

DEPARTMENT OF CITY PLANNING SECOND APPEAL RECOMMENDATION REPORT

Case No.:

CEQA No.:

Related Cases:

Council No.:

Specific Plan:

Certified NC:

Plan Area:

Applicant:

Appellant:

Representative:

GPLU:

Zone:

TT-51669-IND-M3-1A

599-EIR

UV(CA)

1 – Hernandez

Central City North

Hvbrid Industrial

Kacy Keys, Praxis

Same as applicant

Development Group

Dana Sayles, three6ixty

Cornfield Arroyo Seco

Historic Cultural North

93-0244 (MND), ENV-2009-

TT-51669-IND, TT-51669-

IND-M1, TT-51669-IND-M2

City Planning Commission

Date: Thursday, July 10, 2025

Time: After 8:30 A.M.*

Place: Los Angeles City Hall

Council Chambers, Room 340

200 North Spring Street Los Angeles, CA 90012

And via Teleconference. Information will be provided no later than 72 hours before the meeting on the meeting agenda published at https://planning.lacity.org/about/commissions

boards-hearings and/or by contacting

cpc@lacity.org

Public Hearing: May 8, 2024

Appeal Status: Appealable to City Council

Expiration Date: July 10, 2025

Multiple No

Approval:

PROJECT

LOCATION: 201 West Sotello Street

PROPOSED

A modification of Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of the recorded final Tract

PROJECT: Map No. 51669-IND for Lot Nos. 1, 3 and 4.

REQUESTED ACTIONS:

An Appeal by the Applicant of the October 21, 2024 Deputy Advisory Agency

determination which:

Found, pursuant to CEQA Guidelines Sections 15162 and 15164, in consideration
of the whole of the administrative record, that the project was assessed in Mitigated
Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield
Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated
September 23, 2022, and no subsequent EIR, negative declaration, or addendum is
required for approval of the project.

 Approved with Conditions Tract Map No. TT-51669-IND-M3 for the modification of Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4, pursuant to Los Angeles Municipal Code (LAMC)

Sections 17.03 and 17.14.

RECOMMENDED ACTIONS:

- 1. FIND, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project;
- 2. **GRANT IN PART AND DENY IN PART** the appeal **and MODIFY** the Advisory Agency's Determination of Tract Map No. TT-51669-IND-M3 for modification to Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of the recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4, located at 201 West Sotello Street, as shown on map stamp-dated November 17, 2023.
- 3. ADOPT the Revised Conditions and Findings dated July 10, 2025 (Exhibit J).

VINCENT P. BERTONI, AICP Director of Planning

Jane J. Choi, AICP, Principal City Planner

Yi Lu, AICP City Planner

Vanessa Soto, AICP, Senior City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *City Planning Commission Secretariat, 200 North Spring Street, Room 272, Los Angeles, CA 90012* (Phone No.213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commissions meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1299.

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APPEAL BODY

Pursuant to LAMC Sections 13B.7.4.H. and 13B.7.3.C.3. of Chapter 1A, as a Tract Map involves lots with more than 65,000 square feet of lot area, the City Planning Commission serves as the Appeal Board for the appeal of the Modification of a Recorded Final Tract Map.

APPEAL ANALYSIS

TT-51669-IND Background:

The original Tract Map TT-51669-IND was approved in 1994 to create an industrial subdivision. The Conditions of Approval includes Condition 12, which restricts the maximum permitted floor area of each lot within the tract and limits the permitted uses to warehousing or manufacturing, and requires warehouse parking.

In 2013, the Cornfield Arroyo Seco Specific Plan (CASP) was adopted, changing the land use and zoning for the project site to allow a broader mix of uses, including multifamily residential uses.

In 2018, the property owner for Lots 2 and a portion of Lot 8, applied for and was approved a modification to Condition 12 under TT-51669-IND-M1 to allow the site to utilize the new development rights established under the CASP. No development project was proposed at that time, and a 200-unit residential building was constructed under Permit No. 18010-10000-01658.

In 2021, the property owner for Lots 8, 9 and 10 of the tract applied for modifications to the map to effectuate a creative office project under TT-51669-IND-M2, along with a Specific Plan Exception to allow for deviations from the street improvement requirements of the CASP. Those applications were subsequently withdrawn by the Applicant and terminated by the Department.

Project Background

In November 2023, the Applicant for Lots 1, 3 and 4 filed a Tract Map Modification (TT-51669-IND-M3) to modify Condition 12 and S-3 (m) of the original Tract Map in order to utilize the new development rights established under the CASP. Since the existing floor area and use restrictions in Condition No. 12 of Tract No. 51669-IND are more restrictive than those outlined for the site under the CASP, the Applicant requested a modification of Conditions 12.a, 12.b, and 12.c to exclude Lots 1, 3, and 4 from the floor area, use, and parking restrictions to permit a multi-family development or any other type of use permitted for the zone per the CASP.

On November 15, 2023, a Building Permit Application No. 23010-10000-04539 was filed with the Department of Building and Safety for the construction of a 7-story, 445-unit residential development with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1. Any proposed development would need to be reviewed separately under an administrative review process to ensure compliance with the CASP. Additionally, the Applicant requested a modification of Condition S-3 (m) to improve Sotello Street per the standards outlined in the CASP.

Lots 1, 3 and 4 collectively have an area of approximately 159,542 square feet, three existing street frontages and one future street frontage. The site has an approximately 490-foot frontage along North Spring Street, 200-foot frontage along Sotello Street, and 120-foot frontage along Mesnager Street, which are all existing streets. The site also abuts Naud Street, which is a future

street extension planned within the CASP. The site is currently developed with surface parking and a 6,073-square-foot bus transportation company.

Upon filing, the map was circulated to the Subdivision Committee, comprised of sister City agencies, for review and comment. Comments were provided by the Bureau of Engineering, the Department of Building and Safety, Zoning Division, Recreation and Parks, Fire Department, Street Lighting, Sanitation, and Streets LA Urban Forestry Division. The recommendations in the comment letters were incorporated as conditions of approval in the staff report for consideration by the Deputy Advisory Agency at the public hearing.

On May 8, 2024, a subdivision hearing was held by the Deputy Advisory Agency (DAA) for the Tract Map Modification. The applicant voiced concerns about the proposed conditions imposed on the project, specifically regarding whether they are related to the proposed project. At the conclusion of the hearing, the DAA placed the case under advisement for further investigation into the applicant's concerns.

On October 21, 2024, under Tract Map No. TT-51669-IND-M3, the Department of City Planning issued a decision letter approving the requested third modification of Conditions Nos. 12.a, 12.b, 12.c and S-3(m) of the recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4 (Exhibit A), subject to conditions based on comment letters received from different Departments, including Bureau of Engineering, Bureau of Street Lighting, Bureau of Street Services, Urban Forestry Division, Department of Building and Safety Zoning and Grading Sections, Department of Transportation, Fire and Bureau of Sanitation.

On October 29, 2024, the Tract Map Modification was appealed by the Applicant. The applicant/appellant requested the removal of all conditions imposed, except for Conditions 12.a, 12.b, 12.c, and S-3(m). On March 6, 2025, April 29 and May 23, 2025, the appellant proposed modified conditions, as presented in **Exhibit H**.

After the initial appeal filing, Planning Staff received additional communications from the Applicant, including letters dated February 4, 2025, February 27, 2025, and April 8, 2025, and the Applicant's proposed revised conditions in a letter dated March 6, 2025.

On March 26, 2025, the applicant withdrew their Building Permit Application (Building Permit No. 23010-10000-04539) with the Department of Building and Safety and stated that there was no proposed project associated with the project at this time, and only a request for the modification of the recorded final map was before the City.

The appeal was scheduled as Item 11 on the City Planning Commission (CPC) agenda for April 10, 2025. On April 9, 2025, a letter from Council District 1 (**Exhibit I**) was submitted requesting that the Commission: (1) require the project to comply with the proposed CASP (Cornfield Arroyo Seco Specific Plan) Update (Council File 13-0078-S2) street improvement standards for Naud Street that has not yet been adopted; (2) allow the project to demonstrate compliance to the conditions prior to the issuance of a building permit rather than upon recordation of the modification; and (3) ensure the provision of necessary infrastructure and improvements.

At the April 10, 2025 hearing, the CPC continued the item to July 10, 2025, in order for Planning Staff and the Applicant Team to continue discussions and consider the correspondence from Council District 1.

The Appeal Recommendation Report prepared for the April 10, 2025 City Planning Commission meeting is available in **Exhibit K** provides a more extensive overview of the site's entitlement history and should be read in conjunction with this Appeal Report. The April 10, 2025 Appeal Report responds to all communications received by Planning Staff prior to April 1, 2025.

Since the continuance, Planning Staff met with the Applicant team in four separate meetings and worked with the Applicant to address their concerns and incorporate Council District 1's recommendations and the CASP Update street improvement requirements into the Revised Conditions and Findings (**Exhibit J**). Planning Staff also considered and incorporated additional requests for changes to the conditions language from the Applicant, which were presented in communications from the Applicant dated April 29 and May 23, 2025. All letters received from the Applicant have been compiled and presented in **Exhibit H**.

Exhibit J contains the following key revisions and concessions Planning Staff has made to the Conditions of Approval and Findings from the original Deputy Advisory Agency's Letter of Determination, dated October 21, 2024:

- Changed, where appropriate, the trigger of the condition compliance from "prior to the recordation of a final map" to "prior to the issuance of a building permit" (Conditions 10, 12, 14, S-3, 24, 30, 31, 32, 34, 37). In response to a request from Council District 1, as outlined in a letter dated April 9, 2025 (Exhibit I), the original conditions which required the recordation of a revised map were modified to instead require compliance "prior to the issuance of a building permit," (Exhibit J) in order to provide greater flexibility for the project. The recordation of a revised map is no longer required and the conditions will be enforced under a covenant and agreement recorded against the property, in lieu of recording another map.
- Removed and replaced the future street extension requirement for Naud Street with requirement for a public paseo as an easement (Conditions S-3 (p), and 20) to be consistent with the Draft Cornfield Arroyo Seco Specific Plan Update (CASP Update), Exhibit I, Chapter 8, Streets, Page 101 (Council File No. 13-0078-S2) that was approved by the City Council on October 29, 2024, and is currently in form and legality.
- Adjusted the Recreation and Parks Department Condition (Condition 38), as identified in
 the comment letter issued by the Department of Recreation and Parks (Exhibit F) to clarify
 that the applicant shall pay whichever fee is applicable (no park fee based on the
 exemptions or the subdivision Quimby (in-lieu) fee for a residential project) per LAMC
 Section 12.33 of Chapter 1. Planning Staff agreed to allow for the change in the language
 to allow for the Applicant requested flexibility, until such time the Applicant submits a
 building permit application identifying a use on the property.

This Appeal Report addresses additional communications received from the Applicant since the continuance, which are provided as **Exhibit H** for reference. After the April 10, 2025 CPC meeting, the Applicant raised additional or continuing issues regarding the conditions of approval. These appeal points include the following:

<u>Additional Appeal Point 1</u>: The easement requirement for the paseo should not include a requirement for a Specific Plan Project Exception to be filed if the project proceeds before the effective date of the new CASP Update.

<u>Additional Appeal Point 2</u>: The Department of Transportation and the Fire Department contemplate a residential project and may not be applicable or outdated by the time a project is proposed for the site. The Applicant requested that these conditions be clarified.

<u>Additional Appeal Point 3</u>: The Project should not be subject to a Street Lighting District requirement as one was already created at the time of the initial subdivision.

<u>Additional Appeal Point 4</u>: The Recreation and Parks Condition should be removed as there is no project proposed for the site. If there is a residential project in the future, that

project should be charged the Park Mitigation Fee in lieu of the Residential Subdivision Quimby Fee. The Applicant alleges that the modification of the map is not a subdivision project.

Further modifications to the conditions of approval have been made to address Appeal Points 1, 2 and 3, as identified in **Exhibit J**, for consideration by the Commission. The following responses address each of the points raised:

<u>Additional Appeal Point 1</u>: The easement requirement for the paseo should not include a requirement for a Specific Plan Exception to be filed if the project proceeds before the effective date of the new CASP.

Staff Response:

The current CASP calls for a street extension with a 60-foot right of way to connect the Naud Street segment between Sotello and Mesnager Streets (Exhibit G [Existing CASP], Chapter 3 at p. 3-9.) This extension requires additional dedication and improvement conditions to facilitate its completion. The proposed CASP Update (Council File No. 13-0078-S2) that has not yet taken effect includes replacing the originally planned 60-foot Modified Local Street with a public paseo, emphasizing pedestrian activity over vehicular infrastructure (Exhibit I). The CASP Update is currently under form and legality review by the City Attorney's Office and is not yet effective.

Consistent with the CASP Update, <u>Exhibit J</u> includes revised conditions (Condition No. S-3(p) that reflects this change, requiring a paseo through an easement along Naud Street in lieu of the street extension through a dedication, as originally mandated in the Advisory Agency's Letter of Determination dated October 29, 2024.

If the Applicant intended to pursue a different roadway configuration under the tract map, such a request should have been made at the time the tract modification was filed. In addition, the Applicant would have been required to file a Specific Plan Exception (SPE) pursuant to LAMC Chapter 1, Section 11.5.7 F and LAMC Section 12.36 B, as the project would not meet the 60-foot right-of-way requirement set forth in the current CASP. Planning Staff advised the Applicant of these options prior to the filing of the tract map modification case. The Applicant team did not file the SPE requests at the time the recorded map modification request was filed.

Under the CASP Update, a public paseo is proposed in place of the Naud street extension. If a building permit application is filed while the current CASP is effective, the project would be subject to the rules and regulations that are in place at the time the plan check fees are paid and plans sufficient for a complete plan check are accepted by the Department of Building and Safety, including the 60-foot dedication and improvement of Naud Street. If this modification to a recorded map allows for the paseo while the current CASP is in effect, any proposed project complying with the paseo requirement would not be in compliance with the CASP. Therefore, a Specific Plan Project Exception would be required. If a building permit application is filed after the effective date of the new CASP, the paseo in this modification to the recorded map approval would be consistent with the new CASP and no Specific Plan Project Exception would be required.

As a compromise, Planning Staff presents the condition of approval with the language regarding the Specific Plan Project Exception as a note, rather than as part of Exhibit J, Revised Conditions and Findings, Condition S-3(p).

The Applicant also requests that the conditions be amended to apply only to Lots 1, 3 and 4 of the tract, and not all of the lots that were created as part of the initial 1994 tract map approval. These are the lots that are part of this specific modification request. Planning Staff is amenable to recommending this change and has revised the conditions to include this update.

<u>Planning Staff has prepared and submitted revised Conditions of Approval (Exhibit J)</u> to the <u>Advisory Agency's original determination dated October 21, 2024, reflecting the above-mentioned changes for the Commission's consideration.</u>

<u>Additional Appeal Point 2</u>: The Department of Transportation (DOT) and the Fire Department contemplate a residential project and may not be applicable or outdated by the time a project is proposed for the site. The Applicant requested that these conditions be clarified.

As requested by the Applicant, Planning Staff has revised the preamble for DOT Conditions 25-29, and Condition 30 to add language allowing for flexibility for compliance with these conditions at the time of building permit clearances. <u>These changes are reflected in redline and strike out in Exhibit J.</u>

<u>Additional Appeal Point 3</u>: The Project should not be subject to a Street Lighting Maintenance Assessment District requirement as one was already created at the time of the initial subdivision.

Per the Los Angeles Bureau of Street Lighting, whenever a new streetlight is required, a new Street Lighting Maintenance Assessment District must be established, and the entire property will be re-evaluated as part of this process. Article 1 (Lighting District Procedures) of Chapter 3 (Street Lighting Improvements) of Division 6 (Special Assessment District Procedures) of the Los Angeles Administrative Code, outlines the Lighting District Procedures governing the establishment of the street lighting improvement districts, including assessment of costs and maintenance of lighting systems. <u>Therefore, Planning Staff recommends keeping this condition</u> as is.

Additional Appeal Point 4: The Recreation and Parks Condition should be removed as there is no project proposed for the site. If there is a residential project in the future, that project should be charged the residential non-subdivision Park Fee in lieu of the Residential Subdivision Fee, as this is not a subdivision project.

The Project before the Commission is an appeal of a Subdivision action by the Advisory Agency, and therefore is a Subdivision project. The Subdivision Map Act (Government Code Section 66477), permits the Advisory Agency to impose land dedication or in-lieu fees for park and recreation purposes.

LAMC Section 12.33 Park Fees and Land Dedication Background

As established in LAMC Section 12.33, the Park Fees and Land Dedication section of the Code was amended in 2017 to modernize fees, establish a more flexible criteria for spending the collected fees, and encourage land dedication over payment where applicable.

Prior to the ordinance update, the Park Fee Program consisted of Quimby Fees for residential subdivision projects and Finn Fees for a limited number of other residential project types. Constraints that were addressed through the ordinance update in 2017 included updating an outdated and ineffective fee structure, modifying rules for appropriating expenditures of collected fees, and allowing for a land dedication to meet the Park Fee requirements early in the project approval process.

The basis behind the Quimby program is that sites with subdivision requests are permitted to address the need for parks either through land dedication or payment of a Quimby Fee in-lieu of land dedication (Quimby In-Lieu Fee). If land is not dedicated, the commensurate fees are collected to mitigate this impact for the purpose of providing park and recreational facilities to serve the new residents.

Prior to 2017, only non-subdivision multi-family residential projects requiring a zone change were subject to the Finn Fee for park mitigation, which was significantly lower than the current Park Mitigation Fees for Non-Subdivision Residential Projects. Following the ordinance update, all non-subdivision residential projects became subject to a new Park Mitigation Fee. This fee was set lower than the Quimby (in-lieu fee) (which already existed) because the Quimby In-Lieu Fee offsets the lack of land dedication and allows the City to purchase new park lands with the funds. Additional background on the update of LAMC Section 12.33 can be found in Council File No. CF 16-0529.

Park Fees and TT-51669-IND

Under the original Tentative Tract approval in 1994 (TT-51669-IND), the scope of the project involved non-residential, industrial development. As such, the Deputy Advisory Agency (DAA) did not impose any condition of approval related to any park fee, either Quimby in-lieu Fees (for residential subdivisions) or Park Mitigation Fees (for residential non-subdivisions), because a residential project was not contemplated for the site at the time of approval and the payment of park fees does not apply to non-residential development.

As to the first modification (TT-51669-IND-M1), Planning Staff erred in not adding a condition like the one now being proposed. At the time of filing, there was no specific development plan or evidence of a future project in the record, either in the form of building permit applications or within the project description. As a result, no Quimby (in-lieu) fees were conditioned as part of the M1 project approval. However, Planning Staff recognized after the decision was issued that the Park Fee condition was not included in error.

As mentioned earlier in the staff report, a second modification request to Tract No. 51669-IND (TT-51669-IND-M2) was filed but the applicant subsequently withdrew the filing and the case was terminated on January 18, 2024.

The proposed project, the third modification request for TT-51669-IND (TT-51669-IND-M3), involves a similar request to TT-51669-IND-M1 to expand the scope of allowable uses and its underlying land use entitlements by eliminating restrictions of maximum floor area, allowable uses (to allow residential that was not previously permitted under the 1994 tract map approval); and to amend parking requirements for Lots 1,3 and 4, to permit a multi-family development or any other type of use permitted for the zone per the Cornfield Arroyo Seco Specific Plan. Additionally, the application involves a request to improve Sotello Street per the standards outlined in the Cornfield Arroyo Seco Specific Plan. This case was scheduled for a subdivision hearing before the DAA for the third modification request on May 8, 2024. In advance of the DAA hearing, staff released a copy of the staff report which included a condition of approval requiring payment of the Quimby (in-lieu) Fees, in-lieu of land dedication, which applies to residential subdivision projects.

Subsequently, on October 21, 2024, the Department of City Planning issued a decision letter (Exhibit B) approving the requested tract map modifications. This decision letter inadvertently omitted the inclusion of the Department of Recreation and Park's Quimby (in-lieu) Fee condition as part of the approval. As such, Planning staff has included for the Commission's consideration, a revised set of Conditions of Approval referenced in Exhibit J, which includes the addition of this condition (Condition No. 38), specific to Quimby In-Lieu Fees to be paid to the Department of Recreation and Parks. The condition would require the applicant or future owner (if the project is sold) to pay the Quimby In-Lieu Fee to the Department of Recreation and Parks if a residential project is ultimately proposed.

Furthermore, LAMC Section 13B.7.1.C.2. of Chapter 1 A, gives the Advisory Agency the authority:

"... with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of requiring the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities, and is hereby authorized to approve, conditionally approve, or disapprove tentative tract maps of proposed subdivisions, private streets and such maps as are provided for herein, to prescribe the design, kinds, nature and extent of improvements required to be installed in connection therewith and to report directly to the subdivider the action taken on the tentative tract map."

Additionally, the Final Tract Map section of Chapter 1A (LAMC Ch. 1A, Section 13B.7.4.E.2.) further provides that no final subdivision map "shall be approved or recorded" unless the applicable park fee is paid.

Given that the proposed tract modification squarely qualifies as a subdivision project that is seeking a modification of the underlying tract map approval to allow residential and commercial uses where not previously permitted by the subdivision approval, Planning Staff does not recommend removal of the Department of Recreation and Parks condition. In response to the Applicant's comments, Planning Staff has modified the language of Condition No. 38 to allow flexibility and allow either the Quimby In-Lieu Fee to be paid for a residential project or a covenant be filed guaranteeing that any future residential project pay the Quimby In-Lieu Fee if a non-residential project proceeds. A non-residential project does not need to pay the Quimby In-Lieu Fee.

In summary, the conditions imposed on the project are directly related to the proposed development, are consistent with the goals of the CASP, and are necessary for compliance with public safety and infrastructure requirements. The Advisory Agency did not err in its determination, except as otherwise addressed under the revised condition language in Exhibit J. The Applicant's claims that the conditions are unrelated to the requested changes or that they fall outside the Advisory Agency's jurisdiction are unfounded.

CONCLUSION AND STAFF RECOMMENDATION

The applicant-initiated appeal of this Tract Map Modification challenged the conditions imposed on the project. Based on the information submitted, the reports of other City agencies and departments, the surrounding land uses and zoning patterns, conformance with the General Plan, Mobility Element, Los Angeles Municipal Code, and compliance with the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan (CASP), the Advisory Agency acted reasonably in approving the requested Tract Map Modification as conditioned.

As the Tract Map Modification was approved pursuant to the provisions of State's Subdivision Map Act, the proposed project would facilitate future development to be in compliance with CASP as well as all applicable provisions of the City's Municipal Code and the General Plan. The appeal raises no relevant issues where the Advisory Agency erred or abused its discretion.

Staff recommends that the City Planning Commission grant in part and deny in part the appeal, modify the determination made by the Advisory Agency, and adopt the Revised Conditions and Findings found in **Exhibit J**.

EXHIBIT A

SCALE: 1"-50" SCALE: 1"=20"

TRACT NO. 51669

IN THE CITY OF LOS ANGELES STATE OF CALIFORNIA

FOR SUBDIVISION PURPOSES

15-1002:1056

DET

1221

SHEET 1 OF 4 SHEETS

BEING A MERICER AND RESUMBINGSON OF PREPARTS OF LOTS 2 AND 3 TRACT HO. 20885, PER MAP RECORDED IN BOOK 672, PAGES 67 TO 98 DECEMBER OF BAPS AND LOTS 3 TO 7 NOLLISVE OF LEAL'S SUBDIVISION OF A PAGE OF THE YEARTHA TRACT, PER MAP RECORDED IN BOOK 7, PAGE 72 OF MISCELLANEOUS RECORDS, ALL RECORDS OF LOS ANGELES COUNTY.

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

NOV 17 2023

REVISED MAP EXTENSION OF TIME FINAL MAP UNIT MODIFIED DEPUTY ADVISORY AGENCY

OWNERS STATEMENT:

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND INCLUDED WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION AND

WE HEREBY DEDICATE TO THE PUBLIC USE THE STREETS HIGHWAYS AND OTHER PUBLIC WAYS, SHOWN ON SAID MAP WITHIN SAID SUBDIVISION AND

WE HEREBY GRANT AND DEDICATE TO THE CITY OF LOS ANGELES EASEMENTS FOR BUS SHELTER PURPOSES OVER THE STRIPS OF LAND SO DESIGNATED ON SAID MAP.

SURVEYOR'S STATEMENT:

BASIS OF BEARINGS:

I HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA; THAT THIS MAP, CONSISTING OF 4 SHEETS, CORRECTLY REPRESENTS A TPUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY DIRECTION ON SEPTEMBER 12, 1994; THAT THE MOMEMENTS OF THE CHARACTER AND LOCATIONS SHOWN HEREON ARE IN PLACE; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE READILY RETRACED AND THAT REQUIRED TIE NOTES TO CENTERLINE MONUMENTS SHOWN AS "SET" ARE ON FILE IN CITY ENGINEER FIELD BOOK NO. PE 1A PAGES 6/9-622.

ROBERT L. MORLENHAUER, P.LS. 2996 MOLLENHAUER, HIGASHI & MOORE, INC. LICENSE EXPIRES 6-30-2000



1620 NORTH SPRING STREET, INC., A DELAWARE CORPORATION WHICH ACQUIRED TITLE AS MAIN STREET DAIRY, INC. A DELAWARE CORPORATION.

STORETARY

PRESIDENT MO PERIODE F. JOHANNON DRAKOS

Print name

JOHN R. FRISER Print name

NOTE: HEREBY CERTIFY THAT

PURSUANT TO SECTION GEVAT. 20% OF THE STATE GOVERNMENT CODE THE FILING OF THIS MAP CONSTITUTES THE ABANDONMENT OF A PORTION OF SOTELLO STREET DEDICATED JANUARY 29, 1987 AS INSTRUMENT NO. 87-185100 OF OFFICIAL RECORDS, RECORDS OF LOS ANGELES COUNTY NOT SHOWN WITHIN THE BOUNDARIES OF THIS MAP.

CITY CLERK CITY OF LOS ANGELES Julia amanti

12-19-96 DATE

MEN YORK WANTY OF NEW YORK

ON AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED PERSONALLY APPEARED PERSONALLY APPEARED OF PROVED TO ME ON THE BASIS OF SATISFACTORY ENGENCE TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHEN INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THEIR AUTHORIZED CAPACITIES, AND THAT BY THEIR SIGNATURES ON THE INSTRUMENT, THE PERSONS, OR THE ENTITY UPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND

SIGNATURE PROCESS OF CHILDS. MY COMMISSION EXPIRES 10-26-96

PRINCIPAL BUSINESS IS IN AMAIN LOSOLY MY

MOFES S

NOTIFICATION OF STREET LIGHTING

MAINTENANCE ASSESSMENTS

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CERTIFICATE OF COMPLIANCE

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Dois December 17 1996 ay Engra San C. Frest

THE BEARING OF NORTH 5814'50" EAST OF THE CENTERLINE OF NORTH MAIN STREET AS SHOWN ON MAP OF TRACT NO. 20885, AS RECORDED IN BOOK 672, PAGES 67 TO 69 INCLUSIVE OF MAPS, RECORDS OF LOS ANGELES COUNTY, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP SIGNATURE OMISSIONS

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CITY COUNCIL.

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(in)(ore) the only persons whose comment is required for the recording of this map by los. Dole December 17 1996 Cry Expres San L. Fresita

CERTIFICATE OF ACCEPTANCE

I HEREBY CERTIFY that the City Council of the City of Less Anguine approved this may see accepted on behalf of the public of others of deficient above horsen unless otherwise rejected, except these smalled Tuture Street, Tokura Alley' or Yoture Essenset, provided But solding hards contained chall be construed as an ecospheric of any improvements made in ar upon any

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SHEET 2 OF 4 SHEETS SCALE: 1" = 50" TRACT NO. 51669 IN THE CITY OF LOS ANGELES STATE OF CALIFORNIA 20 40 30 20 0 0 100 Fri Nail per RS 108-60/62 Fits 2 Fernaining fles per C.E.F.B. 17270-5-FC Nail oer RS 108-60'62 F15 tea ber CE FB 17210-6 Septaced with S (W), US 2006 152006 NORTH STREET SPRING Set Borke (Wester 1 5 2996 453°45' 57"E 953 90 694 .5' 162.73 403 33 -- AU LET. LE 2996 Per R.S. 108-80/62 0 3.00 N53"45"57"B - N53*45'57"E STREET 228.94 A-910349' R-2000' 136.78 STREET 29,972 SQ.FT N53°45'57"E 246.951 N36*17'48'W 15.63' N53-42'12"E 4.00" N36"17'48"W 23.00" 37' N53"42"12"E 4.00" 98,662 9Q.FT. N36°17'48'W 38.00' N53°42'12"E 4.00' Set Some E N36°17'48"W (9.00" 2 WWIY 65WIY lines of Lot 3, Tr NO 20385. MB 672-67/69 ESTAB record angles & distance from Sotemo Street through Fd. LET new RS. NOS-BOARS *Ser 2" [P* Tegged 13.259@ N53°42'12"E 4.00' 60,132 SQ.FT 20 'CO.14 W "84:71" DEN N53º42'12"E 4.00" N36°17.48"W 19.00" -N 53°42'12"E 4,00" MESNAGER N36 17 48 W 13.60 68/ 30, 339 SQ.FT. 437°02 N31º44' 52'W 74.99' MAUD N 53*45'57*E Ó 249.08 M STREET 37 228.94 N58-07:30-E 360.10 20' 32" N500730'E 402.21 251.56 SOTELLO 158 28' 15'E 10.0r 5 8 Nai-44-52"W 53,587 SQ.FT. 327.22 68,607 SQ FT 118.85 N58º 14' 50'E PASEMENT 346.161 N58°12'20"E (30.08) 173.02 N31-44-55"W 173.14 18.62 6 21.65' 11,234E (R=20.00', L=29.57 N 58 13 06 E N31*44'55"W 31, 653 SQ.FT. 20.00 à ad 24.19 32,150 SQ.FT MORTHWESTERLY LINE OF A 3" PRIDE I 40" LONG ENGENERT TO THE DITY OF LOS ANGELES FOR BOS SHELTER PURPOSES 96.24 N370 ₹ GI.GT SEE N57-51'23'E 28.75 81.67 N32" 15 13"W 27.04" N58-13115"E N32"00", 9 20 WTH MAIN STREET N58" 14" 50"E 46,501 SQ.FT. N31.43157"W 153.48 347.58 100 EWES'SE" 90 N58" 14:50"E 236.76 NORTH \$ N58" 14' 50"E . MAIN 583.23 933.77 STREET 63, per CEFO 135-217 1218.87 \$ LEGEND INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.

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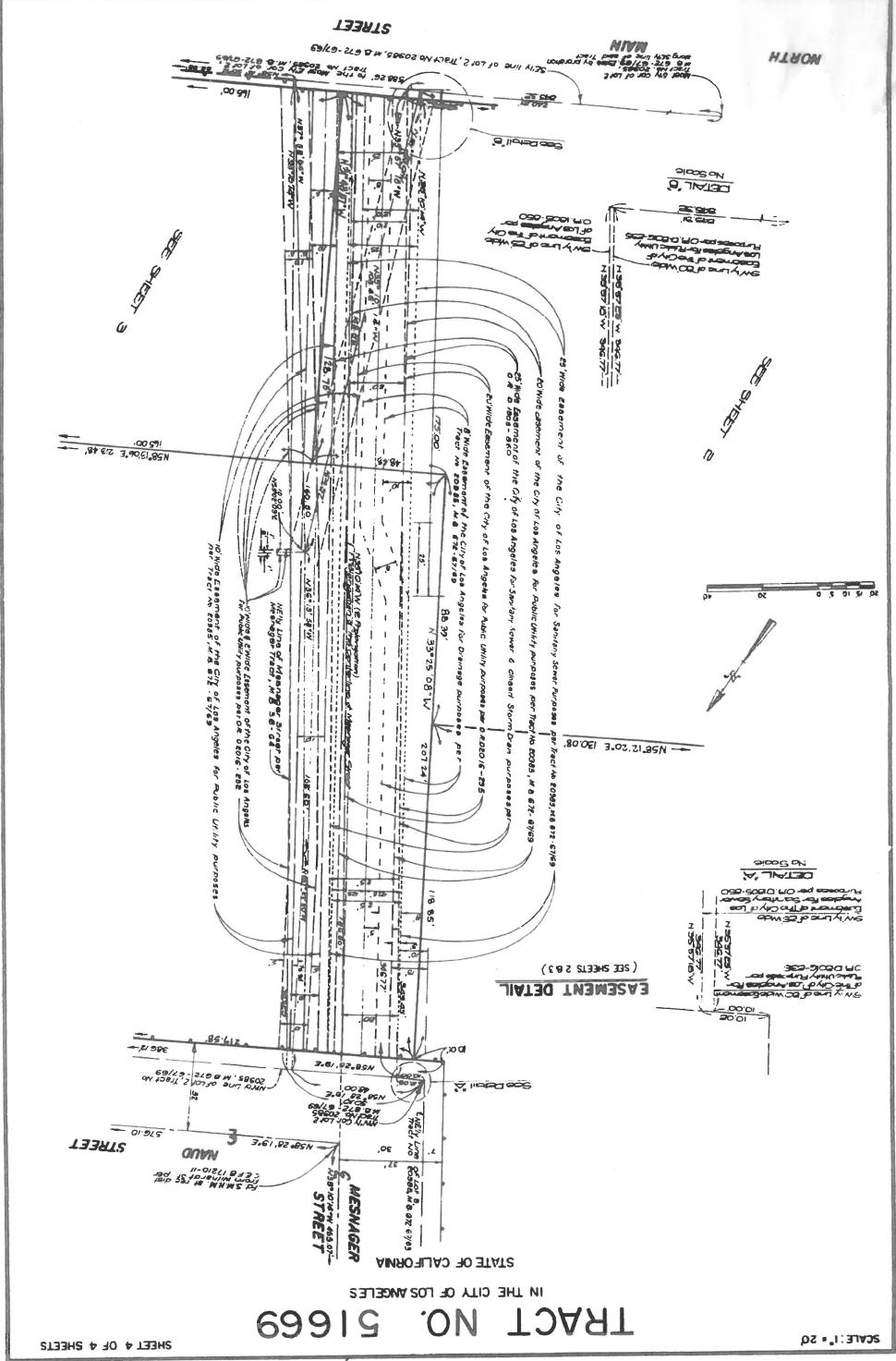


EXHIBIT B

DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

MONIQUE LAWSHE PRESIDENT

MICHAEL R. NEWHOUSE VICE-PRESIDENT

MARIA CABILDO CAROLINE CHOE MARTINA DIAZ PHYLLIS KLEIN KAREN MACK JACOB SAITMAN ELIZABETH ZAMORA

CITY OF LOS ANGELES

CALIFORNIA



KAREN BASS

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525 LOS ANGELES, CA 90012-4801 (213) 978-1271

VINCENT P. BERTONI, AICP

SHANA M.M. BONSTIN DEPUTY DIRECTOR HAYDEE URITA-LOPEZ

ARTHI L. VARMA, AICP DEPUTY DIRECTOR

LISA M. WEBBER, AICP

Decision Date: October 21, 2024

Appeal End Date: October 31, 2024

Kacy Keys (A)
Praxis Development Group
4858 West Pico Boulevard #736
Los Angeles, CA 90019

Steven Riboli (O) S & R Partners 715 Lamar Street Los Angeles, CA 90031

Dana Sayles (R) Three6ixty 11287 Washington Boulevard A Culver City, CA 90230

Jonas Simjus (Other) TCA Architecture 801 S. Grand Avenue, Ste 1020 Los Angeles, CA 90017 Case No: TT-51669-IND-M3

Related Case: TT-51669-IND, TT-51669-IND-M1

TT-51669-IND-M2

Address: 201 West Sotelo Street Community Plan: Central City North

Zone: UV(CA)

District Map:136-5A217

Council District: 1 - Hernandez

CEQA: 93-0244 (MND), ENV-2009-599-EIR Legal Description: Lots 1, 3 and 4 of Tract 51669

The Advisory Agency <u>FOUND</u>, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

In accordance with the provisions of Sections 17.03 and 17.14 of the Los Angeles Municipal Code (LAMC), the Advisory Agency <u>APPROVED</u> a modification to Condition Nos. <u>12.a, 12.b, and 12.c</u> of recorded final Tract Map No. 51669-IND, located at 201 West Sotello Street, as shown on revised map stamp dated November 17, 2023, in the Central City North Community Plan.

The Advisory Agency approved Tract No. 51669-IND on July 11, 1994, subject to conditions of approval, including Condition 12, which were implemented as mitigation measures limiting the project site's use, maximum floor area, and parking. Said conditions were intended to reduce impacts of future development of the parcels to be created by the recordation of the map.

Subsequently, on August 14, 2013, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. The CASP greatly expanded the range of uses, permitted density and floor area allowed on the site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program.

On April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. Subsequently, on December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

Under the current modification request, the approval eliminates the restriction on use, maximum floor area and parking requirements for the Lot Nos. 1, 3 and 4, while incorporating street dedication and improvement conditions to ensure the project's compliance with the CASP Street Standard requirements.

The Advisory Agency's approval is subject to the following modified conditions:

Modify Condition No. 10 to read as follows:

10. That on-site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any Department permit.

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor Suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

Modify Condition No. 12 to read as follows:

- 12. Prior to the recordation of the final map, the subdivider will prepare and execute two copies of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as identified in Exhibits A and B of Instrument No. 97-1724079 and as described as follows:

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35 10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 97-1724079, of official records.

The maximum floor area on each lot shall be limited as follows:

Lot No.	Maximum Floor Area* Permitted (sq. ft.)
4	16,843
3	54,181
4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951
11	11,880

12 14,995 13 14,361

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
- c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot No<u>s. 1, 2, 3, 4,</u> and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot No<u>s. 1, 2, 3, 4,</u> and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications 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 the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro Street, Los Angeles, CA 90012, (213) 485-7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 4342 Eagle Rock Boulevard

Los Angeles, CA 90041

Telephone: (213) 258-3252

Louise Harris, Gen. Mgr.

Prior to the recordation of the final map, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearance@lacity.org, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990-2010.

^{*}Floor Area per Planning and Zoning Code Section 12.03.

^{**}Excludes portion of Lot No. 8 as described above.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the 1990 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer. by the construction of a 10-foot full-width concrete sidewalk with tree wells.

Add Conditions Nos S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (p) <u>Improve Naud Street extension adjoining Lot Nos. 3 and 4 of the tract boundary</u> from Mesnager Street to Sotello Street by the construction the following:
 - (1) <u>Longitudinal concrete gutters and 10-foot concrete sidewalks with tree</u> wells on both sides of the street.

- (2) <u>Suitable surfacing to join the existing pavement to complete a 40-foot "V-Shape" roadway.</u>
- (3) <u>Curb ramps at the new street intersections with Mesnager Street and Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.</u>
- (4) The necessary removal and reconstruction of existing improvements.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (q) <u>Close all unused driveways adjoining Lot Nos. 1, 3 and 4 of the tract satisfactory</u> with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- (r) <u>Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01-1020 satisfactory to the City Engineer.</u>
- (s) <u>Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer.</u>

ADD Condition Nos. 19-24 to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8604.

- 19. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 20. That a 60-foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street in accordance with the Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer.
- 21. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the intersection of Naud Street and Sotello Street.
- 22. That the existing public easements be clearly shown on the final map.
- 23. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 24. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 25 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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 or Laura. Duong@lacity.org to schedule an appointment.

- 25. 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 approval from the Advisory Agency for the modification request to modify Conditions No. 12.a, 12.b, and 12.c.
 - b. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

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

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

Add Condition No. 26-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

<u>Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org.</u>

- 26. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
- 27. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.

- 28. Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.
- 29. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (CASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3- Streets, Section E, Street Intersection Design Regulations (Page 3-14) for signal installation.
- 30. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 31 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 31. 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. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - c. One or more Knox Boxes will be required to be installed for LAFD access to project.
 - d. <u>Location and number to be determined by LAFD Field Inspector</u>. (Refer to FPB Req # 75).
 - e. 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.
 - 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 Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) Fire lanes, where required and dead ending streets shall terminate in a cul-desac 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.
- 4) <u>Submit plot plans indicating access road and turning area for Fire Department approval.</u>
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) <u>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>
- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- 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 Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- k. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or

the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure.

 The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- iii. This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. 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.
- p. <u>Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.</u>
- q. <u>Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.</u>
- r. Standard cut-corners will be used on all turns.
- s. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

- t. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- u. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. <u>Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.</u>
- w. <u>During demolition, the Fire Department access will remain clear and unobstructed.</u>
- x. The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- z. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - iii. <u>In the event that the property owners association fails to maintain the</u> common property and easements as required by the CC and R's, the

- individual property owners shall be responsible for their proportional share of the maintenance.
- iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. <u>That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.</u>
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via</u> gate or pony wall less than 36 inches.
- dd. 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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.
- ee. Entrance to the main lobby shall be located off the address side of the building.
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 32 to read as follows:

DEPARTMENT OF WATER AND POWER

32. 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)).

Add Condition No. 33 to read as follows:

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

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).

33. Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Add Condition No. 34 to read as follows:

BUREAU OF SANITATION

34. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)).

Add Condition Nos. 35-37 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 35. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.
- 36. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- 37. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 38 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

<u>Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, and can be requested at planning.lacity.org.</u>

- 38. 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. 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.

FINDINGS OF FACT (CEQA)

The Advisory Agency found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the modification of recorded Tract No. 51669-IND, the Advisory Agency of the City of Los Angeles, pursuant to the State of California Government Code Sections 66427.1 (the Subdivision Map Act), makes the prescribed findings as follows:

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.

The subject site and the scope of the modification request comprised of Lot Nos. 1, 3, and 4 of recorded Tract No. 51669-IND, which encompasses a total of 13 lots, as initially approved in 1994. The site is located within the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan (CASP) which was adopted after the original 1994 Tract Map approval.

Prior to the Los Angeles City Council's adoption of the CASP on June 28, 2013, the site had a land use designation of Light Industrial and was zoned MR2-1. On July 11, 1994, the Advisory Agency approved Tract No. 51669-IND. Among the conditions of approvals,

several were implemented as mitigation measures, including Condition No. 12. Condition No. 12 contained conditions which implemented mitigation measures which were intended to reduce impacts of future development of the parcels to be created by the recordation of the map. The conditions and mitigation measures were appropriate as it related to the zoning and land use designation at the time of the approval.

On August 14, 2013, however, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos. 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. Additional uses and increased floor area permitted by the CASP were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. The CASP greatly expanded the range of uses and the permitted density and floor area allowed on the subject site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program. Projects may obtain said increase in floor area greater than the otherwise maximum floor area permitted by demonstrating compliance with the CASP requirements, including street improvement requirements set forth herein.

Subsequently, on April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. On December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

The subject Modification (Tract No. 51669-IND-M3) was filed to amend Condition No. 12 to remove existing restrictions related to use, permissible floor area, and parking for Lot Nos 1, 3 and 4. Under the original Condition No. 12 of Tract No. 51669-IND, the subject property would be limited to warehousing/manufacturing use with a maximum floor area of 86.969 square feet. With the requested Modification, it would allow for the construction of a 7-story, 445-unit residential development with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1 (Building Permit 23010-10000-04539. filed on November 15, 2023). The dedications and improvements, along with the conditions of approval as modified, are directly related and limited to boundaries of the tract map modification request. Additionally, the CASP establishes specific street designations and standards that apply to the project site. Sotello Street is designated as a Modified Local Street per the CASP. Condition S-3 (m) has been updated to limit the scope of the improvements to Lot Nos 1, 3 and 4 while ensuring compliance with the CASP street standards. Furthermore, the CASP specifies a street extension to connect the Naud Street section between Sotello and Mesnager (Chapter 3 Street, Page 3-9), leading to the inclusion of additional dedication and improvement conditions that require

this future street extension. The adoption of the CASP and associated zoning represents a change in the projected future development of the area that was not anticipated at the time of the approval of the original tract map. As such, the CASP and its specific zoning regulations have made the restrictions of Condition No. 12 of the recorded tract no longer necessary.

2. That the modification does not impose any additional burden on the present fee owner of the property.

The modification under the current request is limited to removal of existing restrictions pertaining to permitted uses, permissible floor area, and parking on Lot Nos. 1, 3 and 4 and grants the applicant additional development rights in excess of what was additional entitled as part of the 1994 approval, and therefore does not impose any additional planning or zoning requirements. Through the modification process, the applicant would be able to eliminate floor area restrictions and avail themselves of the Floor Area Bonus available in the CASP. The modification does not result in changes to the number of lots of Tract Map No. 51669-IND. As of March 27, 2024, the applicant notified all the owners of the Tract Map about the proposed tract map modifications via certified mail with a return receipt. Two out of five adjacent owners have signed consent letters regarding the proposed modification and no opposition has been received to date. As such, it can be found that the modification was communicated to and would not impose any additional burden on the present fee owner(s) of the property.

3. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map.

Tract Map No. 51669-IND-M3 is a modification of the original subdivision (Tract No. 51669). The modification of Tract Map 51669-IND would only affect property, title and interest conferred on the applicant as a fee owner by the City's approval of Tract No. 51669 and the recordation of the same by the County Recorder. The property owner of record does not change as a result of the modification and the modification does not result in additional lots to be created as part of this modification request. As such, the modification approved herein does not alter any right, title, or interest in the real property reflected on the recorded Tract Map No. 51669-IND.

4. That the map and conditions as modified conform to the provisions of Government Code Section 66474 and of this Code.

As described in Finding 1, the project site is located within the Central City North Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. Additionally, the site is located within the Cornfield Arroyo Seco Specific Plan (CASP) and is zoned UV(CA), or Urban Village, which allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment and cultural facilities uses. The existing floor area, use and parking restrictions in Condition No. 12 of Tract Map No. 51669-IND limits the project site to warehouse and manufacturing uses with a maximum Floor Area of 86,969 square feet. Those limitations are more restrictive than the floor area and use provisions permitted for the zone under the CASP. The modification of recorded final Tract Map No. 51669-IND would make the site-specific restrictions that were imposed as part of the 1994 approval consistent with what is permitted under the later-adopted CASP, including the floor area, use, and parking restrictions of Condition No. 12. As a result,

the modification would permit development of the site with a project that is in conformance with the adopted Cornfield Arroyo Seco Specific Plan and subjects the project to the requirements of the CASP.

