



## OFFICE OF ZONING ADMINISTRATION

City Hall • 200 N. Spring Street, Room 763 Los Angeles, CA 90012



### OFFICE OF ZONING ADMINISTRATION

#### MEMORANDUM

ZA MEMORANDUM NO. 131

December 18, 2013

TO: Office of Zoning Administration  
Public Counters  
Interested Parties

FROM: Linn K. Wyatt  
Chief Zoning Administrator

SUBJECT: **EXPIRATION AND TIME EXTENSIONS FOR SUBDIVISIONS AND RELATED ENTITLEMENTS – MULTIPLE APPROVALS ORDINANCE (ORD. NO. 182,106) AND AB 116**

This Zoning Administrator Memorandum explains procedures to document time extensions addressed in the Multiple Approvals Ordinance (MAO) and the AB 116 provisions signed into law, effective July 11, 2013. This memorandum supersedes the procedures identified in Zoning Administrator Memorandum No. 127 and the memorandum titled "Re: Extensions of Time for Tentative Tract and Preliminary Parcel Maps" dated May 24, 2012.

#### Background

In recent years, the State Legislature has adopted a series of bills that add time extensions to the life of subdivision map approvals. The City codified all of these bills, except AB 116, into the Multiple Approvals Ordinance (Ord. No. 182,106), effective May 20, 2012. With the adoption of the Multiple Approvals Ordinance (MAO), the life spans of multiple discretionary entitlements associated with a particular project have been synchronized to coincide with the life of the longest running entitlement, thus allowing for projects with multiple approvals to benefit from the longest life span. The MAO categorically establishes a three year "life" for stand-alone quasi-judicial grants for cases issued determinations on or after May 20, 2012, and more importantly, expands the scope of applicability to all discretionary approvals even if they are not related to a subdivision map approval.

#### AB 116

On July 11, 2013, AB 116 became effective. This act provides an automatic 24-month extension for certain unexpired subdivision maps approved after January 1, 2000, and establishes an extension process for earlier-approved maps. While the Legislature has extended unexpired subdivision maps several times before, the process established under AB 116 is more comprehensive than previous extensions.

Under the new law, subdivision maps approved after January 1, 2000, and unexpired as of July 11, 2013, are automatically extended by 24 months. For earlier-approved maps, cities have the option to approve, conditionally approve or deny a 24-month extension, depending on whether the map is consistent with the applicable zoning and General Plan.

**Extensions of Subdivision Map Approvals**

The following table shows the maximum life for subdivision map approvals inclusive of all available extensions of time under the MAO provisions as well as AB 116. The sequencing of any previous time extensions issued for entitlements will determine whether the project qualifies for certain State extensions.

Authority	Length of time and extension for Tentative Tract and Preliminary Parcel Maps
LAMC Sections 17.07-A,1 and 17.56-A,1	3 years (for initial approval)
LAMC Sections 17.07-A,2 and 17.56-A,2	6 years (by application)
SB 1185 State Extension	1 year (if map is valid on 07/15/08 and expires before 01/01/11)
AB 333 State Extension	2 years (if map is valid on 07/15/09 and expires before 01/01/12)
AB 208 State Extension	2 years (if map is valid on 07/15/11 and expires before 01/01/14)
AB 116 State Extension	2 years (if map is approved after 01/01/00 and has not expired on or before 07/11/13)*

\* If the map was approved on or before 12/31/1999, an application (Time Extension per Chapter 1 of LAMC, form CP-7746) may be filed with the City to determine if the map is consistent with the applicable zoning and general plan requirements in effect at the time of filing pursuant to California Government Code Section 66452.24 (b)

**Extensions of Discretionary Approvals (Other Than Subdivision Map Approvals)**

The following table shows the maximum life for discretionary approvals inclusive of all available extensions of time under the MAO. Pursuant to AB 116 and consistent with the MAO provisions, any discretionary entitlement *that is related to a subdivision that qualifies for the AB 116 State Extension*, can also receive an additional 24-month extension.

