radius property line return with Dunsmuir Avenue. This project isn't subject to any Specific Plan requirements. The proposed project will provide 461 parking spaces in conformance with the LAMC. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

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

The site is currently developed with Wilshire Tower, also known as Desmond's Tower, designated as a Historic-Cultural Monument LA-332. It's one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has tentatively approved the tract map subject to control of on-site drainage in a manner acceptable to that Department in accordance with the Grading Regulations, Section 91.3000 of the Los Angeles Municipal Code.

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

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

Adjacent land uses consist of a parking lot and retail building to the west in the [Q]C2-1 zone, office buildings to the north across Wilshire Boulevard in the C4-2 zone, retail office buildings and multi-family residential units to the east in the C4-2 and [Q]R4-1 zones, and a multi-family dwelling to the south in the R4-1 zone. The north portion of the site is presently developed with Wilshire Tower, also known as Desmond's Tower, designated as a Historic-Cultural Monument LA-332. Desmond's Tower, a commercial building, is proposed to be restored. The proposed project would provide an appropriate transitional development with the retail buildings and multi-family residential units to the east and west. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the 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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned.

The project site, as well as the surrounding area was developed with commercial structures and does not provide a natural habitat for either fish or wildlife.

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

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

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

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

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

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

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

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

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

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

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

All other conditions and findings of Vesting Tentative Tract No. 62842 shall remain as originally written.

S. Gail Goldberg
Advisory Agency

Maya E. Zaitzevsky

MAYA ZAITZEVSKY
Deputy Advisory Agency

MZ:CL:jh

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

Figueroa Plaza
201 N. Figueroa St., 4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

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

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.

If you have any questions, please call Subdivision staff at (213) 978-1362.

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

CITY PLANNING COMMISSION

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FR. SPENCER T. KEZIOS
WILLIAM ROSCHEN
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EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP
DIRECTOR
(213) 978-1271

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

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

FAX: (213) 978-1275

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

Decision Date: March 14, 2006

Appeal Period Ends: March 24, 2006

Wilshire-Dunsmuir Company (O)(A)
8899 Beverly Boulevard, Suite 501
Los Angeles, CA 90048

Dale Goldsmith, Esq. (R)
A.J. Jarasunas, Esq.
10940 Wilshire Boulevard, Suite 2100
Los Angeles, CA 90024

John Olivier (E)
Fusco Engineering
16795 Von Karman, Suite 100
Irvine, CA 92606

Re: Vesting Tentative Tract No. 62842
Related Case: ZA 2005-8231(ZAA)(SPR)
Council District: 4
Existing Zone: [Q]C1.5-2-CDO, and
[Q]C4-2-CDO
Community Plan: Wilshire
ENV No. ENV-2005-6291-MND
Fish and Game: Exempt

Department of Building and Safety

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Vesting Tentative Tract No. composed of two parcels, located at 5500-5528 W. Wilshire Boulevard for a maximum new **125-unit condominium and 25 joint live/work units and the preservation and restoration of Desmond's Tower** as shown on map stamp-dated January 6, 2006 in the Wilshire Community Plan. This unit density is based on the [Q]C4-2-CDO and [Q]C1.5-2-CDO Zones. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1414. The Advisory Agency's approval is subject to the following conditions:

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

DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the Advisory Agency approved Vesting Tentative Tract No. 62842 composed of a 2-lot, 5-airspace lot subdivision, located at 5500-5528 W. Wilshire Boulevard for a maximum new **125-unit condominium and 33 joint live/work units** as shown on map stamp-dated January 6, 2006 in the Wilshire Community Plan. This unit density is based on the [Q]C1.5-2-CDO and [Q]C4-2-CDO Zones. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or staff call (213) 978-1414. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Bureau of Engineering, binding the subdivider and all successors to the following:
 - a. That a 2-foot wide strip of land be dedicated along Wilshire Boulevard adjoining the subdivision to complete a 52-foot wide half street dedication in accordance with Major Highway Standards, including a 20-foot radius property line return at the intersections with Burnside Avenue and a 15-foot radius property line return with Dunsmuir Avenue all satisfactory to the City Engineer.
 - b. That any existing drainage and sanitary sewer easements within the subdivision be delineated on the final map satisfactory to the City Engineer.
 - c. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgment of Easement must be recorded and an application to do work in any sanitary sewer and drainage easements and to construct over the existing sanitary sewer and drainage facilities must be submitted to the City Engineer for approval.
 - d. That a set of drawings be submitted to the City Engineer showing the followings:
 - Plan view at different elevations.
 - Isometric views.
 - Elevations views.
 - Section cuts at all locations where air space lot boundaries change.