The conditions of approval of the modification would ensure that the proposed development complies with the development standards from various departments. (As previously noted, on November 15, 2023, the applicant applied for a building permit, under application number 23010-10000-04539, to allow the construction of 7-story, 445-unit affordable housing development utilizing CASP floor area incentives at the project site. The proposed Floor Area is approximately 476,764 square feet, and the proposed FAR is 3.41:1.)

It would also require the project to adhere to the CASP street standards outlined in Chapter 3- Streets Pages 3-9 and 3-14, including extending Naud Street along the project site and providing a traffic signal warrant study. As such, the proposed modifications would be consistent with the use and area requirements of the Urban Village zone and would therefore align with the applicable General and Specific Plans.

Additionally, as an existing recorded tract map, the design and improvement of the subdivision has already been reviewed, approved, and implemented. The modification has no effect on the design or improvement of the existing subdivision, which was found to be consistent with applicable General and Specific Plans. The modification would be in conformance with the adopted CASP, the provisions of which take into consideration the suitability of the site with respect to development type, density, environmental impact, public health, and passive or natural heating or cooling. Furthermore, as no changes to the tract or lot lines are requested or proposed, the modification would not conflict with any easements for access through or use of property within the subdivision.

5. That the decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The project site and surrounding properties are located within the boundaries of the CASP and were re-designated and re-zoned as part of the adoption of the Specific Plan. The adjoining property to the east is Lot No. 2 of Tract No. 51669-IND, zoned Urban Village, and is currently being developed into a new 285-unit mixed-use housing and commercial development, reviewed under Administrative Clearance (ADM-2021-8129-CASP), with a total Floor Area of 225,745 square feet and an FAR of 3.39:1. The adjoining properties to the south are Lots Nos. 5 and 8 of Tract No. 51669-IND, zoned Urban Innovation, and developed with surface parking lots and industrial warehousing and distribution buildings. The adjoining property to the west is zoned UV(CA) and developed with manufacturing uses. The property to the north of the subject site, across North Spring Street, is the Los Angeles State Historic Park and is zoned GW(CA) for open space. The adjoining property to the north of the site, on the south side of North Spring Street, is an unnumbered lot zoned UV(CA) and developed with a billboard.

As noted, the modifications would permit development of the site with a residential project that is in conformance with the adopted CASP. When it was adopted in 2013, the CASP amended the zoning and land use designations of a 65-acre area northeast of Downtown Los Angeles, comprised primarily of industrial uses, to support new commercial and

residential developments within the Specific Plan. The Specific Plan involved an extensive public outreach process, and its effects were studied in the environmental impact report certified by the Los Angeles City Council (EIR No. ENV-2009-599-EIR).

The Applicant is requesting approval of this Tract Map Modification to eliminate floor area, use and parking restrictions to allow the construction of a 100% residential project consisting of 445 residential dwelling units. The residential development will be reviewed separately under administrative clearance for compliance with the CASP under building permit number 23010-10000-04539. As such, it can be found that the modifications will not result in detrimental effects on surrounding properties, which are subject to many of the same provisions under the CASP as the subject site.

LIMITATIONS OF A MODIFICATION OF RECORDED FINAL MAP

In connection with the approval of the Modification of Recorded Final Tract Map No. 51669 (Case No. TT-51669-IND), pursuant to Section 17.14 E of Chapter 1 of the Los Angeles Municipal Code, modifications and amending maps shall be governed by the following limitations:

1. No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.

This provision does not apply to the subject modification. While the initial decision of the Advisory Agency was appealed to the City Planning Commission on August 14, 1994, the scope of the appeal was limited to the dedication and improvement requirements. Density was not a challenged subject; therefore, this provision would not apply to the proposed project, which seeks to utilize the density, floor area, and other provisions of the CASP.

2. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.

The Mitigated Negative Declaration ENV-1993-224, certified for the Tract 51669, included conditions which were implemented as mitigation measures. Those conditions were intended to reduce impacts of future development of the parcels in the Tract. Subsequently, additional uses and increased floor area permitted by the Cornfield Arroyo Seco Specific Plan were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. Under the subject action, the applicant is seeking a modification of Condition Nos. 12.a, 12.b, and 12.c. Condition 12.a. limits the total floor area for the entire tract map and gross floor area for each lot, Condition 12.b restricts uses to be warehousing/manufacturing use, and Condition 12.c. requires parking to be provided according to the warehouse parking ratio. The original approval under Tract Map TT-51669-IND, limits the project site to warehouse/manufacturing uses with a maximum floor area of 86,969 square feet.

Under the subject action, the applicant seeks a modification of Condition 12 to allow for the construction of a 7-story, 445-unit affordable housing development utilizing CASP floor

area incentives (Building Permit 23010-10000-04539). The proposed Floor Area is approximately 476,764 square feet, resulting in a Floor Area Ratio (FAR) of 3.41:1. The proposed residential development will be reviewed separately under administrative clearance for compliance with the CASP. As the proposed project would comply with the CASP, it is expected to have no additional environmental impacts beyond those previously analyzed in the CASP EIR.

3. Modifications involving increases in density over that originally approved by the Advisory Agency in approving the tentative map shall be limited to not more than 10 percent for subdivisions containing 10 or more lots or dwelling units.

This provision does not apply to the subject modification as the Advisory Agency did not limit density as part of the original approval for TT-51669-IND.

4. Modifications involving either increase in the height of structures shall be limited to not more than 10 percent above the approved height of such structures.

The zoning of the subject site is Urban Village or UV(CA) under CASP. CASP regulates building heights, the minimum building height for the subject parcel is 45 feet and maximum height is limited to 110 feet. The original approval under Tract Map. No. TT-51669-IND did not regulate the height of structures. Therefore, this provision does not apply to the subject modification.

5. The Modification would not violate the intent of any of the original conditions of the tract map approval.

The original conditions of the tract map are consistent with the General Plan and applicable Specific Plans. The Cornfield Arroyo Seco Specific Plan (CASP) was adopted on June 28, 2013, becoming effective on August 14, 2013, after the original Tract Map was approved. The proposed modification of the Tract Map would be in compliance with the CASP, which is also consistent with the General Plan. Therefore, the modification would not violate the intent of any of the original conditions of the tract map approval.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant or their successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (https://planning.lacity.gov/oas) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at http://planning.lacity.gov/development-services/forms. Public offices are located at:

Metro DSC	Van Nuys DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050
South LA DSC	West LA DSC
(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org	(CURRENTLY CLOSED) 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org (310) 231-2901

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment

for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Appeal Filing



QR Code to BuildLA Appointment Portal for Condition Clearance

VINCENT P. BERTONI, AICP Advisory Agency

VANESSA SOTO, AICP Deputy Advisory Agency

VS:YL

EXHIBIT C

APPLICATIONS

APPEAL APPLICATION Instructions and Checklist



PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals use form CP13-7840. For Building and Safety Appeals and Housing Department Appeals use form CP13-7854.

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

Check only one. If unsure of the Appellate Body, check with City Planning staff before

APPELLATE BODY

submission.	, represented body, c		9			
☐ Area Planning Commission (AP	☐ Area Planning Commission (APC) ☐ City Planning Commission (CPC) ☐ City Council					
☐ Zoning Administrator (ZA)						
CASE INFORMATION						
Case Number:						
APN:		_				
Project Address:						
Final Date to Appeal:		_				
APPELLANT						
Check all that apply.						
☐ Person, other than the Applican	t, Owner or Operat	or claiming to be agg	grieved			
☐ Representative ☐ Prop	□ Representative □ Property Owner □ Applicant □ Operator of the Use/S					

APPELLANT INFORMATION

Appellant Name:				
Company/Organization:				
City:	State:	Zip Code:		
Telephone:	E-mail:			
Is the appeal being filed on y	our behalf or on behalf of another party, o	rganization, or	company?	
□ Self □ Other:				
Is the appeal being filed to su	upport the original applicant's position?	□ Y	ES 🗆	NO
REPRESENTATIVE /	AGENT INFORMATION			
Name:				
Company/Organization:				
	State:			
Telephone:	E-mail:			
JUSTIFICATION / RE	ASON FOR APPEAL			
Is the decision being appeale	ed in its entirety or in part?	□ Entire	□ Part	
Are specific Conditions of Ap	proval being appealed?	□ YES	\square NO	
If Yes, list the Condition Num	ber(s) here:			
On a separate sheet provide	the following:			
☐ Reason(s) for the appeal				
☐ Specific points at issue				
☐ How you are aggrieved by	the decision			

APPLICANT'S AFFIDAVIT

I certify that the s	tatements contained in this	s application are complete and true.
Appellant Signa	ture:	Date:
GENERAL N	IOTES	
representing the	, ,	a person identified as a member of a CNC or as al on behalf of the Neighborhood Council; persons lividual on behalf of self.
pertaining to the have appeals sche the appellant. If the consider the appearaginal decision	type of appeal being filed. neduled prior to the appella he appellate body is unable eal prior to the last day to a	within a time period specified in the LAMC Section(s) Los Angeles City Planning will make its best efforts to ate body's last day to act in order to provide due process to e to come to a consensus or is unable to hear and act, the appeal is automatically deemed denied, and the act as defined in the LAMC may only be extended if
THIS	S SECTION FOR CI	TY PLANNING STAFF USE ONLY
Base Fee:	\$7,575.20	
Reviewed & Ac	cepted by (DSC Planner)	: Jason Chan
Receipt No.:	200164794776	Date: 10/30/24
☐ Determination	n authority notified □	Original receipt and BTC receipt (if original applicant)
	GENERAL APPE	AL FILING REQUIREMENTS
	• •	Services Center (DSC), the following items are required. case types. To file online, visit our Online Application
APPEAL DO	CUMENTS	
1. Hard Copy		
Provide three set	s (one original, two duplica	ates) of the listed documents for each appeal filed.
☐ Appeal Ap	plication	
□ luctificatio	on/Reason for Appeal	

		Copy of Letter of Determination (LOD) for the decision being appealed
2.	Ele	ctronic Copy
		Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as <u>individual PDFs</u> and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.
3.	Apı	peal Fee
		Original Applicant. The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
		Aggrieved Party. The fee charged shall be in accordance with LAMC Section 19.01 B.1(b)
4.	Not	cicing Requirements (Applicant Appeals Only)
		Copy of Mailing Labels. All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals.
		<i>BTC Receipt.</i> Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the <u>Applicant</u> to City Planning's mailing contractor (BTC).
		See the Mailing Procedures Instructions (CP13-2074) for applicable requirements.
		SPECIFIC CASE TYPES

SPECIFIC CASE TYPES ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 13B.2.5. (Director Determination) of Chapter 1A or LAMC Section 13B.3.3. (Class 3 Conditional Use) of Chapter 1A as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.

☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

 Appeals must be filed within 10 days of the date of the written determination of the decisionmaker.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

Appeal Fee

19.01 B.1(a) of Chapter 1.
For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

☐ Applicant (Owner/Operator). The fee charged shall be in accordance with the LAMC Section

☐ Aggrieved Party. The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.



Cox, Castle & Nicholson LLP

2029 Century Park East, Suite 2100 Los Angeles, California 90067-3284 P: 310.284.2200 F: 310.284.2100

Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

October 28, 2024

VIA E-MAIL

Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

To Whom it May Concern:

This office represents S &R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). Through Case No. TT-51669-IND-M3, the Owner sought approval of a tract map modification to align an outdated, 30-year-old recorded tract map with the subsequently adopted Cornfield Arroyo Specific Plan (the "CASP") (the "Project"). While the City's Advisory Agency approved the Project on October 21, 2024 (the "Approval"), the Approval is riddled with errors. The Approval imposes conditions never requested by the Owner and therefore exceeds the City's authority provided for in the Subdivision Map Act. In addition, the Approval contains numerous conditions that the Owner cannot, as a matter of law, satisfy. These errors render the Approval unusable and legally unsustainable, and the Owner hereby appeals the entire Approval.

Project Background

The Project consists of requested modification to Conditions Nos. 12.a, 12.b, and 12.c of recorded final Tract Map No. 51669-IND, recorded July 11, 1994 (the "Original Approval"). The modifications seek to eliminate outdated use and area restrictions, thereby permitting future development consistent with provisions of the CASP.

The Subdivision Map Act ("SMA"), in section 66472.1, provides that a local agency may amend a previously recorded tract map if "there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property[.]" Here, the referenced map conditions do not conform to the CASP, and modification is appropriate to provide development conditions consistent with current City regulations.

¹ The Owner sought Project approval through a development partner, Praxis Development Group, which served as the Applicant.

Los Angeles Department of City Planning October 28, 2024 Page 2

Despite the straightforward nature of the request and the City's limited authority to approve or disapprove only the changes requested by the Owner, the Approval contains numerous conditions that exceed the City's authority, cannot be satisfied, and if allowed to stand, would render the Property undevelopable, exacting a regulatory taking of the Property, as detailed below.

Approval Errors

1. The Approval conditions as written are not pertinent to the project under review as part of Case No. TT-51669-IND-M3.

The proposed project consists solely of a modification to one condition of the Original Approval. There are no physical changes to the recorded tract map. As such, any proposed conditions of approval that are not directly necessary to effectuate the singular condition change are inappropriate and exceed the City's authority under the SMA. Yet, among other errors, the Approval requires that the Owner improve property it does not own (and therefore cannot legally accomplish), requires the Owner to change site layout and circulation, potentially install an off-site traffic signal, despite no proposed building project at this time, and join a street lighting maintenance district. In the face of these significant additional requirements, the Approval purports to state that "the modification does not impose any additional burden on the...owner of the property." This statement is wrong practically and wrong as a matter of law.

Furthermore, any conditions of approval related to any future development are outside the purview of the Advisory Agency for Case No. TT-51669-IND-M3, and under the purview of the Department of Building and Safety and Department of City Planning during the administrative compliance process for the CASP, which occurs during the plan check and permitting phase of a project.

2. The conditions as written are dependent on the recordation of a final map and therefore are impossible to satisfy.

Case No. TT-51669-IND-M3 is for a modification to a singular condition of an existing recorded map. There is no final map to record as part of this case, as the final map was recorded in 1994 and all conditions required for that recordation satisfied at that time. As such, any condition of approval that requires a performance measure "Prior to recordation of the final map" is impossible to satisfy and results in a permanent inability to realize any future use of the Property. Such conditions are not just a burden, they render the Property unusable, as the Approval creates a situation in which the Original Approval is no longer valid, but the Approval cannot be utilized. This is a complete regulatory taking. Either the City modifies the Approval to correct the Approval's myriad errors, or it will subject itself to a regulatory taking action.

3. The City approved a substantially similar request in 2018 without including the illegal conditions included here.

In 2018, the City approved a similar map modification request (Case No. TT-51669-IND-MI) at 200 N. Mesnager Street, immediately adjacent to the subject Property (the "Mesnager approval"). Notably, the Mesnager approval contains none of the illegal, impossible to fulfill conditions imposed by the Approval. The City cannot treat similarly situated properties differently, and the Mesnager case demonstrates that the City does understand the limitations on its authority in the map modification context. *Village of Willowbrook v. Olech* (2000) 528 U.S. 562 (city demanding 33-foot easement for connection to municipal water supply was subject to equal protection claim by property owner when it only required 18-foot easement of other property owners).

The Owner and Applicant repeatedly attempted to bring these errors to the City's attention prior to the issuance of the Approval, including meeting with staff on multiple occasions, providing significant verbal objection to various conditions at the Advisory Agency hearing, and submitting letters to staff on May 7, 2024 and August 12, 2024, which are attached as Exhibits "A" and "B" to this appeal justification. Despite these attempts to develop reasonable and satisfiable conditions of approval, the Approval still contains significant legal deficiencies. To date the City has failed to even acknowledge the Owner's objections or respond to them, necessitating this appeal.

The Owner believes that the City can modify the Approval to make it consistent with state law and impose reasonable conditions and hopes the City will finally engage in such a process.

Sincerely,

Alexander M. DeGood

AMD: Attachments

cc: Jane Choi, AICP, Principal City Planner

Kyle Hickey, Council District 1

Kacy Keys, Praxis Development Group

Dana Sayles, three6ixty

072864\18119246v2



May 7, 2024

Ms. Sophia Kim
Deputy Advisory Agency
City of Los Angeles
200 N. Spring Street
Los Angeles, CA 90012
Delivered via email.

Re: TT-51669-M3 Agency comment letters

TRACT MAP NO. 51669-IND-M3

To Whom It May Concern:

I am writing regarding the above referenced tract map modification hearing, scheduled for tomorrow, and the staff report in association therewith. The applicant has requested modification of the recorded tract map to be consistent with the subsequently adopted Cornfield Arroyo Specific Plan ("CASP"). The requested action for this body is consistent with and identical to a previously granted modification for 200 N. Mesnager Street, which previous request was identical to our request here.

In the previously granted modification – modification of Tract Map No. 51669, hearing date March 29, 2018 [Case Number TT-51669-IND-MI] – the Advisory Agency granted the same request that we are asking for here and imposed two (2) standard and generic additional conditions: (i) a requirement that any building permit, demolition, etc. comply with the tract map as modified, and (ii) litigation and indemnity language. Here, staff has recommended 46 additional conditions.

Notwithstanding that the Department of City Planning ("DCP") has reached out to the various departments for comment on this matter, it is the DCP's job and responsibility to ensure equal treatment of applicants and equal application of standards and requirements in relation to discretionary requests. In addition, the staff report has recommended the inclusion of conditions that have nothing to do with the request before the Advisory Agency, which is to consider and amend the final map for consistency with the CASP in relation to use, floor area, and street improvements, period. Nothing else is at issue or to be considered here.

Further, amendment of a recorded final map requires the City to make certain findings under the Government Code for the Subdivision Map Act that "...modifications do not impose any additional burden on the fee owners of the real property." Clearly, adding 45+ conditions, unrelated to the request at hand,

creates a significant additional burden to the property owner. This request has nothing to do with any development and is only a request to have the conditions of the final map amended for consistency with the subsequently adopted CASP.

Government Code §66472.1 states the following: "... after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by ... an amending map... if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map ... The local agency shall confine the hearing to consideration of, and action on, the proposed modification."

Here, the subsequently adopted CASP represents a change in circumstance that makes some of the conditions on the final map no longer appropriate or necessary. However, the staff report clearly does not comply with the remaining requirements of the above-referenced Government Code.

- 1. The staff report is overreaching and is not confined, nor limited, to consideration of the proposed modification;
- 2. The additional conditions impose a significant additional burden on the property owner; and
- 3. The modifications alter the right, title and interest in the property owner's real property by imposing far-reaching and overly burdensome conditions, far in excess of any appropriate requirement.

By law, findings in relation to the request must relate to the issue at hand, which issue in this case is a request that the map be modified for consistency with the CASP. That's it. The law also requires that there be a nexus between the conditions imposed and the request, which is not the case here. Further, the application of completely different standards and requirements for an identical request, for an adjacent property within the same tract, violates due process, results in unequal treatment of the applicant and property owner, and is arbitrary and capricious in violation of both State and Constitutional law.

We request that staff modify its recommendations and that the Advisory Agency adopt conditions consistent with the previously approved TT-51669-M1 case.

Thank you,

Kacy Keys

cc: Yi Lu, Jane Choi, Kevin Keller, Lisa Webber

Steve Riboli, David Riboli, Cal Hollis, Charles Wise, Dana Sayles

Mayer Brown LLP 333 S. Grand Ave 47th Floor Los Angeles, CA 90071

> T: +1 213 229 9500 F: +1 213 625 0248

> > mayerbrown.com

Edgar Khalatian T: +1 213 229 9548 ekhalatian@mayerbrown.com

August 12, 2024

BY EMAIL

Lisa Webber Department of City Planning 200 N. Spring Street, Suite 525 Los Angeles, CA 90012

MAYER BROWN

Re: 201 Sotello Street, Los Angeles ("Property")

Case No. TT-51669-IND-M3

Dear Ms. Webber:

We represent S&R Partners LLC ("Owner"), owner of the Property in the City of Los Angeles ("City") and submit this letter on behalf of the Owner and Praxis Development Group (collectively, "Applicant") with regards to the above-referenced request to modify conditions of approval imposed on Tract No. 51669, which are no longer applicable due to a conflict with the subsequently adopted Cornfield Arroyo Specific Plan ("CASP"). As a threshold matter, there appears to be confusion at the Planning Department regarding the Applicant's requested action, based on the Advisory Agency's anticipated determination on the request. The Applicant team has attempted to resolve this apparent misunderstanding with Planning Department staff on several occasions, but to no avail. Therefore, this letter is intended to clarify and provide legal justification as to why the Advisory Agency lacks legal authority to impose new and modified conditions of approval on a request pursuant to Section 66472.1 of the Subdivision Map Act ("Map Act").

1. Factual Background.

A brief summary of the relevant factual background related to the Applicant's request (Case No. TT-51669-IND-M3) is outlined below:

- The Property is comprised of Lots 1, 3 and 4 of Tract No. 51669, which is a 13-lot subdivision.
- The City conditionally approved vesting tentative tract map for Tract No. 51669 ("VTTM") on July 11, 1994. The VTTM conditions of approval are outlined in the letter of determination ("LOD"), attached hereto as Attachment 1.
- VTTM Condition No. 12 requires recordation of a covenant and agreement limiting the uses and maximum floor area on each lot in the subdivision. Specifically, Condition No.

12 limits each lot to industrial uses (warehousing/manufacturing) at a floor area ratio ("FAR") of 1.5:1. This condition is now inconsistent with the CASP, which allows a mix of uses, including residential multifamily development at an FAR of up to 5:1.

- VTTM Condition No. S-3(m) requires Sotello Street to be improved with a 10-foot wide sidewalk. This condition is also inconsistent with current CASP and Bureau of Engineering street standards.
- Upon satisfaction of the VTTM conditions of approval, the final map for Tract No. 51669 was accepted by the City and recorded on December 23, 1996 ("*Final Map*"). (*Attachment 2*.)
- On April 11, 2018, the Advisory Agency approved a modification to VTTM Condition No. 12 (Case No. TT-51669-IND-M1) to remove the use and floor area limitations on another property within Tract No. 51669 ("Mesnager Site"). The Advisory Agency did not impose any new or modified conditions of approval on the request, other than standard covenant recordation and indemnification requirements. In fact, email correspondence from the Bureau of Engineering confirmed that no additional conditions were needed because "no new map recordation was required" by the modification request. (Attachment 3.) The LOD is attached hereto as Attachment 4.
- On November 7, 2023, the Applicant requested a modification of VTTM Condition Nos. 12 and S-3(m) pursuant to Government Code section 66472.1. Other than the requested modification to Condition No. S-3(m), the Applicant's request is identical to the request granted by the Advisory Agency for the Mesnager Site just a few years ago, Case No. TT-51669-IND-M1.
- On May 8, 2024, the Advisory Agency held a hearing regarding the Applicant's request (Case No. TT-51669-IND-M3). The Planning Department's staff report ("Staff Report") is attached hereto as Attachment 5.

For a further detailed summary of the facts surrounding Applicant's request and the Advisory Agency's anticipated determination, please see attached correspondence from the Applicant, dated May 7, 2024 (*Attachment 7*), and correspondence from the Applicant Representative, dated July 25, 2024 (*Attachment 8*).

2. <u>Applicant's Request is to Modify VTTM Conditions that were Satisfied Prior to Recordation of the Final Map, Pursuant to Government Code Section 66472.1.</u>

To ensure compliance with the subsequently adopted CASP, the Applicant has requested to modify two conditions of approval imposed on the VTTM over thirty years ago. Namely, Condition Nos. 12(a), 12(b), 12(c), and S-3(m). The Final Map was recorded on December 23, 1996 and no new subdivision map is under consideration or proposed. Under Government Code section 66472.1, a final map may be modified if the local agency finds the following:

- i. There are changes in circumstances that make the condition no longer appropriate or necessary;
- ii. The modification does not impose any additional burden on the present fee owner of the property;
- The modification does not alter any right, title, or interest in the real property reflected on the recorded map; and
- iv. The map as modified conforms to the requirements for approval of a tentative map.

Additionally, the Map Act explicitly requires a local agency to confine the hearing to consideration of and action on the proposed modification. (Gov. Code, § 66472.1.) In other words, the Map Act restricts the City from modifying any conditions other than those requested by Applicant, nor can the City impose new conditions of approval on the Final Map. While the Staff Report includes all the findings required by the Map Act and City Code, the Staff Report includes additional modifications to the conditions of approval for Tract No. 51669 that we believe were erroneously attached to the Staff Report because they bear no relationship to Applicant's request.

In addition, while the Staff Report includes the required statutory findings, the finding listed in (ii) above cannot be made with the inclusion of the proposed conditions of approval included in the Staff Report. As the Applicant has discussed with staff, the extensive conditions enumerated in the Staff Report are both unrelated to the Applicant's request, and impose additional burdens on the Owner, in direct contravention of the Map Act. The City can only consider those conditions that have a direct relationship to the request before the Advisory Agency. Thus, any condition that imposes an additional burden to the Owner and/or is unrelated to the Applicant's request must be struck.

3. The "Draft Modifications of Tract Map Report" Add and Modify Conditions of Approval that are Unrelated to and Outside the Scope of Applicant's Request.

The Staff Report correctly states that Applicant's request is to modify only Condition Nos. 12(a), 12(b), 12(c), and S-3(m) and that "[a]ll other conditions for Tract Map No. 51669-IND shall remain the same." (Attachment 5 [emphasis added].) While the Staff Report indicates that Planning Department staff recommend approval of the proposed modifications to the foregoing conditions, the 12 pages that follow, titled "Draft Modification of Tract Map Report," include an extensive list of entirely new and modified conditions that are not within the scope of the request before the Advisory Agency.¹

¹ The "Draft Modification of Tract Map Report" includes modifications to five unrelated conditions of approval and seeks to add 28 new conditions of approval to the Final Map. Many of these conditions impose burdens on areas of the subdivision that are owned by other property owners.

All of the interdepartmental correspondence referenced to in the Staff Report appear to be included by error because they either relate to different properties that are neither owned nor controlled by the Applicant or presume there is a pending residential subdivision project. The interdepartmental correspondence identified in the Staff Report are listed below and attached hereto as *Attachment* 6:

- **Bureau of Engineering October 28, 2022**. The recommendations contained in this report are related to a different request, namely Case No. TTM-51669-IND-M2. As such, the recommendations in this report are inapplicable because they relate to a different property and property owner altogether.
- Department of Recreation and Parks November 27, 2023. This letter was issued in response to the Advisory Agency's request for comments related to a "proposed residential subdivision." The letter recommends including a condition requiring payment of Quimby fees based on the incorrect assumption that Applicant "is requesting approval of a subdivision that will contain dwelling units."
- Department of Building and Safety, Zoning Division December 8, 2023. This report references a property located at 1600 N. Naud Street, which is neither owned nor controlled by Applicant.
- Fire Department December 12, 2023. The recommendations in this report assume that a project is being proposed, while noting that there are no project plans under review.
- Department of Transportation April 30, 2024. This report was issued in response to the Advisory Agency's request for review of the case for "potential traffic access problems" for the Mesnager Site, which is neither owned nor controlled by Applicant.
- Bureau of Street Lighting April 25, 2024. This report also relates to the Mesnager Site, which is neither owned nor controlled by Applicant.
- Bureau of Street Services, Urban Forestry Division April 19, 2024. This report includes recommendations related to Urban Forestry requirements for the property located at 1600 N. Naud Street, which is neither owned nor controlled by Applicant.
- Bureau of Sanitation April 18, 2024. This report does not include any recommended conditions of approval or mandatory requirements. Rather, it notes the existence of easements and requires Department of Public Works approval for future development.

It is unclear why the various Departments above were asked to provide recommendations on a request under Section 66472.1 of the Map Act, which is limited to the conditions that are the subject of the request. Regardless, the Staff Report notes that a future residential development on the Property "would be reviewed separately under an administrative review process to ensure

compliance with the CASP." Therefore, it is unclear why or how the interdepartmental correspondence listed above relates to the request before the Advisory Agency.

4. There is no Mechanism under the Map Act that would Grant an Advisory Agency Authority to Impose New Conditions of Approval on a Recorded Final Tract Map.

As summarized above, the items listed under the Staff Report's "Draft Modification of Tract Map Report" appear to be mistakenly included as conditions of approval because they are not related to Applicant's requested modification of Condition Nos. 12 and S-3(m). However, after Applicant raised this issue, Planning Department staff took the position that the "Subdivision Map Act allows the City to impose conditions through the authority of the map itself, the City's General Plan and the Cornfield Arroyo Seco Specific Plan. All of which fall within the purview of the City's police powers." (Attachment 9.) For the reasons explained below, these purported justifications are legally incorrect.

a. The Map Act Limits the City's Authority to Impose New Conditions of Approval on a Recorded Final Tract Map.

There is no mechanism under the Map Act that would allow the City to impose new conditions of approval on a recorded final map. Under the Map Act, the time for a local agency to act on a proposed subdivision is when the tentative map is under consideration; and provided the final map is in substantial compliance with the tentative map and any conditions imposed on its approval, the approval of the final map is a ministerial action. (Gov. Code, § 66474.1; *Youngblood v. Board of Supervisors* (1978) 22 Cal.3d 644.) As such, the City's ability to modify the Final Map is strictly limited by the Map Act.

Furthermore, because all subdivision maps must be consistent with the general plan and specific plans in effect at the time of tentative map approval, only those requirements and conditions that applied to the subdivision at the time of tentative map approval may be considered with respect to the final map. (Gov. Code, § 66473.) However, final maps are not required to comply with changes or amendments to the general plan or specific plans adopted after tentative map approval. (*Youngblood, supra,* 22 Cal.3d 644.). As stated above, under Government Code section 66472.1, a final map may be modified if the local agency finds that there are changes in circumstances that make the condition no longer appropriate or necessary. In this case, the Applicant seeks modification of VTTM Condition Nos. 12 and S-3(m) for consistency with the CASP, with such precedent already established by the City through the approval of Case No. TT-51669-IND-M1 for the Mesnager Site.

The Map Act does not provide the City with unfettered continuing jurisdiction over the subdivision after the VTTM conditions of approval were satisfied and the Final Map was recorded. Yet several of the proposed new conditions of approval are drafted to be satisfied "prior to recordation of the final map" – this is simply not possible because there is already a recorded final map for this tract. The Applicant has not applied for a new subdivision or tract map, as the Property is already legally subdivided. The Applicant simply seeks to remove conditions that were satisfied prior to

recordation of the Final Map that are no longer necessary due to a conflict with existing land use and zoning regulations under the CASP. Therefore, because no new subdivision is proposed, there is no final map to record that would invoke the City's authority to impose conditions of approval under the Map Act.

b. The City cannot make the Findings Required to Justify Imposing New Conditions of Approval because there is no Nexus between the New Conditions and Applicant's Request.

There is no essential nexus between the Applicant's request and the new conditions of approval the Advisory Agency seeks to impose on the Final Map. The City does not have the legal authority to retroactively "reopen" the Final Map to modify VTTM conditions of approval that were already satisfied, and the City certainly cannot add new conditions that are unrelated to Applicant's request. The City's position conflicts with both State and Constitutional law, which limit a local agency's power to impose new conditions and exactions after it has approved a tentative map. (*Nollan v. California Coastal Commission* (1987) 483 U.S. 825 [Any condition required by a local agency must bear a reasonable relationship to the burdens caused by the proposed project].)

In defending the burdensome new conditions of approval, Planning Department staff have indicated that they cannot "omit any mandatory requirements relating to public health or safety recommended by other Departments/agencies." (Attachment 9.) However, the necessary findings to support a public health and safety need have not been (and cannot be) made. The conditions within the Staff Report are (i) unrelated to the Applicant's request; (ii) overreaching, thus creating significant additional burden on the Owner; and (iii) have no rational nexus to the request before the Advisory Agency. Further, all required conditions of approval were satisfied and all improvements were accepted by the City over thirty years ago, as indicated on the recorded Final Map. Indeed, the findings included in the Staff Report state that "as an existing recorded tract map, the design and improvement of the subdivision has already been reviewed, approved, and implemented. The modification has no effect on the design or improvement of the existing subdivision, which was found to be consistent with applicable General and Specific Plans." (Attachment 5, p. 21.) The Staff Report's recommended action and supporting findings are correct and consistent with Applicant's request – however, the "Draft Modification of Tract Map Report" is entirely inconsistent and must be corrected to be legally enforceable.

Interestingly, the Advisory Agency's refusal to squarely grant Applicant's request runs contrary to the City's land use authority and Housing Element commitments because the Applicant has requested to remove conditions that are inconsistent with the CASP, which allows residential multifamily uses on the Property as well as other commercial uses restricted by the VTTM conditions but permitted by the CASP. By removing conditions that would otherwise limit the City's authority to approve a CASP-compliant project, the requested modifications ensure the City is able to enforce the CASP in the future as it relates to the Property while also meeting its Statemandated housing obligations.

c. The City Threatens to Violate Applicant's Constitutional Right to Equal Protection because the City Previously Granted the Same Modification to a Neighboring Property Owner.

The City's local police power does not grant authority to take actions that amount to an improper or arbitrary infringement of constitutional rights, as would be the case here if the Advisory Agency imposes new conditions of approval on the Final Map. If the City imposes new and different conditions of approval on Applicant's request, the City's action would violate the Equal Protection Clause of the Fourteenth Amendment by treating the Property differently from other similarly situated properties, namely the Mesnager Site. (FFV Coyote LLC v. City of San Jose (2022) 637 F. Supp.3d 761 [equal protection violation exists where a city intentionally treats a property owner differently than other similarly situated property owners without a rational basis].) There is no legal justification for imposing burdensome conditions of approval on the Property that were not imposed on the Mesnager Site's identical modification request.

To restate, the Staff Report imposes burdensome and overreaching conditions, far in excess of those conditions imposed on Case No. TTM-51669-IND-M1, which case contained an identical request for modification of Condition No. 12 – the imposition of vastly different and additional conditions amounts to arbitrary and capricious treatment of the Applicant in violation of both State and Constitutional law. Aside from the unconstitutionality, such action would set a negative precedent for the Planning Department.

5. Conclusion.

For all the foregoing reasons, the City does not have authority to impose new and modified conditions of approval on the Applicant's request. Please confirm that the Advisory Agency will be instructed to correct the Staff Report and issue a letter of determination that is consistent with Applicant's request to modify Condition Nos. 12 and S-3(m).

Sincerely,

Edgar Khalatian

Attachments:

- 1. LOD (Vesting Tract No. 51669)
- 2. Recorded Final Map (Tract No. 51669)
- 3. BOE Correspondence (Case No. TT-51669-M1)
- 4. LOD (Case No. TTM-51669-M1)
- 5. Planning Department Staff Report (Case No. TTM-51669-M3)
- 6. Interdepartmental Correspondence
- 7. Correspondence, dated May 7, 2024
- 8. Correspondence, dated July 25, 2024
- 9. Correspondence, dated August 2, 2024

cc: Vanessa Soto, Department of City Planning Donna Wong, Office of the City Attorney



Cox, Castle & Nicholson LLP

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Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

February 4, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Dear Ms. Webber:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). Through Case No. TT-51669-IND-M3, the Owner sought approval of a tract map ("Map") modification to fix outdated, no longer legally applicable, 30-year-old tract map conditions prohibiting any development other than light industrial and warehouse uses, including prohibiting residential development on the Property, and requiring a sidewalk improvement inconsistent with current Bureau of Engineering street standards (the "Map Modification").¹

The Map Modification seeks to align the Map with the subsequently adopted Cornfield Arroyo Specific Plan (the "CASP"), which permits a number of additional uses on the Property, including substantial residential development.² Even though the CASP permits residential development on the Property, and per a recently adopted Interim Control Ordinance ("ICO"), prohibits industrial development on the Property, the City took the opportunity of the Map Modification to layer on requirement after requirement, in direct violation of state law, and in a manner that would effectively preclude residential or other development on the Property.³ By this letter, we seek to engage with your office in a collaborative manner to remove those conditions of approval that are unlawful as a condition of approval of the Map Modification.

¹ The Owner's October 28, 2024, appeal letter detailed why the City's approval of the Project does not conform with the significant limitations imposed on the City by the Subdivision Map Act, among other issues. The Owner restates all of these objections.

² On October 29, 2024, the City Council adopted an updated CASP. While not yet effective until clearance by the City Attorney, and thus not yet it applicable to the Property, the updated CASP also permits, and indeed expects substantial residential development on the Property.

³ On November 6, 2024, Ordinance No. 188,402 became effective, which establishes the CASP Area Interim Control Ordinance (ICO). The ICO prohibits the issuance of permits related to the warehousing, distribution, and storage use in excess of 15,000 cumulative square feet within the CASP area.

Lisa Webber, AICP February 4, 2025 Page 2

The Owner filed the Map Modification pursuant to a narrowly tailored Map Act provision that provides that in granting the modification the City is <u>legally precluded</u> from "impos[ing] any additional burden on the fee owners of the real property[.]" Gov. Code sec. 66472.1. [Set forth the statute here indented and single spaced with emphasis added.]

"[A]fter a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified...if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification."

Yet the City seems to think that rather than facilitating the very development its zoning expects (and again, now requires given that it prohibits industrial development), it should instead try to use the Map Modification to impose page after page of conditions on already subdivided property that already satisfied conditions upon recordation of the original map. In particular, discussions with City Planning staff have revealed that Planning is laser-focused on securing new land dedications and off-site improvements, regardless of the impact such exactions have on the provision of housing, including affordable housing. Precisely because of such unfortunately typical land grabs that impose unreasonably restrictive barriers to the development of much needed housing, the state recently adopted legislation prohibiting such actions, as set forth below. As such, the state has precluded the City's primary reason for attempting to violate the Map Act.

The City's actions to date would be inexplicable even without state law rejecting them, given the City's ongoing housing crisis, recently exacerbated in tragic fashion by the destruction of thousands of housing units in the Palisades wildfire, creating a ripple effect Citywide for housing that in many cases simply is not available. But in the face of clear state law prohibiting the City's conditions, the City's actions are an egregious violation of its responsibility to follow the law and effectuate the provision of housing.

Perhaps more disturbing, the City's actions here directly contradict its actions in 2018 on neighboring property at 200 W. Mesnager Street, when the City approved a map modification with none of the onerous and illegal conditions it seeks to impose here, resulting in the construction of a 285-unit residential project. To date, the City's only purported justification for this disparate and illegal treatment is that the Property has more street frontage than 200 Mesnager, a fact of no legal or planning significance. It has been openly acknowledged by the Planning staff that the attempt to impose unlawful dedications as a condition of the map modification is purely opportunistic, because "if not now, then when?" The City had no trouble complying with state law in 2018. It must also do so now.

1. AB 3177 Precludes the City from Imposing Any Dedication Requirements

During discussions with City Planning staff on November 20 and December 12, 2024, staff repeatedly expressed concern that absent imposing map conditions requiring certain dedications, the City would be unable to achieve the dedications it seeks under the CASP.⁴ Putting aside that such dedications violate the Map Act's prohibition against "impos[ing] any additional burden on the fee owners of the real property," new state law (AB 3177) prohibits a local agency from imposing a "land dedication" requirement on a "housing development" to widen a "roadway" if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. Gov. Code, § 66005.1(c)(1). As such, the City cannot impose any dedication requirements on the Project.⁵

Nor can the City do so outside of the Map Modification context, as AB 3177's prohibition applies regardless of the legal mechanism an agency seeks to use to impose dedication requirements. As set forth below, the Owner may move forward with a residential project without modifying the map conditions at issue, and if it chooses to do so, the City cannot impose a dedication requirement on such a project. Given this, the City's purported reason for seeking to impose illegal conditions on the map modification falls apart.

2. The Map Modification Contains Other Illegal Conditions

Importantly, section 66472.1 clearly states that the City may only consider the map modifications as proposed by the Applicant. Yet here, the City ignored the plain language of the code. In addition to imposing dedication and related requirements (such as street light relocation necessitated by street widening) that it cannot under state law, the City seeks to require extensive infrastructure that has nothing to do with the map modification. The City even goes so far as to require the full improvement of a Naud Street extension, including "longitudinal concrete gutters and 10-foot concrete sidewalks with tree wells on both sides of the street" (Condition S-3 (p)(1)) and requires repaving two streets adjoining the Property. Condition S-3(n) and (o). These conditions are massively expensive burdens on the Owner and the City cannot impose them, particularly when the Owner does not control large portions of property on which the City seeks to impose improvement conditions. Despite multiple objections by the Owner, City staff continue to believe the Owner can be responsible for improvements on property it does not control.

Incredibly, the City's approval claims that the conditions to do not impose any additional burden on the Owner because the map modification permits "additional development rights"

⁴ During the November 20th discussion, staff appeared to believe that imposing dedication requirements through a map is the <u>only</u> legal way an agency may obtain a dedication, which the City knows is not true, as dedications are routinely secured through projects that do not require a map.

⁵ Dedication requirements may be imposed if a property is not in a transit priority area and has more than 500 feet of linear street frontage. Here, the Project site is in a transit priority area, so AB 3177's prohibition imposing a dedication requirement applies.

beyond those available in 1994. The City offers no support, legal or otherwise, for this interpretation of the Map Act's prohibition on imposing burdens on a property owner that requests a map modification, and no such support exists. The Map Act does not say that additional burdens may be imposed if the City also provides a "benefit," not to mention that aligning a map with existing zoning is not a benefit at all, but rather a statement of existing law.

3. The Owner May Build a Density Bonus Project Without Modifying the Map

The Owner initially sought modification of the Map because the Map Act provides a narrowly tailored process that permits an agency to modify map conditions that are no longer appropriate, such as here, in which a map condition conflicting with underlying zoning is exactly the type of condition Map Act section 66472.1 was drafted to address.

In light of the City's refusal to date to adhere to the limitations of section 66472.1, we must also note that state affordable housing incentive programs such as density bonus law provide that the Owner may ignore the map modification entirely and simply move forward with a density bonus project. Government Code section 65915, subd. (o)(6) states:

""Maximum allowable residential density" or "base density" means the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail..."" (emphasis added).

Here, the Property's Urban Village zoning under the CASP permits substantial residential development. As such, under state density bonus law, the Owner has a right to construct a density bonus project, regardless of the Map's limitation and without any of the conditions staff seeks to impose through the map modification.⁶

Further, to the extent CASP requirements impair the development of a density bonus project, the Owner could request waivers of such requirements, and the City could not deny such waivers unless it could make specific health and safety findings, which here it certainly could not. If the project is a density project, "a city may not apply any development standard that would physically preclude construction of that project as designed." Bankers Hill 150 v. City of San Diego (2022) 74 Cal.App.5th 755, 774 (emphasis added). The City cannot request that an applicant modify a proposed density bonus project's design to eliminate a waiver request, nor is there a limitation on the number of waivers an applicant can request and the City must grant.

⁶ Given that the Map was recorded decades ago, and an apartment project does not require a subdivision, such a project could go forward on the Property's existing lot or lots.

Lisa Webber, AICP February 4, 2025 Page 5

Further, to obtain a waiver, "[t]he showing or 'reasonable documentation' required by the applicant is that the project qualifies for a density bonus." HCD Notice of Violation to City of Encinitas (Jan. 20, 2022), at p. 3. Under this standard, the fact that the Project includes the required number of deed-restricted units to qualify for density bonus benefits is all the justification needed for the City to grant the requested waiver.

Put another way, the City has a choice. It can either comply with state law or face one of two (or perhaps both) outcomes: a successful suit enforcing the Map Act (which successful suit would result in the award of substantial attorneys' fees to the Owner), or a density bonus project that bypasses the map issue entirely and obtains waivers of all CASP requirements that inhibit the development of affordable housing units. In no case will the City achieve imposing illegal conditions on the Property through a map modification.

More broadly, given that the City's primary stated reason for violating section 66472.1 was to impose dedication requirements it now clearly cannot under state law, we hope that the issues detailed in the October 28, 2024, appeal can be addressed in a more thoughtful and deliberate manner.

Despite the foregoing objections, the Owner remains willing, for the time being, to engage in a less dismissive and more productive discussion regarding the map modification and which CASP conditions the City may legally impose after approving the map modification. To this end, we request a meeting within the next 10 days to discuss how to best proceed to eliminate the illegal map modification conditions and reach consensus on which, if any, such conditions may be imposed during review of a project after the map modification. Failing this, the Owner will vigorously act to protect its rights and enforce state law.

We look forward to a further discussion with you on this matter.

Sincerely,

Alexander M. DeGood

AMD:amd

Jane Choi, Principal City Planner Helene Rotolo, Council District 1 Kyle Hickey, Council District 1 Rachel Freeman, Deputy Mayor for Business and Economic Development

David P. Waite, Cox, Castle & Nicholson LLP



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File No. 108688

February 27, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012 Jane Choi, AICP Principal City Planner, Project Planning

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Follow-Up to February 19, 2025, Discussion

Dear Ms. Webber and Ms. Choi:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). On February 19, 2025, this office held a discussion with Ms. Choi regarding the above-referenced appeal. This letter addresses the issues Ms. Choi raised with respect to the application of AB 3177 to the Property and its impact on several land dedication conditions of approval the City seeks to impose through the Property's tract map modification request.

Application of AB 3177

As acknowledged by Ms. Choi, AB 3177, which prohibits the imposition of a "land dedication requirement on a housing development," applies to the Property in the event a housing development is proposed. Notwithstanding this general prohibition, Ms. Choi noted that AB 3177 contains language that permits an agency to impose a dedication requirement in very narrow circumstances. Government Code section 66005.1(c)(2)(B) states that an agency may:

"Discretionarily impose a land dedication requirement as a condition of approval of a specific housing development project for traffic safety features if the local agency makes a finding, specific to the housing development project and supported by substantial evidence, that the land dedication requirement is necessary to preserve the health, safety, and welfare of the public, including pedestrians, cyclists, and children."

A review of the plain language of the code, coupled with the Legislature's analysis of AB 3177, demonstrates that the exception cannot apply to the Property's proposed residential project. First, the code requires that the City must find that a *specific* housing project would, absent the imposition of a dedication requirement, directly cause an immediate health and safety

Lisa Webber and Jane Choi February 27, 2025 Page 2

impact, and such a finding must be supported by substantial evidence in the administrative record. "Substantial evidence" means something that is both legally significant and factual.¹

While AB 3177 does not separately define what would constitute a "health, safety and welfare" impact that could only be alleviated by the imposition of a dedication requirement, the Housing Accountability Act ("HAA"), which applies to housing development projects, does, stating that "a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date [an] application was deemed complete." Gov. Code §65589.5(d)(2). The HAA also states that "It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety... arise infrequently."