Discretionary Entitlement	New life of entitlements for approvals with an EFFECTIVE DATE between				
	07/15/05 – 12/31/07	01/01/08 – 12/31/08	01/01/09 – 12/31/10	01/01/11 – 05/19-2012	05/20/2012 and on...
Zone Variance, Conditional Use Permit, Zoning Administrator's Adjustment, Coastal Development Permit, Specific Plan Project Permit and other entitlements approved by the Director, Zoning Administrator, or Area/City Planning Commission	7 <sup>†§</sup>	6 <sup>†§</sup>	4 <sup>†§</sup>	2 <sup>†§</sup>	3 <sup>§</sup>
Zone/Height District changes, and other Legislative approvals	11 <sup>§</sup>	10 <sup>§</sup>	8 <sup>§</sup>	6 <sup>§</sup>	6 <sup>§</sup>
Site Plan Review	8 <sup>§</sup>	7 <sup>§</sup>	5 <sup>§</sup>	3 <sup>§</sup>	3 <sup>§</sup>

<sup>†</sup> Eligible for an additional discretionary 1-year time extension per LAMC

<sup>§</sup> Eligible for an additional 2-year time extension if the approved discretionary entitlement is related to a subdivision benefiting from the time extension given by AB 116.

### **Procedures to Effectuate By-Right Extensions**

While the additional time extensions for eligible entitlements are automatically granted, applicants eligible for such entitlements must complete the form titled "Time Extensions per Ordinance No. 182,106" (CP-7746.1), and submit it to the Planning Department Development Services Center along with a copy of the CEQA determination for the project. Authorized Planning Department staff will review the documentation and significant aspects of the CEQA determination for adequacy. If it is adequate, then staff will sign and stamp the form; if not, the applicant will be advised on how to proceed. This form must be completed for expiration date tracking and verification purposes. Staff will place a copy of the form in all relevant case files; scan it into the Planning Document Information System (PDIS), and return a copy to the applicant.

### **Fees**

The Time Extension fee is \$199 (not including general surcharges) as of the date of this memorandum.

The Time Extension per Chapter 1 of LAMC is \$708 (not including general surcharges) for any time extension other than maps, and \$793 (not including general surcharges) for maps, as of the date of this memorandum.

Questions should be directed to Tom Rothmann at 213-978-1891 or [tom.rothmann@lacity.org](mailto:tom.rothmann@lacity.org) or Daniel Ahadian at 213-482-0376 or [daniel.ahadian@lacity.org](mailto:daniel.ahadian@lacity.org)

LKW:TR:DA:imc

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  
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PRESIDENT  
VACANT  
VICE-PRESIDENT  
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ROBERT LESSIN  
DANA M. PERLMAN  
MARTA SEGURA  
RENEE DAKE WILSON  
VACANT

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

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

FAX: (213) 978-1275

INFORMATION  
[www.planning.lacity.org](http://www.planning.lacity.org)

Decision Date: October 11, 2013

Appeal End Date: October 21, 2013

Kiumars Soleimany (A)(O)  
Camden Village, LLC  
1501 Malcolm Avenue  
Los Angeles, CA 90024

Steve Nazemi (R)  
DHS & Associates Inc.  
275 Centennial Way  
Tustin, CA 92780

RE: Tentative Tract No. 69733-CN-M1  
Related Case: DIR-2013-1362-DB-DRB-SPP  
1642-1646 South Bentley Avenue  
Westwood Planning Area  
Zone : [Q]R3-1-O  
D.M. : 129B153  
C.D. : 5  
CEQA: ENV-2008-3985-MND-REC1  
Legal Description: Tract 7514, Block 2, Lot 9

In accordance with provisions of Section 17.03 and 17.11 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Mitigated Negative Declaration ENV-2008-3985-MND-REC1 as the environmental clearance and approved the MODIFICATION of Tentative Tract No. 69733-CN-M1 located at 1642-1646 South Bentley Avenue for a maximum 9-unit condominium as shown on revised map stamp dated July 5, 2013. (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 modified conditions:

**DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

**MODIFY CONDITION NO. 3 to read:**

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. 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 City Planning case DIR-2013-1362-DB-DRB-SPP. Show compliance with all the conditions/requirements of the City Planning case as applicable.
- c. Provide a copy of affidavit AFF-86-419396-BIS. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
- d. 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/alley dedication.