- e. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in a safe condition for use at all times.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

3. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of [Q] condition(s). Show compliance with the above condition(s) as applicable or Department of City Planning approval is required.
 - b. Provide copy of records such a building permit, plot plan, certificate of occupancy to verify the legal use and required parking spaces for existing building on the lot.
 - c. Provide a copy of ZA case ZA-1997-862-PAD. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - d. Show required side yard and required rear yard.
 - e. Show all street dedication(s) as required by Bureau of Engineering. "Area" requirements shall be re-checked as per net lot area after street dedication.
 - f. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways.
 - g. Submit a revised map that dimensions each air space lot with a finite width, length, and upper and lower elevations. The final map shall be based upon a site plan which accurately describes the location of such lots.
 - h. Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.
 - i. Each air space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

Note: The existing or proposed building plans have not been checked for Building or Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, should be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Del Reyes at (213) 482-6882 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

4. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line.
 - b. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk.
 - c. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of 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.

FIRE DEPARTMENT

5. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - a. Submit plot plans for Fire Department approval and review prior to recordation of Tract Map Action. (MM)
 - b. Submit plot plans indicating access road and turning area for Fire Department approval.
 - c. Construction of public or private roadway in the proposed development shall not exceed 15 percent in grade.
 - d. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
 - e. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

- f. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
- g. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- h. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
- i. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.
- j. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- k. Private roadways for general access use shall have a minimum width of 20 feet.
- l. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- m. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- n. Adequate public and private fire hydrants shall be required.
- o. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- p. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- q. Private streets shall be recorded as Private Streets, **AND** Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- r. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

- s. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- t. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- u. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- v. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- w. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)

- 6. 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 October 24, 2005 attached to the Tract file. The project site is located on the pedestrian and bus routes for students attending Wilshire Crest Elementary School, Burroughs Middle School and Fairfax Senior High School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. 323.342.1400, and the principals or designees of Wilshire Crest Elementary School, Burroughs Middle School, and Fairfax Senior High 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

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

BUREAU OF STREET LIGHTING

8. Street light improvements shall be made to the satisfaction of the Bureau of Street Lighting and/or the following street lighting improvements shall be required. (This condition shall be deemed cleared at the time the City Engineer clears Condition S-3. (c.)
 - a. If street widening is required, relocate and upgrade three (3) existing lights on Wilshire Bl. And one (1) on Dunsmuir Ave.

INFORMATION TECHNOLOGY AGENCY

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code Section 17.05N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 120 S. San Pedro Street, Room 600, Los Angeles, CA 90012, (213) 922-8379.

DEPARTMENT OF RECREATION AND PARKS

10. That the Quimby fee be based on the R4 Zone. (MM)

STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNING

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

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

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

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

- a. Limit the proposed development to a maximum of 125 dwelling units and 33 joint live/work units.
- b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit, plus 1/4 guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

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

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 No. Spring Street, Room 750).

- c. Provide 67 replacement parking stalls per [Q] Condition Number 3 of Ordinance 164876.
- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. Install within the project an air filtration system (either charcoal or electronic) to reduce the air quality effects on the proposed residents. (MM)
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
- h. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)

13. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.

Approved Variations as follows:

- a. a Zoning Administrator's Adjustment to permit a reduced side yard setback of 17 feet 11 inches for the first two stories in lieu of the required 20 feet on the southerly side yard. Also being requested is a site plan review for the proposed 158 residential units.

14. That prior to the issuance of the building permit or the recordation of the final map, a copy of the zone variance, zoning administrator's adjustment and site plan review shall be submitted to the satisfaction of the Advisory Agency. In the event that **ZA-2005-8231-ZV-ZAA-SPR** is not approved, the subdivider shall submit a tract modification.
15. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance Nos. 164876, 176331 and 176333.
16. That prior to recordation of the final map, the subdivider shall receive approval from the Department of City Planning, Cultural Heritage Commission or their designated staff, for the proposed project to the satisfaction of the Advisory Agency.
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 haul route conditions:
 - a. Streets to be used are limited Wilshire Boulevard, La Brea Avenue (10 Freeway, 60 Freeway and 605 Freeway) Rose Hills Road, and Workman Mill Road.
 - b. Hours of operation shall be from 7:00 a.m. to 3:30 p.m.
 - c. Days of the week shall be Monday through Saturday.
 - d. Trucks shall be restricted to semi-trailers and 22-wheel trucks or smaller.
 - e. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
 - f. The amount of earth material to be exported will be limited to a maximum of 55,000 cubic yards.
 - g. Streets shall be cleaned of spilled materials at the termination of each work day.
 - h. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
 - i. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
 - j. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
 - k. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- i. All trucks are to be watered at the job site to prevent excessive blowing dirt.
- m. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
- n. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- o. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- p. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
- q. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook."
- r. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
- s. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
- t. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
- u. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213. 977.6039.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

18. 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 mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. **5a, 10, 12e, 12h, 19 and 20** of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors 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.

19. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- MM-1 All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect to the satisfaction of the decision maker.
- MM-2 Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.
- MM-3 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- MM-4 All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- MM-5 All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- MM-6 Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-7 Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- MM-8 Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.

- MM-9 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- MM-10 Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- MM-11 Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- MM-12 Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-13 Paint messages that prohibits the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- MM-14 All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- MM-15 Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- MM-16 Legibility of stencils and signs must be maintained.
- MM-17 Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- MM-18 Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.
- MM-19 The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- MM-20 Concrete, not metal, shall be used for construction of parking ramps.
- MM-21 The interior ramps shall be textured to prevent tire squeal at turning areas.

MM-22 Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

MM-23 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.

20. **Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or the recordation of the final map,** the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

CM-1. That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. **YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.**

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

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

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

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

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

- CM-6 All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- CM-8 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- CM-10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-12 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-13 All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.
- CM-14 Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- CM-15 Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.
- CM-16 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-17 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-18 Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

- C-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
 2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.
- C-2. That prior to recordation of the final map, the subdivider shall record an "Agreement for Development of Units for Lease or Sale ("15% Ordinance")" covenant, to benefit the Housing Authority, for certification of the development in accordance with Section 12.39A. Arrangements shall be made with the Department of Building and Safety, Zoning Section - Subdivisions (213.482.0000) to approve the covenant format, prior to recording the covenant.
- C-3. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.
- C-4. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any grading or building permits before the recordation of the final map.

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

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

OR

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Municipal Code.
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.
- (h) That each lot in the tract comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting un subdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - (k) That no public street grade exceed 15%.
 - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
 - (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
 - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
 - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
 - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
 - (b) Construct any necessary drainage facilities.
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - (1) Improve Burnside Avenue and Dunsmuir Avenue adjoining the subdivision by the construction of the following:
 - a. A concrete curb, a concrete gutter, and a 10-foot full-width concrete sidewalk with tree wells and landscaping of the parkway.
 - b. Suitable surfacing to join the existing pavement and to complete a 20-foot half roadway including relocation of existing catch basins as required.
 - c. Any necessary removal and reconstruction of the existing improvements.
 - d. The necessary transitions to join the existing improvement all satisfactory to the City Engineer.

NOTES:

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

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

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

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

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

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

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

Further, in the event the Advisory Agency approves the Vesting Tentative Tract, the following findings for the California Environmental Quality Act and Subdivision Map Act should be adopted by the Advisory Agency.

FINDINGS OF FACT (CEQA)

The Department of City Planning issued a Mitigated Negative Declaration ENV-2005-6291-MND on December 29, 2005. The Department found that potential negative impacts could result from the project's implementation due to:

- Aesthetics (landscaping, light);
- Air Quality (construction, operational);
- Geology and Soils (construction, seismic, haul route);
- Hazards and Hazardous Materials (methane);
- Hydrology and Water Quality (stormwater);
- Noise (construction, operational);
- Public Services (fire, schools, street improvements);
- Recreation (parks);
- Transportation/Circulation (emergency access);
- Utilities (solid waste);

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2005-6291-MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **No(s). 5a, 10, 12e, 12h, 19 and 20** 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, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impacts to fish or wildlife resources as far as earth, air, water, plant life, are concerned. However, measures are required as part of this approval which will mitigate the above-mentioned impacts to a less than significant level. Furthermore, the project site, as well as the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or

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

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 18.

Furthermore, the Advisory Agency hereby finds that modifications to and/or corrections 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. 62842, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

- (a) THE PROPOSED MAP WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.
- (b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Wilshire Plan designates the subject property for Regional Center commercial land use with the corresponding zones of CR, C1.5, C2, C4, P, PB, RAS3, RAS4, R3, R4, and R5. The property contains approximately 2.20 net acres (95,824 net square feet after required dedication) and is presently zoned [Q]C4-2-CDO and [Q]C1.5-2-CDO. The proposed development of a 158-unit residential condominium is allowable under the current adopted zone and the land use designation.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

The project conforms with both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance 172,081).

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

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

The site is one of the few under-improved properties in the vicinity. The development of this tract is an infill of an otherwise mix-density residential neighborhood.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone.

The Department of Building and Safety, Grading Division, has conditionally approved the tract map and submitted soils report, subject to conditions in accordance with the Grading Regulations, Section 91.3000 of the Los Angeles Municipal Code.

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

The tract has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits.

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

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

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

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

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

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

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

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 to be subdivided and other design and improvement requirements.

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

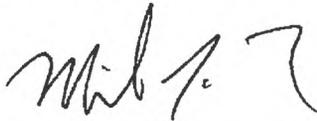
The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.

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

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

These findings shall apply to both the tentative and final maps for Tract No. 62842.

S. Gail Goldberg
Advisory Agency



MICHAEL LOGRANDE
Deputy Advisory Agency

GG:ML:RG:HC:jq

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

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

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

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

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.

If you have any questions, please call Subdivision staff at (213) 978-1414.