It is not enough for the City to conclude a dedication would be beneficial, that it would help pedestrians or cyclists, or that arguably applicable City plans or policies otherwise require a dedication. Absent direct, quantifiable evidence that a specific, immediate public health or safety impact will be directly caused by the project absent the imposition of a dedication requirement, the City cannot impose one. There is no such evidence.

In other words, requiring dedications in this instance violates AB 3177. There is no substantial evidence supporting the necessity of dedications, as there is not evidence of any impact, let alone a specific adverse health and safety impact in the absence of dedications.

Indeed, the tract map modification dedication conditions say nothing about public health and safety, and simply reference "street widening per BOE improvement conditions" (Condition No. S-3(c)(1)), and a "60-foot wide strip of land to be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street" (Condition. No. 20). Such general dedication conditions are precisely what AB 3177 now prohibits.²

Notably, the Assembly, in its floor analysis of AB 3177, <u>directly cited the City's costly</u> and pointless dedication requirements as a primary motivation for the bill.

"In some urban areas, such as the City of Los Angeles, the practice of "Spot Widening" along roadways adjacent to new developments has become a requirement imposed by cities on developers. This process involves the widening of a portion of the roadway to accommodate increased vehicular traffic that might result from the new development...A

¹ See *Roddenberry v. Roddenberry* (1996) 44 Cal.App.4th 634, 651 (""Substantial evidence" is evidence of ponderable legal significance, evidence that is reasonable, credible and of solid value... Speculation or conjecture alone is not substantial evidence"); Pub. Res. Code §21080(e)(1) and (2) ("substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact...[it] is not argument, speculation, unsubstantiated opinion or narrative[.]").

² The City also seeks to impose dedication requirements on property not under control of the applicant, which it similarly cannot do.

Lisa Webber and Jane Choi February 27, 2025 Page 3

2016 research study published in the Journal of Transport and Land Use found that <u>road</u> <u>widening requirements in Los Angeles can cost developers over \$10,000 per unit</u>, resulting in up to hundreds of thousands of dollars being added to projects subjected to these requirements in certain instances. Such additional costs often lead to higher rent prices to make up for the loss. In addition to the monetary costs, developers also lose valuable land they could have used for additional housing units." AB 3177 Assembly Floor Analysis, p. 3, attached as Exhibit "A" (emphasis added).

The Assembly's analysis also noted that dedications for road widening do not even accomplish what they purportedly exist to do; namely, increasing traffic flow: "the growing body of evidence on the effects of road widening makes clear that this practice induces driving and worsens congestion." *Id.*

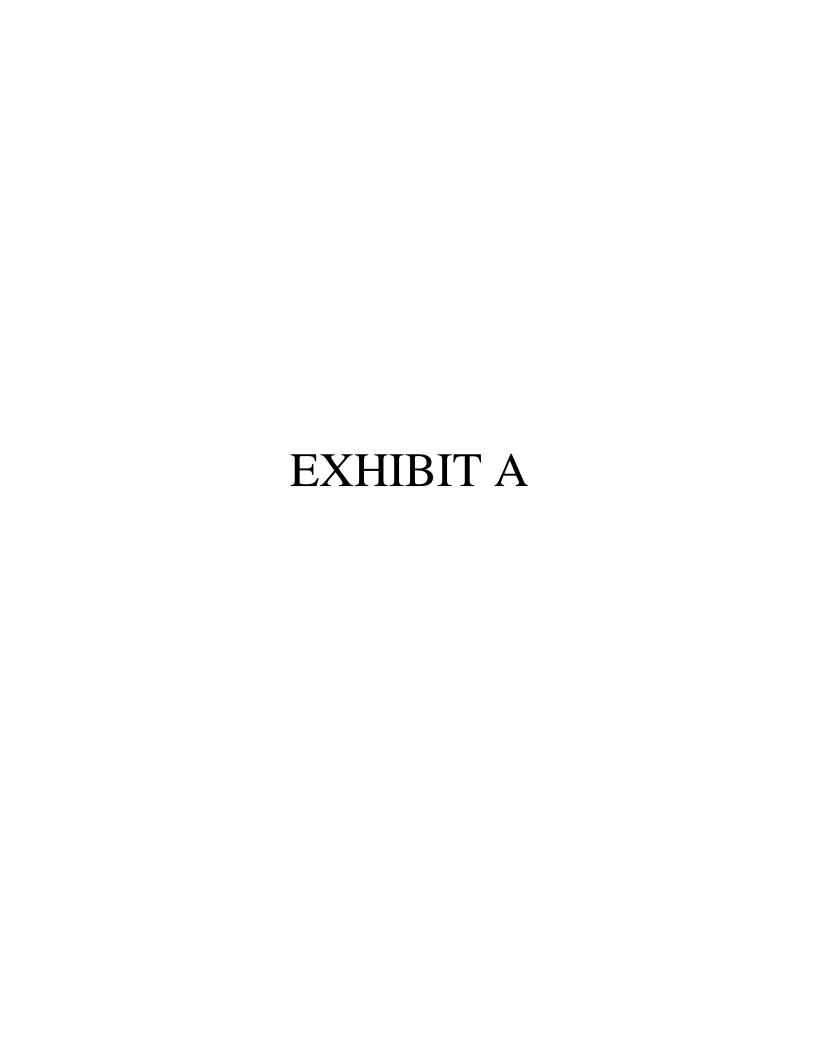
AB 3177 also permits an agency to "[i]mpose a land dedication requirement to construct public improvements, including...sidewalk and sewer improvements." Gov. Code § 66005.1(c)(2)(C). This exception is not implicated by the map modification conditions, as the City is not seeking street dedications for sidewalk or sewer improvements. Rather, the map modification contains several conditions that require repair and reconstruction of *existing* sidewalks only, acknowledging that new dedications for sidewalk improvements are not necessary.

Given the above, it is clear the City cannot impose dedication requirements on a residential project as part of the requested map modification.

Sincerely,

Alexander M. DeGood

AMD:amd Attachment



CONCURRENCE IN SENATE AMENDMENTS AB 3177 (Wendy Carrillo) As Amended August 19, 2024 Majority vote

SUMMARY

Prevents local agencies from imposing land dedication requirements on new housing developments in transit priority areas to widen a roadway for vehicular traffic purposes, or for achieving a desired roadway width, with certain exemptions.

Senate Amendments

- 1) Amends the locational requirement where the provisions of this bill would apply to:
 - a) A transit priority area (TPA), rather than within one half mile of a TPA; and
 - b) Areas within one half mile a planned major transit stop that will be completed before or within one year from the completion and occupancy of the housing development.
- 2) Clarifies that a local agency cannot impose land dedication requirements on new housing developments in transit priority areas to widen a roadway for vehicular traffic purposes, or to achieve a desired roadway width.
- 3) Clarifies that local governments can exercise discretion to impose a land dedication requirement as a condition of approval of a specific housing development in TPAs for traffic safety features if the local agency makes a finding, specific to the housing development project and supported by substantial evidence, that the land dedication requirement is necessary to preserve the health, safety, and welfare of the public, including pedestrians, cyclists, and children.
- 4) Defines "roadway" as a portion of a highway improved, designed, or ordinarily used for vehicular travel.
- 5) Incorporates chaptering amendments.

COMMENTS

Statewide Housing Needs: According to the Department of Housing and Community Development's (HCD's) 2022 Statewide Housing Plan Update, ¹ California's housing crisis is a half century in the making. After decades of underproduction, supply is far behind need and housing and rental costs are soaring. As a result, millions of Californians must make hard decisions about paying for housing at the expense of food, health care, child care, and transportation, directly impacting quality of life in the state. One in three households in the state doesn't earn enough money to meet their basic needs. In 2023, over 181,000 Californians experienced homelessness on a given night, with a sharp increase in the number of people who

¹ California Department of Housing and Community Development, *A Home for Every Californian*: 2022 Statewide Housing Plan. March 2022, https://storymaps.arcgis.com/stories/94729ab1648d43b1811c1698a748c136

became experienced homelessness for the first time.² To meet this housing need, HCD determined that California must plan for more than 2.5 million new homes, and no less than one million of those homes must be affordable to lower-income households.

Cost of Building Housing: It is expensive to build housing in California. The UC Berkeley Terner Center finds that challenging macroeconomic conditions, including inflation and high interest rates, affect the availability and cost of capital, resulting in rising costs for labor and materials.³ Furthermore, workforce and supply shortages have exacerbated the already high price of construction in California, and economic uncertainty has made equity partners and lenders apprehensive about financing new housing development proposals. An analysis by the California Housing Partnership compares the cost of market rate development prototypes developed by the Terner Center with the median cost of developing affordable rental homes. In the four regions analyzed, the study found that the cost of developing one unit of affordable housing ranged from approximately \$480,000 to \$713,000, while the cost of developing one unit of market rate housing in the state ranged from approximately \$508,000 to \$637,000.⁴ This fee discrepancy between affordable and market rate housing stems from a variety of factors, including the complexity associated with securing the capital required to build subsidized housing, and the various regulations placed on affordable units.

Impact Fees and Exactions – Added Uncertainty and Costs: Development fees serve many purposes and can be broadly divided into two categories: service fees and impact fees. Service fees cover staff hours and overhead, and are used to fund the local agency's role in the development process such as paying for plan reviews, permit approvals, inspections, and any other services related to a project moving through various local departments. Impact fees refer generally to fees that offset the public costs of new infrastructure incurred by the larger community. In the wake of the passage of Proposition 13 in 1978 and the loss of significant property tax revenue, local governments have also turned to development fees as a means to pay for new infrastructure. According to the UC Berkeley Terner Center for Housing Innovation, between 2008 and 2015, California fees rose 2.5%, while the national average decreased by 1.2%. Development fees can comprise 17% of the total development costs of new housing, and in California in 2015, impact fees were nearly three times the national average.

Existing law limits the fees local agencies can impose on housing developments within 1/2 mile of a transit station, which includes a rail or light-rail station, ferry terminal, bus hub, or bus transfer station, but excludes other major bus stops, as well as planned transit stops. To enhance traffic-impact mitigation strategies, it is important to consider transit priority areas, which are designated zones within 1/2 mile of a major transit stop. This bill would prevent land dedication

² U.S. Department of Housing and Urban Development, Point in Time Counts.

https://www.huduser.gov/portal/datasets/ahar/2023-ahar-part-1-pit-estimates-of-homelessness-in-the-us.html ³ David Garcia, Ian Carlton, Lacy Patterson, and Jacob Strawn, *Making It Pencil: The Math Behind Housing Development (2023 Update)*, Terner Center for Housing Innovation, December 2023, https://ternercenter.berkeley.edu/research-and-policy/making-it-pencil-2023/

⁴ Mark Stivers, *Affordable Housing Compares Favorably to Market-Rate Housing From a Cost Perspective*, California Housing Partnership, January 2024: https://chpc.net/affordable-housing-compares-favorably-to-market-rate-housing-from-a-cost-

perspective/#:~:text=It%20turns%20out%20that%20costs,market%2Drate%20developments%20do%20not.

⁵ Sarah Mawhorter, David Garcia and Hayley Raetz, *It All Adds Up: The Cost of Housing Development Fees in Seven California Cities*, Terner Center for Housing Innovation, March 2018, https://ternercenter.berkelev.edu/research-and-policy/it-all-adds-up-development-fees

requirements from being imposed on housing development projects for road widening to accommodate vehicular traffic in TPAs, with certain exemptions.

Spot Widening: In some urban areas, such as the City of Los Angeles, the practice of "Spot Widening" along roadways adjacent to new developments has become a requirement imposed by cities on developers. This process involves the widening of a portion of the roadway to accommodate increased vehicular traffic that might result from the new development. According to the California Department of Housing and Community Development (HCD), this sort of land dedication may affect the cost and feasibility of developing housing as well as its affordability. A 2016 research study published in the Journal of Transport and Land Use found that road widening requirements in Los Angeles can cost developers over \$10,000 per unit, resulting in up to hundreds of thousands of dollars being added to projects subjected to these requirements in certain instances. Such additional costs often lead to higher rent prices to make up for the loss. In addition to the monetary costs, developers also lose valuable land they could have used for additional housing units.

Shifting land from housing to roads on a per project basis may not achieve any mitigation because the widening is limited to the roadway adjacent to the project, leading to road configurations that essentially zigzag. In instances where an entire block of the road is widened due to a large development, the growing body of evidence on the effects of road widening makes clear that this practice induces driving and worsens congestion. Placing "spot widening" requirements on a developer may result in more driving, rather than mitigating congestion.

Transit Priority Areas: Transit Priority Areas (TPAs) are designated regions within a half-mile radius of an existing or planned major transit stop. These areas are identified as part of the state's strategy to promote sustainable development and reduce greenhouse gas emissions. The rationale behind encouraging car-free or low-car developments in TPAs is to leverage the proximity to public transit, thereby reducing the reliance on private vehicles for daily commutes. This approach aligns with California's broader environmental and urban planning goals, aiming to create more walkable, bike-friendly, and transit-oriented communities. By fostering developments in TPAs that minimize automobile dependency, the state seeks to alleviate traffic congestion, improve air quality, and enhance the overall quality of life for residents.

The state seeks to incentivize and prioritize new housing development in climate-smart places, accompanied by the policy goals of lowering the cost of housing and reducing greenhouse gas emissions. As such, limiting road widening for vehicular traffic via land dedication, and limiting the fees that a local jurisdiction can charge for vehicular traffic mitigation, in TPAs as proposed in this bill is well aligned with these existing goals and priorities. Nothing in this bill would prevent local governments from imposing other types of land dedication requirements in TPAs, or other requirements to construct public improvements, including, but not limited, to sidewalk and sewer improvements. Furthermore, a local government may still impose a land dedication requirement on housing development for street widening if the local agency makes specific

⁶ https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/fees-and-exactions

⁷ Michael Manville, *Automatic street widening: Evidence from a highway dedication law*. Journal of Transport and Land Use, 9(1). 2016. https://doi.org/10.5198/jtlu.2016.834

findings that the dedication is necessary to preserve the health, safety, and welfare of the public, providing the local government with flexibility.

According to the Author

"AB 3177 promotes efficient land use by placing limits on 'Spot Widening,' whereby developers give up land and pay for road expansions as a permitting requirement. This practice affects the financial feasibility of housing developments, reducing the number of homes a developer can build and increasing tenants' rents. One project in Los Angeles lost over 6,000 square feet of land to road widening, which amounted to a loss of over 30 dwelling units. There was a delay of almost two years for another project, consisting of permanent supportive housing for the homeless, as the developer sought to waive the road-widening requirement. These additional costs and delays contribute to California's housing shortage and homelessness crisis."

Arguments in Support

According to Streets for All and The Greenlining Institute, "the requirement for homebuilders to finance roadway widening and surrender land as a condition for housing project approvals is fundamentally misaligned with principles of environmental sustainability, equity, and justice. This approach not only fosters a dependency on automobiles, leading to higher Vehicle Miles Traveled (VMT) and associated emissions, but also exacerbates the urban heat island effect, a critical environmental concern. In the rare instance where a significant length of the road is widened, the growing body of evidence on the effects of road widening makes it clear that this practice induces more driving and worsens congestion in the long run. Placing the burden of potential mitigations on a developer leads to poor road design and induces more driving instead of easing congestion. On the housing front, this city policy has cost or delayed thousands of units of deed-restricted and homeless housing which is desperately needed in our communities."

Arguments in Opposition

None on file.

FISCAL COMMENTS

None.

VOTES:

ASM HOUSING AND COMMUNITY DEVELOPMENT: 7-0-2

YES: Ward, Grayson, Kalra, Lee, Quirk-Silva, Reyes, Wilson

ABS, ABST OR NV: Joe Patterson, Sanchez

ASM LOCAL GOVERNMENT: 7-1-1

YES: Juan Carrillo, Valencia, Kalra, Pacheco, Ramos, Ward, Wilson

NO: Waldron

ABS, ABST OR NV: Essayli

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Bryan, Calderon, Wendy Carrillo, Mike Fong, Grayson, Haney, Hart,

Pellerin, Villapudua

NO: Sanchez, Dixon, Jim Patterson, Ta

ASSEMBLY FLOOR: 57-12-11

YES: Addis, Aguiar-Curry, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Connolly, Mike Fong, Garcia, Gipson, Grayson, Haney, Hart, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ting, Valencia, Villapudua, Ward, Wicks, Wilson, Wood, Zbur, Robert Rivas

NO: Alanis, Davies, Dixon, Essayli, Flora, Vince Fong, Gallagher, Lackey, Sanchez, Ta, Waldron, Wallis

ABS, ABST OR NV: Cervantes, Chen, Megan Dahle, Friedman, Gabriel, Holden, Hoover, Mathis, Jim Patterson, Joe Patterson, Weber

SENATE FLOOR: 31-8-1

YES: Allen, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Rubio, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener

NO: Alvarado-Gil, Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto **ABS, ABST OR NV:** Wilk

UPDATED

VERSION: August 19, 2024

CONSULTANT: Dori Ganetsos / H. & C.D. / (916) 319-2085 FN: 0004777



Cox, Castle & Nicholson LLP

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File No. 108688

March 6, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012 Jane Choi, AICP Principal City Planner, Project Planning

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Outline of Acceptable Conditions

Dear Ms. Webber and Ms. Choi:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). On February 19, 2025, this office held a discussion with Ms. Choi regarding the above-referenced appeal. During that discussion, we committed to providing Planning with a mark-up of the conditions the City imposed through its October 21, 2024, letter of determination. Attached please find a mark-up of the conditions that can be discussed during our scheduled March 6th call.

Sincerely,

Alexander M. DeGood

AMD:amd Attachments



DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

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ARTHI L. VARMA, AICP DEPUTY DIRECTOR LISA M. WEBBER, AICP DEPUTY DIRECTOR

Decision Date: October 21, 2024

Appeal End Date: October 31, 2024

Kacy Keys (A) Praxis Development Group 4858 West Pico Boulevard #736 Los Angeles, CA 90019

Steven Riboli (O) S & R Partners 715 Lamar Street Los Angeles, CA 90031

Dana Sayles (R) Three6ixty 11287 Washington Boulevard A Culver City, CA 90230

Jonas Simjus (Other) TCA Architecture 801 S. Grand Avenue, Ste 1020 Los Angeles, CA 90017 Case No: TT-51669-IND-M3

Related Case: TT-51669-IND, TT-51669-IND-M1

TT-51669-IND-M2

Address: 201 West Sotelo Street Community Plan: Central City North

Zone: UV(CA)

District Map: 136-5A217

Council District: 1 - Hernandez

CEQA: 93-0244 (MND), ENV-2009-599-EIR Legal Description: Lots 1, 3 and 4 of Tract 51669

The Advisory Agency <u>FOUND</u>, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

In accordance with the provisions of Sections 17.03 and 17.14 of the Los Angeles Municipal Code (LAMC), the Advisory Agency APPROVED a modification to Condition Nos. 12.a, 12.b, and 12.c of

recorded final Tract Map No. 51669-IND, located at 201 West Sotello Street, as shown on revised map stamp dated November 17, 2023, in the Central City North Community Plan.

The Advisory Agency approved Tract No. 51669-IND on July 11, 1994, subject to conditions of approval, including Condition 12, which were implemented as mitigation measures limiting the project site's use, maximum floor area, and parking. Said conditions were intended to reduce impacts of future development of the parcels to be created by the recordation of the map.

Subsequently, on August 14, 2013, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. The GASP greatly expanded the range of uses, permitted density and floor area allowed on the site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program.

On April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. Subsequently, on December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

Under the current modification request, the approval eliminates the restriction on use, maximum floor area and parking requirements for the Lot Nos. 1, 3 and 4, while incorporating street dedication and improvement conditions to ensure the project's compliance with the CASP Street Standard requirements.

The Advisory Agency's approval is subject to the following modified

conditions: Modify Condition No. 10 to read as follows:

10. That on site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any Department permit.

Note: The tract already has a final recorded map. All references to recording a final map should be stricken. Of note, the City's position for the adjoining tract map modification at 200 Mesnager Street was that "no new final map recordation is required based upon the proposed

modification request," and the City included no such language in the Mesnager modification approval. See March 1, 2018 email from BOE to Planning.

Grading Division approvals are conducted at 221 North Figueroa Street. 12th Floor Suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

Modify Condition No. 12 to read as follows:

12. Prior to the recordation of the final map issuance of building permits, the subdivider will prepare and execute two copies

of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:

a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1 2, 3 4 and a portion of Lot No. 8 as identified in Exhibits A and **B** of Instrument No. 97-1724079 and as described as follows:

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35 10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 971724079, of official records.

The maximum floor area on each lot shall be limited as follows:

Lot No. 4	Maximum Floor Area* Permitted (sq. ft.)
3	5′1,181
4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951

12 14,995 13 14,361

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1 2, 3 4 and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
 - c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot Nos. 1 2, 3 4, and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot Nos. 1, 2, 3 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications to

improvements. Refer -to the Los Angeles Municipal Code Section 17.05N. Written evidence of the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro Street, Los Angeles, CA 90012, (213) 185 7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 1342 Eagle Rock Boulevard

Los Angeles, CA 90011

Telephone: (213) 258 3252

Louise Harris, Gen. Mgr.

[Prior to the recordation of the final map, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearancelacity.oru, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.] Remove condition. It is outdated. Cable TV not required.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990 2010.

^{*}Floor Area per Planning and Zoning Code Section 12.03.

^{**}Excludes portion of Lot No. 8 as described above.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per B0E improvement conditions. relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St. AB 3177 prohibits street widening. Further, the Property does not touch Main Street.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the <u>1990</u> 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.by the construction of a 10 foot full width concrete sidewalk with tree wells.

Add Conditions Nos S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (p) Improve Naud Street extension adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street adjoining the tract boundary by the construction the following:

(1) Longitudinal concrete gutters and 10-foot concrete sidewalks with tree wells-on-both sides of the street adjoining the Property on Naud.

- (2) Suitable surfacing to join the existing pavement to complete a 40-foot "V-Shape" roadway along the Property controlled by the Applicant.
- (3) Curb ramps at the new street intersections with Mesnager Street and along Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.
- (4) The necessary removal and reconstruction of existing improvements.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (q) Close all unused driveways adjoining Lot Nos. 1. 3 and 4 of the tract satisfactory with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- (r) Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01-1020 satisfactory to the City Engineer.
- (s) Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer. Condition is not related to the action requested.

ADD Condition Nos. 19-24 to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division. located at 201 North Figueroa Street. Suite 290, or by calling (213) 808-8604.

- 19. Prior to issuance of building permtis, t\(T\)hat the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 20. That a 60-foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street in accordance with the Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer. Applicant does not control property to Mesnager Street, nor does it control a 60-foot wide strip at any point, and therefore cannot make said dedication. Further, said dedication is prohibited by AB 3177. Applicant agrees to "Dedicate an approximately 20-foot wide strip along lots 3 and 4 for required fire access."
- 21. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the intersection of Naud Street and Sotello Street.
- 22. That the existing public easements be clearly shown on the final map. The final map has already been recorded.

- 23. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 24. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 25 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY. ZONING DIVISION

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 or Laura. Duonglacity.org to schedule an appointment.

25. That prior to recordation of the final map issuance of building permits, the Department of Building and Safety, Zoning

<u>Division shall certify that no Building or Zoning Code violations exist on the subject site.</u> In addition, the following items shall be satisfied:

- <u>a.</u> Obtain approval from the Advisory Agency for the modification request to modify Conditions No. 12.a, 12.b, and 12.c. This condition is satisfied by this approval.
- b. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

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

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

Add Condition No. 26-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestoplacity.org.

- <u>Prior to issuance of building permtis, aA minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.</u>
- 27. Prior to issuance of building permits, pParking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.

- 28. <u>Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.</u>
- 29. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (GASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3-Streets. Section E, Street Intersection Design Regulations (Page 3-14) for signal installation. This condition was not required of 200 W. Mesnager, a 200-unit project that fronts on Mesnager.
- 30. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 31 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 31. That prior to the recordation of the final mapissuance of building permits for a residential project, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - <u>a.</u> Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - <u>b.</u> Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - <u>c.</u> One or more Knox Boxes will be required to be installed for LAFD access to project.
 - d. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
 - e. 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.
 - 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 Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) Fire lanes, where required and dead ending streets shall terminate in a cul-desac 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.
- 4) Submit plot plans indicating access road and turning area for Fire Department approval.
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. <u>Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.</u>
- 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 Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- <u>k.</u> The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or

the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width: all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or quest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

I. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- <u>iii.</u> This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. 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.
- <u>Construction of public or private roadway in the proposed development shall</u>
 not exceed 10 percent in grade.
- **g.** Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- r. Standard cut-corners will be used on all turns.
- <u>s.</u> The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

- <u>t.</u> The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- <u>u.</u> Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- w. During demolition, the Fire Department access will remain clear and unobstructed.
- x. The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- <u>z.</u> That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map. a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - <u>iii.</u> <u>In the event that the property owners association fails to maintain the</u> common property and easements as required by the CC and R's, the

- <u>individual property owners shall be responsible for their proportional</u> share of the maintenance.
- <u>iv.</u> Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.</u>
- dd. <u>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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.</u>
- ee. Entrance to the main lobby shall be located off the address side of the building
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 32 to read as follows:

DEPARTMENT OF WATER AND POWER

32. Prior to issuance of building permits, sSatisfactory 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)). There is no Condition No. S-1(c).

Add Condition No. 33 to read as follows:

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

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).

<u>O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District. No district exists.</u>

Add Condition No. 34 to read as follows:

BUREAU OF SANITATION

34. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)). There is no Condition No. S-1(d).

Add Condition Nos. 35-37 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 35. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.
- 36. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 38 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa. Valley, or West Los Angeles Development Services Centers. To clear conditions an appointment is required, and can be requested at planning.lacity.org.

38.Prior to the recordation of the final mapissuance of building permits or a Certificate of Occupancy, 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. 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.

FINDINGS OF FACT (CEQA)

The Advisory Agency found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the modification of recorded Tract No. 51669-IND, the Advisory Agency of the City of Los Angeles, pursuant to the State of California Government Code Sections 66427.1 (the Subdivision Map Act). makes the prescribed findings as follows:

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.

The subject site and the scope of the modification request comprised of Lot Nos. 1, 3, and 4 of recorded Tract No. 51669-IND, which encompasses a total of 13 lots, as initially approved in 1994. The site is located within the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan (CASP) which was adopted after the original 1994 Tract Map approval.

Prior to the Los Angeles City Council's adoption of the CASP on June 28, 2013, the site had a land use designation of Light Industrial and was zoned MR2-1. On July 11, 1994, the Advisory Agency approved Tract No. 51669-IND. Among the conditions of approvals,

several were implemented as mitigation measures, including Condition No. 12. Condition No. 12 contained conditions which implemented mitigation measures which were intended to reduce impacts of future development of the parcels to be created by the recordation of the map. The conditions and mitigation measures were appropriate as it related to the zoning and land use designation at the time of the approval.

On August 14, 2013, however, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos. 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the GASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. Additional uses and increased floor area permitted by the CASP were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. The CASP greatly expanded the range of uses and the permitted density and floor area allowed on the subject site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program. Projects may obtain said increase in floor area greater than the otherwise maximum floor area permitted by demonstrating compliance with the CASP requirements, including street improvement requirements set forth herein.

Subsequently, on April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. On December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

The subject Modification (Tract No. 51669-IND-M3) was filed to amend Condition No. 12 to remove existing restrictions related to use, permissible floor area, and parking for Lot Nos 1 , 3 and 4. Under the original Condition No. 12 of Tract No. 51669-IND, the subject property would be limited to warehousing/manufacturing use with a maximum floor area of 86,969 square feet. With the requested Modification, it would allow for the construction of a 7-story, 445-unit residential development with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1 (Building Permit 23010-10000-04539, filed on November 15, 2023). The dedications and improvements, along with the conditions of approval as modified, are directly related and limited to boundaries of the tract map modification request. Additionally, the CASP establishes specific street designations and standards that apply to the project site. Sotello Street is designated as a Modified Local Street per the CASP. Condition S-3 (m) has been updated to limit the scope of the improvements to Lot Nos 1, 3 and 4 while ensuring compliance with the GASP street standards. Furthermore, the GASP specifies a street extension to connect the Naud Street section between Sotello and Mesnager (Chapter 3 Street, Page 3-9), leading to the inclusion of additional dedication and improvement conditions that require

this future street extension. The adoption of the GASP and associated zoning represents a change in the projected future development of the area that was not anticipated at the time of the approval of the original tract map. As such, the CASP and its specific zoning regulations have made the restrictions of Condition No. 12 of the recorded tract no longer necessary.

2. That the modification does not impose any additional burden on the present fee owner of the property.

The modification under the current request is limited to removal of existing restrictions pertaining to permitted uses, permissible floor area, and parking on Lot Nos. 1, 3 and 4 and grants the applicant additional development rights in excess of what was additional entitled as part of the 1994 approval, and therefore does not impose any additional planning or zoning requirements. Through the modification process, the applicant would be able to eliminate floor area restrictions and avail themselves of the Floor Area Bonus available in the CASP. The modification does not result in changes to the number of lots of Tract Map No. 51669-IND. As of March 27, 2024, the applicant notified all the owners of the Tract Map about the proposed tract map modifications via certified mail with a return receipt. Two out of five adjacent owners have signed consent letters regarding the proposed modification and no opposition has been received to date. As such, it can be found that the modification was communicated to and would not impose any additional burden on the present fee owner(s) of the property.

3. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map.

Tract Map No. 51669-IND-M3 is a modification of the original subdivision (Tract No. 51669). The modification of Tract Map 51669-IND would only affect property, title and interest conferred on the applicant as a fee owner by the City's approval of Tract No. 51669 and the recordation of the same by the County Recorder. The property owner of record does not change as a result of the modification and the modification does not result in additional lots to be created as part of this modification request. As such, the modification approved herein does not alter any right, title, or interest in the real property reflected on the recorded Tract Map No. 51669-IND.

4. That the map and conditions as modified conform to the provisions of Government Code Section 66474 and of this Code.

As described in Finding 1, the project site is located within the Central City North Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. Additionally, the site is located within the Cornfield Arroyo Seco Specific Plan (CASP) and is zoned UV(CA), or Urban Village, which allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment and cultural facilities uses. The existing floor area, use and parking restrictions in Condition No. 12 of Tract Map No. 51669-IND limits the project site to warehouse and manufacturing uses with a maximum Floor Area of 86,969 square feet. Those limitations are more restrictive than the floor area and use provisions permitted for the zone under the GASP. The modification of recorded final Tract Map No. 51669-IND would make the site-specific restrictions that were imposed as part of the 1994 approval consistent with what is permitted under the later-adopted GASP, including the floor area, use, and parking restrictions of Condition No. 12. As a result,

the modification would permit development of the site with a project that is in conformance with the adopted Cornfield Arroyo Seco Specific Plan and subjects the project to the requirements of the GASP.

The conditions of approval of the modification would ensure that the proposed development complies with the development standards from various departments. (As previously noted, on November 15, 2023, the applicant applied for a building permit, under application number 23010-10000-04539, to allow the construction of 7-story, 445-unit affordable housing development utilizing CASP floor area incentives at the project site. The proposed Floor Area is approximately 476,764 square feet, and the proposed FAR is 3.41:1.)

It would also require the project to adhere to the CASP street standards outlined in Chapter 3- Streets Pages 3-9 and 3-14, including extending Naud Street along the project site and providing a traffic signal warrant study. As such, the proposed modifications would be consistent with the use and area requirements of the Urban Village zone and would therefore align with the applicable General and Specific Plans.

Additionally, as an existing recorded tract map, the design and improvement of the subdivision has already been reviewed, approved, and implemented. The modification has no effect on the design or improvement of the existing subdivision, which was found to be consistent with applicable General and Specific Plans. The modification would be in conformance with the adopted CASP, the provisions of which take into consideration the suitability of the site with respect to development type, density, environmental impact, public health, and passive or natural heating or cooling. Furthermore, as no changes to the tract or lot lines are requested or proposed, the modification would not conflict with any easements for access through or use of property within the subdivision.

5. That the decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The project site and surrounding properties are located within the boundaries of the GASP and were re-designated and re-zoned as part of the adoption of the Specific Plan. The adjoining property to the east is Lot No. 2 of Tract No. 51669-IND, zoned Urban Village, and is currently being developed into a new 285-unit mixed-use housing and commercial development, reviewed under Administrative Clearance (ADM-2021-8129-CASP), with a total Floor Area of 225,745 square feet and an FAR of 3.39:1. The adjoining properties to the south are Lots Nos. 5 and 8 of Tract No. 51669-IND, zoned Urban Innovation, and developed with surface parking lots and industrial warehousing and distribution buildings. The adjoining property to the west is zoned UV(CA) and developed with manufacturing uses. The property to the north of the subject site, across North Spring Street, is the Los Angeles State Historic Park and is zoned GW(CA) for open space. The adjoining property to the north of the site, on the south side of North Spring Street, is an unnumbered lot zoned UV(CA) and developed with a billboard.

As noted, the modifications would permit development of the site with a residential project that is in conformance with the adopted CASP. When it was adopted in 2013, the GASP amended the zoning and land use designations of a 65-acre area northeast of Downtown Los Angeles, comprised primarily of industrial uses, to support new commercial and

residential developments within the Specific Plan. The Specific Plan involved an extensive public outreach process, and its effects were studied in the environmental impact report certified by the Los Angeles City Council (EIR No. ENV-2009-599-EIR).

The Applicant is requesting approval of this Tract Map Modification to eliminate floor area, use and parking restrictions to allow the construction of a 100% residential project consisting of 445 residential dwelling units. The residential development will be reviewed separately under administrative clearance for compliance with the CASP under building permit number 23010-10000-04539. As such, it can be found that the modifications will not result in detrimental effects on surrounding properties, which are subject to many of the same provisions under the CASP as the subject site.

LIMITATIONS OF A MODIFICATION OF RECORDED FINAL MAP

In connection with the approval of the Modification of Recorded Final Tract Map No. 51669 (Case No. TT-51669-IND), pursuant to Section 17.14 E of Chapter 1 of the Los Angeles Municipal Code, modifications and amending maps shall be governed by the following limitations:

 No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.

This provision does not apply to the subject modification. While the initial decision of the Advisory Agency was appealed to the City Planning Commission on August 14, 1994, the scope of the appeal was limited to the dedication and improvement requirements. Density was not a challenged subject; therefore, this provision would not apply to the proposed project, which seeks to utilize the density, floor area, and other provisions of the CASP.

2. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.

The Mitigated Negative Declaration ENV-1993-224, certified for the Tract 51669, included conditions which were implemented as mitigation measures. Those conditions were intended to reduce impacts of future development of the parcels in the Tract. Subsequently, additional uses and increased floor area permitted by the Cornfield Arroyo Seco Specific Plan were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. Under the subject action, the applicant is seeking a modification of Condition Nos. 12.a.. 12.b, and 12.c. Condition 12.a. limits the total floor area for the entire tract map and gross floor area for each lot, Condition 12.b restricts uses to be warehousing/manufacturing use, and Condition 12.c. requires parking to be provided according to the warehouse parking ratio. The original approval under Tract Map TT-51669-IND, limits the project site to warehouse/manufacturing uses with a maximum floor area of 86,969 square feet.

Under the subject action, the applicant seeks a modification of Condition 12 to allow for the construction of a 7-story, 445-unit affordable housing development utilizing CASP floor

area incentives (Building Permit 23010-10000-04539). The proposed Floor Area is approximately 476,764 square feet, resulting in a Floor Area Ratio (FAR) of 3.41:1. The proposed residential development will be reviewed separately under administrative clearance for compliance with the CASP. As the proposed project would comply with the GASP, it is expected to have no additional environmental impacts beyond those previously analyzed in the CASP **EIR**.

3. Modifications involving increases in density over that originally approved by the Advisory Agency in approving the tentative map shall be limited to not more than 10 percent for subdivisions containing 10 or more lots or dwelling units.

This provision does not apply to the subject modification as the Advisory Agency did not limit density as part of the original approval for TT-51669-IND.

4. Modifications involving either increase in the height of structures shall be limited to not more than 10 percent above the approved height of such structures.

The zoning of the subject site is Urban Village or UV(CA) under CASP. CASP regulates building heights, the minimum building height for the subject parcel is 45 feet and maximum height is limited to 110 feet. The original approval under Tract Map. No. TT-51669-IND did not regulate the height of structures. Therefore, this provision does not apply to the subject modification.

5. The Modification would not violate the intent of any of the original conditions of the tract map approval.

The original conditions of the tract map are consistent with the General Plan and applicable Specific Plans. The Cornfield Arroyo Seco Specific Plan (CASP) was adopted on June 28, 2013, becoming effective on August 14, 2013, after the original Tract Map was approved. The proposed modification of the Tract Map would be in compliance with the CASP, which is also consistent with the General Plan. Therefore, the modification would not violate the intent of any of the original conditions of the tract map approval.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant **or** their successor in interest may be prosecuted for violating these Conditions the same **as** for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (https://planning.lacity.gov/oas) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at http://planning.lacitv.qov/development-services/forms. Public offices are located at:

Metro DSC	Van Nuys DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050
South LA DSC	West LA DSC
(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org	(CURRENTLY CLOSED) 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org (310) 231-2901

City Planning staff may follow up with the appellant via email and/or phone **if** there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment

for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Appeal Filing

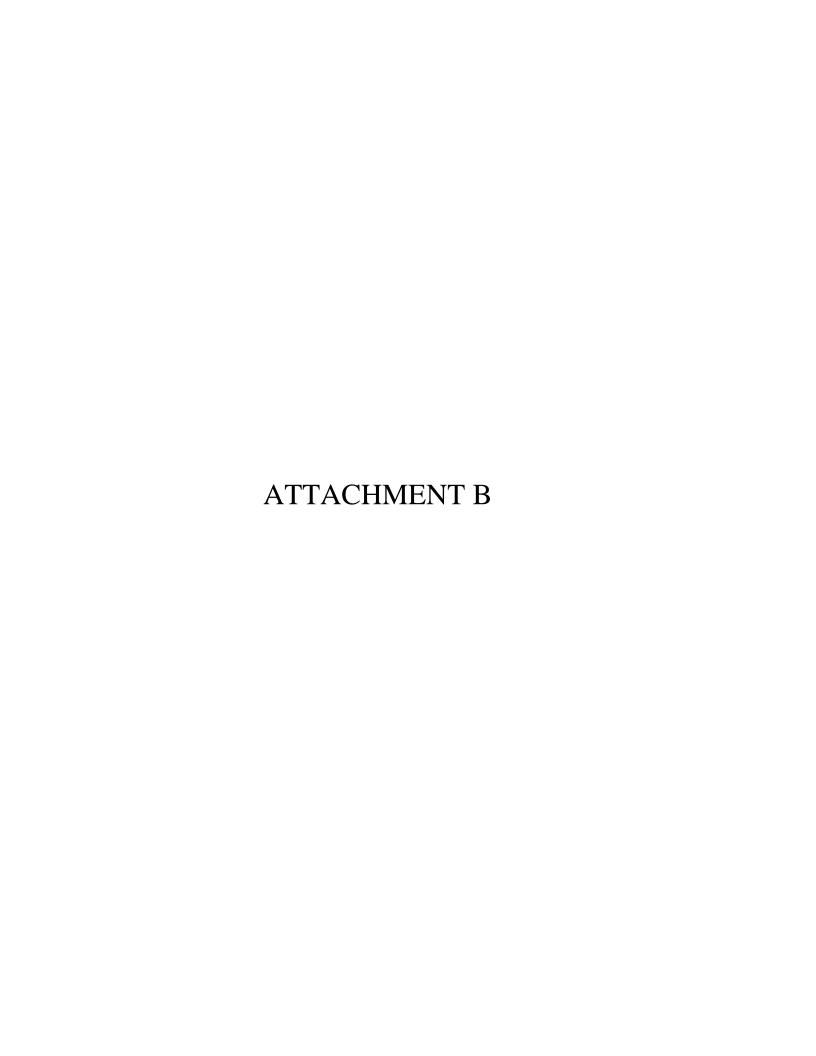


QR Code to BuildLA Appointment Portal for Condition Clearance

VINCENT P. BERTONI, AICP Advisory Agency

VANESSA SOTO, AICP Deputy Advisory Agency

VS:YL





Michael Sin <michael.sin@lacity.org>

BOE response for TT-51669 Modification

2 messages

Georgic Avanesian <georgic.avanesian@lacity.org>
To: Michael Sin <michael.sin@lacity.org>

Thu, Mar 1, 2018 at 2:11 PM

BOE has no additional comments or objection to TT-51669 Modification request to Planning dated 2/26/18. No new final map recordation is required based on the proposed modification request.

Georgic Avanesian

Land Development Group & GIS Division, Civil Engineering Associate II Bureau of Engineering, Department of Public Works 201 North Figueroa Street #200, Los Angeles CA 90012

Mail Stop 901

O: 213-202-3484, F:213-202-3499



Michael Sin <michael.sin@lacity.org>
To: georgic.avanesian@lacity.org

Thu, Mar 1, 2018 at 2:13 PM

Your message

To: Michael Sin

Subject: BOE response for TT-51669 Modification

Sent: 3/1/18, 2:11:34 PM PST

was read on 3/1/18, 2:13:02 PM PST

*** 1 the 10th and the constant and the

EXHIBIT D





qmapping@qesqms.com

Page: 630 **Grid:** H-3,4

LEGAL

LOT: 1,3,4

CONTACT: THREE6IXTY

TRACT: 51669 M.B. 1221-1/4

SITE ADDRESS: 201 SOTELLO BLVD

CD: 1

CT: 2060.10 **PA:** CENTRAL CITY NORTH

USES: FIELD/RECORD

SCALE: 1'' = 100'**D.M.:** 136.5A217,136.5A219

CASE NO:

135A217,135A219

PHONE: 216-712-5037

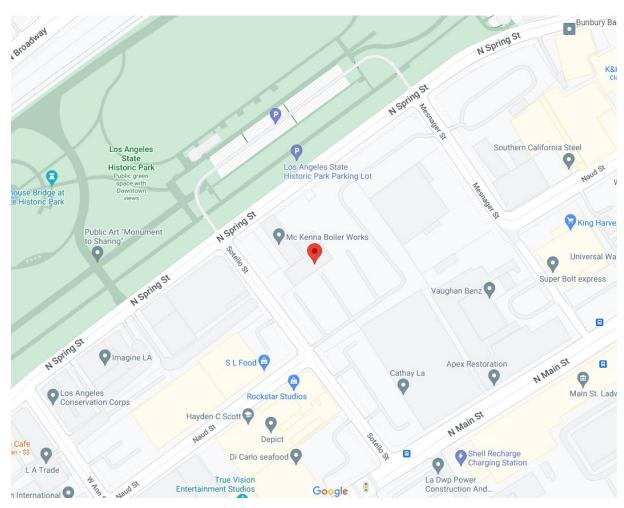


Update:

NET AC: 3.65 QMS: 24-050



VICINITY MAP



Address: 201 West Sotello Street, Los Angeles, CA 90012

EXHIBIT E

NavigateLA Map

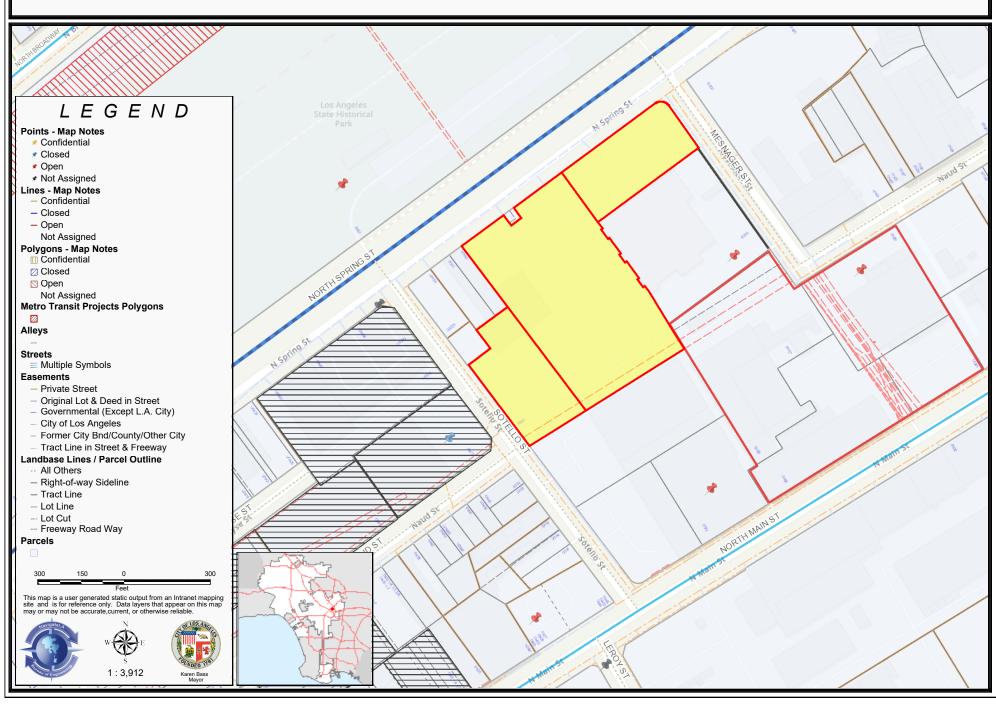


EXHIBIT F

CITY OF LOS ANGELES

INTERDEPARTMENTAL CORRESPONDENCE

Date: October 28, 2022

To: Mr. Vincent P. Bertoni, Director

Department of City Planning

Attention: Deputy Advisory Agency

Thein trocky for

From: Bertram Moklebust, Principal Civil Engineer

Permit Case Management Division

Bureau of Engineering

Subject: Modification of Recorded Tract Map No. 51669-M2

Transmitted is a print of recommendations for recorded Tract Map of Tract Map No. 51669-M2 in Council District No. 1.

This map has been filed to modify recorded Tract Map No. 51669 to allow for the renovation and conversion of the existing industrial buildings for commercial use, additions to existing buildings and construction of a new building. This project is located within the Cornfield Arroyo Seco Specific Plan. The Specific Plan recommends the proposed street extensions of Naud Street and Mesnager Street.

There are existing sewers available in the streets adjoining the subdivision. Construction of mainline sewer and house connections within suitable easement may be required. This tract will connect to the public sewer system and will not result in violation of the California Water Code. I therefore recommend that you make the necessary determination.