**Notes:**

Density Bonus is used to allow 9 condominium units on the site.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of 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**

**MODIFY CONDITION NO. 4 to read:**

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 20-foot reservoir space be provided between any security gate(s) and the property line, or to the satisfaction of the Department of Transportation.
  - 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. This project is subject to the West Los Angeles Transportation Improvement and Mitigation Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation

for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' to DOT's West LA/Coastal Development Review Section located at 7166 W. Manchester Ave., Los Angeles, 90045. For an appointment, call (213) 485-1062.

- d. 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.

## **FIRE DEPARTMENT**

### **MODIFY CONDITION NO. 5 to read:**

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. Access for Fire Department apparatus and personnel to and into all structures shall be required.
  - b. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150 ft. horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.
  - c. Entrance to the main lobby shall be located off the address side of the building.
  - d. Any required Fire Annunciator panel or Fire Control Room shall be located within 50 ft. visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
  - e. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
  - f. 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.
  - g. 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.

- h. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- i. 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.
- j. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- k. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- l. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

**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) 482-6504. You should advise any consultant representing you of this requirement as well.

**DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS**

MODIFY CONDITION NO. 11 to read:

- 11. 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 nine (9) dwelling units, of which one (1) dwelling unit shall be set aside for very-low income.
  - b. Parking shall be provided per Parking Option 1 of LAMC Section 12.22-A.25, (d),(1).

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

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

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

Not Applicable

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project. (Refer to MM-3)
- 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. (Refer to MM-19)
- i. Upon the effective date of this conditional approval, 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 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.

- j. That prior to the issuance of the building permit or the recordation of the final map, a copy of approved DIR-2013-1362-DB-DRB-SPP shall be submitted to the satisfaction of the Advisory Agency.
- k. Prior to the recordation of the final map, the owner shall execute a covenant to the satisfaction of the Los Angeles Housing Department to make one (1) unit of the condominium development available for rental or sale solely to a very low- income household, at a rental or sales price determined to be affordable to (very low-income households) by the Los Angeles Housing Department, for a period of (30) years. Said units shall be comparable in size, number of bedrooms, distribution, and amenities to the non-income-restricted units in the development.

#### **FINDINGS OF FACT (CEQA - Modified Finding)**

The Department of City Planning issued Mitigated Negative Declaration ENV-2008-3985-MND-REC1 on July 16, 2013.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2008-3985-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. 20 and 21 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.

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. 19.

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT - Modified Findings)**

In connection with the approval of Tentative Tract No. 69733-CN-M1, 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 Westwood Community Plan designates the property for Medium Residential land uses with a corresponding zone of R3. The property is zoned [Q]R3-1 and located within the Westwood Community Multi-Family, Westwood Community Design Review Board, and West Los Angeles Transportation Improvement and Mitigation Specific Plan areas. The "Q" Qualified Condition of

the zoning does not affect the proposed Map. The property is further located within an "O" Oil Drilling District.

The tract modification proposes a one-lot subdivision of an approximately 6,949 square-foot lot to create nine residential condominium units. The applicant has requested a density bonus (DIR-2013-1362-DB-DRB-SPP) to permit nine units on the site. The project does not propose oil drilling, and the development is otherwise subject to review and approval under various Specific Plans. Therefore, as conditioned, the Map is consistent with the General Plan and applicable Specific Plans.

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

The tract modification is consistent with the following Goal, Objective, and Policy of the Westwood Community Plan:

Goal 1: A safe, secure and high quality residential environment for all economic, age and ethnic segments of the community.

Objective 1-4: To promote the adequacy and affordability of multiple-family housing and increase its accessibility to more segments of the population.

Policy 1-4.1: Promote greater individual choice in type, quality, price and location of housing, including student housing within one mile of the UCLA campus.

Conditions have also been made as a part of this determination to ensure that the development of the subdivision remain consistent with the applicable Plans. Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the applicable General and Specific Plans.

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

The applicant has proposed the development and use of a nine-unit residential condominium building. All of the surrounding abutting and adjoining properties are similarly developed, utilized, and maintained. As indicated above, the proposed use and density are consistent with the Community Plan, the underlying zoning for the property, and the density bonus provisions of the Municipal Code. The adjacent public right-of-way, Bentley Avenue, from which vehicular access will be taken, is fully dedicated and otherwise required to be improved to standard street dimensions.

The site is located within Flood Zone C, areas outside the 1-percent annual chance floodplain, areas of 1-percent annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1-percent annual chance stream

flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1-percent annual chance flood by levees, and is 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).

Further, the Initial Study has recommended mitigation measures which reduce identified potential adverse impacts to less than significant levels.

Therefore, as conditioned, 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 level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. 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 site is located within an Oil Drilling District, however, a condition has been made a part of this determination to reduce this impact to a less than significant level.

The site is adjacent to a fully dedicated Local Street, and proposes vehicular access to and from same.

Therefore, as conditioned, the site is physically suitable for the proposed density of development.

All other conditions and findings of Tentative Tract No. 69733-CN shall remain as originally written.

Michael J. LoGrande  
Advisory Agency



JOSE CARLOS ROMERO-NAVARRO  
Deputy Advisory Agency

JCRN:JV

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

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.

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

n:tract\_letters (11-17-11)

# TENTATIVE TRACT MAP 733-M1

IN THE CITY OF  
COUNTY OF LOS ANGELES  
FOR CONSTRUCTION

PROJECT SITE

## OWNER/SUBDIVIDER:

KUMARS SOLEIMANY  
1501 MALCOLM AVE  
LOS ANGELES, CA 90024  
TEL: (310) 951-8787

## REPRESENTATIVE:

DHS & ASSOCIATES INC.  
275 CENTENNIAL WAY SUITE 205  
TUSTIN, CA 92780  
TEL: (714) 665-6569

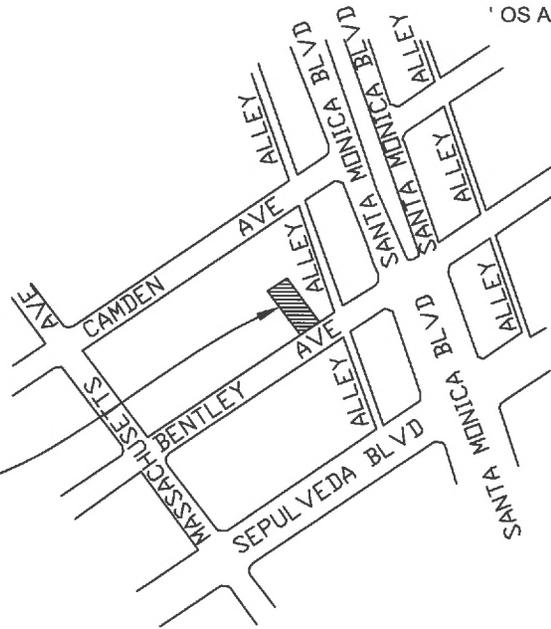
## SURVEYOR:

JACK LITTLE CO.  
17620 SHERMAN WAY #217  
VAN NUYS, CA 91406  
TEL: (818) 342-3277  
EXPIRES: 6-30-2010

## LEGAL DESCRIPTION:

2 OF TRACT NO. 7514

LOS ANGELES COUNTY



REMOVAL OF TWO-STORY APARTMENT BUILDING.