In the event you approve the modification of recorded Tract No. 51669-M2 and determine that the extensions of Mesnager Street and Naud Street are necessary under Cornfield Arroyo Seco Specific Plan, then please include the engineering standard conditions issued by your department and the following special conditions:

- 1. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 2. That a 60-foot wide strip of land be dedicated adjoining the tract boundary to extend Mesnager Street from Naud Street to North Main Street in accordance to Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer.
- 3. That a 60-foot wide strip of land be dedicate adjoining the tract boundary to extend Naud Street from Mesnager Street to

- Sotello Street in accordance to Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer.
- 4. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the new street intersection of Mesnager Street and Naud Street.
- 5. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the intersection of Naud Street and Sotello Street.
- 6. That the existing public easements be clearly shown on the final map.
- 7. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 8. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.
- 9. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve North Main Street adjoining the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
 - b) Improve <u>Sotello Street</u> adjoining the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
 - c) Improve North Spring Street adjoining the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
 - d) Improve Mesnager Street extension adjoining the tract boundary from Naud Street to North Main Street by the

construction of the following improvements:

- (1) A concrete curb, a concrete gutter, and full width concrete sidewalk with tree wells on both sides of the street to meet the Modified Local Street Standard.
- (2) Suitable surfacing to join the existing pavement to complete a 40-foot roadway from Naud Street to North Main Street.
- (3) The necessary removal and reconstruction of existing improvements.
- (4) Curb ramps at the new street intersections with Naud Street and North Main Street per BOE standards to comply with ADA requirements and per Special Order No. 01-1020.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (6) That the subdivider obtain a revocable permit through the Central District Office of the Bureau of Engineering for any, structure, fence, wall, or landscaping to remain in the dedicated right-ofway.
- e) Improve Mesnager Street adjoining the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer
- f) Improve Naud Street extension adjoining the tract boundary from Mesnager Street to Sotello Street by the construction the following:
 - 1. Longitudinal concrete gutters and 10-foot concrete sidewalks with tree wells on both sides of the street.
 - 2. Suitable surfacing to join the existing pavement to complete a 40-foot "V-Shape" roadway.
 - 3. Curb ramps at the new street intersections with Mesnager Street and Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.

- 4. The necessary removal and reconstruction of existing improvements.
- 5. The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- g) Improve Naud Street adjoining the tract boundary by the repair and or replacement of any damaged, cracked or offgrade longitudinal concrete gutter, sidewalk and "V-Shape" roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- h) Close all unused driveways adjoining the tract satisfactory with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- i) Improve all curb ramps adjoining the tract per BOE Standards and Special order 01-1020 satisfactory to the City Engineer.
- j) Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer.

Any questions regarding this report should be directed to Quyen Phan of the Permit Case Management Division located at 201 North Figueroa Street, Suite 200, or by calling (213) 808-8604.



Yi Lu <yi.lu@lacity.org>

TT-51669-IND-M2

Quyen Phan <quyen.phan@lacity.org>
To: Yi Lu <yi.lu@lacity.org>

Mon, Apr 15, 2024 at 1:38 PM

Cc: Michael Soto <michael.soto@lacity.org>

Hi, Yi,

Please see the email communication below with Elenor Hunts. Just fyi, we are not changing our recommendation report dated 10/28/2022 that is also applicable to M3 and will defer it to the AA to make the discretionary findings/approval accordingly. Thank you.

[Quoted text hidden]

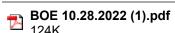
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Please use the Customer Service Request at: https://engpermits.lacity.org/public to submit any questions or requests to staff.

You may also use the Virtual Counter to meet with staff at any of our offices: https://appointments.lacity.org

Quyen Phan, P.E.
Civil Engineering Associate III
Permit Case Management Division
Bureau of Engineering | Department of Public Works
201 N. Figueroa Street, Suite 290
Los Angeles, CA 90012
Mail Stop: 901
O: 213-808-8604
Quyen.Phan@lacity.org





FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

Date: 4/25/2024

To: Mr. Vincent P. Bertoni, Director

Department of City Planning

200 N. Spring St. 5th Flr, MS-395

From: Jay Wong, Manager

Private Development Division Bureau of Street Lighting



SUBJECT: STREET LIGHTING REQUIREMENTS FOR DISCRETIONARY ACTIONS

CITY PLANNING CASE No.: TRACT 51669 IND M3 RE2

200 N MESNAGER ST

The Bureau of Street Lighting's recommended condition of approval for the subject city planning case is as follows: (Improvement condition added to S-3 (c) where applicable.)

SPECIFIC CONDITION: Prior to the recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

IMPROVEMENT CONDITION: Construct new street light: one (1) on Naud St. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St., and one (1) on Main St.

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 conditions, 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.

CC: Land Development Group MS 901

Engineering District Office: CEN

CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

DATE: December 8, 2023

TO: Vanessa Soto, Deputy Advisory Agency

200 N. Spring Street, Room 621 Department of City Planning

FROM: Laura Duong, Subdivision Review

Minye Pak, Zoning Engineer

201 N. Figueroa Street, Room 1030 Department of Building and Safety

SUBJECT: TRACT MAP NO. 51669 - Modification #3

1600 N. NAUD STREET

The Department of Building and Safety Zoning Section has reviewed the above Subdivision Map, date distributed on November 17, 2023 by the Department of City Planning. The site is designated as being in a **UI(CA)** Zone. A clearance letter will be issued stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied.

- a. Obtain approval from the Advisory Agency for the modification request to modify Conditions No. 12(a), 12(b), and 12(c).
- b. Show all street dedication(s) 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 dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

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

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

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

cc: planning.central@lacity.org

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

200 N. Mesnager St. & 201 W. Sotello St.

Date: April 30, 2024

To: Deputy Advisory Agency

Department of City Planning

From: Taimoul Tanavoli, Transportation Engineer

Department of Transportation

Subject: MODIFICATION FOR TENTATIVE TRACT MAP NO.

51669-IND-M3

Reference is made to your request for review of this case regarding potential traffic access problems. Based upon this review, it is recommended that:

- 1. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
- 2. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.
- 3. Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.
- 4. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (CASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP for signal installation. The applicant bears responsibility for the design and construction costs of the

warranted traffic signals. Funding for the project must be secured by posting a bond through the Bureau of Engineering's B-Permit process and obtaining approval for the signal plan from both BOE and DOT. If the traffic signal warrants are not met at present, the applicant must submit updated traffic signal warrants to LADOT's Central District Office one year after the project is occupied and in operation.

- 5. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org
- 6. That a fee in the amount of \$205 be paid for the Department of Transportation as required per Ordinance No. 180542 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

Please contact this section at ladot.onestop@lacity.org for any questions regarding the above.

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

December 12, 2023

TO: Vincent Bertoni, AICP, Director of Planning

Department of City Planning

Attention: planning.central@lacity.org

FROM: Los Angeles Fire Department

SUBJECT: TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

Submit plot plans for Fire Department approval and review prior to Change/Recordation of Tract Conditions. No Plans submitted during tract conditions modification request.

RECOMMENDATIONS:

Access for Fire Department apparatus and personnel to and into all structures shall be required.

Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.

One or more Knox Boxes will be required to be installed for LAFD access to project. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).

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.

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.

Fire Lane Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) 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.
- 4) Submit plot plans indicating access road and turning area for Fire Department approval.
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

Page 2

8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
9) No framing shall be allowed until the roadway is installed to the satisfaction of the

Fire Department.

Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

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.

The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

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

2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- a. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- b. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- c. This policy does not apply to single-family dwellings or to non-residential buildings.

Site plans shall include all overhead utility lines adjacent to the site.

Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.

TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

Page 3

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.

On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".

Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.

Standard cut-corners will be used on all turns.

The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles

Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.

Each standpipe in a new high-rise building shall be provided with two remotely located FDC's for each zone in compliance with NFPA 14-2013, Section 7.12.2.

During demolition, the Fire Department access will remain clear and unobstructed.

The Fire Department has no objection to the Airspace Vacation.

FPB #105

5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map,

TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

Page 4

a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

- A. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
- B. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- C. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- D. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- E. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.

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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.

Entrance to the main lobby shall be located off the address side of the building.

Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

Page 5

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

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)** 482-6543. You should advise any consultant representing you of this requirement as well.

Kristin M. Crowley Fire Chief

David A. Perez, Fire Marshal Bureau of Fire Prevention and Public Safety

DP:MRC:mrc

TT-51669 MODIFICATION.: 201 Sotello (Mesneger/Spring/Main)

CITY OF LOS ANGELES INTER-DEPARTMENTAL CORRESPONDENCE

DATE: April 18, 2024

TO: Shana M.M. Bonstin

> Arthi L. Varma Lisa M. Webber

Deputy Director of Planning Department of City Planning

FROM: Kwasi Berko, Division Manager

Clean Water North Conveyance Division

LA Sanitation & Environment

1586 West Oak Grove Place SUBJECT: PS-1469

> ADM-2023-7056-PMUL-HCA TRACT MAP No. 51669-IND-M3

TRACT MAP No 67490-M1

AA-2022-9177-PMLA-CN-HCA

ADM-2023-3416-PMUL AA-2023-4401-PMLA-HCA ADM-2023-5493-PMLA

ADM-2023-6784-PMUL-HCA ADM-2023-6852-PMUL-HCA

AA-2023-7259-PMLA ADM-2023-7237-PMUL

ADM-2023-7424-PMUL-HCA ADM-2023-7473-PMUL-HCA ADM-2023-7566-PMUL-HCA

CPC-2023-7894-GPA-ZC-CU ADM-2023-7987-PMUL CPC-2023-8011-ZC-ZV-CU...

ADM-2023-8036-PMUL

ADM-2023-8446-PMUL TRACT MAP No. 83323-SL-HCA

TRACT MAP No. 83885

TRACT MAP No. 83907-CN TRACT MAP No. 84345-CC

ceze Cip

2031 McPherson Avenue 201 West Sotello Street 100 South Grand Avenue

121-161 South Olive Street

201 South Westlake Avenue 23523 West Hatteras Street

17820 West Erwin Street 7056 North Eton Avenue

14749 West Vincennes Street

17203 West Tribune Street

15019 West Vosse Street 5825 North Donna Avenue

17320 West Tulsa Street

6065 North Calvin Avenue

14325 West Bledsoe Street

7528 North Bellaire Avenue

5930 North Irvine Avenue

10125 North Balboa Boulevard

11921 West Saticoy Street

5153 & 5155 North Alhama Drive

12603 North Ralston Avenue

17925 West Indian Meadows Place

15032 West Nordhoff Street

6200 & 6206 Wilshire Boulevard

Our office has reviewed the sewer/storm drain lines serving the subject tracts/areas, and found no potential problems to our structures and/or potential maintenance issues, with the exception of PS-1469 (1586 W Oak Grove PL), ADM-2023-7056 (2031 McPherson AV), TR51669 (201 W Sotello ST) and TR67490 (100 S Grand, 121-161 S Olive ST).

There are easements contained within the aforementioned properties. Any proposed development in close proximity to the easements must secure Department of Public Works approval. Note: This Approval is for the Tract Map only and represents the office of LA Sanitation/CWCDs. The applicant may be required to obtain other necessary Clearances/Permits from LA Sanitation and appropriate District office of the Bureau of Engineering.

If you have any questions, please contact Rafael Yanez at (323) 342-1563.

DEPARTMENT OF RECREATION AND PARKS

BOARD OF COMMISSIONERS

RENATA SIMRIL PRESIDENT

LUIS SANCHEZ VICE PRESIDENT

FIONA HUTTON MARIE LLOYD **BENNY TRAN**

TAKISHA SARDIN BOARD SECRETARY (213) 202-2640

City of Los Angeles California



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CATHIE SANTO DOMINGO ASSISTANT GENERAL MANAGER

BELINDA JACKSON ASSISTANT GENERAL MANAGER

BRENDA AGUIRRE ASSISTANT GENERAL MANAGER

(213) 202-2633

Letter sent via email to: Planning.central@lacity.org

November 27, 2023

Vanessa Soto Deputy Advisory Agency 200 North Spring Street, 7th Floor Van Nuys, CA 90012

DEPARTMENT OF RECREATION AND PARKS REPORT AND RECOMMENDATIONS **RELATIVE TO TT-51669-IND-M3**

Dear Vanessa Soto,

The City of Los Angeles Department of Recreation and Parks (RAP) has prepared the following report and recommendations in response to your request for comments relative to TT-51669-IND-M3 (project), a proposed residential subdivision.

RAP's report and recommendation(s) regarding the proposed project are as follows:

General Comments:

The applicant is requesting approval of the proposed project, a residential subdivision. Los Angeles Municipal Code (LAMC) 12.33 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land or pay a fee for the purpose of developing park and recreational facilities and LAMC 19.17 specifies how those fees are to be calculated.

Effective January 11, 2017, RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, pursuant to LAMC 12.33, and issuing the fee calculation letters to applicants.

RAP Recommendation:

The applicant is requesting approval of a subdivision that will contain dwelling units. Therefore, pursuant to Los Angeles Municipal Code sections 12.33.E and 19.17, RAP recommends the following be added as a condition of the approval of the proposed project:

That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.



TT-51669-IND-M3 Report and Recommendations November 27, 2023 Page 2

Thank you for the opportunity to provide information relative to recreation and park issues related to this proposed project. Please provide the RAP contact listed below with any and all agendas, notices, and staff reports for the Advisory Agency actions and/or hearings related to this application.

If you have any questions or comments regarding this information please feel free to contact Park Fees staff, at 213-202-2682 or rap.parkfees@lacity.org, at your convenience.

Sincerely,

DARRYL FORD Superintendent

DF:ep

cc: Kacy Keys, Praxis Development Group, 4858 West Pico Boulevard Unit 736, Los Angeles, CA 90019

S & R Partners, Steven Riboli, 715 Lamar street, Los Angeles, CA 90031 Dana Sayles, Three6ixty, 11287 Washington Boulevard Unit A, Culver City, CA 90230

cc: Reading file

DEPARTMENT OF RECREATION AND PARKS

BOARD OF COMMISSIONERS

RENATA SIMRIL PRESIDENT

LUIS SANCHEZ

FIONA HUTTON MARIE LLOYD BENNY TRAN

TAKISHA SARDIN BOARD SECRETARY (213) 202-2640 City of Los Angeles
California



JIMMY KIM GENERAL MANAGER

MATTHEW RUDNICK EXECUTIVE OFFICER

EXECUTIVE OFFICER

CATHIE SANTO DOMINGO ASSISTANT GENERAL MANAGER

BRENDA AGUIRREASSISTANT GENERAL MANAGER

CHINYERE STONEHAMASSISTANT GENERAL MANAGER

(213) 202-2633

Letter sent via email to: cpc@lacity.org

April 1, 2025

City Planning Commission
Attn: Cecilia Lamas, Commission Executive Assistant II
200 N. Spring Street, Room 272
Los Angeles, CA 90012
Mail Stop 395

DEPARTMENT OF RECREATION AND PARKS REPORT AND RECOMMENDATIONS RELATIVE TO TT-51669-M3

Dear City Planning Commission,

The City of Los Angeles Department of Recreation and Parks (RAP) has prepared the following report and recommendations in response to your request for comments relative to TT-51669-M3 (project), a proposed residential subdivision. Copies of this report is being sent simultaneously to staff members of the Department of City Planning identified below.

We note that RAP previously provided a report and recommendation regarding this project on November 27, 2023.

RAP's report and recommendation(s) regarding the proposed project are as follows:

General Comments:

The applicant is requesting approval of the proposed project, a residential subdivision. Los Angeles Municipal Code (LAMC) 12.33 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land or pay a fee for the purpose of developing park and recreational facilities and LAMC 19.17 specifies how those fees are to be calculated.

Effective January 11, 2017, RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, pursuant to LAMC 12.33, and issuing the fee calculation letters to applicants.



RAP Recommendation:

The applicant is requesting approval of a subdivision that will contain more than 50 dwelling units. Therefore, pursuant to Los Angeles Municipal Code sections 12.33 and 19.17, this subdivision project is subject to the payment of Park Fees (i.e. Quimby in-lieu fees). LAMC 12.33.B. specifically states that subdivision projects consisting of more than 50 residential units are subject to a Quimby in-lieu fee. Further, LAMC Chapter 1A, Section 13B.7.1.C.2.a. states the following:

"The Advisory Agency is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of *requiring* the dedication of land, payment of fees in-lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities, and is hereby authorized to approve, conditionally approve, or disapprove tentative tract maps of proposed subdivisions, private streets and such maps as are provided for herein, to prescribe the design, kinds, nature and extent of improvements required to be installed in connection therewith and to report directly to the subdivider the action taken on the tentative tract map" (emphasis added).

Finally, LAMC Chapter 1A, Section 13B.7.4 (Final Tract Map) Subsection E.2 provides that no final subdivision map be approved or recorded unless land within the subdivision has been dedicated to the City of Los Angeles for park or recreational purposes or the park and recreation impact fee has been paid pursuant to Chapter 1 (General Provisions and Zoning) and Section 12.33 (Park Fees and Land Dedication).

We also note that Conditions 10 and 12 of the M3 Letter of Determination contemplates the recordation of a new final map. Therefore, based on the reasons stated in this letter, RAP recommends the following be added as a condition of the approval of the proposed project:

Prior to the recordation of the final map, the applicant shall pay the applicable Park Fee to the Department of Recreation and Parks, which shall be calculated as a Subdivision (Quimby in-lieu) fee.

Thank you for the opportunity to provide information relative to recreation and park issues related to this proposed project. Please provide the RAP contact listed below with any and all agendas, notices, and staff reports for the Advisory Agency actions and/or hearings related to this application.

If you have any questions or comments regarding this information please feel free to contact Park Fees staff, at 213-202-2682 or rap.parkfees@lacity.org, at your convenience.

Sincerely,

DARRYL FORD Superintendent

DF:ml

TT-51669-M3 Report and Recommendations April 1, 2025 Page 3

cc:

Jane Choi, jane.choi@lacity.org Vanessa Soto, vanessa.soto@lacity.org Yi Lu, yi.lu@lacity.org

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: April 19, 2024

TO: Vanessa Soto, Deputy Advisory Agency

Department of City Planning

FROM: Bryan Ramirez, Street Tree Superintendent I

Bureau of Street Services, Urban Forestry Division

SUBJECT: TT-51669- M3 - 1600 NAUD ST.

In regard to your request for review of this case regarding Urban Forestry requirements, it is our recommendation that:

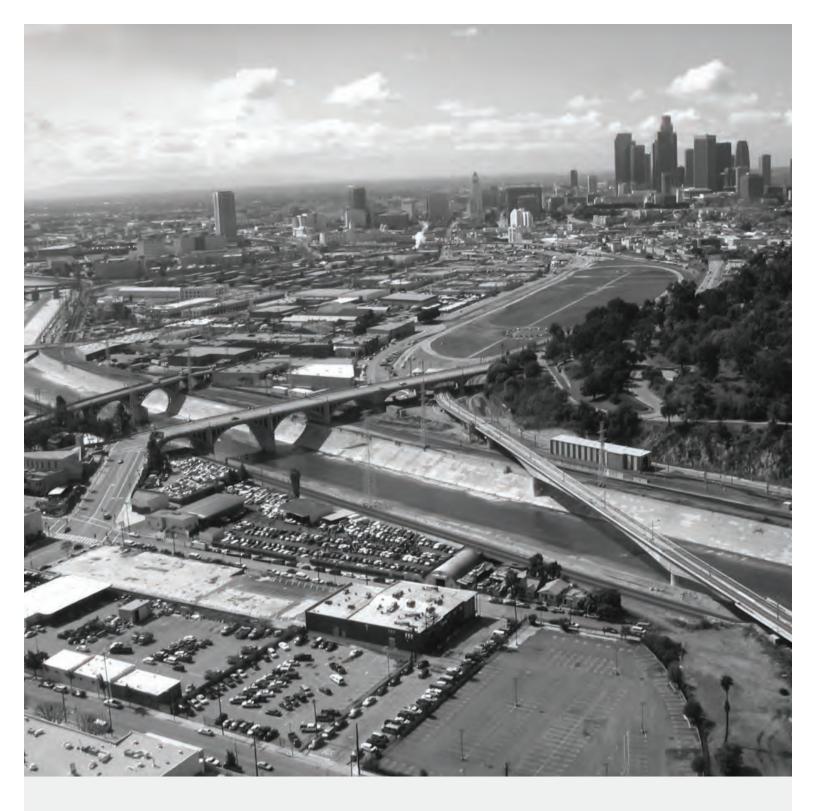
1. STREET TREES

- a. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2:1 as approved by the Board of Public Works and Urban Forestry Division.
- b. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- c. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

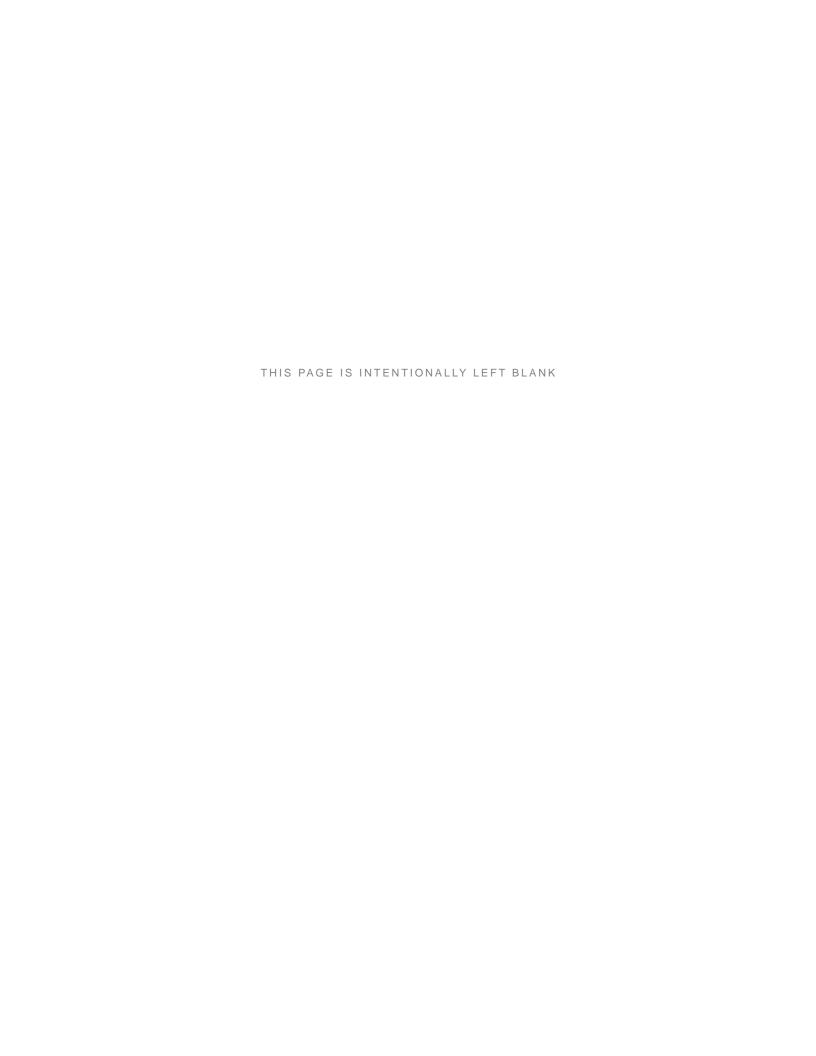
BR:djm

EXHIBIT G



CASP

Cornfield Arroyo Seco Specific Plan



LOS ANGELES DEPARTMENT OF CITY PLANNING







ACKNOWLEDGEMENTS

Mayor Antonio R. Villaraigosa

City Council District One Ed P. Reyes, Councilperson Jose Gardea, Chief of Staff Jill Sourial, Environmental Deputy Susan Wong, Planning Deputy Marisol Salguero, Field Deputy Michael Fong, Former Field Deputy
Department Of City Planning (DCP)
Executive Office
Michael LoGrande, Director
S. Gail Goldberg, AICP, (Retired) Director
Alan Bell, AICP, Deputy Director
Jane Blumenfeld, (Retired) Acting Deputy Director
Eva Yuan-McDaniel, Deputy Director Lisa Webber, Deputy Director
City Planning Commission
William Roschen, President
Regina M. Freer, Vice President
Sean Burton
Diego Cardoso
George Hovaguimian
Justin Kim
Robert Lessin Dana M. Perlman
Barbara Romero
Project Staff
Claire Bowin, AICP, Project Manager, City Planner
Ken Bernstein, AICP, Principal Planner
John Butcher,
Kevin Keller, AICP,Senior City Planner
Faisal Roble,
Ly Lam, Senior Management Analyst I
Elvia Hernandez,
Michael Uhlenkott, (Retired) Graphic Designer III Patricia Diefenderfer, AICP, City Planner
Simon Pastucha,
David Somers,
Maria Ortiz,
Nekpen Aimiuwu, Management Analyst
Joyce Odell, (Retired) Cartographer
Shakeh Boghoskhanian,
Louisa Ranick,Graphic Designer II

ACKNOWLEDGEMENTS

Interns Alex Campbell Kaitie Groeneweg Laura Kwak Brian Lobel Ryan Lue	Juliet Oh Diana Fox Pangetsu Kyung Mi Park Tim Rosenstein	Avani Sheth Ting Wang Alycia Witzling Jennifer Wong	DEPARTMENT OF TRANSPORTATION (DOT) Jay Kim,
Consultant Team Arup, Inc.			DEPARTMENT OF PUBLIC WORKS (DPW) Bureau of Engineering
Mark Shorett,	EED® AP, Graduate Some Senior Senior Senior ental Management, Du	Manager — Specific Plan Deputy Project Manager r Acoustical Consultant . Acoustical Consultant Ustainability Consultant Project Manager EIR . Project Administrator Senior Consultant . Acoustical Consultant . Acoustical Consultant . Tegeotechnical Engineer Transportation Planner	Deborah Weintraub, Deputy City Engineer II Mahmood Karimzadeh, PR Architect Reza Bagherzaceh, Senior Environmental Engineer Carol Armstrong, Environmental Supervisor II Lawrence Hsu, Senior Civil Engineer Richard Fisher, Landscape Architectural Associate III Bureau of Street Lighting Kerney Marine, Senior Street Lighting Engineer Bureau of Sanitation Ali Poosti, P.E., Acting Division Manager Abdulsamad DAnishwar, P.E., Acting Senior Environmental Engineer Deborah Deets, Landscape Architect I Wing Tam, Senior Environmental Engineer Shahram Kharaghani, PR Environmental Engineer Bureau of Urban Forestry Ron Lorenzen, Street Tree Superintendent I Green Streets Committee
John Muggridge, AICP, Associate Balloffet International, LLC			Paula Daniels-Former Board of Public Works Commissioner Jane Adrian- DPW/BOE
Armando Balloffet, Ph.D. Colorado State University Ninyo & Moore			Melinda Bartlett- DPW/Bureau of Sanitation (BOS) Michael Brown- DPW/BOE
James Barton,			Tomas Carranza- DOT Johanna Chang- Los Angeles Department of Water and Power (LADWP) Steven Chen-DPW/BOE
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DEPARTMENT OF WATER AND POWER

CALIFORNIA STATE PARKS

NEIGHBORHOOD COUNCILS

Arroyo Seco Neighborhood Council

Chinatown-Alpine Hill Neighborhood Association

Eagle Rock Neighborhood Council

Elysian Valley Riverside Neighborhood Council

Glassell Park Neighborhood Council

Greater Cypress Park Neighborhood Council

Historic Cultural Neighborhood Council

Lincoln Heights Neighborhood Council

Silver Lake Neighborhood Council

Solano Canyon Neighborhood Council

BUSINESSES AND ORGANIZATIONS

Alpine Recreation Center

American Institute for Architects

Arroyo Seco Foundation

Audubon Society

California Endowment's Center for Healthy Communities

Center for Sustainable Cities Chinatown Advisory Committee Chinatown BID

Chinatown Redevelopment Commission

Chinatown Service Center

Chinese American Citizens Alliance

Chinese Chamber of Commerce

Citylife

Creative Environments

Cypress Park Recreation

Cypress Park Youth & Family Center

Downey Recreation Center

El Pueblo de Los Angeles

Farmlab

Friends of Los Angeles River (FoLAR)

Goodwill Industries

Homeboys Industries

Lincoln Heights Industrial BID

Lincoln Park Recreation Center

Los Angeles & San Gabriel Watershed Council

Natural Resources Defense Council

North East Trees

Puerta del Sol

San Antonio Winery

Santa Monica Mountains Conservancy

Southeast Asian Community Alliance (SEACA)

The City Project

The River Project

Tree People

William Mead Residents Association

Young Nak Church

SCHOOLS

Albion Street Elementary

Ann Street Elementary School

Cal State University, Northridge

Cathedral High School

Cal Poly Pomona

Franklin High School

Occidental College- Urban Environmental Policy Institute

University of California, Los Angeles

University of Southern California

Woodbury University

NATIONAL PARK SERVICE

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Los Angeles Public Library

Los Angeles River Revitalization Master Plan University of Southern California Digital Library

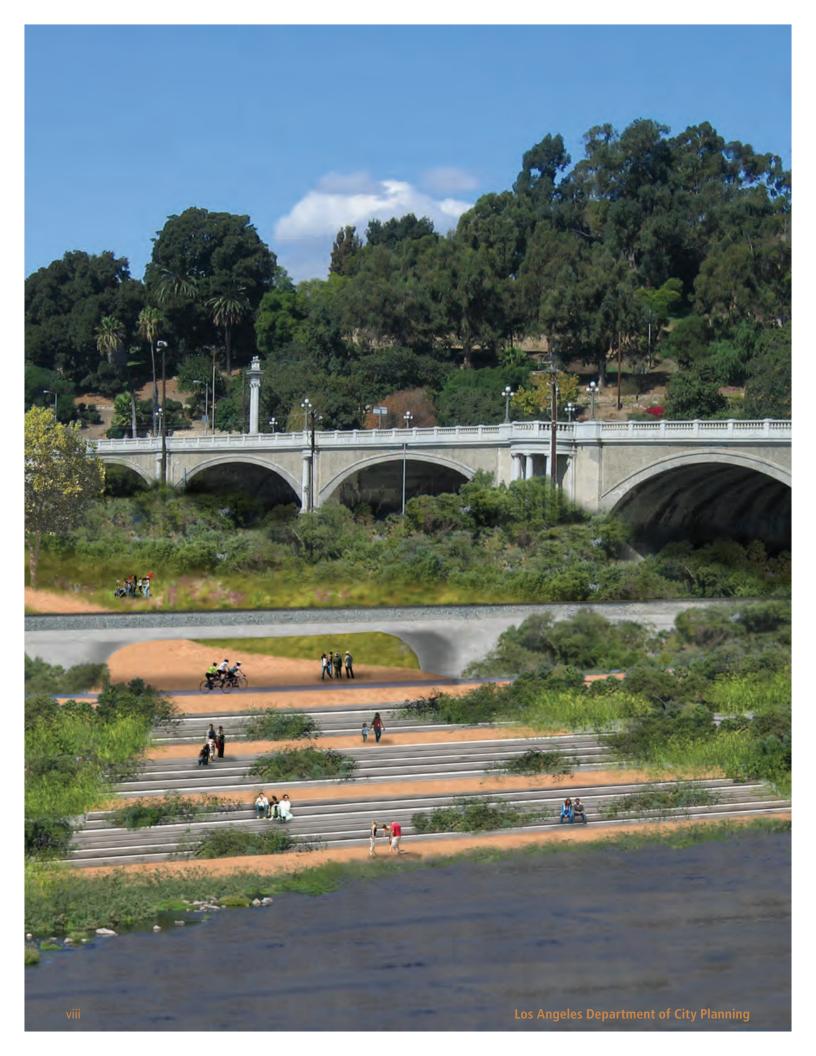
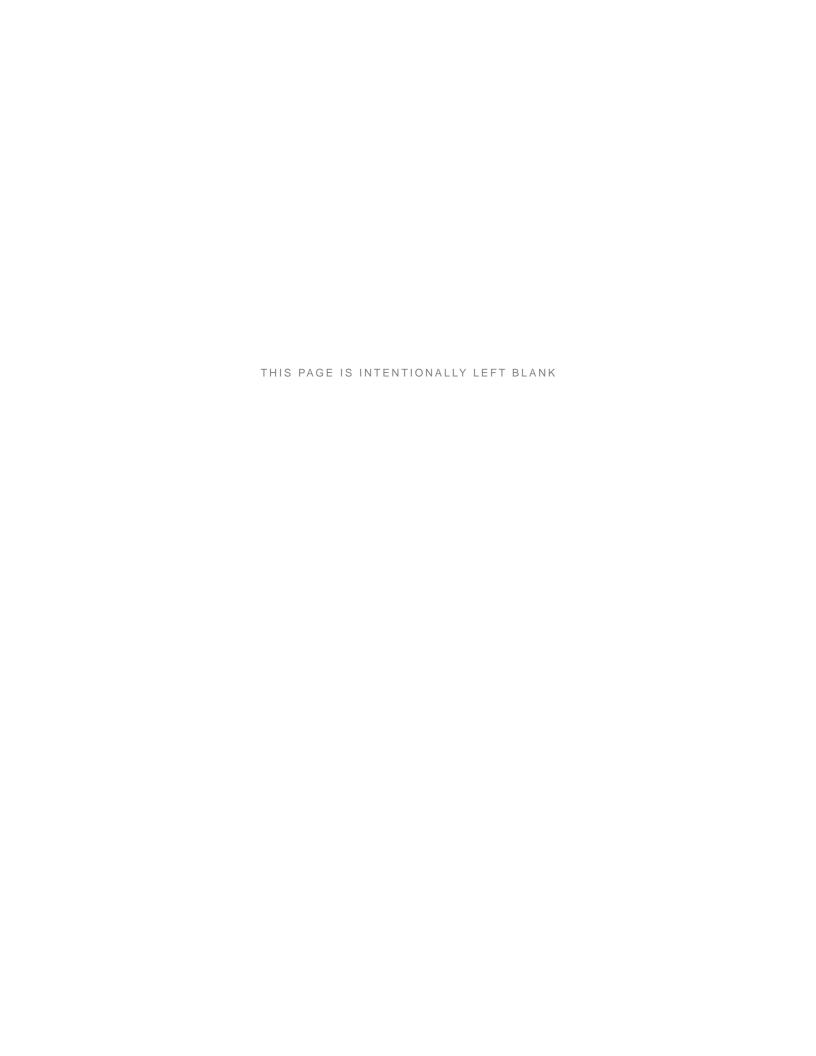


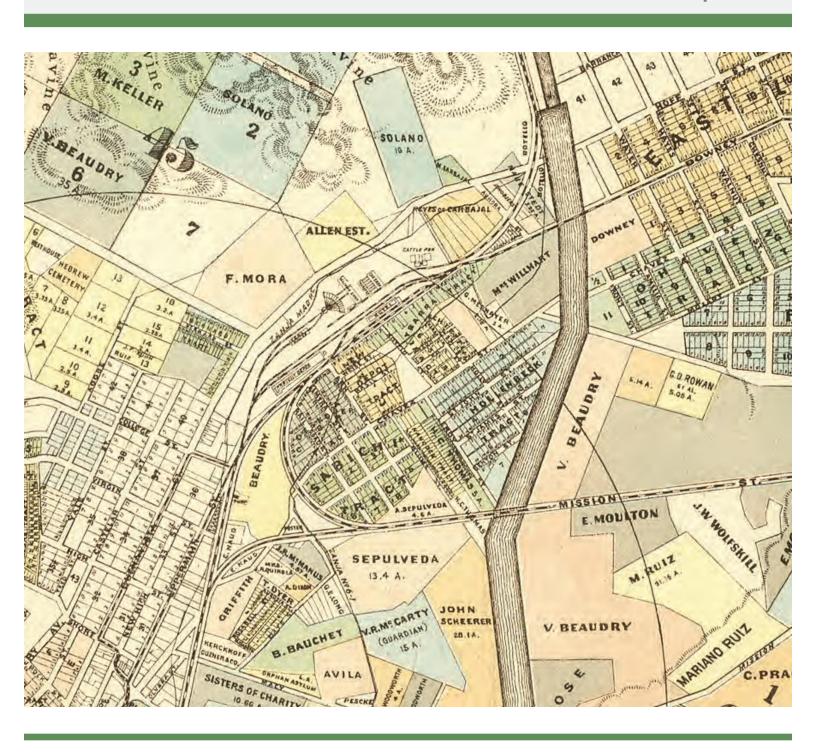
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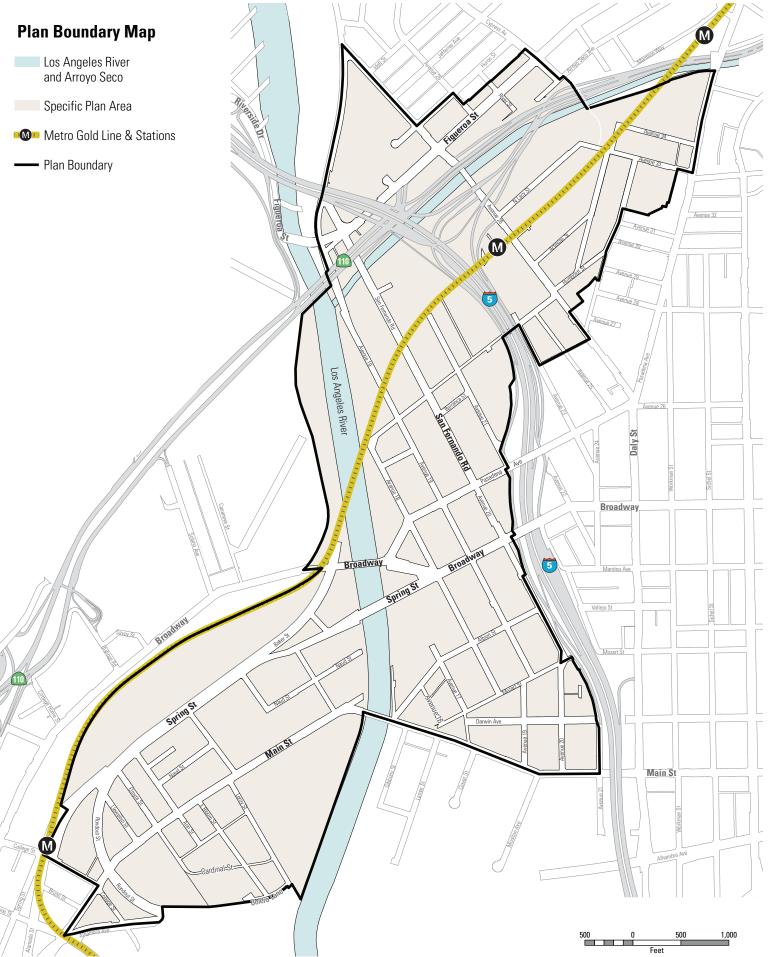
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Process

Chapter 1





1.1 Administration

A. Establishment

The City Council establishes the Cornfield Arroyo Seco Specific Plan for the area within the lines on the Plan Boundary Map.

B. Purposes

This Specific Plan is intended to:

- 1. Implement the Central City North, Northeast LA and Silverlake/ Echo Park/Elysian Valley Community Plans.
- 2. Transform an underserved and neglected vehicular-oriented industrial and public facility area into a cluster of mixed-use, pedestrian-oriented and aesthetically pleasing neighborhoods.
- 3. Increase access to open space.
- 4. Provide economic growth opportunities for emerging clean technologies.
- 5. Re-connect historical communities.
- 6. Maintain and enhance the concentration of jobs, in both the public and private sectors.
- 7. Provide a range of housing types and price levels that offer a full range of choices, including affordable housing opportunities, for people of diverse ages, ethnicities, household sizes and incomes.
- 8. Provide shops and services for everyday needs, including groceries, day care, cafes and restaurants, banks and drug stores, within an easy walk from home or work.
- Facilitate pedestrian mobility, encourage bicycle use, provide shared and unbundled parking spaces, provide access to a variety of transit options including frequent light rail and bus connections, shared vehicles and bicycles, and taxis.
- 10. Lessen dependence on automobiles, and thereby reduce vehicle emissions, while enhancing the personal health of residents, employees and visitors.

- 11. Provide "eyes on the street" to create a safe and stable community and to encourage interaction and identity.
- 12. Respect historically significant buildings, including massing and scale, while at the same time encouraging innovative architectural design that expresses the identity of contemporary urban Los Angeles.
- 13. Reduce the use of energy and potable water, improve the ecology surrounding the Los Angeles River Watershed and Arroyo Seco, create connections from the community to the River and Arroyo Seco, and support the Los Angeles River Revitalization Master Plan (LARRMP).
- 14. Provide places for people to socialize, including parks, sidewalks, courtyards and plazas that are combined with shops and services.
- 15. Provide adequate public recreational open space within walking distance of residents and employees, integrate public art, and contribute to the civic and cultural life of the City.

c. Definitions.

Whenever the following terms are used in this Specific Plan, they shall be construed as defined in this section. Words and phrases not defined here shall be construed as defined in the Los Angeles Municipal Code (LAMC).

Project. The construction, erection, alteration, or addition to any building, sign or structure, on a lot located in whole or in part within the areas shown in Plan Boundary Map that requires the issuance of a demolition, grading, foundation, sign or building permit, use of land permit, or change of use permit.

Accessory Use. A use, which is customarily incidental to that of the main building or the main use of the land and which is located on the same lot with a main building or main use.

Active Street. A street where retail, cultural, office, and/or residential uses are required at the ground floor level where adjacent to street frontage.

Active Industrial Street. A street where retail, office, lobby, meeting rooms or sales areas are required at the ground floor level where adjacent to street frontage.

Affordable Housing. Rental Housing units restricted to households earning Extremely Low, Very Low or Low Incomes; Rental Housing units restricted by any LAHD or other regulatory or successor agency covenant or regulatory agreement; or For-Sale Housing units that are restricted to households earning Moderate Income or less.

Affordable Housing Floor Area Bonus. An increase in floor area greater than the otherwise maximum allowable floor area permitted that is awarded as a bonus for Projects that include a requisite number of affordable housing units per the Floor Area Bonus Option.

Allocation Plan. A plan that describes the amount of additional Floor Area that a Project is seeking through either the bonus or transfer FAR Program.

Ancillary Use. A permitted use that is limited to 10% of the Base FAR of the site. Ancillary uses may be located in a standalone building or structure separate from the principal use. More than one ancillary use is permitted on a single site.

Animal Clinic / Kennels. Uses where animals or pets are given medical or surgical treatment by an authorized licensed agent to treat injuries, illnesses and diseases of animals, including uses where small, domesticated animals and pets are cared for and boarded overnight for less than 30 days.



North Central Animal Services Center on Lacy Street

Appraisal. An economic valuation of the Receiver Site prepared by a City appraiser, but paid for by the applicant, that sets forth the fair market value of the Receiver Site (i) as of the date the application was submitted and (ii) as if the Receiver Site were vacant and used for its highest and best use under all current zoning and planning restrictions and Agency policies affecting the Receiver Site.

Architectural Feature. Those purely aesthetic elements of a building, designed pursuant to the overall style of architecture that are not habitable or otherwise counted as floor area.

Area Median Income (AMI). The median income in Los Angeles County adjusted for household size, as determined annually by the California Department of Housing and Community Development (HCD) adjusted by household size. AMI for publically subsidized units may instead be based upon income figures published by the Housing and Urban Development Department (HUD) or any regulatory or successor agency.

Automobile Fueling Stations. Uses for fueling stations and car washes.

Auto-Oriented Uses. Automobile wrecking, salvage, and tow yards.

Average Building Height. The average building height is the average height of all building and building sections on a given parcel.

Base FAR. The base floor area ratio (FAR) established for each district within the Plan area.

Block. A block is a group of lots bounded on all sides by streets or by a combination of streets, public parks, railroad rights-of-way, pier head lines or airport boundaries.

Brownfield. Abandoned or under used industrial or commercial facilities (including older gas stations and auto repair yards located on smaller sites adjacent to residential neighborhoods) that may be contaminated by hazardous waste or pollution and that have the potential to be redeveloped into other uses once environmental remediation has been performed.

Central Parking. A parking structure or surface lot accessible and available for public use.

Commercial Hotels. Housing built to accommodate the general and traveling public for a typical fee, generally limited to stays of less than 31 days.



Auto-Oriented Use





Commercial Hotel



Commercial Office

Community Facilities. Any use whose primary purpose is to provide non-profit, or not-for-profit assistance to the general public in the specific plan area. Included are government offices and services or privately funded services or charities that are provided to the public at a free, subsidized, or reduced rate. Specific examples include child care centers, libraries, schools, adult day care, and related administrative office uses; health clinics, museums, cultural centers, telecommuting centers, gyms or recreation centers; restrooms open to the general public; rooms available to the general public for community meetings; and pedestrian amenities such as covered arcades, covered promenades, showers for bicyclists, sites for purchase of transit tokens, tickets, or passes, or at which transit information is displayed.

Conservation, Environmental, and Social Service Organizations, Religious Institutions and Public Facilities. Organizations and/or institutions engaged in conservation, environmental, social service, religious or public service or support activities.

Cornfield Arroyo Seco Specific Plan Floor Area Payment Trust Fund. Means the certain interest-bearing Trust Account administered by the Director of Planning designated as Cornfield Arroyo Seco Specific Plan Floor Area Payment Fund, from which funds may be distributed as set forth in Sub-Section 6.E.4 of this Plan.

Corporate Headquarters. The main administrative center or centers for one or more enterprises.

Designated Historical Resource. A building, structure, landscape element or natural feature listed in or formally determined to be eligible for the National Register of Historic Places, California Register of Historical Resources, or the City's list of Historic-Cultural Monuments, or a Contributing Element located in a City Historic Preservation Overlay Zone.

Dual Pipe. A system of plumbing installations used to supply both potable and reclaimed water to a home or business through two separate pipes.

Donor Site. A site from which Floor Area Rights are transferred pursuant to the provisions of this Plan.

Drive-thru establishments. Uses, other than automobile fueling and service stations, that permit a customer to order and/or obtain a purchase without leaving the confines of his or her car.



Entertainment, Exhibits, and Multi-Purpose Cultural Facilities

Eligible Historical Resource. A building, structure, landscape element, or natural feature identified in a completed historic survey or assessment as eligible for recognition as historically or architecturally significant either individually or as part of a district at the local, State or national level.

Entertainment, Exhibits and Multi-Purpose Cultural Facilities. Uses designed to host public or private gatherings for an audience.

Floor Area Payment. The dollar sum established by the application of the formula set forth in Section 2 of this Plan.

Floor Area Rights. The right to construct additional floor area within a Project, pursuant to an approved Transfer Plan, in excess of the amount of floor area such Project would be allowed to construct based on its lot area.