REMOVAL OF EXISTING APARTMENT BUILDING  
CONDOMINIUM

REMOVAL OF BENTLEY AVE  
APARTMENTS, CA 90025

## VICINITY MAP

NOT TO SCALE

REMOVAL OF EXISTING APARTMENT BUILDING  
CONDOMINIUM, CALIFORNIA BAY,  
REMOVAL OF TREES ON THE SITE.



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

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BARBARA ROMERO  
MICHAEL K. WOO  
JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
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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

Decision Date: July 16, 2009

Appeal End Date: July 27, 2009

Kiumars Soleimany (O)(A)  
1501 Malcolm Avenue  
Los Angeles, CA 90024

Steve Nazemi (R)  
DHS & Associates, Inc.  
275 Centennial Way, #205  
Tustin, CA 92780

RE: Tentative Tract No. 69733-CN  
Related Case: None  
1642-1646 South Bentley Avenue  
Westwood Planning Area  
Zone : [Q]R3-1-O  
D.M. : 129-B-153  
C.D . 5  
CEQA: ENV 2008-3985-MND  
Legal Description: Tract 7514, Block 2, Lot 9

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency **approved** Mitigated Negative Declaration ENV 2008-3985-MND as the environmental clearance and **approved** Tentative Tract No. 69733-CN composed of a one lot, located at 1642-1646 South Bentley Avenue for a **maximum 7 residential condominium units** as shown on map stamp-dated September 17, 2008 in the Westwood Community Plan. This unit density is based on the [Q]R3-1 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.) For an appointment with the Advisory Agency or a City Planner, call (213) 978-1362. 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 Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvement requirements outlined herein. The Bureau of Street Services, Urban Forestry Division, is the lead agency for obtaining Board of Public Works approval for removal of such trees.

**DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION**

2. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated February 5, 2009, Log No.66333 and attached to the case file for Tentative Tract No. 69733-CN.

**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. 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. The submitted Map dimensions do not agree with ZIMAS. Revise the Map to address the discrepancy or obtain approval from Department of City Planning.
  - c. Provide a copy of affidavit AFF-86-419396-BIS. Show compliance with all the conditions/requirements of the above affidavit as applicable. Termination of above affidavit may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - d. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication.

## Notes:

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

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**

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

**FIRE DEPARTMENT**

5. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

**DEPARTMENT OF WATER AND POWER**

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

**BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS**

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

**BUREAU OF SANITATION**

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

**INFORMATION TECHNOLOGY AGENCY**

9. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the Los Angeles Municipal Code (LAMC) Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 N. Main Street, Room 1255, Los Angeles, CA 90012, (213) 473-9973.

**DEPARTMENT OF RECREATION AND PARKS**

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

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

11. 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 seven (7) dwelling units.
- b. Provide a *minimum* of 2 covered off-street parking spaces per dwelling unit, plus ½ guest parking spaces per dwelling. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

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

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

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

Not Applicable

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to

- neighboring residences, if no such wall already exists, except in required front yard.
- e. The applicant shall install an air filtration system(s) to reduce the effects of diminished air quality on occupants of the project. (Refer to MM-3)
  - 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. (Refer to MM-19)
  - i. Upon the effective date of this conditional approval, 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 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.
12. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition(s) per Ordinance No. 163,186 (Area 1).
13. Prior to the issuance of any building permit, grading permit or the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the **Westwood Community Multi-Family Specific Plan**.
14. Prior to the issuance of any building permit, grading permit or the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the **Westwood Community Design Review Board Specific Plan**.
15. Prior to the issuance of any building permit, grading permit or the recordation of the final tract map, the subdivider shall record and execute a Covenant and Agreement to comply with the **West Los Angeles Transportation Improvement and Mitigation Specific Plan**.

16. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider to the following haul route conditions:
- a. Streets to be used are limited to Bentley Avenue, Santa Monica Boulevard, Interstate 405, State Highway 118, Interstate 5, Penrose Street, Bradley Avenue, and Tujunga Avenue. Return trips will involve both Sepulveda Boulevard and Massachusetts Avenue, due to a median within Santa Monica Boulevard prohibiting left turns from Santa Monica Boulevard to Bentley Avenue.
  - b. Hours of operation shall be from 8:00 a.m. to 4:00 p.m.
  - c. Days of the week shall be Monday through Saturday. No hauling on Sunday.
  - d. Total trips per day shall be 30.
  - e. Duration of project shall be four weeks.
  - f. Trucks shall be restricted to 10-wheel dump trucks or smaller. There shall be no staging or parking of construction vehicles, including vehicles to transport workers, on any streets.
  - g. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213-485-3106).
  - h. Streets shall be cleaned of spilled materials at the termination of each work day.
  - i. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
  - j. 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.
  - k. Hauling and grading equipment shall be kept in good operating condition and muffled as required by law.
  - l. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - m. All trucks are to be watered at the job site to prevent excessive blowing dirt.
  - n. 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.

- o. The applicant shall be in conformance with the State of California, Department of Transportation, policy regarding movements of reducible loads.
- p. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
- q. "Truck Crossing" and warning signs shall be placed 300 feet in advance of the exit in each direction.
- r. 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".
- s. 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.
- t. 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.
- u. 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.
- v. 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.

#### **Tenant Relocation Conditions**

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

18. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code (LAMC).

#### DEPARTMENT OF CITY PLANNING - ENVIRONMENTAL MITIGATION MEASURES

19. 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. 20 and 21 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.
20. 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 An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.
  - MM-4 If conditions dictate, the Department of Water and Power may postpone new water connections for this project until water supply capacity is adequate.
  - MM-5 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-6 In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

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

MM-7 The applicant shall, to the satisfaction of the Department of Building and Safety:

- a. Install a demand (tankless or instantaneous) water heater system sufficient to serve the anticipated needs of the dwelling(s).
- b. 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. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
- c. Install restroom faucets with a maximum flow rate of 1.5 gallons per minute.
- d. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

- e. 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. Rebates may be offered through the Los Angeles Department of Water and Power to offset portions of the costs of these installations.
  - f. 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-8 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-9 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.
21. **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 Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.
- CM-3 Prior to issuance of any permit for 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.
- CM-4 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.
- CM-5 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-6 Chapter IX, Division 70 of the Los Angeles Municipal Code (LAMC) 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:
- CM-7 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-8 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.

- CM-9 All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-10 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.
- CM-11 Projects involving the import/export of 1,000 cubic yards or more of dirt shall obtain haul route approval by the Department of Building and Safety.
- CM-12 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-13 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-14 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-15 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-16 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-17 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-18 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-19 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

- CM-20 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-21 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 shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- CM-22 To facilitate onsite separation and recycling of demolition and construction-related wastes, the contractor(s) shall provide temporary waste separation bins onsite during demolition and construction. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- CM-23 Dumpsters shall be covered and maintained. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-24 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-25 Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- CM-26 Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into streets.
- CM-27 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-28 The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-29 Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- CM-30 Tree Removal (Non-Protected Trees)
- a. All significant trees (8-inch or greater trunk diameter, or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree.

- b. A Landscape Plan shall be prepared, indicating the location of all replacement trees, to the satisfaction of the decision-maker. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.
- CM-31 The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- CM-32 Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- CM-33 All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Los Angeles Municipal Code (LAMC) 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.
- CM-34 The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- CM-35 The project shall either: exceed 2005 Title 24 building energy efficiency requirements by a minimum of 14%, or meet/exceed 2008 Title 24 building energy efficiency requirements.
- CM-36 Only low and non-VOC containing paints, sealants, adhesives and solvents shall be utilized in the construction of the project.

#### 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 12.22-A, 10 and 11 and Section 17.05-O of the Los Angeles Municipal Code (LAMC) shall be fully complied with satisfactory to the Department of Building and Safety.