Free-Standing Fast Food Establishment. A single or multiple tenant free-standing structure designed solely for restaurant use that dispenses prepared food over a counter or by way of drive through service for consumption on or off the premises. This definition does not include cafeterias.

Greenway. A new zoning district established by this Plan that provides for open space.

Heavy Manufacturing. The manufacture or compounding process of raw materials. These activities or processes necessitate the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. These activities may involve outdoor operations as part of their manufacturing process.

Hospitals, Nursing and Residential Care Facilities. Uses involved in providing medical, surgical, or assisted living care to patients and offering short and long-term overnight care.

Holiday Lighting. Seasonal displays of 60 days or less within one calendar year, using multiple low wattage bulbs (approximately 15 lumens or less) provided they do not constitute a fire hazard and are maintained in a safe condition.

Income Extremely Low (30% AMI), Very Low (50% AMI), Low (80% AMI) Moderate (120% AMI). Extremely Low Income (30% AMI) as defined by Health and Safety Code Section 50106; Very Low Income (50% AMI) as defined by Health and Safety Code Section 50105; Low Income (80% AMI) as defined by Health and Safety Code Section 50079.5; Moderate Income (120% AMI) as defined by Health and Safety Code Section 50093.



Heavy Manufacturing



Hospitals, Nursing, and Residential Care Facilities



Light Manufacturing and Assembly

Live-Work Unit. Residential and work quarters combined within a single unit provided that the "work" use is permitted in the underlying zone and that the work area does not exceed more than 40% of the floor area allocated to the unit.

Light Industrial Uses. Uses in the Classification Table defined as Manufacturing and Assembly, Repair and Maintenance Facilities, Research and Development, Publishing, Motion Picture, Broadcasting, Trucking and Transportation Terminals, Urban Agriculture, Utilities, or Warehousing, Distribution and Storage.

Light Manufacturing and Assembly. Uses that process, fabricate, assemble, treat, or package finished parts or products and/or whose noise, odor, dust, hazardous materials or other pollutants/nuisances can be contained on site.

Light Trespass. Light from any outdoor lighting that shines directly onto neighboring property.

Los Angeles River Revitalization Master Plan (LARRMP). The plan approved in 2007, which describes a vision for the revitalization of the 32 miles of the Los Angeles River that are within the City of Los Angeles's boundaries.

Lot Area. Means the total horizontal area within the lot lines of a lot, prior to any required public dedication.

Lot Coverage. The portion of a lot occupied by the footprint of a building(s).

Maximum FAR. The maximum floor area ratio (FAR) established for each district within the Plan area.

Modified River Buffer Area. Portions of the River Buffer Area whereby a public-right-of-way extends between the parcels and the River, as set forth in the Zoning Map.

North Facade. North facades are defined as these facades between -22.5 and +22.5° N.

Paseo or Pedestrian Walkway. A walkway that is open to the sky and that provides pedestrian passage between structures, or through landscaping, or parking lots, and that is distinguished by ground surface treatments that provide for pedestrian safety and ease of movement.



Pedestrian Amenities. Uses, services, or features typically available within, or adjacent to, a public right-of-way that assist and enhance the pedestrian experience. Amenities may include but are not limited to street furniture, wayfinding signage, kiosks, street lighting, street trees, coffee shops, and bookstores.

Pedestrian Lighting. Freestanding lighting fixtures that illuminate the sidewalk or other pedestrian travel path.

Personal Services. Uses involved in personal service-oriented sales to the general public.

Publishing, Motion Picture, and Broadcasting. Uses engaged in film, video, audio, and other media production, but excluding movie houses and theatres.

Public Benefit. Something that serves a public purpose benefitting the Plan area, such as: providing infrastructure or amenities available for public use including, but not limited to, open space, pedestrian walkways, historic preservation, recreational, cultural, community and public facilities, new infrastructure, maintenance and improvement of existing infrastructure, job training and outreach programs, affordable housing, affordable child care, streetscape improvements, public arts programs, homeless services programs, or public transportation improvements.

Publicly Accessible Open Space. Open space that is accessible to the public for a minimum of 10 hours per day or during all daylight hours, whichever is greater.

Public Service Facilities. Uses that provide government services to the public (except health-related services such as Hospitals, Nursing and Residential Care Facilities).

Receiver Site. A site that receives additional Floor Area Rights from a Donor Site pursuant to the Plan's provisions.

Repair and Maintenance Facilities. Facilities used for the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. The repair and service of consumer goods falls into the Personal Services category.

Research and Development. Uses related to scientific and technical research leading to the development of new products and processes, including development/testing activities and prototype fabrication.



Paseo or Pedestrian Walkway



Personal Service Facilities



Publishing, Motion Picture, and Broadcasting



Repair and Maintenance Facilities



Residential-Multi-Family



Residential-Single Family



Recreation Facilities

Restricted Affordable Units. A residential unit for which rental or sale prices are restricted so as to be affordable to, and occupied by, Extremely Low, Very Low, Low, or Moderate Income households, as determined by the Family Median Income (FMI).

Retail Street. A street where a percentage of retail and community serving uses are required at the ground floor level where adjacent to street frontage.

Recreation Facilities. Facilities used for indoor and/or outdoor recreational activities.

Residential-Multi-Family. A structure or structures that provide multiple dwelling units that may have separate sleeping areas and some combination of shared bath or toilet facilities. Single Room Occupancy (SRO) residential structures, live-work units, dormitory-style apartment hotels, homeless shelters, rooming houses, small lot subdivisions, and Senior Independent Housing are also included in this category.

Residential-Single Family. A residential Project that includes no more than one dwelling unit on a lot, but which may contain an accessory unit ("granny flat") or servant's quarters. Small lot subdivisions do not fall within the Residential-Single Family category.

Restaurants and Bars. Uses involving food and beverage sales to the general public. Adult entertainment is not included in this category.

Retail. Uses involving the sale and/or lease of new or used products to the general public.

River Buffer Area. An approximately 300 foot buffer area adjacent to the Los Angeles River and Arroyo Seco, as set forth in the Zoning Map.

River Public Benefits. Amenities provided to the public such as affordable housing, public open space, historic preservation, recreational, cultural, community and public facilities, storm water management, watershed protection and preservation, habitat restoration, flood control, streetscape improvements, public arts programs, or public transportation improvements with a demonstrable connection to improvements to the Los Angeles River and its environs.

Schools, Colleges, Tutoring, and Vocational/Technical Schools or Programs. Uses that include public and private schools as well as institutions offering courses of general or specialized study leading to a degree or certificate.

Server Farms. Centers established for the exclusive purpose of providing operational facilities for, but not limited to, the storage of phone equipment, computers, and internet data.

Streetwall (or street edge). The vertical face of one or more buildings within the setback area and parallel to the public right-of-way.

Transfer. The conveyance of unused allowable Floor Area of a lot from a Donor Site to a Receiver Site, that is approved in accordance with the requirements of this Plan.

Transfer Plan. A plan that identifies and describes the Donor Site(s), Receiver Site(s), amount of Floor Area Rights to be transferred and the River Public Benefit Payment.

Transportation Amenities. Bus shelters, bus benches, bicycle lockers, showers, public restrooms, cafe, restaurant, or community serving retail uses located adjacent to, or within 150 feet of a bus and/or rail station.

Trucking and Transportation Terminals. Uses related to the dispatching , maintenance and long-term or short-term storage of large vehicles such as tractor-trailers, catering trucks, shipping vessels, helicopters, locomotives, and airplanes.

Unused FAR. FAR that a Donor Site does not need and has elected to transfer to a Receiver Site.

Urban Agriculture. The production, processing, and/or marketing of beverages and/or food.



Schools, Colleges, or Tutoring



Server Farms



Trucking, and Transportation Terminals



Utilities



Warehouse Distribution and Storage



Waste Management and Remediation



Wholesale

Utilities. Uses that provide the transfer or delivery of power, water, natural gas, sewage, stormwater runoff, or telephone and related communication services.

Vocational/Technical School or Program. Uses related to the provision of vocational and/or technical training to students entering into a vocation or technical field without first obtaining higher education.

Warehousing, Distribution and Storage. Uses that package, provide, hold, and/or distribute goods in large quantities, especially to retail sales establishments. Long-term and short-term storage of commercial goods and personal items are included.

Waste Management and Remediation Services. Uses that receive solid or liquid wastes (including hazardous wastes) for on-site disposal, recycling, or transfer to another location, including uses that manufacture or produce goods or energy from the biological decomposition of organic material.

Wholesale. Uses engaged in the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses . The uses may include on-site sales or order taking and may include display areas.

D. Uses and Buildings Made Non-Conforming by this Plan

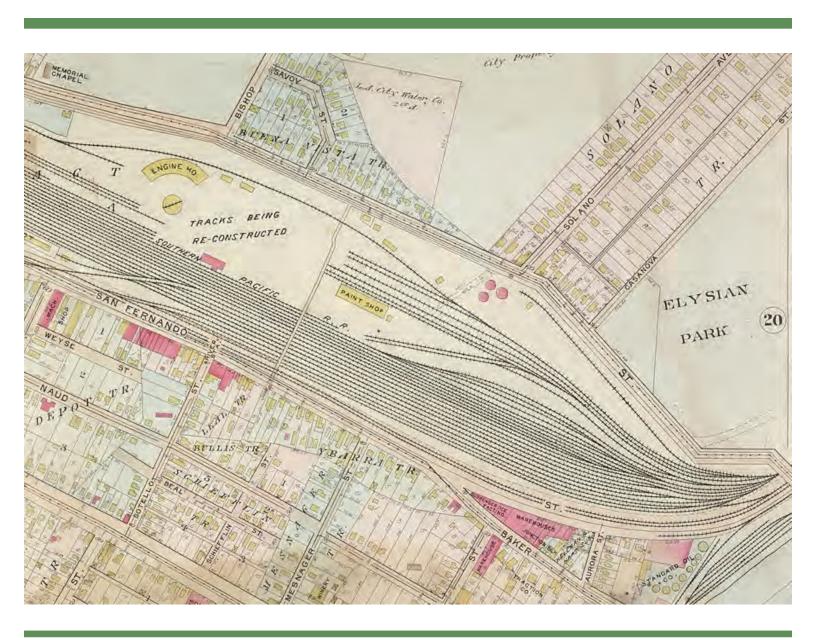
Any legally existing uses, buildings or structures that are made nonconforming by establishment of this Specific Plan shall be deemed to be legal, nonconforming uses and may continue to exist without termination. Legal, nonconforming uses may not expand beyond their existing floor area.

E. Interpretation

Whenever any ambiguity or uncertainty exists related to this Specific Plan or the application of this Specific Plan so that it is difficult to determine the precise application of these provisions, the Director shall, upon application by an owner, operator or lessee, issue written interpretations on the requirements of the Specific Plan consistent with the purpose and intent of this Specific Plan.

F. Severability

If any provision of this Specific Plan or its application to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the invalidity shall not affect other Specific Plan provisions, clauses or applications which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this Specific Plan are declared to be severable.



1.2 Application Process

A. Relationship to the Los Angeles Municipal Code

- The regulations of this Specific Plan are in addition to those set forth in the
 planning and zoning provisions of Chapter 1 of the LAMC as amended,
 and any other relevant ordinance, and do not convey any rights not
 otherwise granted under the provisions and procedures contained in the
 LAMC or other ordinances, except as specifically provided for here.
- 2. Wherever this Specific Plan contains provisions that establish regulations (including, but not limited to, standards such as densities, heights, uses, parking, signage, open space, and landscape requirements), that are different from, more restrictive or more permissive than would be allowed or required pursuant to the provisions contained in the LAMC, this Specific Plan shall prevail and supersede the applicable provisions of the LAMC and those relevant ordinances.
- 3. **Site Plan Review Ordinance**. Approvals pursuant to LAMC Sections 16.05 are not required for Projects within this Specific Plan area.
- Commercial Corner and Mini-Shopping Centers Ordinance.
 Approvals pursuant to LAMC Sections 12.22 A 23, and 12.24
 W 27 are not required for Projects within this Specific Plan.
- Development Combining Residential and Commercial Uses. Approvals pursuant to LAMC Sections 12.22 A 18 and 12.24 V are not required for Projects within this Specific Plan area.
- 6. **Hotels.** Approvals pursuant to LAMC Section 12.24 W 24 are not required for Projects within this Specific Plan area.
- 7. **Landscape Ordinance.** Compliance with the provisions of this Specific Plan shall be considered compliance with the requirements of LAMC Sections 12.40, 12.41, 12.42 and 12.43.
- 8. **Major Projects.** Approvals pursuant to 12.24U.14 are not required for Projects within this Specific Plan area
- 9. If there is any conflict between the written provisions of this Plan and the charts, graphs, or figures provided herein, the written language shall control.

B. Prohibitions

- No demolition permit, grading permit, foundation permit, building permit, or use of land permit shall be issued for any Project on any lot located in whole or in part within this Specific Plan area and no work shall be conducted in the public right of way, unless the Project complies with all applicable provisions of this Specific Plan, as determined by the Director.
- 2. The provisions of this Specific Plan shall not apply to:
 - a. Any Project that has obtained a still-valid discretionary land use approval from the City prior to the operative date of this Specific Plan;
 - b. Underground tank removal/remediation, and/ or seismic reinforcement/retrofitting;
 - c. Projects with vested rights pursuant to LAMC Section 12.26 A 3;
 - d. Any Project complying with an order issued by the Department of Building and Safety for the repair of an unsafe or substandard condition; or
 - e. Any Project that has an application that is deemed complete by the Department of City Planning prior to the adoption of this Specific Plan.
- 3. Land area subject to easements granted pursuant to this Specific Plan shall be counted as buildable area for the purposes of determining the maximum floor area ratio.

C. Development Review Procedures

- 1. Application.
 - a. All Projects proposed within the Plan area, except Projects eligible for an Administrative Clearance, shall file an application with the Department of City Planning on a form provided by the Department, and include all information required by the instructions on the application and the guidelines adopted by the Director of Planning. Prior to deeming the application complete, the Director shall determine, and if necessary, advise the applicant of the processes to be followed, materials to be submitted, and fees to be paid.
 - b. This Plan's regulations shall apply to Projects only as set forth in the Project Table on the following page.
- 2. **Administrative Clearance.** A permit for a Project may be issued with an Adminstrative Clearance from the Director if the Project's FAR does not exceed 4.0:1, and if the Project complies with all of this Specific Plan's requirements.
- 3. **Director's Determination of Alternative Design.** If a proposed Project fails to meet the urban design regulations contained in either Section 2.2 and/or Section 2.3 of this Plan, the applicant may apply to the Director of Planning for a Director's Determination of Alternative Design. Such application shall be processed in accordance with the procedures specified in LAMC 11.5.7 C and E.1. The limitations specified in LAMC 11.5.7 E.2 shall not apply. The Director shall only approve a Project upon making all of the following written findings in the affirmative:
 - a. The Project's location, size, height, operations and other significant features shall be compatible with and shall not adversely affect or further degrade adjacent properties, the surrounding nieghborhood, or the public health, welfare, and safety;
 - b. The Project provides for an arrangement of uses, buildings, structures, open spaces and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood; and
 - c. The Project shall not create an adverse impact on street access or circulation in the surrounding neighborhood.

The Director's Determination shall only address the requested deviations from the building form and urban design standards set forth in Sections 2.2 and 2.3 herein. The remainder of the Project shall be reviewed through the Administrative Clearance Process.

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2.7	92nsmro1199			×	×	×	×						×			
2.6	noitsvasenoO					×	ײs		×	×	×	×	×			
2.5	Parking			~×		×	×						×			
2.4	Open Space			×	×	×							₄ ×			
2.3	Urban Neisə (I					×	×		×	\times^2	\times^2					
2.2	gniblin8 sssM					×	×									
2.1	gninoZ			×	×	×	×						×			
Section No.	Standards	Project Type	Building	Change of Use	Use of Land	New Construction	Addition >50% building value	Exterior Alteration>50% building value	 Street Facing Facade 	 River-Arroyo Facing Facade 	 Plaza or park facing Facade 	Interior Alteration >50% building value	Eligible or Designated Historic Resource	Demolition*	Pool/Spa	Signs- New/Alterations

PROJECT TABLE

3	Streets						×	×			×	×
2.9	ММР	×										
2.8	ngi2						×	×			×	×
2.7	Performance						×	×				
2.6	noitsvrasnoO						×	×			×	
2.5	Parking						×	×				
2.4	Open Space						×	×				
2.3	Urban NeiseD						×	×				
2.2	gniblin8 sssM						×	×				
2.1	gninoZ						×	×	×			
Section No.	Standards	Site Grading	Fences and Block Walls	Underground Tank Removal/ Remediation	Seismic Reinforcement/ Retrofit	Division of Land	Parcel Map	Tract Map	Lot Line Adjustment	Public Works Permit	A Permit	B Permit

Footnotes:

1. Existing parking located along a street frontage is not required to be relocated, but the design of the parking area shall be modified to conform to the applicable design and parking standards.

Extraction 2.3 C.1a-c; however, the entrance location and transparency standards shall still apply.
 Projects identified as potential historic resources shall comply with Section 2.6.C of this Plan.
 Applied to extent feasible as determined by the Office of Historic Resources.
 Applicable only to the area being altered and to applicable construction activities.
 Subject to only Historic Resource Mitigations.
 Eligible or Designated Historic Resources seeking a demolition permit shall contact the Office of Historic Resources. See Section 1.2.C.2.b.

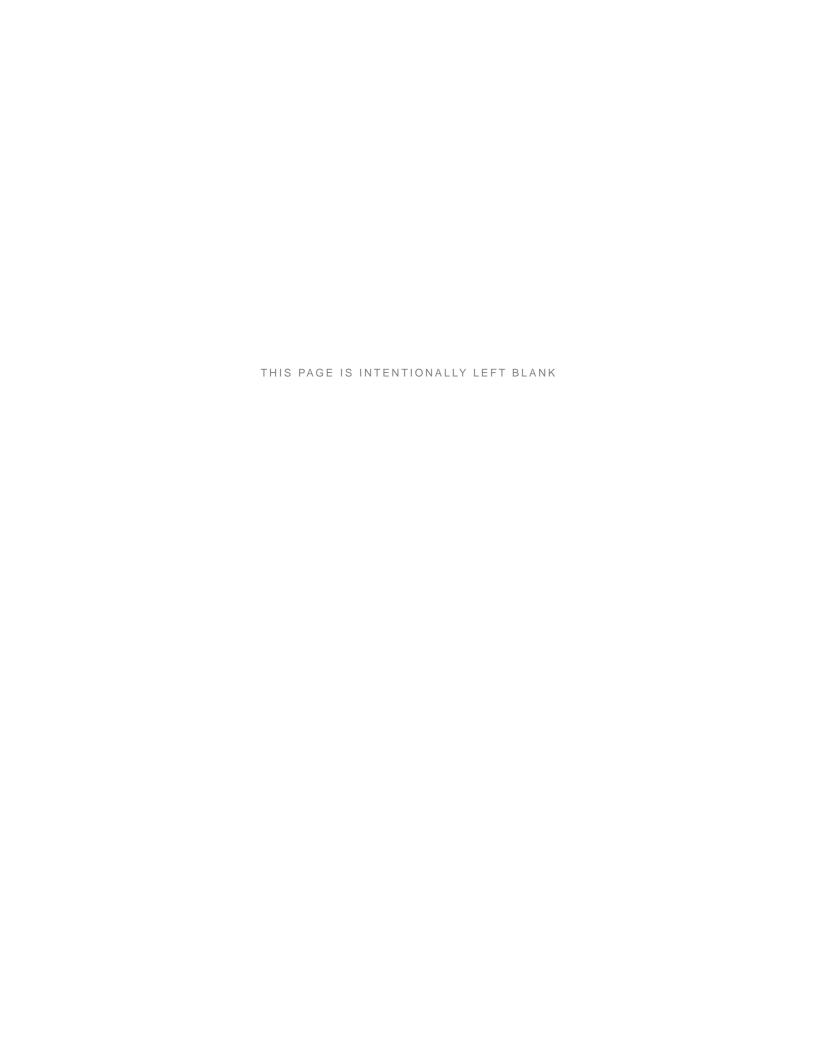
- 4. Allocation of Floor Area Rights for Transfer of FAR.
 - a. **Application for Transfer of FAR.** An Applicant seeking an Allocation of Floor Area Rights for a Transfer FAR shall file an application with the Department on a form prescribed by the Director. The application shall be accompanied by a proposed Allocation Plan. For Projects with a FAR less than 4.0:1, the Director shall approve the Transfer ministerially, provided that the Allocation Plan complies with the requirements of this Specific Plan.
 - b. Action by Director. For applications requesting a Project with a FAR in excess of a 4.0:1, the Director may approve, approve with conditions or disapprove the request for Allocation, including the Floor Area Payment to be provided, based upon the following findings:
 - Will the Project's location, size, height, operations and other significant features be compatible with and not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety, and
 - ii. Does the Project substantially conform with the purpose, intent and provisions of the General Plan, the applicable community plan, and this Specific Plan?
 - c. Floor Area Payment. A Floor Area Payment shall be provided as part of an Allocation Plan when a Project receives density from a site owned by the City of Los Angeles. Prior to approving an Allocation Plan, the Director shall determine that the Floor Area Payment proposed in the Allocation Plan will result in public benefits or improvements with an economic value equal to the sum of the Floor Area Payment set forth in Subsection (1.2.C.5.c.ii) below.
 - i. A Floor Area Payment may be provided by any combination of the payment of monies to the Cornfield Arroyo Seco Floor Area Payment Trust Fund (a Public Benefit Trust Fund) or by the direct provision of Public Benefits by the Applicant; provided, at least 50% of the Floor Area Payment must consist of a cash payment made by the Applicant to the Cornfield Arroyo Seco Floor Area Payment Trust Fund.
 - ii. The Payment under any Allocation Plan when a Project receives density from a site owned by the City of Los Angeles shall equal (a) the sale price of the Receiver Site, if it has been purchased through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer, or the value of an Appraisal, if it has not, (b) divided by the Lot Area (prior to any dedications) of

- the Receiver Site, (c) further divided by the Base Floor Area Ratio, (d) multiplied by 40%, and (e) further multiplied by the number of square feet of Floor Area Rights to be transferred to the Receiver Site.
- iii. Example: If a Receiver Site with a Lot Area of 50,000 square feet (before any dedications) was purchased for \$2,500,000 (through an unrelated third-party transaction within 18 months of the date of submission of the request for approval of the Transfer), the Floor Area Payment under an Allocation Plan transferring 25,000 square feet of Floor Area Rights would equal: (a) \$2,500,000 (the purchase price), (b) divided by 50,000 (the Lot Area of the Receiver Site), (c) divided by the base FAR, for example, 3 (the Floor Area Ratio Factor), (d) multiplied by 40%, and (e) multiplied by 25,000 (the number of square feet of Floor Area Rights to be transferred) = \$166,666.67 (or \$6.66 for each square foot of transferred Floor Area Rights).
- iv. The non-cash portion of the Payment, which shall not exceed 50% of the overall Payment, shall be provided as set forth in the Allocation Plan to the satisfaction of the Director.
- d. **Payments and Vesting.** Any Floor Area Payment (when applicable) shall be provided as set forth in the Allocation Plan and as set forth below in this subsection:
 - i. If the Project specifies a single-phase Project on the Receiver Site, then the owner of the Receiver Site shall pay the Floor Area Payment (when applicable) on or before the issuance of the building permit for the Project.
 - ii. If the Project is a multi-phased Project on the Receiver Site, then the owner of the Receiver Site may elect to pay the the Floor Area Payment (when applicable) in any one of the three manners set forth below,
 - a) In total for all phases of the Project, on or before the earlier of (i) the issuance of the building permit for the first phase of the Project or (ii) 24 months after the final approval of the Allocation, the expiration of any appeals or appeals period for all phases of the Project and recordation of the document running with the land described below in Paragraph A.2 of subsection 1.6.7 of this Plan; or
 - b) Incrementally by each phase of the Project, proportionate to the Floor Area Rights utilized in each such phase, on or before the issuance of the building permit for each such phase, with the amount of each payment being recalculated as of the date that the building permit for each phase is issued in accordance with an Appraisal establishing the fair market value of the Receiver Site within six months prior to the issuance of the building permit for that phase.

c) Upon the Applicant's payment to the City of all of the Floor Area Payment (when applicable) required under an approved Allocation, all Floor Area Rights allocated to the Receiver Site pursuant to the Allocation Plan shall vest in the Receiver Site and thereafter run with the land.

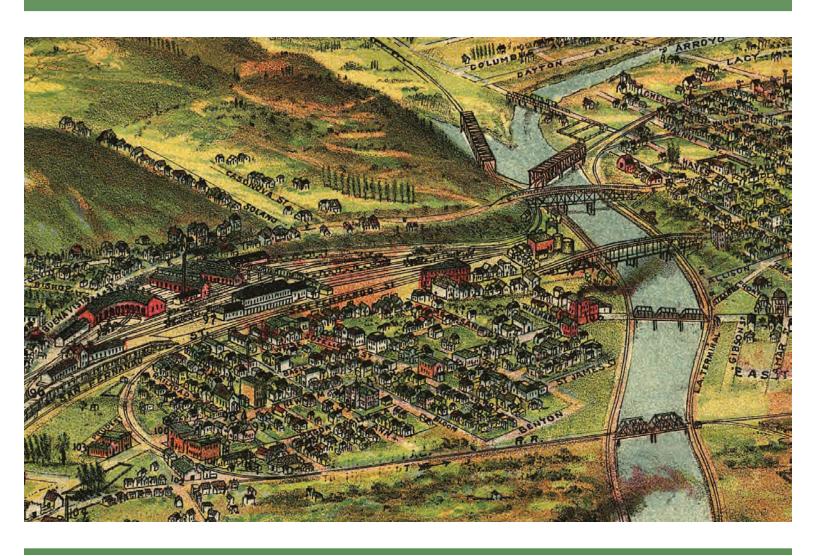
D. Administrative Procedures for Allocation of Floor Area Rights

- General Requirement. Any Allocation of Floor Area Rights approved pursuant to this Specific Plan shall be recorded by covenant, or similar instrument, to the satisfaction of the Director of Planning. This document shall clearly set forth the amount of Floor Area Rights allocated to the Receiver Site from the Donor Site.
- Cornfield Arroyo Seco Specific Plan Floor Area Payment Trust Fund. Funds held in the Cornfield Arroyo Seco Specific Plan Floor Area Payment Trust Fund shall be disbursed in accordance with the provisions of Los Angeles Administrative Code Division 5, Chapter 160; and
 - a. As determined by a committee comprised of one representative from each of the following: the City Council Office for the City Council District in which the Receiver Site is located, the Chair of the Ad Hoc Committee on the Los Angeles River (unless they are the same), the City Engineer, the Mayor's Office, the Chief Administrative Officer and the Chief Legislative Analyst, the Department of City Planning, the Los Angeles Housing Department and the Los Angeles River Revitalization Corporation in accordance with the procedure previously established for the Public Benefit Trust Fund, and
 - For the purposes of providing community benefits including, but not limited to, improving river access, overall river enhancements, non-vehicular transportation improvements, removing visual blight, improving public safety and affordable housing.



Zoning and Standards

Chapter 2





2.1 Zoning

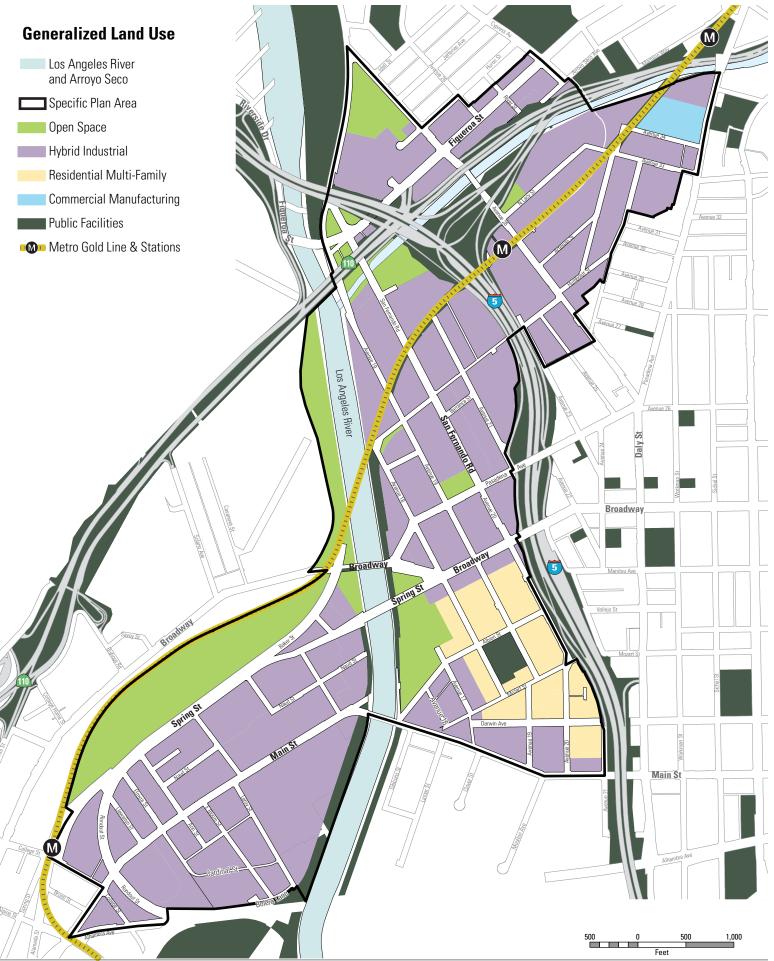
A. Purposes

These zoning regulations are intended to:

- 1. Protect existing light industrial areas from residential encroachment.
- 2. Provide areas where residential, commercial, and light industrial uses can co-locate horizontally and/or vertically.
- 3. Facilitate the development of mixed-use and affordable housing projects.
- 4. Ensure the continued provision of housing for extremely low and very low income populations.
- 5. Encourage the inclusion of affordable housing in the future redevelopment of city owned properties, especially those located within the Urban Village zone.

B. Land Use

- 1. The Plan is divided into the following four land use categories:
 - a. Public Facility
 - b. Open Space
 - c. Residential Multi-Family
 - d. Hybrid Industrial
- 2. The boundaries of each land use category are illustrated on the Generalized Land Use Map.



C. Zoning Districts

- 1. The Plan is divided into the following zones:
 - a. Greenway (CASP)
 - b. Urban Village (CASP)
 - c. Urban Innovation (CASP)
 - d. Urban Center (CASP)
- 2. The boundaries of each zone are indicated on the Zoning District Map.



Greenway



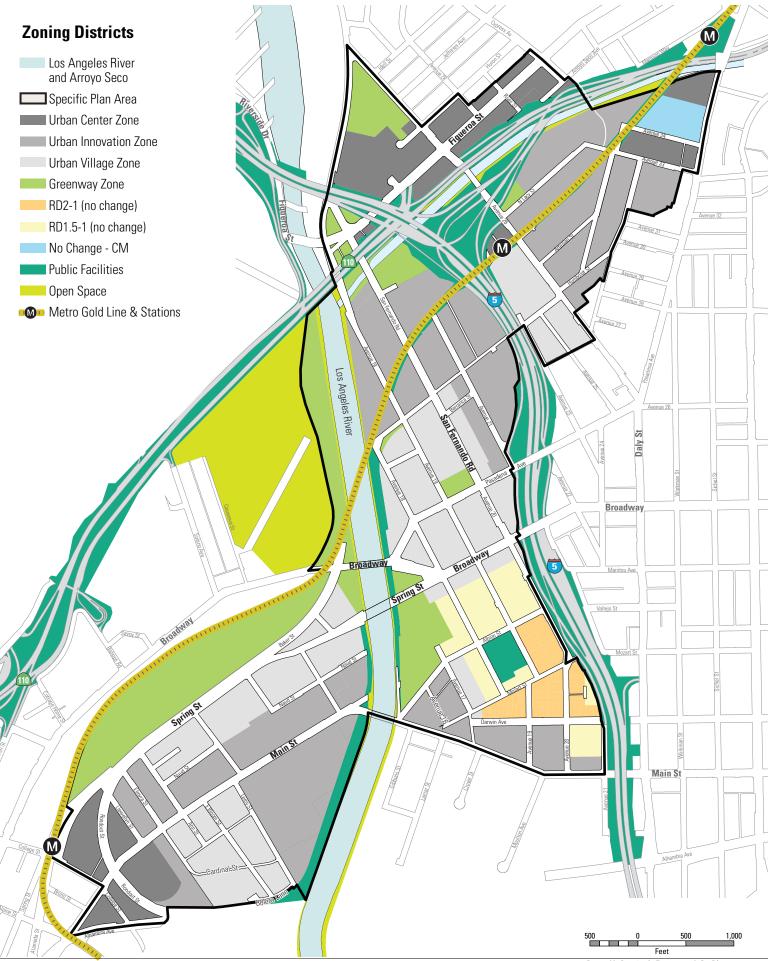
Urban Village



Urban Innovation



Urban Center



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D. Permitted Uses

The permitted uses for each zone are set forth in the following Use Classification Table. All other uses are prohibited, except as follows:

- Accessory Uses that are customarily incidental to the main building or use of land and that are located on the same lot are permitted, even if not listed in the Use Classification Table. There is no maximum lot area that may be occupied by an Accessory Use.
- 2. Outdoor Eating Areas. Outdoor eating areas are permitted on all building floors, sidewalk easements and public sidewalk areas, when in compliance with all other applicable local, state and federal requirements. Outdoor eating areas shall be designed in accordance with the applicable urban design standards.

USE CLASSIFICATION TABLE

Use Classifications	Greenway	Urban Village	Urban Innovation	Urban Center
Heavy Manufacturing	No	No	No	No
Corporate Headquarters	No	Yes	Yes	Yes
Light Manufacturing and Assembly	No	Yes	Yes	Yes
Repair and Maintenance Facilities	No	Yes ²	Yes	Yes
Research and Development	No	Yes	Yes	Yes
Publishing, Motion Picture, Broadcasting	No	Yes	Yes	Yes
Trucking and Transportation Terminals	No	No	No	CUP
Urban Agriculture	No	Yes	Yes	Yes
Utilities	Yes	Yes	Yes	Yes
Warehousing, Distribution, and Storage	No	Ancillary ⁴	Yes ⁴	Yes ⁴
Waste Management and Remediation Services	No	CUP	CUP	CUP
Wholesale (including showrooms)	No	Yes	Yes	Yes
Automobile Fueling Stations	No	CUP	CUP	CUP
Commercial Office	No	Yes ¹	Ancillary	Yes ¹

USE CLASSIFICATION TABLE

Use Classifications	Greenway	Urban Village	Urban Innovation	Urban Center
Commercial Hotels	No	Yes¹	Yes ¹	Yes ¹
Public Parking	Yes ⁶	Yes ⁶	Yes ⁶	Yes ⁶
Restaurants and Bars	Yes ^{1,3}	Ancillary ^{3,9}	Ancillary ^{3,9}	Ancillary ^{3,9}
Retail and Personal Services	Ancillary	Ancillary ¹	Ancillary ¹	Ancillary ¹
Server Farms	No	Ancillary	No	Ancillary
Residential-Multi-Family, Small Lot Subdivisions and Senior Independent Housing	No	Yes¹	Yes ¹	Yes ¹
Residential-Single Family	No	No	No	No
Hospitals, Nursing and Residential Care Facilities	No	CUP	No	No
Entertainment, Exhibit & Cultural Facilities	Yes	Yes	Ancillary ⁸	Yes
Recreation Facilities and Spectator Sports	Yes	Yes	Ancillary	Yes
Conservation, Environmental and Social Service Organizations, Religious Institutions, and Public Facilities	Yes ⁷	Yes	Yes	Yes
Schools, Colleges, Tutoring, and Vocational Technical Training Programs	No	Yes	Yes ⁵	Yes

Footnotes for Use Classification Table

- 1. See Limits Table for area, FAR, and square footage limits.
- 2. Truck repair uses are not permitted
- in the Urban Village zone.

 3. Free Standing Fast Food establishments are permitted with a Conditional Use Permit pursuant to Section 12.24.W.17., except that the finding set forth in Section 12.24.W.17 (a) shall not apply.
 4. Self storage uses are limited to 50% of the Base FAR.
 5. Schools, Colleges, Tutoring, and Technical Training
- Programs in the Urban Innovation zone are limited to Vocational Technical Training Schools or Programs.
- 6. Parking uses must be combined with the development of other uses, and such other uses must equal no less than a 1:1 FAR for the project site.
- 7. Conservation, Environmental, and Social Services uses are limited to Block 70 in the Block Numbers Map on page 3-23.
- 8. These uses are limited to Block 52 in the Block Numbers Map on page 3-23.
 9. If the parcel is 30,000 square feet in area or less, then the Ancillary Use is permitted up to a 1:1 FAR.

E. Use Limitations

- 1. The following uses shall be prohibited within the Plan area:
 - a. Auto wrecking, salvage and tow yards, except as Accessory Uses.
 - b. Drive-through establishments.
- 2. As set forth below, the following uses are further limited as to a percentage of the applicable FAR, maximum square footage, or maximum number of rooms.
- 3. **Density**. There is no limit on the number of dwelling units or guest rooms permitted on any lot located within the Plan area.

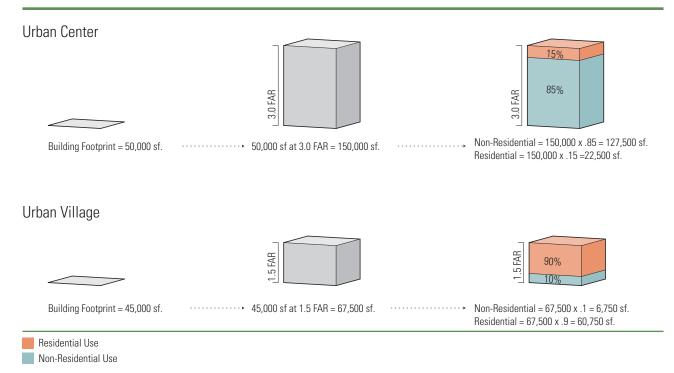
LIMITS TABLE

Use Classifications	Greenway	Urban Village	Urban Innovation	Urban Center
Commercial Office	N/A	65%°	Ancillary-(10%) ^a	65%ª
Retail square footage limit	1,200 sf ^b	15,000 sf ^b	5,000 sf ^b	50,000 sf ^b
Retail and/or Personal Services	Only Retail uses are permitted, and they are subject to a 10% FAR limitation. ^a	20%ª	20% ^a	20%ª
Residential Multi-Family	N/A	90% ^{c,d}	15% ^{c,d}	15% ^{c,d}
Commercial Hotels	N/A	150 rooms	100 rooms	200 rooms

Footnote for Limits Table

- a. The floor area for the use shall not exceed the allowable percentage of the site's Base FAR set forth in the Limits Table. For example, a 100,000 square foot site with a permitted 3:1 Base FAR may not be developed with a Commercial Office project that exceeds 195,000 square feet (i.e., 65% of 300,000 sf) of commercial use. The same project could include other permitted uses to maximize the permitted total floor area if desired. If a Project applicant obtains a FAR in excess of their Base FAR as a result of a Bonus Option or TFAR, then the floor area for the use shall not exceed the allowable percentage of the site's total FAR.
- b. The square footage provided is the maximum square footage permitted for each Retail establishment on the lot.
- c. The maximum floor area of Residential Multi-Family uses shall not exceed the stated percentage of the total gross floor area of all principal and Ancillary Uses combined.
- d. Only the "living" portion of a joint living and work quarter that is designed for residential purposes shall count towards the residential square footage limitation.

Figure 2.1 Residential Use Limits



F. Floor Area Limitations

- 1. A Base FAR and a Maximum FAR is established for each parcel as set forth in the FAR Table below and further illustrated in the FAR Map.
- 2. Where applicable, the Base FAR can be increased up to the Maximum FAR, through the Bonus FAR and/or Transfer of Floor Area (TFAR) Programs described in Section 2.1.I of this Plan.
- 3. Residential projects with more than 15 units must utilize the Bonus FAR Program to be eligible for the TFAR Program, except for projects purchasing Unused FAR from a Donor Site that participated in the Bonus FAR Program (See 2.1.1.4).

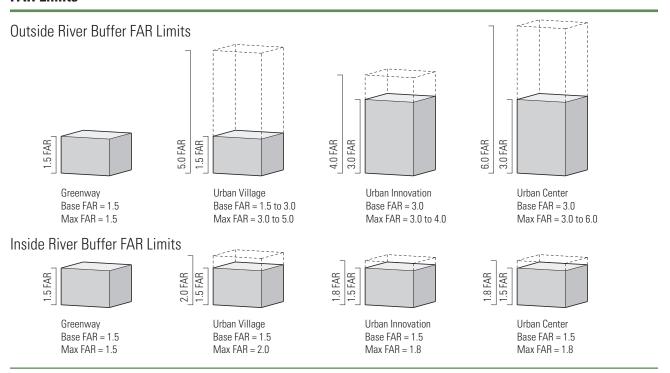
FAR TABLE

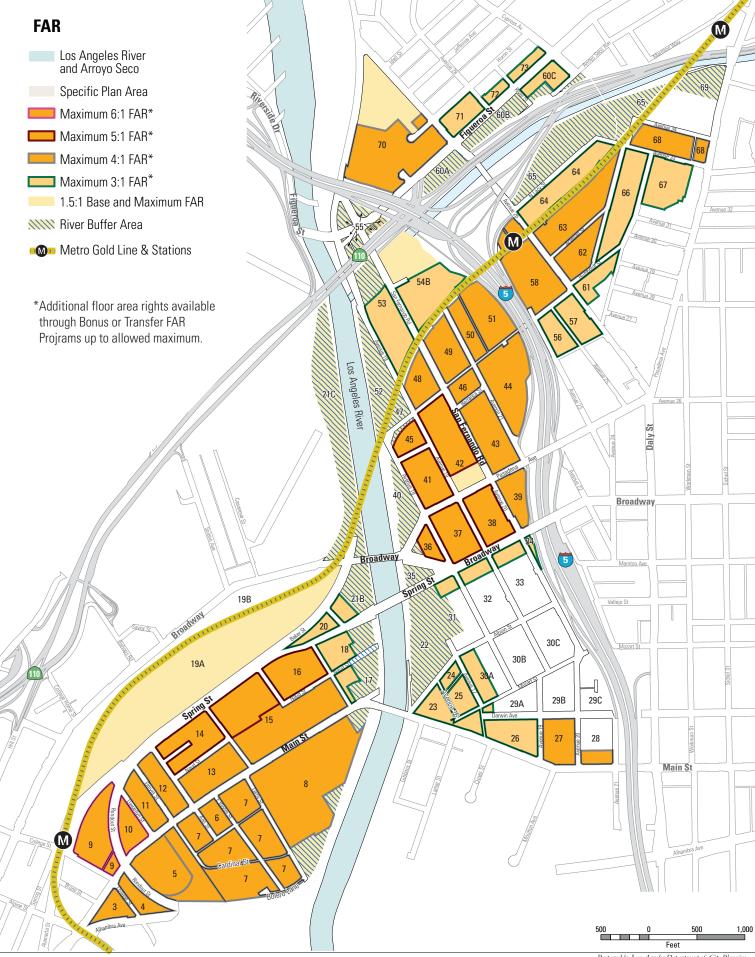
	Greenway	Urban Village	Urban Innovation	Urban Center
Base FAR	1.5:1	1.5:1 or 3:1°	3.0:1	3.0:1
Base FAR within River Buffer Areas	1.5:1	1.5:1	1.5:1	1.5:1
Max FAR	1.5:1	3:1 to 5:1 ^b	3:1 to 4:1 ^b	3:1 to 6:1 ^b
Max FAR within River Buffer Areas	1.5:1	1.5:1°	1.5:1°	1.5:1
Max FAR within River Buffer Areas with Affordable Housing Bonus Option	NA	2:1	1.8:1	1.8:1

FAR Table Footnotes

- a. Projects with more than 15 residential units are limited to a 1.5:1 Base FAR unless the residential portion of the project is equal to or less than 75% of the FAR or the Project pursues the Affordable Housing Bonus Option in Section 2.1 G 1. All other Projects are limited to a 3.0:1 Base FAR. As set forth in the Limits Table, the residential component of a Project is limited to 90% of the Project's FAR.
- b. The Maximum FAR for each parcel varies depending on its location, as set forth in the FAR Map.
- c. Parcels located entirely within the River Buffer Area are limited to a Maximum 1.5:1 FAR. If a Parcel is located both inside and outside of the River Buffer Area, then the Maximum 1.5:1 FAR shall only apply to the portion of the parcel inside the River Buffer Area, unless restricted elsewhere in the FAR Table. The Base FAR for projects that straddle the River Buffer Area shall be calculated by multiplying the lot square footage within the River Buffer Area by 1.5 and multiplying the lot square footage outside the River Buffer Area by the Base FAR. The sum of these two totals represents the total Base FAR of the project. Example: (10,000 sf x 1.5) + (10,000 sf x 3.0) = 45,000 sf. Any portion of a project can be built within the River Buffer Area as long as the project does not exceed the average maximum height and maximum lot coverage established for the area within the River Buffer Area.

Figure 2.2 FAR Limits





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G. Floor Area Bonus

Project applicants may obtain additional floor area rights by complying with the Affordable Housing Bonus Option and/or the Community Benefit Bonus Options as described below.

- Affordable Housing Bonus Option. Projects in the Urban Village, Urban Innovation, or Urban Center Zones that include Residential uses may participate in the Affordable Housing Bonus Option. Projects may pursue, as appropriate, either of the two Affordable Housing Bonus Strategies- Strategy A or Strategy B.
 - a. Certificate of Occupancy. If an applicant elects to pursue the
 Affordable Housing Bonus Option, then no certificate of occupancy may be
 issued for the Project unless a certificate of occupancy is concurrently issued
 for, or has already been issued for, the restricted affordable residential units.
 - b. **Strategy A.** If an applicant agrees to set aside a portion of the Residential units in a Project for affordable housing, then the Project shall be granted a Floor Area Bonus as set forth in the following table.