C-2 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 LAMC and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-3 That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition. (Refer to CM-30)

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-4 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 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 comply with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade 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 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.
  - a. No street lighting improvements if no street widening per S-3 (i) on Bentley Avenue. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Bentley Ave.

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 be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a) Improve Bentley 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.
    - (2) Suitable surfacing to join the existing pavement 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 improvement.
    - (5) A Tract Modification is required if the Board of Public Works decides to preserve the existing street trees and not allow street widening.

## 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 17.05-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 2008-3985-MND on May 27, 2009.

The Deputy Advisory Agency certifies that Mitigated Negative Declaration 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. 20 and 21** 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.

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. 19.

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

#### **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Tentative Tract No. 69733-CN, 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 Westwood Community Plan designates the property for Medium Residential land uses with a corresponding zone of R3. The property is zoned [Q]R3-1 and located within the Westwood Community Multi-Family, Westwood Community Design Review Board, and West Los Angeles Transportation Improvement and Mitigation Specific Plan areas. The "Q" Qualified Condition of the zoning does not affect the proposed Map. The property is further located within an "O" Oil Drilling District.

The map proposes a one-lot subdivision of an approximately 6,949 square-foot lot to create seven residential condominium units. The applicant has proposed a use and density that is consistent with the property's land use designation and zoning and does not propose any deviations for consideration. The project does not propose oil drilling, and the development is otherwise subject to review and approval under various Specific Plans.

Therefore, as conditioned, the Map is consistent with the General Plan and applicable Specific Plans.

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

The applicant does not specify details regarding physical development of the property; however, the applicant has not requested consideration of deviations from the requirements of the Zone, Height District, or applicable Plans at this time. As indicated above, the proposed use and density of the subdivision are consistent with the Community Plan and underlying zoning.

Conditions have been made as a part of this determination to ensure that the development of the subdivision remain consistent with the applicable Plans. Therefore, as conditioned, the design and improvement of the proposed subdivision are consistent with the applicable General and Specific Plans.

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

The applicant has proposed the development and use of a seven-unit residential condominium building. All of the surrounding abutting and adjoining properties are similarly developed, utilized, and maintained. As indicated above, the proposed use and density are consistent with the Community Plan and underlying zoning for the property. The adjacent public right-of-way, Bentley Avenue, from which vehicular access will be taken, is fully dedicated and otherwise required to be improved to standard street dimensions.

The site is located within Flood Zone C, areas outside the 1-percent annual chance floodplain, areas of 1-percent annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1-percent annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1-percent annual chance flood by levees, and is 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).

Further, the Initial Study has recommended mitigation measures which reduce identified potential adverse impacts to less than significant levels.

Therefore, as conditioned, the site is physically suitable for the proposed type of development.

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

The Westwood Community Plan designates the property for Medium Residential uses with a corresponding zone of R3. The property is zoned [Q]R3-1, which permits a maximum residential density of one dwelling unit for every 800 square feet of lot area. The proposed seven-unit condominium on the approximately 6,949 square-foot lot results in a residential density of one dwelling per approximately 992 square feet of lot area, lower than is otherwise permitted.

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 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 site is located within an Oil Drilling District, however, a condition has been made a part of this determination to reduce this impact to a less than significant level.

The site is adjacent to a fully dedicated Local Street, and proposes vehicular access to and from same.

Therefore, as conditioned, the site is 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 Initial Study prepared for the project identified potentially adverse impacts on environmental resources, but no substantial impact on fish or wildlife resources or habitats. Conditions have been made as a part of this determination which will reduce identified impacts to less than significant levels. Therefore, as conditioned, the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

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

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 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. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- (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.

Public Utility Easements have been identified along the rear of the property, and are indicated as such on the proposed Map. Additional necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. Therefore, 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 the property within the proposed subdivision.

- (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.

S. Gail Goldberg, AICP  
Advisory Agency



MICHAEL S.Y. YOUNG  
Deputy Advisory Agency

MSYY:GC:JAH:mkc

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 [www.lacity.org/pln](http://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 90<sup>th</sup> 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.

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