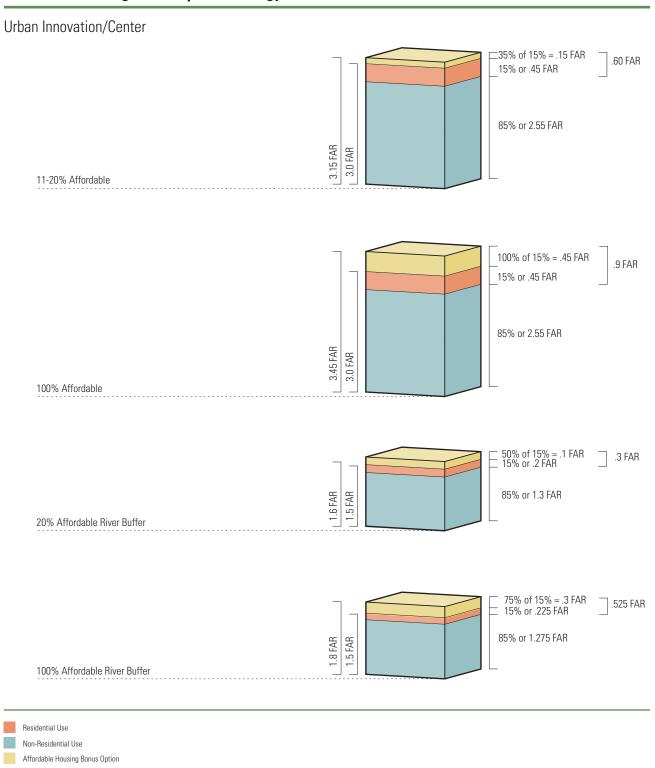
FLOOR AREA BONUS TABLE- STRATEGY A*

Affordability Level/Location	Greenway	Urban Village	Urban Innovation	Urban Center
11% of units set aside for households earning 50% of AMI or less, or 20% of units set aside for households earning 80% of AMI or less	NA	3:1	3.15:1 (The Residential portion of the Project is subject to a .6:1 FAR)	3.15:1 (The Residential portion of the Project is subject to a .6:1 FAR)
100% of units set aside for households earning 80% of AMI or less	NA	4:1	3.45:1 (The Residential portion of the Project is subject to a .9:1 FAR)	3.45:1 (The Residential portion of the Project is subject to a .9:1 FAR)
11% of units located in the River Buffer set aside for households earning 50% of AMI or less, or 20% of units located in the River Buffer set aside for households earning 80% of AMI or less	NA	2:1	1.6:1 (The residential portion of the Project is subject to a .3:1 FAR)	1.6:1 (The residential portion of the Project is subject to a .3:1 FAR)
100% of units located in the River Buffer set aside for households earning 80% of AMI or less	NA	2:1	1.8:1 (The residential portion of the Project is subject to a .525:1 FAR)	1.8:1 (The residential portion of the Project is subject to a .525:1 FAR)

Floor Area Bonus Strategy A Footnote

^{*}Projects located in an area with a Maximum FAR of 3:1, as shown on the FAR Map, shall be limited to a 3.375:1 FAR.

Figure 2.3
Affordable Housing Bonus Option; Strategy A



c. Strategy B. As an alternative to Strategy A, if an applicant agrees to set aside a portion of the Residential units in a Project for affordable housing, then for each square foot of affordable housing constructed, the applicant shall be granted the right to construct additional floor area above the Base FAR for the Project, as set forth in the Bonus Square Footage Table below. One additional square foot shall be added to the bonus numbers set forth below for square footage that is used to construct affordable units containing three or more bedrooms.

BONUS SQUARE FOOTAGE TABLE- UNTIL FIVE YEARS FOLLOWING PLAN ADOPTION*

Affordability	Affordable SF	Market SF	Total Bonus SF
Extremely-Low - Units set aside for households earning 30% of AMI or less	1	18	19
Very Low - Units set aside for households earning 50% of AMI or less	1	13	14
Low - Units set aside for households earning 80% of AMI or less	1	5	6

Bonus Square Footage Table Footnote

d. **Floor Area Bonus.** The Floor Area Bonus in Strategy B is limited to the Maximum FAR set forth in the following table.

FLOOR AREA BONUS LIMITS- STRATEGY B TABLE*

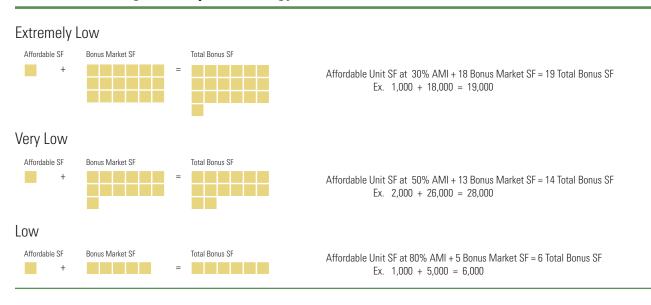
Location	Greenway	Urban Village	Urban Innovation	Urban Center
Outside of the River Buffer Area	NA	4:1	3.45:1 (The Residential portion of the Project is subject to a .9:1 FAR)	3.45:1 (The Residential portion of the Project is subject to a .9:1 FAR)
Within the River Buffer Area	NA	2:1	1.8:1 (The Residential portion of the Project is subject to a .525:1 FAR)	1.8:1 (The Residential portion of the Project is subject to a .525:1 FAR)

Floor Area Bonus- Strategy B Footnote

^{*}Five Years After Plan Adoption the market square value footage is reduced by half unless the City Council legislatively acts to modify the current market square footage. The revised numbers shall not apply to Projects for which the application is deemed complete by the Department of City Planning prior to the termination of the five year period following Plan adoption.

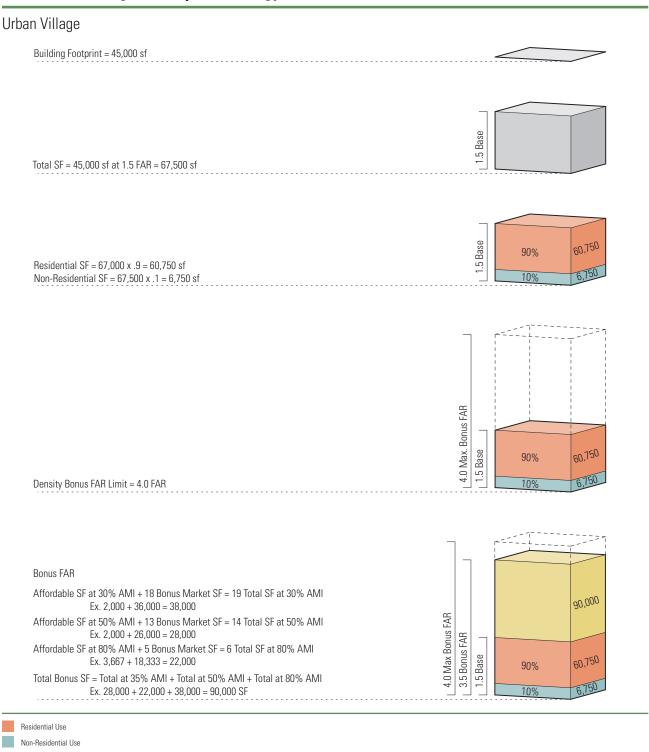
^{*}Projects located in an area with a Maximum FAR of 3:1, as shown on the FAR Map, shall be limited to a 3.375:1 FAR.

Figure 2.4
Affordable Housing Bonus Option; Strategy B



- e. **Incentives.** Applicants who participate in the Affordable Housing Bonus Option (either Strategy A or B) are eligible for up to three on or off-menu incentives either based upon the requirements set forth in Government Code Section 65915 (d)(2) (or any successor mandatory state statue), or as set forth below, whichever results in the greater number of incentives.
 - i. Strategy A. A Strategy A Project:
 - a) With at least 11% very-low income or 20% low-income affordable units is eligible for two incentives.
 - b) With 100% units set aside for households earning 80% of AMI or less is eligible for three incentives.
 - ii. Strategy B. A Strategy B Project that achieves:
 - a) A 3.0:1 FAR, or greater, shall be eligible for one incentive
 - b) A 3.5:1 FAR, or greater, shall be eligible for two incentives
 - c) A 4.0:1 FAR, or greater, shall be eligible for three incentives.

Figure 2.5
Affordable Housing Bonus Option; Strategy B



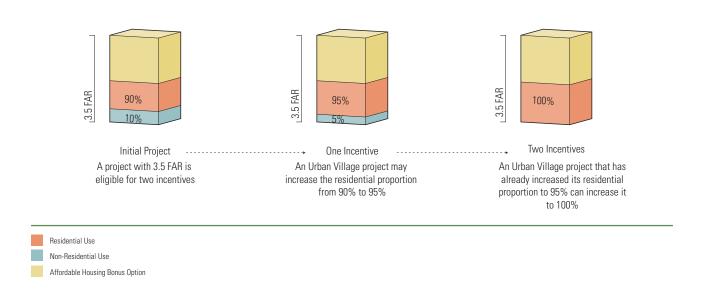
Affordable Housing Bonus Option

iii. On-Menu Incentives.

- a) For Projects in the Urban Village Zone, the portion of square footage developed for residential uses may be increased from 90% to 95% of the maximum permitted floor area.
- b) For Projects in the Urban Village Zone utilizing incentive a) above, the portion of square footage developed for residential uses may be increased from 95% to 100% of the maximum permitted floor area.
- c) The maximum height for Projects may be increased by 15 feet.
- d) Public areas, accessible to all residents, including public common areas that serve both residential and commercial uses, and any unenclosed architectural features and building areas, such as a decks, patios, porticos, trellises, or port-cheres may be excluded from the total floor area calculation.
- iv. Off-Menu Incentives And Waivers of Development Standards.
 - a) A Project applicant seeking an off-menu incentive or waiver of development standards shall follow the procedures for conditional uses set forth in Section 12.24 D of the LAMC. A public hearing shall be held by the City Planning Commission or its designee. The decision of the City Planning Commission shall be final.
 - b) The City Planning Commission shall grant an off-menu incentive if it finds, based upon substantial evidence in the record, that the off-menu incentive is necessary in order to make the Restricted Affordable Units economically feasible. As part of the application materials, the applicant shall provide a pro forma or other documentation to show that the off-menu incentive is necessary in order to make the Restricted Affordable Units economically feasible.
 - c) A Project applicant may apply for the waiver of any development standard contained in this Plan, or to any applicable development standard set forth in the Chapter 1 of the Municipal Code. The City Planning Commission shall grant a waiver if it finds, based upon substantial evidence in the record, that the development standard in question will have the effect of physically precluding the construction of the affordable housing Project with the incentives granted above. As part of the application materials, the applicant shall provide documentation demonstrating the need for the waiver.

- v. Covenant. Applicants who receive a Floor Area Bonus under the Affordable Housing Option shall comply with the following conditions prior to obtaining a building permit for the Project:
 - a) Rental Units. Applicants shall sign and record a covenant acceptable to the Los Angeles Housing Department (LAHD) guaranteeing that the occupancy restriction will be observed for at least 30 years from the issuance of the Certificate of Occupancy or a longer period of time if required by the construction or mortgage financing assistance program, mortgage assistance program, or rental subsidy program.
 - b) For-Sale Units. Applicants shall sign and record a covenant acceptable to the Los Angeles Housing Department and consistent with the for-sale requirements of California Government Code Section 65915(c)(2) guaranteeing that the affordability criteria will be observed for at least ten years from the issuance of the Certificate of Occupancy.
 - c) If the duration of affordability covenants set forth in this section conflicts with the duration of any other government requirement, the longest duration shall control.
 - d) The covenants described in this section must provide for a private right of enforcement by the City, any tenant, or owner of any building to which a covenant and agreement applies.

Figure 2.6 Incentives



- e) Restricted affordable units shall be provided in accordance with the City's most recently approved Affordable Housing Incentives Guidelines.
- f) Rent for the restricted affordable units are established pursuant to California Health and Safety Code Section 50053, except that rent for publicly subsidized restricted affordable units may be established pursuant to HUD's maximum allowable rent levels that are published on the LAHD website each year.

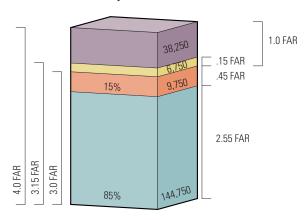
2. Community Benefit Option.

- a. Increased Floor Area Rights. Subject to the limitations set forth below, Project applicants may obtain additional Floor Area Rights by providing the following Community Benefits.
 - i. Open Space. A Project applicant may add 3 square feet of Floor Area for each square foot of publicly accessible open space provided.
 - ii. Community Facility. A Project applicant may add 6 square feet of Floor Area for each square foot of area provided for a Community Facility.
 - iii. Passageway. A Project applicant may add 3 square feet of Floor Area for each square foot of a public passageway that extends from an adjacent street to another public right-of-way.

Figure 2.7

Community Benefit Option

Example of a Non-Residential Project



Ex. Open Space SF \times 3 = Bonus Floor Area SF EX: 3,250 sf \times 3 = 9,750 sf

Community Facility SF x 6 = Bonus Floor Area SFEX: 2,000 sf x 6 = 18,000 sf

Passageway SF \times 3 = Bonus Floor Area SF EX: 3,500 sf \times 3 = 10,500 sf

Total Community Benefit Option = 38,250 sf



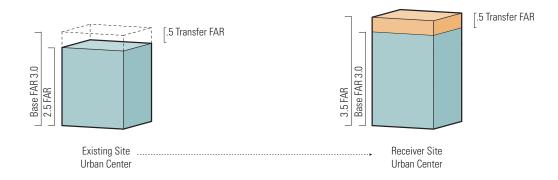
- a) The owner or owners of the lot on which the passageway is to be provided shall record an agreement in the Office of the County Recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the City of Los Angeles, providing that such owner or owners shall continue to provide the passageway as a publicly accessible pedestrian passageway so long as the building or use the passage is intended to serve is maintained.
- b) Such a passageway shall permit unlimited 24 hour public access to pedestrians, bicyclists, and emergency vehicles.
- c) Passageways shall be designed in conformance with Section 2.4 L 3.
- b. Limitations and Administration.
 - Residential and/or Mixed-Use Projects with a Base FAR of 2.5:1 that have obtained a 3.375:1 FAR by utilizing the Affordable Housing Option may obtain up to an additional .625 FAR in locations where the Maximum FAR is 4:1 or greater.
 - ii. Projects that include more than 15 residential units must comply with the Affordable Housing Density Option to be eligible for the Community Benefit Option set forth in this section, or to be eligible for the TFAR Program in Section 2.1 l. below.
 - iii. A Non-Residential Project and/or a Mixed-Use Project with less than 15 Residential units, or a Mixed-Use Project that has a Base FAR of 3:1 and that has Residential uses comprising less than 75% of the total uses on the site may obtain up to an additional 1:1 FAR (where permitted see FAR Map) through the Community Benefits Option. Project applicants must apply for Project Permit Compliance Review, and submit with their application an Allocation Plan as described in Section 6.G of this plan.
 - iv. Public benefits may be provided on the same site as the Project or on a site within the Specific Plan Area.
 - v. The owner or owners of the property that is the recipient of the Community Benefit Bonus shall record an agreement in the Office of the County Recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the City of Los Angeles, providing that such owner or owners shall continue to provide the public benefit (or a substitute benefit approved by the director) so long as the building or use the public benefit is intended to serve is maintained. If the public benefit is to be maintained off-site, then the owner or owners of such off-site property shall also record a covenant for the benefit of the City.

H. Transfer of FAR (TFAR) Program

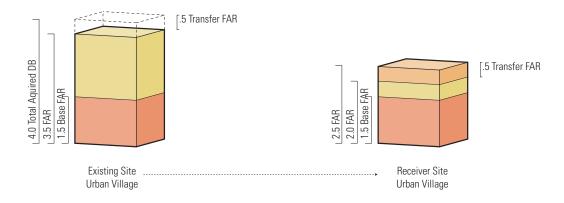
- 1. Where applicable, non-residential Projects may pursue either the Bonus FAR and/or TFAR Programs up to the allowable Maximum FAR. An existing parcel that has an existing FAR that is less than the Base FAR assigned by this Plan may transfer its Unused FAR to a Receiver Site that is located within the same Zoning District.
- 2. An existing parcel within the Urban Village District that is eligible, as a result of participation in the Floor Area Bonus Strategy A Option, may transfer any of its Unused FAR to a Receiver Site that is located within the Specific Plan.
- 3. An existing parcel within the Greenway District that has an existing FAR that is less than the Base FAR assigned by this Plan may transfer its Unused FAR to a Receiver Site that is located within the Specific Plan.
- 4. Properties within the River Buffer Area may transfer any portion of their Unused FAR to another property within the same district but may not be a Receiver Site.
- 5. The value of the transferred FAR shall be determined between the participants of the Transfer unless the Donor Site is owned by either the City of Los Angeles or the Los Angeles River Revitalization (Corporation) in which case the Floor Area Payment described in Section 1.2 D will be used to establish the value and payment method.

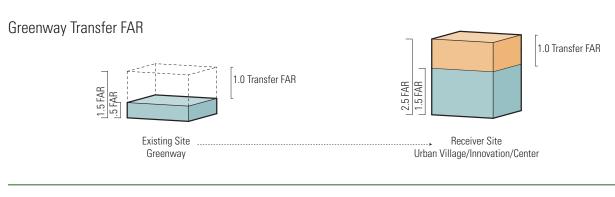
Figure 2.8
Affordable Housing Bonus Transfer FAR

Base Transfer FAR



DB Transfer FAR







2.2 Building Form

A. Purposes

These zoning regulations are intended to:

- 1. Provide spatial and proportional standards that reinforce the street as a large public outdoor room.
- 2. Emphasize the public realm (streets and public open spaces) more than individual buildings.
- 3. Ensure that development is designed with a pedestrian orientation.
- 4. Reinforce the street wall with well-scaled elements or structures that are sensitive to the neighborhood context.
- 5. Respect the smaller scale of adjacent low-density buildings

B. Yard and Setback Regulations

The Project applicant shall provide a site plan that indicates the distance between the Project's property line(s) that abut public rights of way and the front of buildings.

1. Yard Requirements. No yard requirements shall apply except as required by the applicable urban design standards. Project applicants shall provide a Sidewalk Easement where required by the Street Standards established in Section 3 of this Plan.

2. Setbacks.

- a. The building setbacks shall be as defined in the Building Setback Table below. The Streetwall Table, which is also set forth below, defines the percentage of the Streetwall that must observe the required building setbacks.
- b. The ground floor Streetwall (including entries and display windows) may be set back farther than the specified range, provided that structural columns and building walls above the ground floor are located within the specified range.

SETBACK TABLE

Setback	Greenways	Urban Village	Urban Innovation	Urban Center
Street Façade				
- Retail Ground Floor Uses	N/A	0'-5' max	0'-10' max	0'-3' max
- Professional Office/ Live Work	N/A	0'-10' max	0'-15' max	0'-5' max
- Industrial Ground Floor Uses	N/A	0'-10' max	0'-15' max	0'-10' max
- Residential Ground Floor Uses	N/A	0'-15' max	N/A	0'-10' max
Alley, Abutting Property Line	0' min	0' min	0' min	0' min
Public Parks	30' min	30' min	30' min	30' min
River or Arroyo Seco	50' min	50' min	50' min	50' min
Rail Tracks	30' min	30' min	30' min	30' min

Figure 2.9 Ground Floor Streetwall

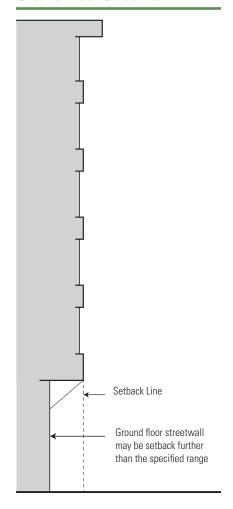
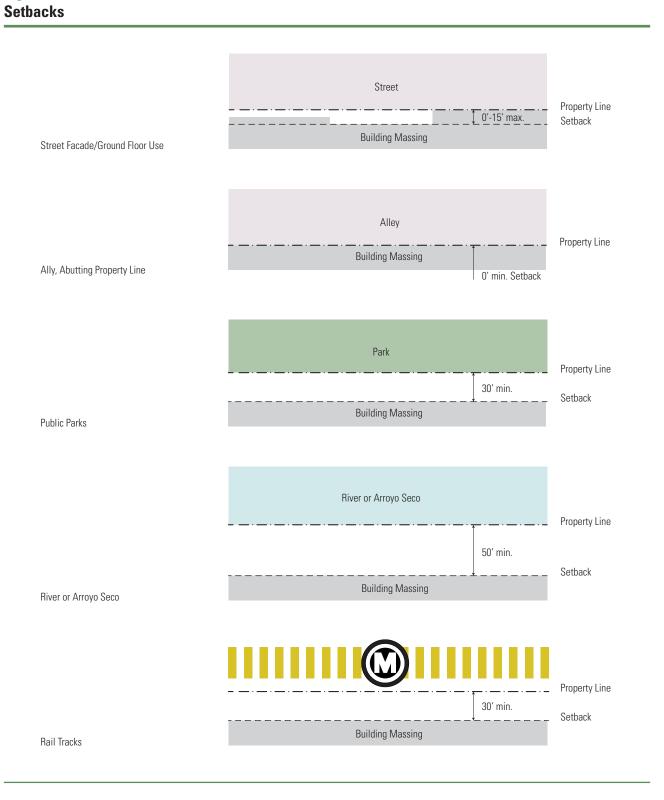


Figure 2.10



C. Streetwall & Massing

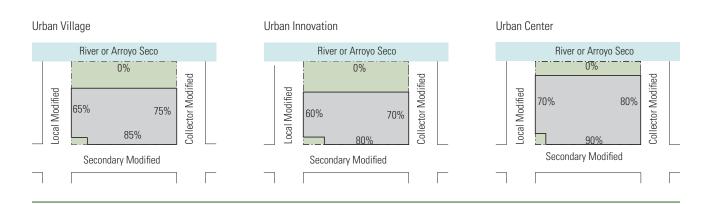
The Project applicant shall provide a site plan that indicates both the overall length of the building and the percent of the facade that is located within the setback area. Indicate what District the Project is located within.

1. **Streetwall**. A minimum percentage of the Streetwall shall observe the required Setbacks as set forth below.

STREETWALL TABLE

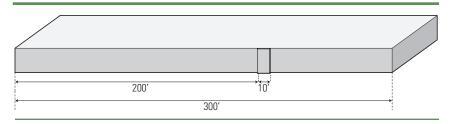
Minimum Percent of Building Streetwall at Setback	Greenways	Urban Village	Urban Innovation	Urban Center
Project Facing River or Arroyo Seco	NA	0%	0%	0%
Project Facing Secondary Modified	NA	85%	80%	90%
Project Facing Collector Modified	NA	75%	70%	80%
Project Facing Local Modified	NA	65%	60%	70%

Figure 2.11 Streetwall



- 2. Projects that include publicly accessible open space and/or stormwater retention/detention features between the building face and the property line shall be exempt from meeting the Streetwall percentage requirements.
- 3. **Massing.** Buildings more than 300 feet in length shall include a design element that provides visual relief every 200 feet. The design feature shall either setback from or step forward from the primary face of the building by at least a depth of 12 inches and shall be of a width no less than 5% of the building face (ex: 5% of 200′ = 10′) and shall extend up the face of the building at least the full height of the building's first story.

Figure 2.12 Massing



D. Maximum Lot Coverage

The Project applicant shall provide a site plan that indicates the square footage of the site, the square footage of the building footprint, and the percentage of the site that is covered with building. The site plan shall also indicate the District and maximum buildable lot coverage permitted for the site.

The percentage of a Project's building footprint relative to the overall site area shall be limited as set forth in the following table.

MAXIMUM LOT COVERAGE TABLE

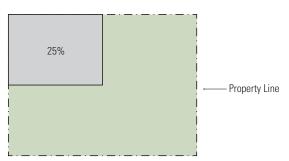
Max Lot Coverage	Greenway	Urban Village	Urban Innovation	Urban Center
Maximum Buildable Lot Coverage*	25%	85%	85%	85%
Maximum Buildable Lot Coverage for Projects Within The River Buffer Area*	25%	50%	50%	50%

Maximum Lot Coverage Table Footnotes

Figure 2.13

Max Lot Coverage

Greenway



Total Lot Size (sf.) x Max Lot Coverage (.25) = Max Buildable Lot Coverage (sf.)

Ex: $7,500 \times .25 = 1,875$

85% ——— Property Line

Urban Village, Innovation, and Center

Totla Lot Size (sf.) x Max Lot Coverage (.85) = Max Buildable Lot Coverage (sf.)

Ex: $7,500 \times .85 = 6,375$

^{*}Existing buildings are exempt from this limitation. Projects within the Modified River Buffer Area are not subject to the lot coverage limitations established for the Maximum Building Lot Coverage For Projects Within The River Buffer Area category set forth in the Maximum Lot Coverage Table. Those Projects are instead subject to the standard Maximum Buildable Lot Coverage category.

E. Height

The Project applicant shall provide an elevation that indicates the building's overall height and the height(s) at the street wall(s).

- 1. 90% of a Streetwall shall comply with the minimum height requirements set forth in the Building Heights Map.
- 2. The average height of the Project shall not exceed the average maximum height limitations established in the Building Heights Map as measured from the lowest ground level point located within five feet from the building.
- 3. Parapet walls and other guard rails utilized to enclose roof terraces, gardens or green roofs may exceed the maximum allowable height by up to 42 inches.
- 4. Buildings shall be designed to cast no more than 1.5 hours of a shadow projection on any park, open space, and/or rooftop area of abutting properties between 10:00 a.m. and 2:00 p.m. on December 21.

The Project applicant shall provide a site plan that includes adjacent properties and indicate the shadow line that will be formed by the building on abutting parks, open spaces, and/or roof top areas, between 10am and 2pm on the Winter Solstice. The site plan shall also indicate the duration of the shadow during these hours.

Figure 2.14

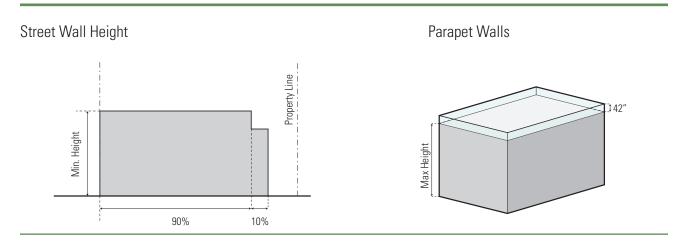
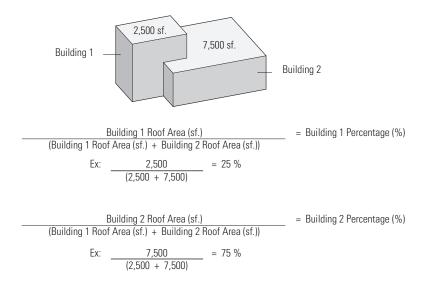
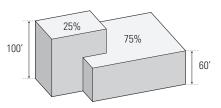


Figure 2.15 Average Height

Step One

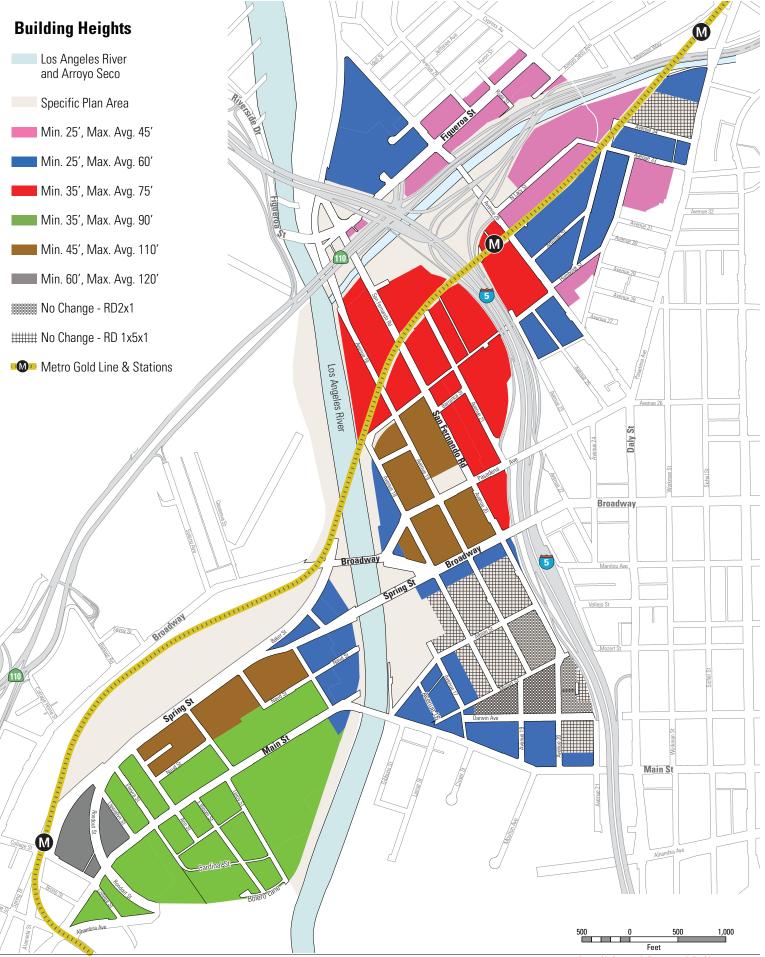


Step Two



(Building 1 Height (ft) x Building 1 Percentage (%)) + (Building 2 Height (ft) x Building 2 Percentage (%)) = Average Height

Ex: $(100' \times .25) + (60' \times .75) = 70'$



Prepared by Los Angeles Department of City Planning 025_h: 05.2013

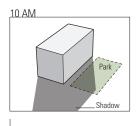
F. Buffers

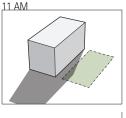
The Project applicant shall provide a site plan and exterior section that indicates the distance from the building to the adjoining low-density residential property, the standard applicable side or rear yard setback of the adjoining property, and the height of the building at the location where it is closest to the adjoining building. The Project applicant shall also demonstrate that the building's height does not excreed 125% of the conbined setback distance.

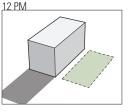
Projects immediately abutting the RD3 zone or a lower density residential zone, and Projects separated only by an alleyway from such zones shall comply with the following standards:

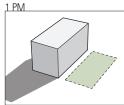
- 1. Projects shall observe a setback buffer of no less than 30 feet between the edge of the building and the property line of the low density residentially zoned property.
- 2. At the buffer line and for a distance of 20 feet back from the buffer line, no building shall exceed a height of 125% of the buffer distance plus the side or rear yard setback required by the zoning of the abutting property. (See Figure 2.17)

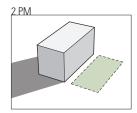
Figure 2.16
Shadow Projection



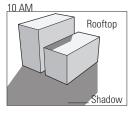


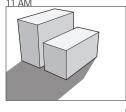


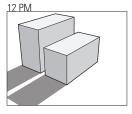


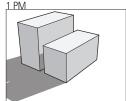


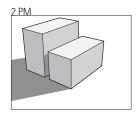
No more than 1.5 hrs of shadow projection on parks











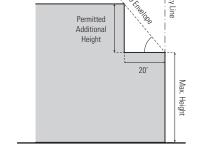
No more than 1.5 hrs of shadow projection on rooftops

3. Additional height is permitted, up to the limits set forth in the Building Heights map, within a 50 degree envelope. (See Figure 2.17)

The Project applicant shall provide an exterior section that illustrates the building's height at the street wall and that demonstrates that the height above the allowable street wall height does not exceed the 50 degree envelope.

Figure 2.17 Buffers





(Open Space Buffer + Side/Rear Setback) x 1.25 = Max. Height Ex. (30 + 5) x 1.25 = 50



2.3 Urban Design

A. Purposes

These zoning regulations are intended to:

- 1. Maximize the advantage of the area's moderate climate by emphasizing the public realm and public spaces more than individual buildings.
- 2. Promote pedestrian-scaled architecture along the street.
- 3. Promote fine-grained and well articulated development while enabling permissible development intensities to be achieved.
- 4. Orient buildings to the street to promote sidewalk activity and reinforce the pedestrian environment along the sidewalk.
- 5. Vary the horizontal plane of a building to provide visual interest and enrich the pedestrian experience, while contributing to the quality and definition of the Streetwall.
- 6. Incorporate glazing that contributes to a warm, inviting environment while also reducing bird collisions by minimizing the reflection of the surrounding habitat or sky.
- 7. Provide well-designed, energy efficient, architectural and landscape lighting that contributes to a safe and inviting atmosphere without casting light into the night sky, adjacent properties, or sensitive habitat areas.
- 8. Integrate all exterior lighting (building, landscape, and security) with the building design, and require such design to be of a character and scale that relates to the pedestrian and accentuates major architectural and special landscape features.
- 9. Respect neighboring properties, and design major mechanical systems, trash and recycling, antennas, glare lighting, and reflective materials to limit adverse impacts.
- 10. Balance the need for security doors and windows with the need to create an attractive, inviting environment.

B. Entrance

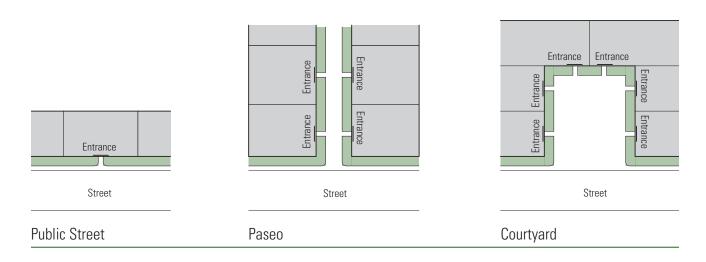
The Project applicant shall provide a site plan that indicates the location of the primary entrances of the building and the location of the entrances in relation to the public street and vehicle parking areas.

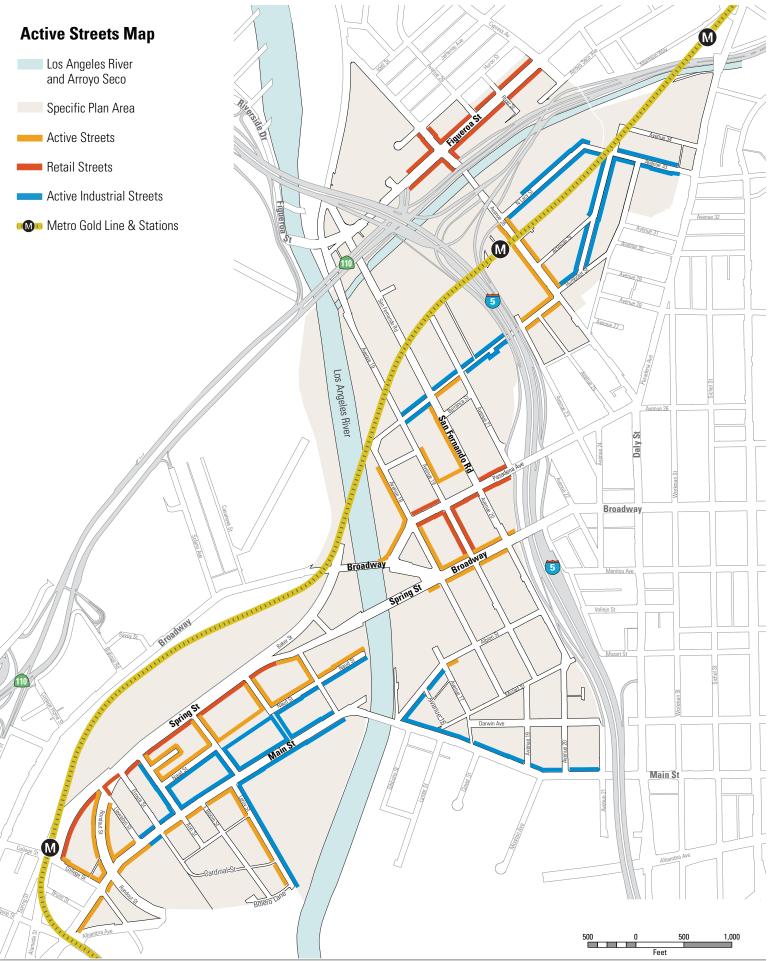
- 1. Primary entrances shall be connected to and visible from a public street such that a pedestrian entering the building need not walk through a vehicle parking area in order to arrive at the entrance.
- 2. Ground floor (non-residential) tenant spaces located on the public street or sidewalk shall have their primary entrance located adjacent to the public street or sidewalk.
- 3. Ground floor (non-residential) tenant spaces not located on the street or sidewalk shall have their primary entrance located adjacent to a pedestrian paseo, courtyard or plaza that is connected to a public street.
- 4. Ground floor residential units with individual entries shall include windows on the ground floor that look out onto the street.



Primary Entrances

Figure 2.18
Examples of Ground Floor Tenant Entrances





C. Ground Floor

The Project applicant shall provide a site plan and/or elevations that indicates the percentage of the building's ground floor frontage intended for retail, community serving, cultural, professional, live/work, residential, and other active space uses.

1. Frontage Uses

a. At least 75% of the ground floor frontage of a building, or 50% of the ground floor frontage of a building intended for Light Industrial uses, located on a Retail Street identified on the Active Streets Map shall be designed to accommodate the following active uses: retail, community serving uses, cultural, professional office, live/work units, residential units with individual entries along the street, and/or other active space such as recreation and meeting rooms, lobbies, sales areas, or common rooms.

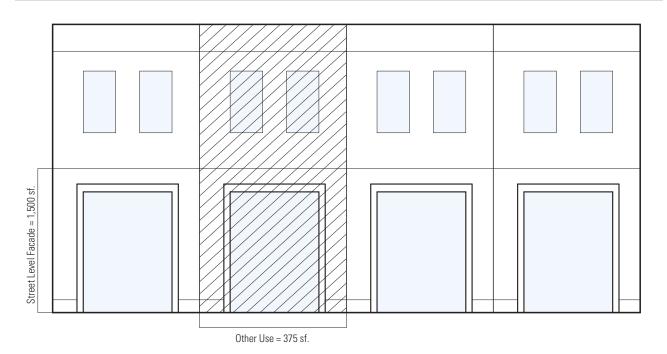


Active Ground Floor



Transparent Facade

Figure 2.19 Frontage Uses



Other Use (sf.) ÷ Street Level Facade = Persent of Other Use Ex. 375 sf. ÷ 1,500 = .25 or 25%

- b. At least 50% of the ground floor frontage of a building, or 35% of the ground floor frontage of a building intended for Light Industrial uses, located on an Active Street identified on the Active Streets Map shall be designed to accommodate the following active uses: retail, cultural, professional office, live/work units, residential units with individual entries along the street, and/or other active spaces such as recreation and meeting rooms, lobbies or sales areas, or common rooms.
- c. At least 25% of the ground floor frontage of a building, or 20% of the ground floor frontage of a building intended for Light Industrial uses, located on an Active Industrial Street identified on the Active Streets Map shall be designed to accommodate the following active uses: lobbies, sales areas, retail, professional office, and/or other active spaces such as meeting rooms.
- 2. Transit Information. All Projects shall provide information concerning local transit services at a primary entry point to the site or building. The information shall be prominently displayed, updated quarterly, and shall include phone numbers, web-information, and a Quick Response (QR) code for transit, paratransit, and taxis as well as brochures and maps for local bus and rail service.

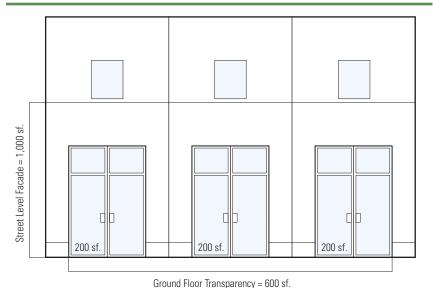
The Project applicant shall provide a ground floor plan that indicates the location and information that will be included for the transit information board.

3. Ground Floor Transparency.

The Project applicant shall provide an elevation that indicates the square footage of the building's street level facade(s), the square footage of the transparent wall openings, and the percentage of the building that is covered in transparency.

- a. Along Retail Streets (as designated in the Active Streets Map), transparent wall openings, such as storefront windows and doors, shall comprise at least 50% of a building's street level façade(s). Such openings shall be located between 2 feet and 8 feet from the finished floor level of the ground floor. An exception shall be made for buildings intended for Light Industrial Uses, in which case the transparent wall openings need comprise only 35% of the building's street level façade(s).
- b. Along Active Streets and Paseos, transparent wall openings, such as storefront windows and doors shall comprise at least 35% of a building's street level façade(s). Such openings shall be located between 2 feet and 8 feet from the finished floor level of the ground floor. An exception shall be made for buildings intended for Light Industrial Uses, in which case the transparent wall openings need comprise only 25% of the building's street level façade(s).

Figure 2.20 Ground Floor Transparency



Street Level Transparency ÷ Street Level Facade = Percent Transparent

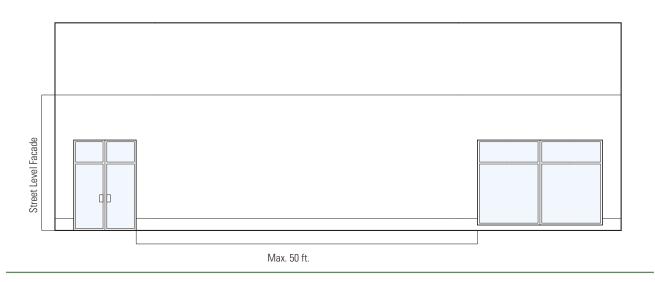
Ex. 600 sf. ÷ 1,000 sf. = .4 or 40%

- c. Along Active Industrial Streets, transparent wall openings, such as storefront windows and doors, shall comprise at least 25% of a building's street level façade(s). Such openings shall be located between 2 feet and 8 feet from the finished floor level of the ground floor. An exception shall be made for buildings intended for Light Industrial Uses, in which case the transparent wall openings need comprise only 18% of the building's street level façade(s).
- d. An exception shall be made for older structures that are being renovated if the transparency requirement would render the building structurally infeasible or would compromise the historical integrity or original character of the building.

4. Ground Floor Facade. To avoid blank walls that would detract from the experience and appearance of an active streetscape there shall be no blank walls (without doors or windows) longer than 50 feet along sidewalks on Active or Retail Streets. Walls with public art installations such as murals shall be exempt, provided such public art or murals are permitted pursuant to the LAMC or other applicable City regulations.

The Project applicant shall provide elevation(s) that indicate the dimension of any blank facades or walls. For blank façade or wall sections 50 feet or greater in length, the applicant shall provide an illustration of the artwork or landscaping that will be installed on or in front of the façade or wall.

Figure 2.21 Ground Floor Facade





Ground Floor Retail



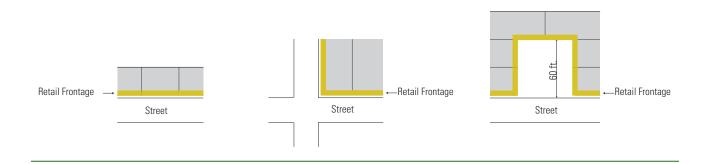
Ground Floor Corner Retail

5. Ground Floor Retail.

The Project applicant shall provide a site plan that indicates the location of the ground floor retail space and the distance of the retail frontage from the sidewalk.

- a. All ground floor retail space shall be located either along the streetwall or along a courtyard or plaza, provided the retail frontage is not set back more than 60 feet from the sidewalk and is visible from the sidewalk.
- b. Where ground floor retail spaces are located along Retail streets that intersect other streets, the ground floor transparency requirements for the Retail street shall apply around the corner for a minimum of 20 feet, even if such street is not also a Retail street.

Figure 2.22
Examples of Ground Floor Retail Locations

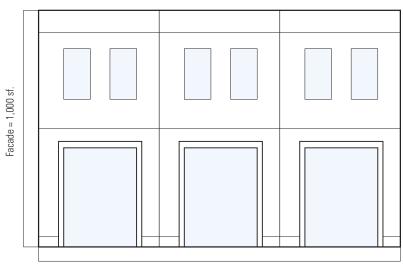


D. Windows and Glazing.

The Project applicant shall provide an elevation that indicates the direction of the facade(s), the square footage of the building facades, the square footage of the windows, and the percentage of the building that is covered in windows.

1. **Windows.** To reduce interior heat gain and improve energy performance, the window to wall ratio (exclusive of the ground floor) shall not exceed 40% on the east, west, southwest, northwest, southeast and northeast facades, unless an applicant can demonstrate with calculations provided by a licensed mechanical engineer that an alternative façade design will provide the same or greater reduction in the building's cooling loads.

Figure 2.23 E, W, SW, NW, SE, and NE Facades



Windows = 400 sf.

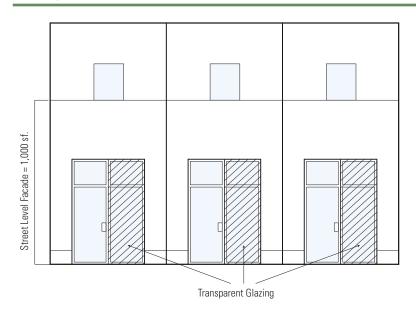
Windows (sf.) \div Facade (sf.) = Window to Wall Ratio Ex. 400 sf. \div 1,000 sf. = .4 or 40%

2. Glazing.

The Project applicant shall provide an elevation that indicates the window and door glazing and the shading devices used to reduce birds' access to glass.

- a. At least 50% of ground-floor window and door glazing shall be transparent and have a 0-10% reflectivity rating, and/or include shading devices, screens or other barriers to reduce birds' access to glass. In addition, or alternatively, the glass may be installed between 20-40 degrees from vertical.
- b. Glazing on the upper floors shall include one or more of the following: 0-10% reflectivity, etching, sandblasted patterns, fretting, low-e patterning, shading devices, screen, other barriers to reduce birds' access to glass, and/or angle the glass between 20-40 degrees from vertical.

Figure 2.24 Glazing



Transparent Glazing \div Total Glazing = Percent Transparent Ex. 100 sf. \div 200 sf. = .5 or 50%

E. Exterior Lighting

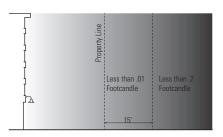
The Project applicant shall provide a site plan and/or elevation that indicates the location of all exterior lighting fixtures, the maximum initial illuminance value, and the total initial lumens emitted at an angle of 90 degrees and higher.

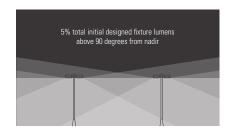
1. General Requirements

- Light levels shall be measured with a photoelectric photometer, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.
- b. The outdoor lighting for all projects in the Urban Center, Innovation, and Village Districts shall be designed such that it produces a maximum initial illuminance value no greater than 0.20 horizontal and vertical foot candles when measured at the site boundary and no greater than 0.01 horizontal foot candles when measured 15 feet from the site. No more than 5.0% of the total initial lumens shall be emitted at an angle of 90 degrees or higher from nadir (straight down).
- c. The outdoor lighting for all projects in the Greenway District shall be designed such that it produces a maximum initial illuminance value no greater than 0.01 horizontal and vertical foot candles when measured at the site boundary. None of the total initial lumens shall be emitted at an angle of 90 degrees or higher from nadir (straight down).
- d. Lighting shall be provided along all vehicular access ways and pedestrian walkways.
- e. All low pressure sodium, high pressure sodium, metal halide, fluorescent, quartz, 60 watts or greater incandescent, mercury vapor, and halogen fixtures shall be fully shielded in such a manner as to preclude light pollution or light trespass on any of the following: an abutting residential use district; a lot zoned for residential use; the public right of way, a park, or open space.
- f. Lighting (exterior building and landscape) shall be directed away from properties and roadways, and shielded as necessary. In particular, no lighting shall be directed at the window of a residential unit located either within or adjacent to a project.
- 2. **Exemptions.** The following outdoor lighting fixtures and activities are exempt from the requirements of this section:
 - a. Fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps.



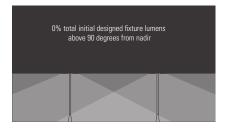
Figure 2.25
Urban Village, Innovation, and C





Greenway





- b. All neon, argon or krypton outdoor lighting fixtures.
- c. Emergency lighting operated by a public utility or agency during the course of repairing or replacing damaged facilities.
- d. Emergency lighting and fixtures necessary to conduct rescue operations, provide emergency medical treatment or address any other emergency situation.
- e. Lighting fixtures within five feet of an entrance or exit door and/or alcove of a dwelling unit, not exceeding a height of eight feet and a wattage not exceeding 75 watts provided there is no light pollution, or light trespass, or provided the lighting fixtures are regulated by a motion detector.
- f. Internally illuminated signs.
- g. Holiday lighting fixtures or displays.
- h. Architectural lighting whether it is freestanding or attached to a building, provided the lighting does not exceed an intensity of 60 watts.
- i. Pedestrian lighting that does not have an intensity greater than 60 watts.
- j. Vertical lighting for the display of flags that does not exceed an intensity of 140 watts.

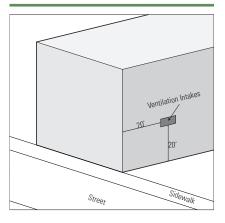
F. Minimizing Impacts on Neighbors

The Project applicant shall provide a site plan and/or elevation that indicates the location of any electrical transformers, mechanical equipment, water meters or other equipment and how they are screened from public view.

- 1. Mechanical Systems and Trash Enclosures
 - a. Mechanical units shall be either screened from public view or the equipment itself shall be integrated into the architectural design of the building.
 - b. Ventilation intakes/exhausts shall be located at least 20 feet vertically and horizontally from a sidewalk and air flow shall be directed away from the public area.
 - c. Recycling and trash facilities shall be screened from public view.
 - d. Exterior trash enclosures shall:
 - i. Be designed to complement the primary building with a wall height that exceeds, by at least 18 inches, the disposal unit it is designed to contain;
 - ii. Have a solid roof to deter birds and to block views from adjacent properties;
 - iii. Be comprised of solid metal doors that accommodate a lock and that remain closed when not in use; and
 - iv. Not be constructed of chain links or wood.

The Project applicant shall provide a site plan and/or site plan sections showing any exterior trash enclosures, the wall height of the structure, the height of the disposal unit, and the materials to be used in the construction of the structure.

Figure 2.26 Ventilation Intakes



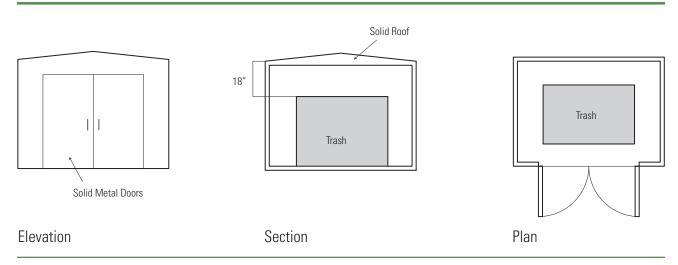




Security Features

- 2. Ground Floor Utilitarian Uses.
 - a. Electrical transformers, mechanical equipment, water meters and other equipment shall not be located along the ground floor streetwall unless screened from public view.
 - b. Electrical transformers, mechanical equipment, other equipment, enclosed stairs, storage spaces, and blank walls shall not be located within 100 feet of a corner.
- 3. Security Grills and Roll-Down Doors and Windows.
 - a. Exterior roll-down doors and security grills are not permitted unless they are designed to be 75% transparent (open) or retractable and fully screened from view during business hours.
 - b. Windows with security features shall not block more than 30% of the natural light to the interior, and shall be designed as an architectural feature compatible with the building's style.

Figure 2.27
Example of Exterior Trash Enclosure





2.4 Open Space

A. Purposes

These zoning regulations are intended to:

- 1. Provide inviting, safe and accessible public open space.
- 2. Increase recreational opportunities for residents, employees, and visitors.
- 3. Provide pedestrian linkages throughout the Plan area.
- 4. Provide parks and open space that minimizes demand for potable water resources.
- 5. Encourage community-based and local food production.
- 6. Provide open space areas that provide for native habitat and facilitate the migration of local species.
- 7. Provide adequate lighting to create a park environment where residents feel safe.
- 8. Generate visual interest by creating focal points and meeting places to enhance the area's image.
- 9. Support an easy transition between indoors and outdoors.
- 10. Include permanent and temporary seating that is placed with consideration to sun and shade, and other factors contributing to human comfort.
- 11. Support the goals of the Los Angeles River Revitalization Master Plan.
- 12. Contribute to the environmental and ecological health of the City's watersheds.
- 13. Establish a positive interface between river-adjacent property and river parks and/or greenways.
- 14. Promote the river identity of river-adjacent communities.

B. Open Space Typologies

Adjacent. Properties that abut a river and/or abut a river frontage road.



Alleys. Alleys provide access to service activities and while not typically the most visible of public spaces they can facilitate physical connections between traditional open spaces.

Balconies. Balconies are typically private open space areas generally available exclusively to a unit's occupants and their visitors.

California -Friendly Plants.
Plants defined as drought
tolerant and suitable to Southern
California by the Metropolitan
Water District. A full list of plants
is available at: http://www.
thegarden.org/siteDocs/resources/
CAFriendlyList-botanical.pdf.



Community Gardens.
Community Gardens provide community members with local opportunities to tend individual plots and grow their own food.



Courtyards. Courtyards are common open space areas of a scale and enclosure that is conducive to social interaction at a smaller scale. A courtyard is typically contained on three sides by building and/ or architectural features.



Entry forecourts. Entry forecourts announce the function and importance of primary building entrances. They should provide a clear comfortable transition between exterior and interior space. An entry forecourt is typically contained on two sides by building and/or architectural features.

Invasive Plants. Plants identified by the California Invasive Plant Council (CAL-IPC) and included on the California Invasive Plant Inventory at: http://www.cal-ipc.org/ ip/inventory/pdf/Inventory2006.pdf.

Los Angeles County's River Master Plan's Landscaping Guidelines and Plant Palettes. A plant palette comprised primarily of native plants suitable for a riparian habitat. The Guidelines can be found at: http://ladpw.org/ wmd/watershed/LA/LARPlanting guidelineswebversion.pdf.

Native Plants. A native plant is one that occurs naturally in a given geographic area. Examples are trees, flowers, grasses and any other plants included in the California Native Plant Library at: http://www. theodorepayne.org/mediawiki/ index.php?title+Main_Page

Parks. Parks provide a wide range of recreational opportunities for multiple users.



Paseos. Paseos are extensions of the street grid located on private property. As outdoor

passages devoted exclusively to pedestrians, they establish clear connections between streets, plazas and courtyards, building entrances, parking and transit facilities. A paseo is typically contained on two sides by building and/or architectural features.

Patios. Similar to Balconies, Patios are typically private open space areas generally available exclusively to a unit's occupants and their visitors.



Plazas. Plazas are common open space areas typically amenable to larger public gatherings. They are readily accessible from the street, as well as active building uses. A plaza is typically contained on only one side by building and/or architectural features.

Promenade. A public area set aside as a pedestrian walkway.

Public-Right-of-Way (ROW). A parcel of land over which the public can legally traverse. It usually consists of a street, road, sidewalk, or footpath.



Residential Setbacks. Building setbacks adjacent to residential buildings provide a transition between the public and private realm, allowing residents to have private spaces with visual access to the public realm.

River. A general term for a body of flowing water. A river may be classified as follows in relation to time: perennial (flows continuously) or, intermittent (flows seasonally).

Riverfront Door. An exterior door of a Project that faces and is directly accessible from the adjacent river corridor or river frontage road.



Roof Terrace. Roof terraces and gardens can augment open space and are especially encouraged in conjunction with hotels or residential uses.



Streets. Streets are the most public of all open spaces. Streets communicate the quality of the public environment and the care a city has for its residents.



Trails. Trails provide opportunities for walking and hiking without the interruption of vehicular traffic.

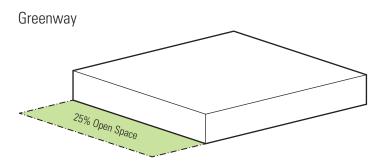
Watershed Friendly Plants.
Plants included in the Watershed
Friendly Plant List published by the
Council for Watershed Health.

C. Area Requirements

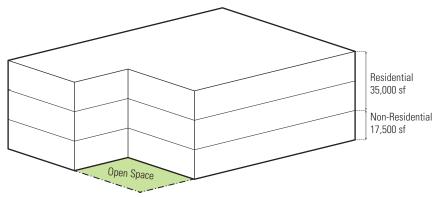
The Project applicant shall provide a site plan that indicates the location and size of the open space area, the total site area, and the representative percentage of the open space area. If the open space area is not located on the same site as the Project, the applicant shall provide an area site plan that indicates the location of the Project relative to the open space, whether the open space area satisfies the open space requirement of more than one lot, and whether the square footage of the new alleyways, paseos, or new streets is included in the open space contribution. The applicant shall also indicate the location of all railway right of ways.

1. All Projects in the Greenway District shall maintain 25% of the lot area as open space, and if the property is owned by the City the area shall be publicly accessible.

Figure 2.28
Area Requirements



Urban Village, Innovation, Center



Ex. $35,000 \text{ sf.} \div 16 = 2,188 \text{ sf.}$ $17,500 \text{ sf.} \div 48 = 365 \text{ sf.}$ 2,188 + 365 = 2,553 sf of Open Space

- 2. All Projects in the Urban Village, Urban Center and Urban Innovation Districts shall provide:
 - a. One square foot of open space area for building users per every 16 square feet of residential space; and
 - b. One square foot of open space area for building users for every 48 square feet of non-residential space.
- 3. At least 50% of the required open space shall be provided as common open space and shall comply with LAMC Section 12.21 G 2(a).
- 4. Projects may provide up to 25% less common open space if the common open space is publicly accessible and is maintained at no public expense.
- 5. Private open space shall comply with Section 12.21 G 2 (b).
- 6. Any common area or publicly accessible open spaces shall be located within 900 feet of the Project.
- 7. Multiple Projects may combine the open space requirement of each Project into a single open space equal to no less than the sum of the requirement of each parcel as long as the combined spaces remain accessible to all of the residents, employees or visitors of the respective Projects.
- 8. In the case of a Transfer of Floor Area Rights, a Project may comply with the provisions of this Section by providing the required open space on either the Receiver or the Donor Site.
- 9. All parking areas, including access aisles, and driveways qualify as usable common or publicly accessible open space provided that the area complies with the following design standards:
 - a. Traffic design speed is 5 mph or less; and
 - b. Parking Lot Design Standards in Section 2.5 D 3. of this Plan are met.
- 10. Public alleyways, paseos, or new streets that are added to a Project site shall qualify as publicly accessible open space and may be used to satisfy the open space requirement.



Bikeshare



Transit Shelter



Soccer Field



Newsstand

F. Permitted Uses

The Project applicant shall provide a landscape that indicates the location and specifications of the functional uses.

Publicly Accessible Open Spaces shall be designed to serve at least one function including but not limited to:

11 411 6
Trails, Alleys, Streets, Paseos for walking
d bicycling
ansit Hub Amenities
ercise Areas, Yoga,
ates, and Tai Chi

G. Access

The Project applicant shall provide a site and/or landscape plan that indicates the location and specifications of the paths of travel, public access points, height of access point above or below the adjacent grade, and intended hours of access.

- 1. All paths of travel shall conform to the standards of the Americans with Disabilities Act (ADA).
- 2. Publicly accessible open spaces shall:
 - a. Be at the same level as the public sidewalk for at least 50% of its frontage and for a depth of 10 feet. The remainder may not be more than three feet above or below the street curb level.
 - b. Be visible from an adjoining street(s) or adjacent parks.

H. Dimensions and Boundaries

The Project applicant shall provide a landscape plan that indicates the dimensions of the open space area. If the open space is greater than one acre, the plan shall also indicate the ratio between the length and width of the open space area.

All publicly accessible open space shall have a minimum area of 650 square feet with no horizontal dimension less than 15 feet when measured perpendicular from any point on each of the boundaries.

I. Seating

The Project applicant shall provide a site or landscape plan that indicates the location of all seating areas and the quantity of seating relative to the amount of open space.

One linear foot of seating shall be provided for every 500 square feet of common or publicly accessible open space area. The flat top of walls and ledges may count as seating as long as they are no less than 15 inches in depth, between 15 inches and 20 inches in height, and have smooth surfaces to ensure comfort.

J. Landscape

The Project applicant shall provide a site or landscape plan that indicates the Open Space Type of each open space area, identifies the location and size of the requisite planting area, and the percentage of landscaped area relative to the overall open space area.

The Project applicant shall provide a landscape demolition plan that identifies the location of all existing weedy plants and describes the removal plan.

- 1. Landscaping shall conform to the following regulations:
 - a. Plant Species. 75 percent of a Project's newly landscaped area shall be planted with either indigenous native trees, plants and/or shrubs and/ or species as defined by the Los Angeles County's River Master Plan's Landscaping Guidelines and Plant Palettes and/or Watershed Friendly Plants.
 - b. **Invasive Plants**. All existing invasive plants shall be removed from the Project area, and any plants identified by the CAL-IPC shall not be permitted.

2. Trees.

The Project applicant shall provide a landscape plan that indicates the location, caliper at planting, radial distance at maturity of each tree, and the material and porosity of the surface area under the tree.

- a. Deciduous trees shall be installed at a minimum of one tree per 600 square feet of common or publicly accessible open space area.
- b. Trees in common and/or publicly accessible open space areas must have a minimum caliper size of 4 inches at planting and have a canopy of at least 10 feet at maturity.
- c. A 32 square foot permeable surface shall be maintained below each tree.

3. Irrigation

The Project applicant shall provide a landscape irrigation plan that indicates the location and size of each drip outlet, the specification for the Weather Based Irrigation Controller, and the location and specification of the purple pipe that will service the system.

- a. Irrigation systems shall be equipped with a Weather Based Irrigation
 Controller such that the system does not turn on during a storm event or
 when the soil has a moisture level sufficient to support the plant species.
- b. Irrigation systems shall be designed to meet the water needs of different parts of the landscape. This is referred to as Zoned Irrigation.
- c. Any irrigation system shall be plumbed with a purple pipe to enable a connection to a recycled or gray water system once it is available.
- d. All irrigation systems shall be either drip, microspray, or subsurface depending upon the type and number of plants the irrigation is servicing.

4. Hardscape and Materials

The Project applicant shall provide a site and/or landscape plan that indicates the location and Solar Reflectance Index of all hardscape materials.

The Project applicant shall provide elevations of all fence or vertical border sections.

- a. Hardscape materials shall have a Solar Reflectance Index (SRI) of at least 29.
- b. No spikes, pointed railings, or other sharp objects are permitted.

K. Operations and Maintenance

The owner or owners of the lot on which the publicly accessible open space is to be provided and maintained shall record an agreement in the Office of the County Recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the City of Los Angeles, providing that such owner or owners shall continue to provide and maintain the publicly accessible open space as described in Sections 5 of the Plan so long as the building or use the open space is intended to serve is maintained.

L. Specialty Design Requirements

The Project applicant shall provide a landscape plan that indicates the additional amenities that will be provided.

1. Community Gardens

The Project applicant shall provide a landscape plan that indicates the location of the fencing, watering system, and secure storage space and that includes a list of the parties who will be responsible for maintaining the garden's operation.

- a. Community gardens shall provide fencing, a watering system and a secure storage space.
- b. Community gardens must have solar access to at least 4 hours of summer sun between the hours of 10am and 2pm.
- c. The Project applicant shall identify the parties responsible for maintaining the garden's operation.
- 2. Park Recreational Areas. Park/Recreational areas shall be designed to the specifications of the Department of Recreation and Parks.

The Project applicant shall provide a landscape plan that indicates how the area is consistent with the specifications of the Department of Recreation and Parks.

3. Paseos. Paseos shall be designed to:

The Project applicant shall provide a landscape plan that indicates the width, length, site lines, and percentage of frontage devoted to active uses.

a. Be at least 20 feet wide;



Off-Leash Dog Park

- b. Have a clear line of sight from the street to the end of the passageway, gathering place, or focal element; and
- c. Be at least 50% open to the sky or covered with a transparent material.
- 4. Off-Leash Dog Park. Off-leash dog parks shall use softscaping to capture and "scrub" animal fecal matter.

The Project applicant shall provide a landscape plan that indicates the ground material to be used in the dog park, describes the maintenance plan, and identifies the parties responsible for its maintenance.

M. River Design Standards

- For all Projects that face a street that crosses the River or terminates at the River or a River frontage road, if a fence located within the front and/ or side yards of the Project is visible from the street, then the fence shall be designed to be consistent with the Los Angeles County Master Landscape Guidelines. This requirement shall not apply to single family homes.
- 2. All Projects located adjacent to the River or Arroyo Seco shall:
 - a. **Landscape Buffers.** Provide a 10 foot landscape buffer as measured from the Project's property line that is adjacent to the river. New building structures and/or parking shall not be permitted within the 10 foot landscape buffer.
 - b. **Fence.** All fences located within 10 feet of the river corridor shall be consistent with the fence designs identified in the Los Angeles County River Master Plans Landscape Guidelines.
 - c. **Fence Height.** All fences located within less than 10 feet of the river shall be no higher than 6 feet in height; and all fences located at the 10 foot landscape buffer setback line, shall not exceed 10 feet in height. A fence located within a landscape buffer that also serves a Project's front yard shall be limited in height to 3 feet 6 inches.
 - d. Gates. All fences located within 10 feet of the river shall be consistent with the gate designs identified in the Los Angeles County River Master Plans Landscape Guidelines. The gate height shall be consistent with the adjacent fence height and shall be designed to not encroach into either the river and/or public right-of-way when opened.
 - e. **Noise.** All Projects subject to a conditional use permit for the sale or dispensing of alcoholic beverages, including beer and wine, shall incorporate noise-attenuating features (physical as well as operational) designed by

- a licensed acoustical sound engineer to assure that operational sounds shall not exceed 5 dba above the existing measured or presumed ambient levels at the property line(s) of properties on the opposite bank.
- f. River Access. All river adjacent Projects that partially or wholly abut the river shall have access gates to the River that are compliant with the Americans with Disabilities Act. The gates shall also be designed to be accessible to bicyclists. Access may be controlled and limited to any or none of the following: residents, employees and/or visitors of the Project.
- g. **Riverfront Door.** All Projects located either adjacent to the river corridor or frontage road shall include a Riverfront Door visible to, and accessible from the river corridor or frontage road.

Exceptions

An exception to the California Friendly, Native and/or Los Angeles County River Master Plans Landscape Guidelines requirement can be made on a 1:1 replacement ratio for horticulture such as herbs, fruit, or vegetables for up to 100% of the landscaped area.



2.5 Parking and Access

A. Purposes

These zoning regulations are intended to:

- 1. Manage and control the parking supply and demand.
- 2. Avoid an oversupply of parking.
- 3. Increase pedestrian, bicycle, and transit use, and reduce vehicular trips to, through, and within the area.
- 4. Minimize the area's parking footprint and preserve land for other productive uses.
- 5. Reduce the cost of parking typically associated with new construction.
- 6. Provide vehicular access from side streets or alleyways to minimize driveways along Active Streets, to maintain building continuity and to avoid vehicle and pedestrian conflicts.
- 7. Create active ground floors around the base of parking structures that are adjacent to Active Streets.
- 8. Screen parking to provide a safe, aesthetically pleasing and secure environment for pedestrians.
- 9. Provide adequate signage to public parking structures to aid visitors in finding the structures upon arrival and in becoming oriented to their surroundings.
- 10. Encourage the use of alternate modes of transportation by reducing the availability of off-street parking.
- 11. Limit the number and width of curb cuts and vehicular entries to promote streetwall continuity and reduce conflicts with pedestrians.
- 12. Encourage the provision of shared parking agreements and/or public parking facilities.

B. Parking Regulations.

- 1. **No Minimum Parking Requirements.** Projects located in this Plan area need not provide on-site or off-site automobile parking.
- 2. All Projects that elect to provide any parking shall provide:
 - a. Vehicle charging stations for a minimum of 1% of the vehicle parking spaces.
 - b. Designated stalls for scooters, mopeds and motorcycles at a ratio of one space for every 25 units and/or 25,000 square feet.
 - c. Clear directional signage indicating the location of vehicle charging stations, shared vehicle parking spaces, and scooter, moped, and motorcycle stalls shall be provided at all parking area entrances.
- 3. All Project applicants who elect to provide parking are encouraged to provide one shared vehicle parking space for every 25 units and/or 25,000 square feet of construction.

4. Bicycle Parking.

- a. Residential Bicycle Parking standards. Notwithstanding the provisions
 of LAMC Section 12.21 of the Code and regardless of the underlying
 zone, Residential Projects or those residential portions of Mixed-Use
 Projects within the Specific Plan area, shall provide both short and longterm bicycle parking as described in LAMC Section 12.21 A 16 (a)(1).
- b. Non-Residential Bicycle Parking standards. Notwithstanding the provisions of Section 12.21 of the Code and regardless of the underlying zone, Non-Residential Projects or those non-residential portions of Mixed-Use Projects within the Specific Plan area shall provide both short and long-term bicycle parking as provided per LAMC Table 12.21 A 16 (a)(2) and Sections 12.21 A 16 (a)(2)(ii) and 12.21 A 16 (a)(3).
- c. Open Space and Public Park Bicycle Parking Standards. Notwithstanding the provisions of Section 12.21 of the Code and regardless of the underlying zone, Open Space areas and Public Parks within the Specific Plan area shall provide a minimum of two bicycle parking spaces for every 15,000 square feet of open space or park area.
- d. Additional Requirements and Allowances. Short-term bicycle parking shall be eligible to participate in the Bicycle Parking in the Public Right-of-Way and Bicycle Corrals programs as described in LAMC Sections 12.21 A 16 (f).



Charging Stations



Bicycle Parking



Bicycle Parking

5. **Unbundled Parking**. Project landlords shall unbundle automobile parking charges from the rents or other fees charged for occupying living, employment, commercial, or industrial space. If a Project includes a subdivision, provisions shall be made in the subdivision process such that any automobile parking spaces shall be separately sold, leased, or rented from the living, employment, commercial or industrial space. The owner or owners of the lot on which the parking is to be provided shall record an agreement in the Office of the County Recorder of Los Angeles County, California, as a covenant running with the land for the benefit of the City of Los Angeles, providing that such owner or owners shall continue to segregate parking fees from rents or other fees charged for occupying Project space so long as the building or use the parking is intended to serve is maintained. This Plan does not prohibit landlords from leasing or licensing parking spaces to third parties who do not lease living, employment, commercial, or industrial spaces within the Project.

Exceptions. Restricted Affordable Units are exempt from this regulation.

C. Parking Design Requirements

- 1. **Bicycle Parking Design.** All bicycle parking shall be designed to comply with the Bicycle Parking Requirements, and Design Standards, as described in LAMC Sections 12.21 A 16 (d), and (e) respectively.
- 2. **Parking Structure Design.** Good parking structure design can elevate the building's stature and contribute to the overall quality of the built landscape. In order to achieve good parking structure design, all Projects shall comply with the following standards:
 - a. Parking structures shall have an external skin designed to improve the building's appearance and to conceal ramps, walls and columns. This can include heavy-gage metal screens, pre-cast concrete panels, laminated glass or photovoltaic panels.

The Project applicant shall provide elevations that indicate the external skin design. Elevations shall identify the materials used for the skin.

b. Parking structures that include parking at the ground level shall either line the perimeter with active uses and/or provide a low screen to block parked vehicle bumpers and headlights from pedestrian views.

The Project applicant shall provide a ground floor plan that indicate the location of any ground level parking, the circulation systems (elevators and stairs), and either the active uses or low screening element lining the parking. The applicant shall also provide a scaled illustration of the screening element when applicable.

- c. Vertical circulation cores (elevators and stairs) shall be highlighted architecturally so visitors can easily find and access these entry points.
- d. Parking levels above the ground floor shall be screened to block parked automobiles from the public view.

The Project applicant shall provide an elevation that illustrates how parking on levels above the ground floor shall be screened from public view.

e. Parking structures that are within 200 feet of any residential use shall:

The Project applicant shall provide a site plan that includes the Project site and the existing uses on all of the abutting properties. When the existing use is residential plans, elevations and specifications shall also be provided that indicate:

- a. The elevation and the materials on parking structure facades adjacent to the residential uses; and, b. Information to indicate that a textured surface shall be used on the floors and ramps; and, c. The location and specifications of interior garage lighting.
- i. Contain solid decorative walls and/or baffles to block light and deflect noise along those sides closest to the residential use;
- ii. Contain solid spandrel panels at a minimum of 3 feet 6 inches in height, installed at the ramps of the structure, to minimize headlight glare;
- iii. Construct garage floors and ramps using textured surfaces to minimize tire squeal;
- iv. Locate exhaust vents away from residential uses; and
- v. Eliminate light source glare falling on the adjacent residential units.

3. Parking Lot Design

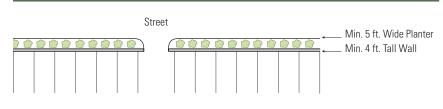
The Project applicant shall provide a site plan that indicates the location of the surface parking lot, the parking capacity of the lot, the location, dimensions, and design of any screening, the location, dimensions, and description of any stormwater Best Management Practices, and the location and design strategy employed to achieve the 50% shade requirement.

The applicant shall also provide a landscape plan that indicates the location, dimensions, and percentage of the planting areas relative to the surface parking lot, the selected planting species, and the species, quantity, and location of trees, the design, and dimensions of the protective tree barriers, and the location and design standards of the pedestrian paths.

- a. Parking lot area may contribute towards open space requirements as long as parking is limited to the hours of 7pm to 7am, the parking lot area has a traffic design of five mph or less, and the parking lot area is designed to accommodate a functional use(s) such as described in Section 2.4 D.
- b. The parking capacity of a surface parking lot shall be limited to no more than 10% of the total parking provided for the specific Project unless the parking lot area has a traffic design of 5 mph or less.

- c. No at-grade parking space shall be located within the front yard.
- d. Loading areas and off-street parking facilities containing three or more spaces and not located in a structure shall be effectively screened from abutting streets and lots. However, such screening shall not obstruct the view of the driver entering or leaving the loading area or parking facility, or the view from the street of entrances and exits to a loading area or parking facility. The screening shall consist of one or a combination of the following:
 - A strip at least five feet in width of densely planted shrubs or trees that are at least two feet high at the time of planting and are of a type that may be expected to form, within three years after time of planting, a continuous, unbroken, year round visual screen; or
 - ii. A wall, barrier, or fence of uniform appearance. Such wall, barrier, or fence may be opaque or perforated provided that not more than 50% of the face is open. The wall, barrier or fence shall be between four and six feet in height.

Figure 2.9Off-Street Parking Facility



- e. Parking lots shall be designed to provide any combination of the following strategies for at least 50% of the surface parking lot and driveways:
 - i. The applicable parking area shall be shaded within five years of occupancy,
 - ii. Utilize paving materials with a Solar Reflectance Index (SRI) of at least 29, or
 - iii. Consist of an open grid pavement system.

Min. 5' by 5' Planters

Min. 5' by 5' Planters

Min. 5' by 5' Planters

Min. 0ne
Tree per
Planting Area

Min. 0ne
Tree per 10
Parking Spaces
Ex. 125 sf ÷ 2,500 sf = .05 or 5%

Figure 2. 30On Grade, Open Parking Facilities

- f. On grade, open parking facilities that contain five or more parking spaces shall be landscaped in accordance with the design regulations set forth in Sections 2.4 H 1, 3, and 4 and the following requirements:
 - i. At least 5% of the interior area of the parking facility shall be landscaped with native trees, plants and shrubs as defined by the Los Angeles River Master Plan's Landscape Guidelines and Plant Palettes and/or the Watershed Friendly Shade Tree List. This requirement is in addition to the perimeter planting and screening requirements.
 - ii. Each planting shall be at least twenty five square feet in area and have no dimension less than five feet.
 - iii. Each planting area shall contain at least one tree and the facility as a whole shall contain at least one tree for every ten parking spaces.

- iv. Trees used to satisfy parking lot landscaping requirements shall be a minimum of three inch caliper at planting and shall be suitable for location in parking lots.
- v. Existing trees shall be preserved wherever possible.
- vi. Existing and new trees shall be protected by bollards, high curbs or other barriers sufficient to minimize damage.
- vii. Parking lots shall be designed to provide clear and designated paths of travel for pedestrians.
- viii. Paths shall conform to the standards of the Americans with Disabilities Act.
- 4. **Parking Signage**. Parking that is available to the public shall include signage that helps visitors locate the parking.

D. Vehicular Access

The Project applicant shall provide a site plan that indicates the location, dimension of, and distance between, all existing and proposed curb cuts. The plan shall indicate the name, location, and designation of all abutting streets.

- 1. No curb cuts are permitted from Secondary Modified and Collector Modified Streets except when no other street type is adjacent to the Project.
- The primary point of vehicular access for parking facilities and services such as unloading or refuse pick-up shall be located along Local Modified Streets, Local Modified Industrial Streets or Alleyways, if the Project has access to such streets or Alleyways.
- 3. Not more than two driveways shall be permitted per building, and there shall be a minimum 20 foot span between them.
- 4. Driveways shall not exceed the minimum width required by LADOT.



Curb Cuts

5. A vehicular exit from a parking structure within five feet of a sidewalk area, paseo, or trail shall feature a visual/audible alarm to warn pedestrians and cyclists of exiting vehicles.

The Project applicant shall provide a site plan that indicates the location of and distance to all primary building entrances, pedestrian paseos, or any public outdoor gathering area from the parking and loading areas. The plan shall include the location, and specification of a visual and audible alarm for any vehicular exit that is located within 5' of a sidewalk area, paseo, or trail.

E. Drop-Off Zones. Drop-off Zones, when provided, shall either be located:

- 1. Within, or along the driveway access to the off-street parking facilities, or
- 2. Alongside the required curb line where there is a full-time curbside parking lane with no sidewalk narrowing.



2.6 Conservation

A. Purposes

These zoning regulations are intended to:

- 1. Reduce energy demand.
- 2. Recycle water and decrease demand for potable water.
- Reduce waste and use of new materials.
- 4. Reduce demand on natural resources.
- B. Plumbing and Plumbing Fixtures. For all projects installing or replacing plumbing or plumbing fixtures:

The Project applicant shall provide a plumbing plan that indicates the location of all male public restrooms that require a urinal. Indicate the model and type of urinal specified.

1. All faucets not governed by City Ordinance 180822 shall be limited to 1.5 gallons per minute.

The Project applicant shall provide a plumbing plan that indicates the location and flow rate of all faucets no governed by City Ordinance 180822.

2. Residential shower stalls shall not have more than one shower head per stall. Shower head flow shall be no greater than 2.0 gallons/minute.

The Project applicant shall provide a plumbing plan that indicates the location of all residential showers and their shower head.

3. All residential units shall be either individually metered or sub-metered such that each unit is billed individually for its water use.

The Project applicant shall provide a plumbing plan that indicates the location and quantity of all water meters and sub-meters. The plan shall indicate the number of owners or tenants that will utilize each meter or sub meter

4. All Projects, that involve the installation of a new internal rough plumbing system shall install a dual plumbing system such that toilets and industrial uses can be served by recycled water, if authorized by applicable law.

The Project applicant shall provide a plumbing plan that indicates the location and design of the dual plumbing system.

- 5. Tankless and on-demand Water Heaters shall be installed in lieu of standard water heaters.
- 6. Conductivity Controllers or pH Conductivity Controllers shall be used when installing Cooling Towers.

C. Interior Lighting Design and Operations. For all projects installing or replacing interior lighting system:

1. All non-residential buildings or portions thereof shall install lighting controls to extinguish all unnecessary exterior and interior lights from 11pm to sunrise.

The Project applicant shall provide a lighting plan that indicates the location, and performance measures of lighting controls for all of exterior and interior lights that are not required to be on between the hours from 11pm and sunrise.

- 2. All buildings shall schedule nightly maintenance activities to conclude before 11p.m.
- 3. All non-residential buildings or portions thereof shall use gradual, "staggered switching" to turn on building lights at sunrise rather than instant light-up of the entire building.

The Project applicant shall provide a lighting plan that indicates the performance measures of the "staggered switching" plan.

4. All non-residential buildings or portions thereof shall install devices such as photo-sensors, infrared and/or motion detectors to turn off lights when no occupants are present.

The Project applicant shall provide a lighting plan that indicates the location and performance measures of all photo sensors, infrared, and motion detectors.

5. All commercial and industrial buildings or portions thereof shall design lighting layouts in smaller zones and avoid wholesale area illumination.

The Project applicant shall provide a lighting plan that indicates the location of the lighting areas.

6. All non-residential perimeter space with a continuous depth of 20 feet shall have 20% dimming ballasts and day lighting control.

The Project applicant shall provide a lighting plan that indicates the location of dimming ballasts and day lighting controls within the first 20' of all non-residential perimeter spaces.

7. All buildings shall include dimmers in lobbies, atria and perimeter corridors for nighttime use.

The Project applicant shall provide a lighting plan that indicates the location of all dimmers in lobbies, atria and perimeter corridors.

D. Energy Generation

The Project applicant shall provide a plan that indicates the location of the on site renewable energy system and the percent of electrical needs it provides.

 All New Construction Projects shall install and maintain an onsite renewable energy generation system to provide a minimum of 20% of the Project's non-residential electrical needs and 10% of the Project's residential demand.

E. Heat Island Reduction

The Project applicant shall provide a roof plan that indicates the percentage of the roof covered by EPA approved Energy Star roofing or green (vegetated) roofing.

All Project applicants who are installing or replacing a roof shall install an EPA approved Energy Star roof for a minimum of 75% of the roof surface or install a green (vegetated) roof for at least 50% of the roof area of all buildings within the Project. A combination of Energy Star compliant and vegetated roofs may be installed provided that they collectively cover 75% of the roof area of all buildings.

F. Windows/Glazing

All project applicants who are installing or replacing windows shall comply with Section 2.3 D 1's Urban Design Regulations to reduce internal heat gain.

G. Pools and Jacuzzis

1. All pools shall be installed with a water-saving pool filter.

The Project applicant shall provide a landscape plan that indicates the location and specifications of the water-saving pool filter.

2. A leak detection system shall be installed on all swimming pools and Jacuzzis.

The Project applicant shall provide a landscape plan that indicates the location and specification of the leak detection system for all swimming pools and Jacuzzis.



2.7 Performance

A. Purposes

These zoning regulations are intended to:

- 1. Provide for a safe, clean, and healthy environment.
- 2. Minimize the effects of noise and vibrations on the surrounding environment.
- 3. Reduce the visual impact of utility facilities.

B. Compliance

Prior to the issuance of a building permit or land use permit, the owner of the lot or lots shall execute and record a covenant and agreement, acknowledging that the owner shall implement each of the applicable regulations set forth in this Section. The covenant and agreement shall run with the land and be binding upon the owners, and any assignees, lessees, heirs, and successors of the owners. The City's right to enforce the covenant and agreement is in addition to any other remedy provided by law.

C. Maintenance and Delivery Standards

- 1. All Projects shall be maintained in a clean, safe and sanitary condition.
- 2. All Projects shall be kept clear of weeds, rubbish, and all types of litter and combustible materials at all times.
- 3. Loitering, camping, use of illegal narcotics, and any other criminal activity shall be prohibited on any premises within the Project.
- 4. Standing water shall be prevented from accumulating anywhere within the Project.
- 5. Loading and unloading of vehicles shall occur either on site, within an alley, or on a local modified, or local industrial modified street. Loading and unloading of vehicles from a Secondary street shall be permitted only when no other public right of way is adjacent to the Project site.
- 6. Site cleaning, sweeping, trash collection, deliveries, and loading and unloading are limited to the hours set forth in the table below.

MAINTENANCE AND DELIVERY SCHEDULE TABLE

Hours	Greenway	Urban Village	Urban Innovation	Urban Center
Mon-Friday	6am-10pm	7am-7pm	24 Hours	6am-10pm
Sat., Sun., & Legal Holidays	8am-5pm	8am-5pm	24 Hours	8am-8pm

D. Recycled Materials

All Project applicants shall provide a plan (site or floor) that indicates the location of the recycling area and includes information on the Project's recycling program.

- 1. A recycling area that is clearly labeled, and easily accessible shall be provided at all Projects.
- 2. A recycling program and a contract for recycling pick-up if all recycled refuse is not re-used on site shall be established for all Projects.
- 3. All recycled goods shall be placed or stored in Recycling Receptacles by the end of the business day and not be left in plain view on the site.
- 4. All recycling receptacles shall be kept covered, and made of durable, waterproof, rustproof, of incombustible construction materials, and shall be of sufficient capacity to accommodate the materials collected.
- 5. The recycling area shall be kept free of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards.
- 6. Paper products and other lightweight materials shall be immediately placed into covered recycling receptacles.
- 7. All recycling receptacles and containers shall be kept in a secure location to prevent unauthorized entry and scavenging and theft of recyclable materials.
- 8. Recyclable materials, other than recyclable materials contained in reverse vending machine commodity storage bins, shall be emptied from recycling receptacles when full or every week, whichever comes first.

E. Storage

All Project applicants shall provide a site plan that indicates the location, size, and height of outdoor storage areas. The Plan shall include information on the type of materials or equipment that shall be stored in the storage area, provide an elevation that illustrates the height of, and construction materials that will be used to construct the storage area and trash areas and their gates, and include specifications of the gate/door self-closure that will be installed.

- 1. No materials or equipment shall be stored out of doors to a height greater than the height of the enclosing wall or fence.
- 2. Open air storage of merchandise or materials must be confined to a storage area completely enclosed by a solid, non-combustible wall with self-closing gates.

F. Utilities and Equipment

The Project applicant shall provide a utility plan that indicates either the location of the new underground utility lines or describe the alternative provisions that have been determined.

- All new utility lines, which directly service the lot or lots, shall be installed underground. If underground service is not available at the time the application is submitted and fees paid for plan check, then provisions shall be made for future underground service to the satisfaction of the Bureau of Engineering, if determined necessary by the Department of Water and Power.
- 2. Electrical transformers, mechanical equipment, water meters and other equipment shall be screened from public view. The screening may be opaque or perforated provided that not more than fifty percent of the face is open. The screen shall be at least six inches taller than the equipment and not more than two feet taller than the equipment.

The Project applicant shall provide plans (electrical, mechanical, water, or plumbing) or an elevation that shows the location of the equipment and illustrates the screening



2.8 Signs

A. Purposes

These zoning regulations are intended to:

- 1. Create strong building identity that is well integrated with the design of the architecture.
- 2. Provide clear and attractive business identity.
- 3. Attract visitors to publicly accessible open space areas.

B. Prohibitions

All Project applicants shall provide a site plan and elevations that indicate the location, size, and style of each exterior sign, and the number of non-residential tenants or owners that will occupy the building.

- 1. The exposed unfinished backs and sides of all signs shall not be visible from a public right-of-way or greenway.
- 2. The following signs are prohibited: animated, blinking and scrolling signs; inflatable devices; and off-site, supergraphics, pole signs, roof, and window signs.
- 3. Signs shall not obscure the architecture, windows, window trim, or molding.
- 4. Neither the variance procedure nor the specific plan exception procedure may be used to permit any sign prohibited by this Plan or the LAMC.



2.9 Mitigation Measures

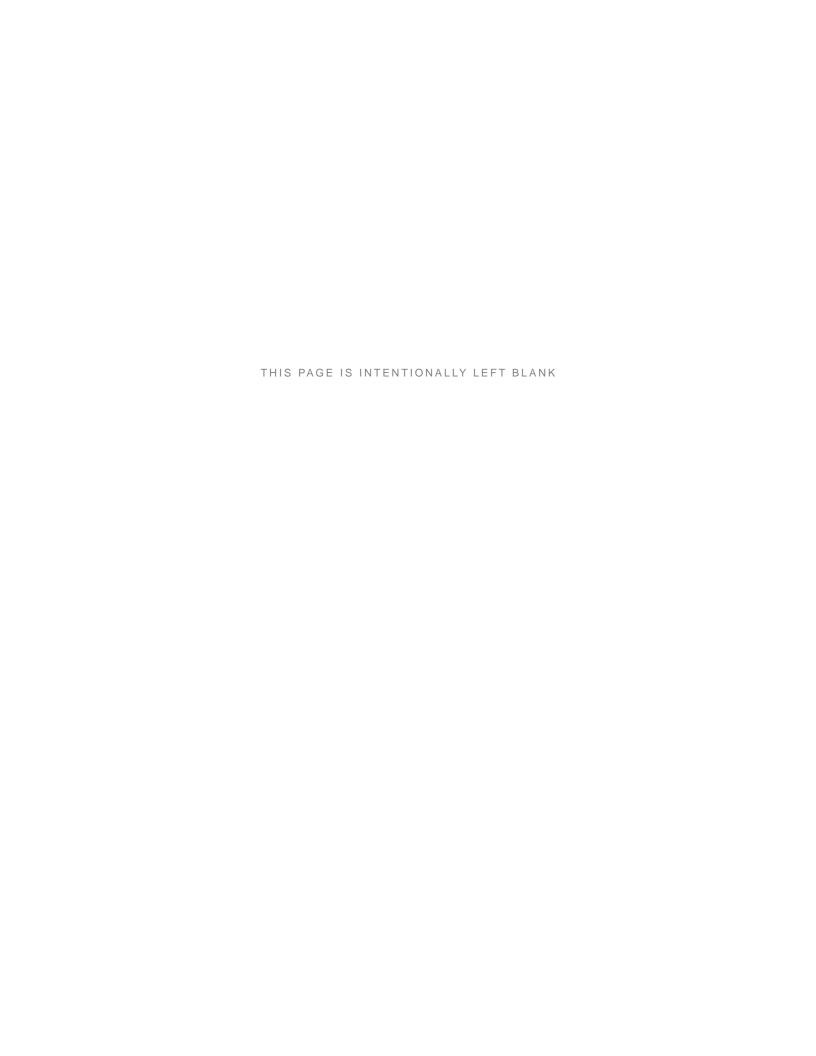
A. Purposes

These Mitigation Measures are intended to:

- 1. Reduce the transportation impacts of the Proposed Plan to the extent feasible.
- 2. Reduce the Plan's potential impacts on earth resources to a level of less-than-significant.
- 3. Reduce the Plan's potential impacts on hydrology and water quality to a level of less-than-significant.
- 4. Reduce the Plan's potential impacts on biological resources to a level of less-than-significant.
- 5. Reduce the Plan's potential impacts on cultural resources to a level less-than-significant.
- 6. Reduce the Plan's potential impacts on hazardous materials to a level of less-than-significant.
- 7. Mitigate significant impacts on regional and local air quality to the extent feasible.
- 8. Mitigate roadway and construction noise impacts associated with implementation of the Proposed Plan to the extent feasible.
- 9. Reduce the Plan's potential impacts on utilities to a level of less-than-significant.
- 10. Reduce the Plan's potential impacts on greenhouse gas emissions to a level of less-than-significant.

B. Mitigation Standards

The Mitigation Measures set forth in Appendix 1 are incorporated in to this Plan by references as if fully stated herein. Applicants shall comply with all mitigation measures set forth in Appendix 1 that are applicable to the Project.



Streets

Chapter 3





3.1 Streets

A. Purposes

These zoning regulations are intended to:

- Connect the area to its neighboring communities, the City of Los Angeles, and the greater Los Angeles region through a safe, efficient and accessible circulation network that embraces pedestrians, bicyclists, transit, truck traffic, and automobiles.
- 2. Recognize the shared use of streets not only for moving traffic, but also as the front door to businesses, which are the economic and fiscal foundation of the City, and as public outdoor space for residents and workers.
- 3. Develop an efficient yet balanced circulation system that defines different types of streets based on their transportation function and community role.
- 4. Provide residents, employees, and visitors with a variety of transportation alternatives that result in a more efficient use of transportation resources.
- 5. Encourage a vibrant pedestrian-oriented environment with activity centered along property edges at the interface between buildings and streets.
- 6. Design streets and sidewalks so that pedestrians, bicyclists, transit riders, transit vehicles, trucks and automobile traffic can coexist safely.
- 7. Build linkages to the neighboring Chinatown, Lincoln Heights, Cypress Park, Elysian and Heritage Square neighborhoods to nearby regional park amenities such as Elysian Park, Debs Park, El Rio de Los Angeles State Park, and to the Arroyo Seco and to Los Angeles River Greenways.
- 8. Promote a multi-modal street network.
- 9. Establish recommended standards for modified cross sections.
- 10. Illustrate modified street standards.
- 11. Establish street assumptions and criteria.

B. Street Definitions

Stormater Best Management Practices (BMPs).

A type of water pollution control that includes both structural or engineered control devices and systems

(e.g. retention ponds) to treat polluted stormwater as well

(e.g. retention ponds) to treat polluted stormwater, as well as operational or procedural practices (e.g. minimizing use of chemical fertilizers and pesticides).

Collector Modified Streets. Collector Modified Streets emphasize multi-modal neighborhood travel and serve as a "Main Street" for Urban Villages and Urban Centers. Collector Modified Streets contain one vehicle lane for each traffic direction. Typical features include wide sidewalks, exclusive bicycle lanes, on-street parking, and street trees.

Local Modified Streets. Local Modified Streets emphasize access to individual properties and serve living or work spaces. Local Modified Streets allow for one lane in each direction and are not designed to accommodate regular bus or truck traffic. Typical features include relatively narrow cross sections, on-street parking, sidewalks, and street trees.

Local Industrial Modified Streets. Local Industrial Modified Streets emphasize truck access to industrial properties. Local Industrial Modified Streets allow for one lane in each direction and include a bicycle lane. Typical features include limited on-street parking, sidewalks, and street trees.

Modified Alleys. Modified Alleys emphasize access to individual properties, and accommodate parking access and service functions as an alternative to other streets and provide the opportunity to incorporate stormwater Best Management Practices (BMPs).

Pedestrian Street Lights. Provide ornamentation to supplement the required illumination level. Pedestrian street lights contribute to the pedestrian scale of the area by adding a soft flow of light on the sidewalk and by

enhancing pedestrian safety.

Roadway Lights. Provide roadway illumination.

Secondary Modified Streets. Secondary Modified Streets emphasize intra-city, multi-modal travel and connect urban activity centers. Secondary Modified Streets have two lanes in each direction and carry a mix of local and regional traffic. Typical features include on-street parking, exclusive bicycle lanes, wide sidewalks, and street trees.

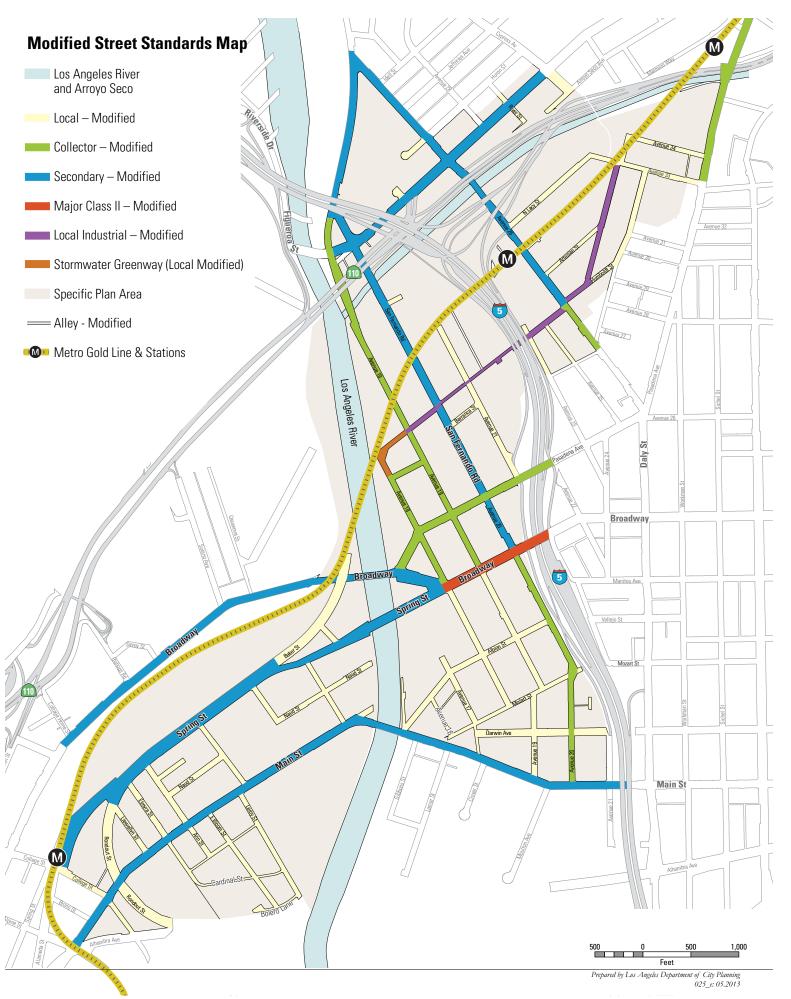
Sidewalks. A sidewalk is that portion of the public-right-of-way that is typically raised above the street surface and is physically defined as the area between the property line and the curb. A sidewalk can be divided into three separate zones: parkway, pedestrian, and furniture zone.

Stormwater Greenway. A non-motorized public access road that mimics a dry creek or arroyo ecosystem and supports a biological community that filters and further cleans stormwater runoff.

Parkway Zone. The sidewalk area adjacent to the curb is typically referred to as the Parkway zone and depending upon the level of activity may include landscaping, trees, transit infrastructure, signage, lighting, benches, fire hydrants, and vending machines.

Pedestrian Zone. The Pedestrian Zone is the portion of the sidewalk that shall be maintained clear of obstructions for the safe and accessible passage of pedestrians.

Furniture Zone. The sidewalk area immediately abutting the property line is typically referred to as the Furniture Zone. The width of the Furniture Zone will vary throughout the Plan area depending upon the overall width of the sidewalk area.



C. Street Modification Summary

For the purposes of this Subsection, the regulations and procedures contained in Section 12.37 of the LAMC shall be followed. Notwithstanding Section 12.37 H, the modified highway and street improvement standards illustrated in Appendix 4 of this Plan, and summarized in the Street Modification Table, the Modified Street Standards Map, and the other street maps located in this section shall be utilized, to the extent physically feasible, for any street improvements required in the Specific Plan area.

STREET MODIFICATION TABLE

Street	Current Designation	New Designation
Albion	Local Street	Local - Modified
Ann (Spring to Main)	Collector Street	Local – Modified
Ann (South of Main)	Local Street	Local – Modified
Artesian	Local Street	Local – Modified Industrial
Artesian Place	Local Street	Local-Modified
Aurora	Local Street	Local – Modified
Ave 16	Local Street	Local – Modified
Ave 17	Local Street	Local – Modified
Ave 18	Local Street	Local/Collector – Modified
Ave 19	Local Street	Local/Collector- Modified
Ave 20 (South of Broadway)	Collector Street	Collector- Modified
Ave 20 (North of Broadway)	Secondary Hwy	Secondary- Modified
Ave 21	Local Street	Local- Modified
Ave 22	Local Street	Local- Modified
Ave 23	Local Street	Local - Modified
Ave 25	Local Street	Local - Modified
Ave 26	Secondary Hwy	Collector- Modified
Ave 33	Local Street	Local - Modified
Baker — to Aurora	Local Street	Local - Modified
Barranca	Local Street	Local - Modified

STREET MODIFICATION TABLE

Street	Current Designation	New Designation
Bloom	Local Street	Local - Modified
Bolero	Local Street	Local - Modified
Broadway	Major Hwy Class II	Secondary - Modified
Cardinal	Local Street	Local - Modified
College	Local Street	Local – Modified
Darwin	Local Street	Local – Modified
Elmyra (North of Main)	Collector Street	Local — Modified
Elmyra (South of Main)	Local Street	Local — Modified
Figueroa	Major Hwy Class II	Secondary- Modified
Humboldt	Local Street	Local — Modified Industrial/ Local — Modified (Stormwater Greenway)
Lacy	Local Street	Local – Modified
Leroy	Local Street	Local – Modified
Llewellyn	Local Street	Local - Modified
Magdelena	Local Street	Local – Modified
Main	Secondary Hwy	Collector – Modified
Mesnager	Collector Street	Local – Modified
Mozart	Local Street	Local — Modified
Naud	Collector Street	Local – Modified
Pasadena	Secondary Hwy	Collector- Modified
Rondout	Local Street	Local – Modified
San Fernando	Secondary Hwy	Secondary – Modified
Sotello	Collector Street	Local – Modified
Spring	Major Hwy Class II	Secondary – Modified
Weyse	Collector Street	Local – Modified
Wilhardt	Collector Street	Local – Modified

D. Sidewalk Regulations

The Project applicant shall provide a site plan that includes all abutting public rights of way and indicate the location and design specifications of all curb and gutter, parkway, crosswalk, sidewalk, pedestrian, bicycle, and transit improvements.

1. Sidewalks.

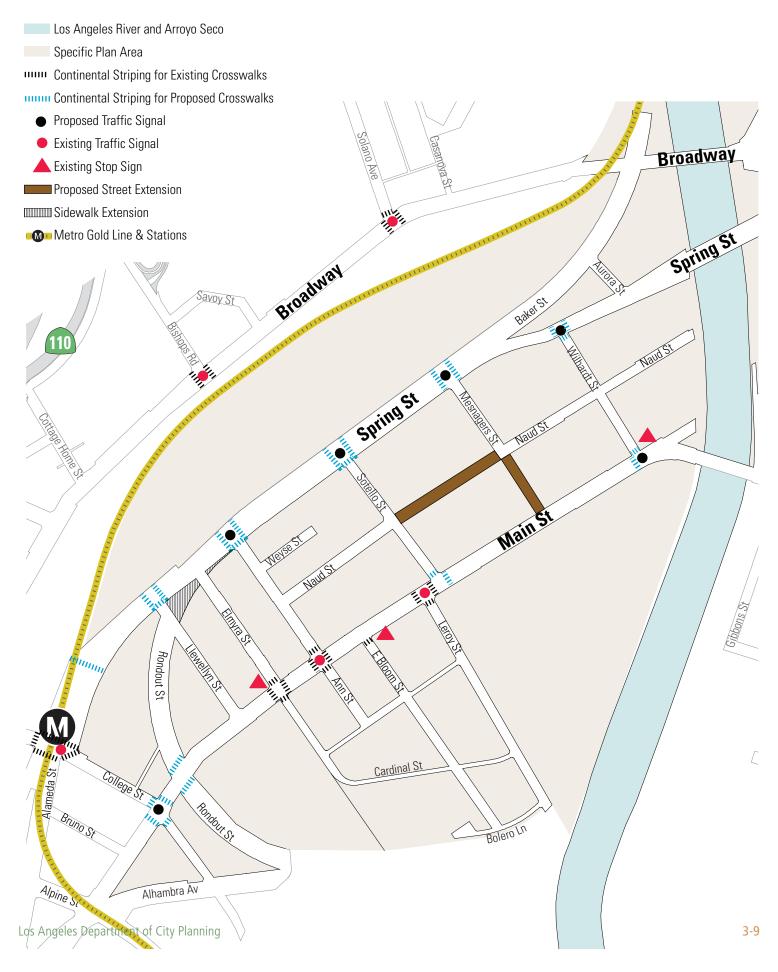
- a. Required minimum sidewalk widths for all streets in the plan area are included in Appendix 4.
- b. Street furniture, trees and similar amenities shall be located outside of the Pedestrian Zone.
- c. A minimum 6 foot wide barrier-free continuous path of travel shall be provided in all Pedestrian Zones.
- d. Project applicants installing a paving pattern or using non-standard materials shall obtain prior approvals from the Department of Public Works.
- e. Sidewalks shall be maintained by the adjacent property owner.

2. Street Lighting.

The Project applicant shall provide a site plan that indicates the location of street lighting and the distance between each light pole.

- a. Roadway lights shall be spaced 90 to 110 feet apart and designed to illuminate both the roadways and sidewalks to the levels required by the Bureau of Street Lighting for safety and security.
- Trees shall be spaced from other elements, as specified by the
 Urban Forestry Division, except that trees may be positioned within
 10 feet of pedestrian lights. The adjacent property owner shall
 maintain any tree planted within 10 feet of a pedestrian light
 so that the lights are accessible for maintenance purposes.
- Energy-efficient Pedestrian Style Lighting Fixtures shall be installed midway between two street lights and no less than every 100 feet or as determined by the Bureau of Street Lighting.
- d. Once the Bureau of Street Lighting selects a Pedestrian Style Lighting Fixture for a particular block the entirety of that block shall be designated with that lighting fixture type.

Subarea 1 Street Map

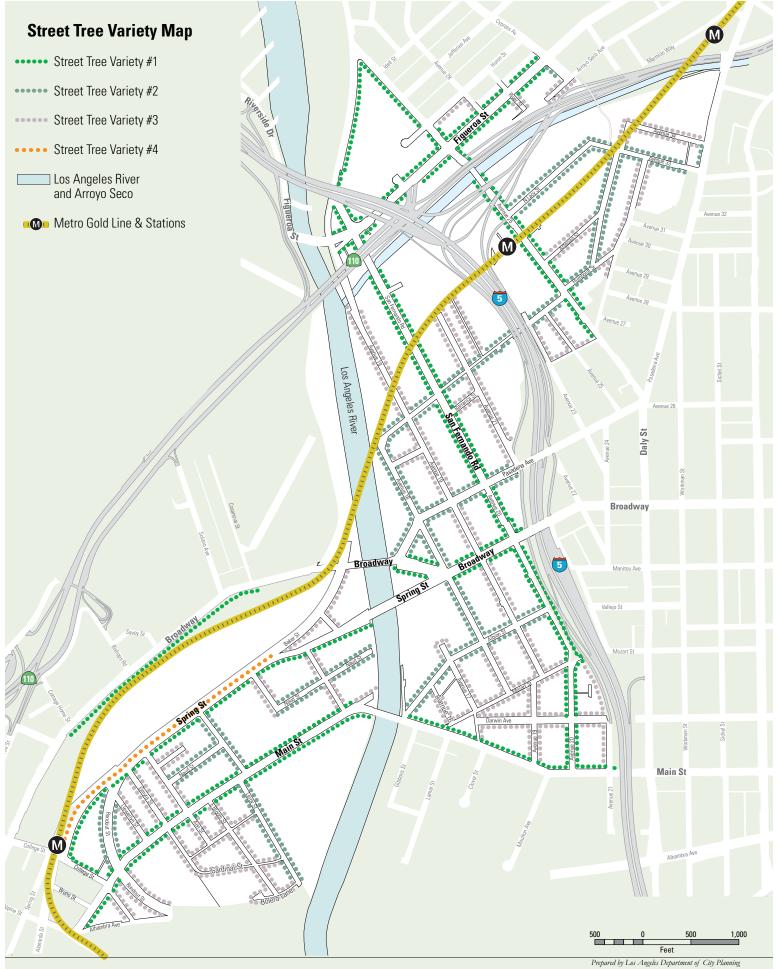


- e. All light poles shall be located adjacent to the curb as required by the Bureau of Street Lighting.
- f. If the streets are widened or narrowed, the existing street lights shall be moved along with the new curb line to maintain the existing street light and tree spacing pattern.
- g. Maintenance of street lighting shall be provided by the Bureau of Street Lighting, and shall be funded through the assessment district process. Any additions or changes to the assessment rates must be approved by all affected property owners pursuant to California law.
- 3. **Special Lighting.** Special lighting that adds to the Area's sense of place is permitted within the public right-of-way, provided that it does not interfere with pedestrian movement, vehicular safety, the approved street light/street tree spacing pattern, or other required streetscape elements.
 - a. Examples of special lighting include accent lighting of landscape and architectural features, and seasonal light displays celebrating holidays or special events.
 - Special lighting may be installed with a revocable permit.
 The infrastructure for this lighting shall be maintained by the permit holder and not the Bureau of Street Lighting.

4. Street Trees.

The Project applicant shall provide a landscape plan that indicates the location, caliper at planting, and radial distance at maturity of each tree, the size of tree wells and the material and porosity of the surface area under the tree.

- a. The Parkway Zone shall be planted with a tree selected from the Street Tree Table at the designated spacing for the selected tree. Street trees shall be spaced from 20 to 40 feet on center. If there are no existing trees within the block, the applicant may select the tree species from the list, with the approval of the Urban Forestry Division. Once a tree is selected and planted for a particular block that same tree species shall be planted for subsequent Projects that develop within the same block.
- b. Where existing street trees must be removed as a result of required street widening, or other improvements, they shall be relocated or replaced, as approved by the Urban Forestry Division.
- c. Trees shall be planted using minimum 24 inch box trees.



- d. Trees shall be planted with 4 x 8 foot tree wells with a 3 inch decomposed granite on the tree well surface, compacted to no more than 80%.
- e. Structural soil to a depth of three feet shall be installed under the entire width of a sidewalk within 25 feet of all new or relocated street trees.
- f. Street trees shall not be planted without first obtaining approval from the Department of Public Works-Urban Forestry Division.
- g. The adjacent property owner shall be responsible for regular pruning, staking, and supplemental irrigation of trees for the first three years as needed.



Sidewalk Dining

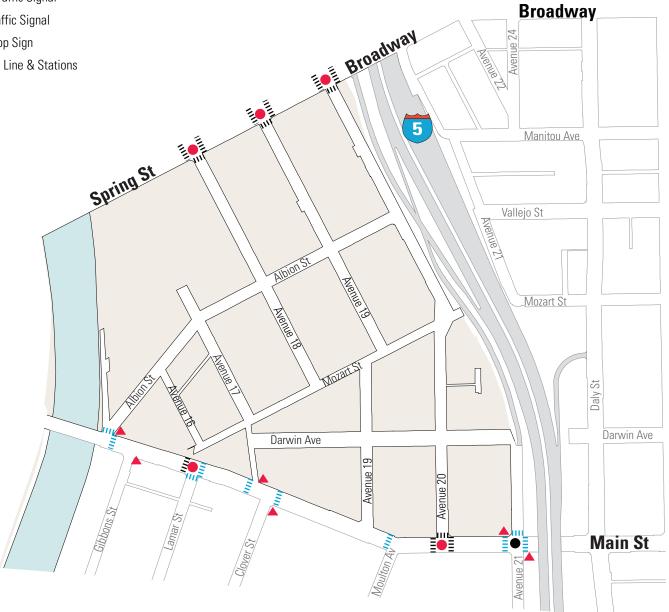
STREET TREE TABLE

STREET TREE VARIETY 1	STREET TREE VARIETY 2	STREET TREE VARIETY 3	MEDIAN TREATMENT
African Sumac	African Sumac	Brazilian Rosewood	American Sweetgum
American Sweetgum	American Sweetgum	California Sycamore	Brazilian Rosewood
Brazilian Rosewood	Australian Willow	California White Oak	California Black Walnut
California Sycamore	Brazilian Rosewood	Chinese Pistachio	California White Oak
California White Oak	California Sycamore	Coast Live Oak	Jacaranda
Chinese Elm	California White Oak	Honey Locust	Los Angeles Beautiful Floss
Chinese Pistachio	Chinese Elm	Purple Orchid Tree	Silk Tree
Coast Live Oak	Chinese Pistachio	Los Angeles Beautiful Floss	
Honey Locust	Coast Live Oak	Silk Tree	
	Honey Locust		
	Rainbow Bark		

- 5. **Sidewalk Dining Facilities**. Just as sidewalk dining contributes to street life, the physical facilities associated with it should contribute to the quality of the street environment and the Project. While sidewalk dining is not required, Projects that elect to include sidewalk dining shall comply with the following regulations:
 - a. All dining facilities located on the sidewalk shall be freestanding, shall not be attached to the sidewalk, and shall be removed when the dining facilities are closed for business.

Subarea 2 Street Map

- Los Angeles River and Arroyo Seco
- Specific Plan Area
- Continental Striping for Existing Crosswalks
- Continental Striping for Proposed Crosswalks
 - Proposed Traffic Signal
 - Existing Traffic Signal
 - Existing Stop Sign
- Metro Gold Line & Stations



- b. Enclosures are required only where alcohol is served, but may be provided elsewhere to create a sense of security. Enclosures shall not exceed 42 inches in height and shall be constructed of durable materials that are in the same family as, or compatible with, the Project's architectural materials.
- c. A revocable permit, from the Department of Public Works (DPW) is required for outdoor dining facilities.

E. Street Intersection Design Regulations

- 1. Crosswalks.
 - a. Continental crosswalks shall be installed at all intersections that include either a Major Class II, Modified Secondary and/or Collector street as indicated on the five Subarea Street Maps included in this Section.
 - b. The Bureau of Engineering (BOE) shall identify intersections that require crosswalks on Navigate LA.

Project applicants shall provide a site plan that indicates any bicycle friendly streets or bicycle lanes, and that indicates any on-street parking spaces. The Plan shall also indicate whether the space is a car share, bicycle share, or bicycle corral space.

- 2. Signalized Intersections.
 - a. Traffic signals shall be added to the intersections indicated below and illustrated on the five Subarea Street Maps included in this Section:

Main Street and W. College

Ann Street and N. Spring Street

Sotello Street and N. Spring Street

Messanger and N. Spring Street

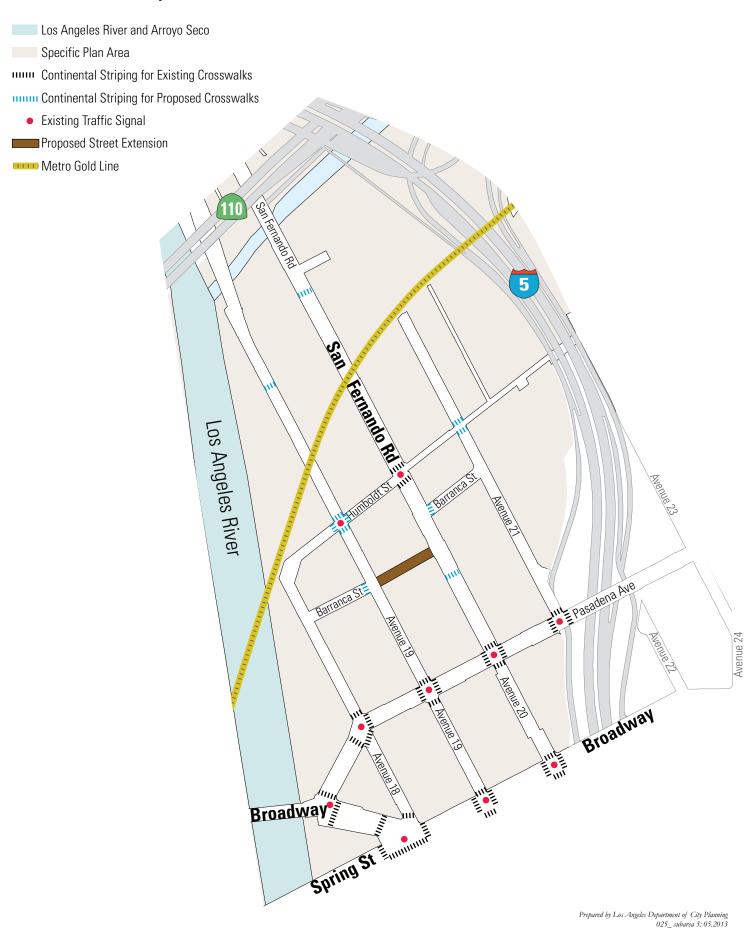
Wilhardt Street and N. Main Street

Avenue 21 and N. Main Street

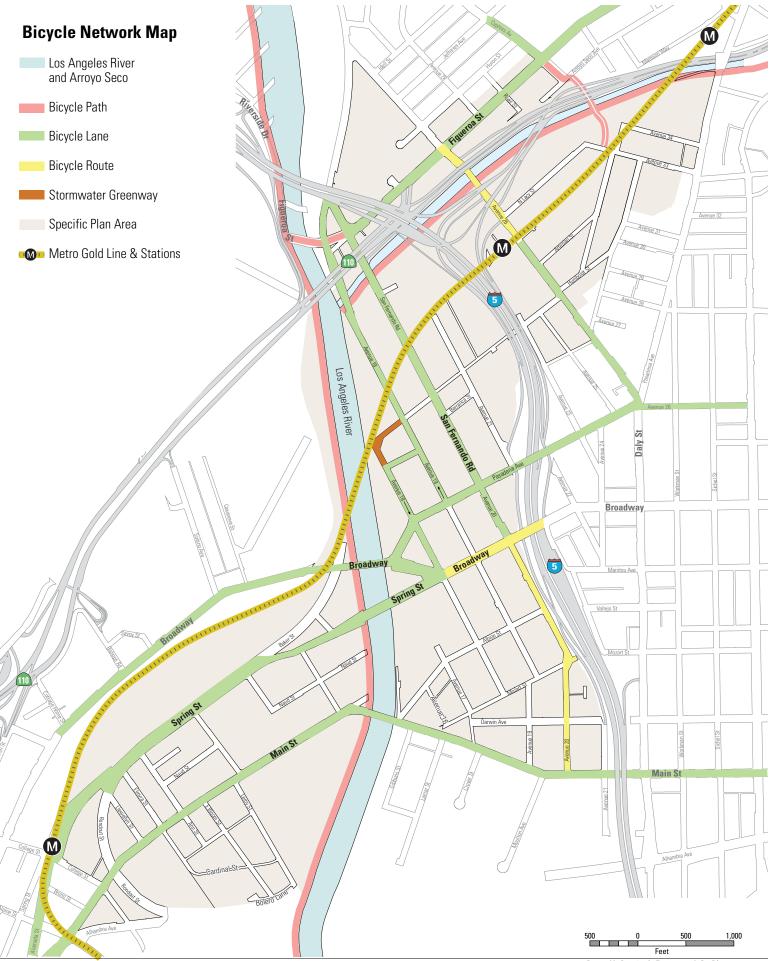
Humboldt and Avenue 26

b. The Bureau of Engineering (BOE) shall identify intersections that require signals on Navigate LA.

Subarea 3 Street Map



- 3. Bicycle, Vehicle, and Parking Lanes
 - a. Traffic Lanes. Roadbeds shall be marked with the number of traffic lanes that coincide with the standard plans on Navigate LA.
 - b. Bikeways.
 - i. All Bicycle Friendly Streets identified in the 2010 Bicycle Plan shall be improved to include Bicycle Friendly Street improvements as described in the 2010 Bicycle Plan and highlighted in the 2010 Bicycle Plan's Technical Design Handbook.
 - ii. Any landscaped portions of a bicycle friendly feature shall be planted with drought tolerant trees and/or low-maintenance, drought tolerant shrubs and groundcover.
 - iii. Bicycle lanes shall be included on N. Spring, N. Main, Pasadena Avenue, San Fernando Boulevard, Figueroa Street, and a portion of Avenue 26 as illustrated on the cross-section standard plans on Navigate LA, the Bicycle Network Map on the following page and Appendix 4.
 - iv. Bicycle sharrow markings shall be included on Avenue 26 between the Arroyo Seco (Pasadena) Freeway and the Gold Line Bridge since severe roadway width constraints (i.e. the existence of freeway on and off-ramps) prohibit the addition of bicycle lanes at this location.
 - v. A bicycle lane shall be installed on Avenue 20 between Broadway and Main Street as illustrated in the cross-section standard plans on Navigate LA, the Bicycle Network Map on the following page and Appendix 4.
 - vi. Temporary sharrow markings shall be installed on Broadway between Avenue 18 and the Golden State Freeway to indicate the presence of bicyclists until such time as a bicycle lane is installed at the location, as described in the 2010 Bicycle Plan.
 - c. Parking Lanes.
 - i. Car Share, Bicycle share or bicycle corrals shall be given priority access to on-street parking spaces.
 - ii. Approval for any enhancement or unique design treatments in the parking lane shall be obtained from the Department of Transportation.

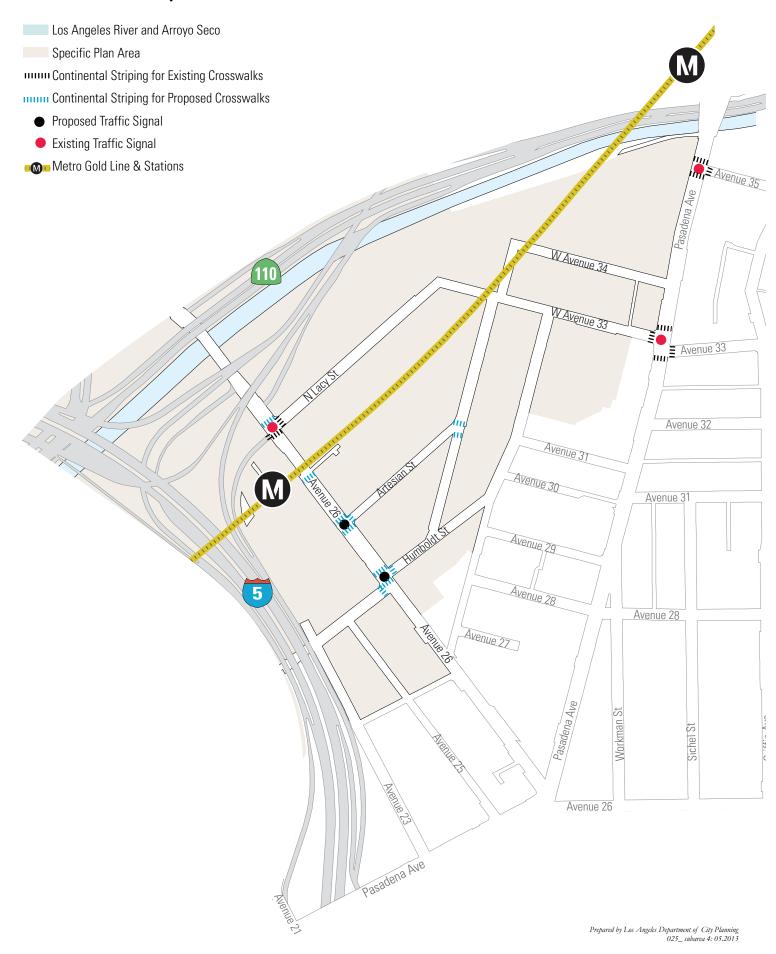


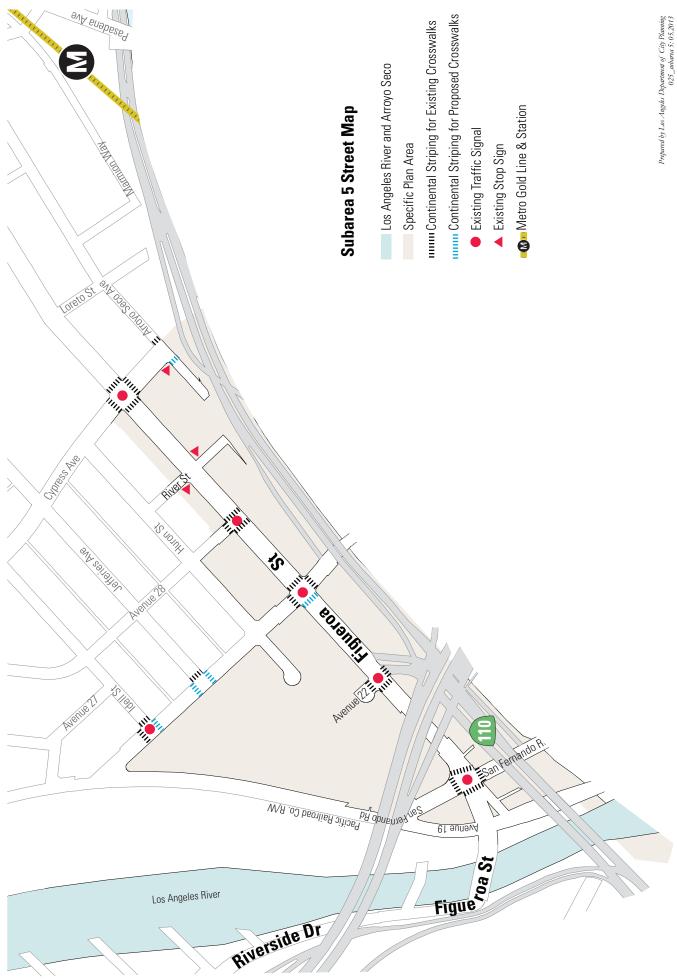
- iii. If a parking space is reserved for a bicycle corral, the adjacent property owner shall assume maintenance responsibilities beyond normal re-striping and repair, which will continue to be performed by the Department of Transportation.
- d. Landscaped Median.
 - A landscaped median shall be installed along Spring Street between College and Baker Streets. The median improvements shall be interrupted to accommodate left-turn pockets at Ann Street, Sotello and Mesnager Streets.
 - ii. The landscaped median shall be approximately 10 feet in width and shall be planted with mature, drought-tolerant, shade canopy trees and low-maintenance, drought-tolerant ground cover and shrubs.
 - iii. Approval for the design, plant selection, and irrigation plans for the landscaped median shall be obtained from the Department of Transportation and the Department of Public Works.
 - iv. The Bureau of Street Services shall be responsible for regular pruning, weed control, tree and/or plant replacement, and irrigation repair and replacement.

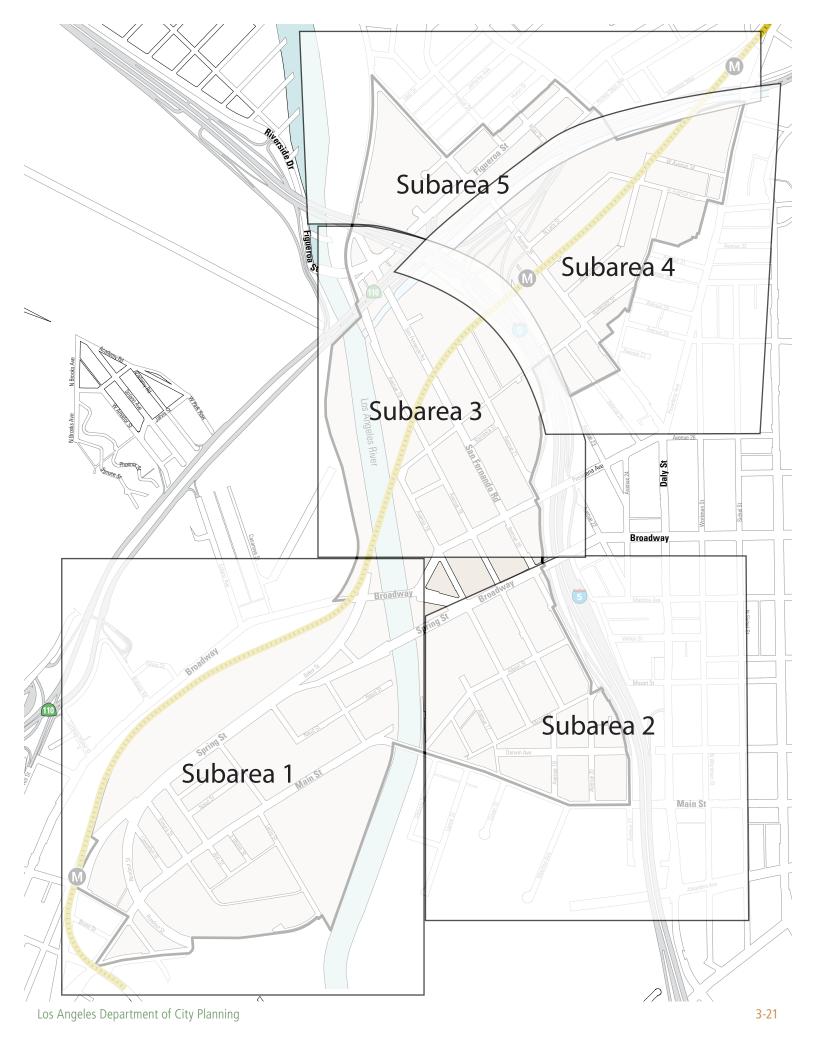
F. Street Standards

- 1. This Plan's Street Standards are modifications of the existing street designations and apply to the Plan's street segments illustrated in the Cross-Sections in Appendix 4 Modified Streets. The cross-sections show the typical midblock conditions. Intersections are not shown. For each street, the existing street designation and existing cross sections by segment are shown in the left column. The proposed cross-sections for those same segments are shown in the right column.
- 2. The proposed Plan Street Standard illustrated in Appendix 4 for each street segment includes:
 - a. Right-of-way width (ROW).
 - b. Roadway width (curb to curb).
 - c. Sidewalk width within the ROW. The designated sidewalk width cannot be reduced. In other words, the roadway cannot be widened at the expense of the sidewalk.
- 3. Upon final approval of these standards the Bureau of Engineering shall add a layer to its Navigate LA website to inform all developers of the future block-by-block requirements for streets and sidewalk widths.

Subarea 4 Street Map









Prepared by Los Angeles Department of City Planning 025_c: 05.2013

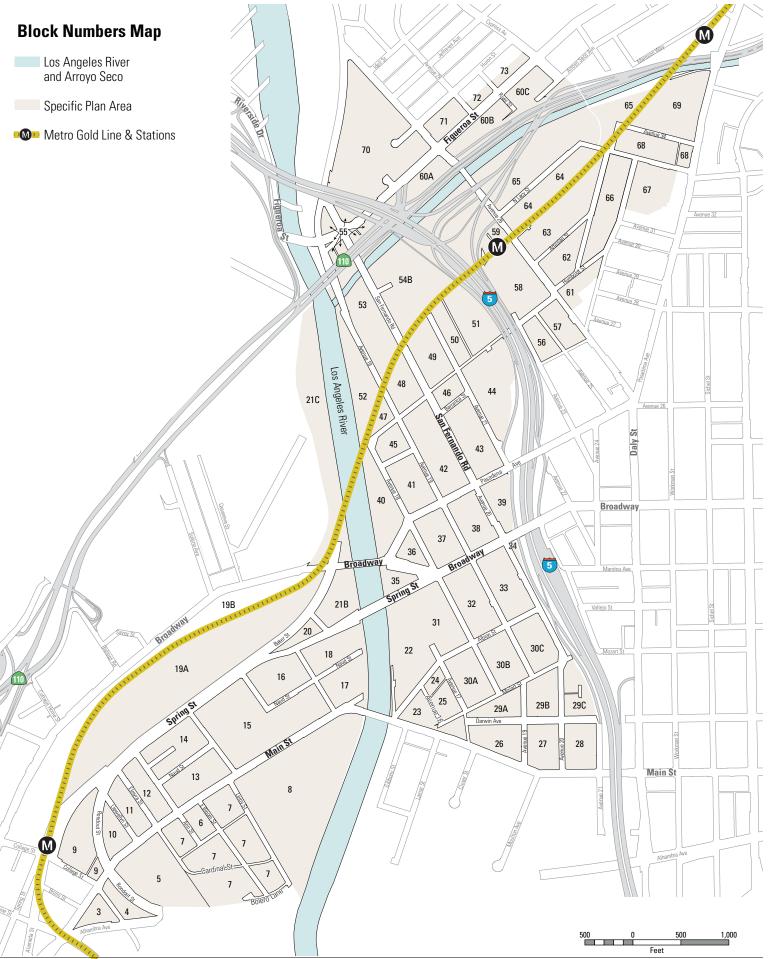




EXHIBIT H



Cox, Castle & Nicholson LLP

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Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

February 4, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Dear Ms. Webber:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). Through Case No. TT-51669-IND-M3, the Owner sought approval of a tract map ("Map") modification to fix outdated, no longer legally applicable, 30-year-old tract map conditions prohibiting any development other than light industrial and warehouse uses, including prohibiting residential development on the Property, and requiring a sidewalk improvement inconsistent with current Bureau of Engineering street standards (the "Map Modification").¹

The Map Modification seeks to align the Map with the subsequently adopted Cornfield Arroyo Specific Plan (the "CASP"), which permits a number of additional uses on the Property, including substantial residential development.² Even though the CASP permits residential development on the Property, and per a recently adopted Interim Control Ordinance ("ICO"), prohibits industrial development on the Property, the City took the opportunity of the Map Modification to layer on requirement after requirement, in direct violation of state law, and in a manner that would effectively preclude residential or other development on the Property.³ By this letter, we seek to engage with your office in a collaborative manner to remove those conditions of approval that are unlawful as a condition of approval of the Map Modification.

¹ The Owner's October 28, 2024, appeal letter detailed why the City's approval of the Project does not conform with the significant limitations imposed on the City by the Subdivision Map Act, among other issues. The Owner restates all of these objections.

² On October 29, 2024, the City Council adopted an updated CASP. While not yet effective until clearance by the City Attorney, and thus not yet it applicable to the Property, the updated CASP also permits, and indeed expects substantial residential development on the Property.

³ On November 6, 2024, Ordinance No. 188,402 became effective, which establishes the CASP Area Interim Control Ordinance (ICO). The ICO prohibits the issuance of permits related to the warehousing, distribution, and storage use in excess of 15,000 cumulative square feet within the CASP area.

Lisa Webber, AICP February 4, 2025 Page 2

The Owner filed the Map Modification pursuant to a narrowly tailored Map Act provision that provides that in granting the modification the City is <u>legally precluded</u> from "impos[ing] any additional burden on the fee owners of the real property[.]" Gov. Code sec. 66472.1. [Set forth the statute here indented and single spaced with emphasis added.]

"[A]fter a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified...if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification."

Yet the City seems to think that rather than facilitating the very development its zoning expects (and again, now requires given that it prohibits industrial development), it should instead try to use the Map Modification to impose page after page of conditions on already subdivided property that already satisfied conditions upon recordation of the original map. In particular, discussions with City Planning staff have revealed that Planning is laser-focused on securing new land dedications and off-site improvements, regardless of the impact such exactions have on the provision of housing, including affordable housing. Precisely because of such unfortunately typical land grabs that impose unreasonably restrictive barriers to the development of much needed housing, the state recently adopted legislation prohibiting such actions, as set forth below. As such, the state has precluded the City's primary reason for attempting to violate the Map Act.

The City's actions to date would be inexplicable even without state law rejecting them, given the City's ongoing housing crisis, recently exacerbated in tragic fashion by the destruction of thousands of housing units in the Palisades wildfire, creating a ripple effect Citywide for housing that in many cases simply is not available. But in the face of clear state law prohibiting the City's conditions, the City's actions are an egregious violation of its responsibility to follow the law and effectuate the provision of housing.

Perhaps more disturbing, the City's actions here directly contradict its actions in 2018 on neighboring property at 200 W. Mesnager Street, when the City approved a map modification with none of the onerous and illegal conditions it seeks to impose here, resulting in the construction of a 285-unit residential project. To date, the City's only purported justification for this disparate and illegal treatment is that the Property has more street frontage than 200 Mesnager, a fact of no legal or planning significance. It has been openly acknowledged by the Planning staff that the attempt to impose unlawful dedications as a condition of the map modification is purely opportunistic, because "if not now, then when?" The City had no trouble complying with state law in 2018. It must also do so now.

1. AB 3177 Precludes the City from Imposing Any Dedication Requirements

During discussions with City Planning staff on November 20 and December 12, 2024, staff repeatedly expressed concern that absent imposing map conditions requiring certain dedications, the City would be unable to achieve the dedications it seeks under the CASP.⁴ Putting aside that such dedications violate the Map Act's prohibition against "impos[ing] any additional burden on the fee owners of the real property," new state law (AB 3177) prohibits a local agency from imposing a "land dedication" requirement on a "housing development" to widen a "roadway" if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. Gov. Code, § 66005.1(c)(1). As such, the City cannot impose any dedication requirements on the Project.⁵

Nor can the City do so outside of the Map Modification context, as AB 3177's prohibition applies regardless of the legal mechanism an agency seeks to use to impose dedication requirements. As set forth below, the Owner may move forward with a residential project without modifying the map conditions at issue, and if it chooses to do so, the City cannot impose a dedication requirement on such a project. Given this, the City's purported reason for seeking to impose illegal conditions on the map modification falls apart.

2. The Map Modification Contains Other Illegal Conditions

Importantly, section 66472.1 clearly states that the City may only consider the map modifications as proposed by the Applicant. Yet here, the City ignored the plain language of the code. In addition to imposing dedication and related requirements (such as street light relocation necessitated by street widening) that it cannot under state law, the City seeks to require extensive infrastructure that has nothing to do with the map modification. The City even goes so far as to require the full improvement of a Naud Street extension, including "longitudinal concrete gutters and 10-foot concrete sidewalks with tree wells on both sides of the street" (Condition S-3 (p)(1)) and requires repaving two streets adjoining the Property. Condition S-3(n) and (o). These conditions are massively expensive burdens on the Owner and the City cannot impose them, particularly when the Owner does not control large portions of property on which the City seeks to impose improvement conditions. Despite multiple objections by the Owner, City staff continue to believe the Owner can be responsible for improvements on property it does not control.

Incredibly, the City's approval claims that the conditions to do not impose any additional burden on the Owner because the map modification permits "additional development rights"

⁴ During the November 20th discussion, staff appeared to believe that imposing dedication requirements through a map is the <u>only</u> legal way an agency may obtain a dedication, which the City knows is not true, as dedications are routinely secured through projects that do not require a map.

⁵ Dedication requirements may be imposed if a property is not in a transit priority area and has more than 500 feet of linear street frontage. Here, the Project site is in a transit priority area, so AB 3177's prohibition imposing a dedication requirement applies.

beyond those available in 1994. The City offers no support, legal or otherwise, for this interpretation of the Map Act's prohibition on imposing burdens on a property owner that requests a map modification, and no such support exists. The Map Act does not say that additional burdens may be imposed if the City also provides a "benefit," not to mention that aligning a map with existing zoning is not a benefit at all, but rather a statement of existing law.

3. The Owner May Build a Density Bonus Project Without Modifying the Map

The Owner initially sought modification of the Map because the Map Act provides a narrowly tailored process that permits an agency to modify map conditions that are no longer appropriate, such as here, in which a map condition conflicting with underlying zoning is exactly the type of condition Map Act section 66472.1 was drafted to address.

In light of the City's refusal to date to adhere to the limitations of section 66472.1, we must also note that state affordable housing incentive programs such as density bonus law provide that the Owner may ignore the map modification entirely and simply move forward with a density bonus project. Government Code section 65915, subd. (o)(6) states:

""Maximum allowable residential density" or "base density" means the greatest number of units allowed under the zoning ordinance, specific plan, or land use element of the general plan, or, if a range of density is permitted, means the greatest number of units allowed by the specific zoning range, specific plan, or land use element of the general plan applicable to the project. If the density allowed under the zoning ordinance is inconsistent with the density allowed under the land use element of the general plan or specific plan, the greater shall prevail..."" (emphasis added).

Here, the Property's Urban Village zoning under the CASP permits substantial residential development. As such, under state density bonus law, the Owner has a right to construct a density bonus project, regardless of the Map's limitation and without any of the conditions staff seeks to impose through the map modification.⁶

Further, to the extent CASP requirements impair the development of a density bonus project, the Owner could request waivers of such requirements, and the City could not deny such waivers unless it could make specific health and safety findings, which here it certainly could not. If the project is a density project, "a city may not apply any development standard that would physically preclude construction of that project as designed." Bankers Hill 150 v. City of San Diego (2022) 74 Cal.App.5th 755, 774 (emphasis added). The City cannot request that an applicant modify a proposed density bonus project's design to eliminate a waiver request, nor is there a limitation on the number of waivers an applicant can request and the City must grant.

⁶ Given that the Map was recorded decades ago, and an apartment project does not require a subdivision, such a project could go forward on the Property's existing lot or lots.

Lisa Webber, AICP February 4, 2025 Page 5

Further, to obtain a waiver, "[t]he showing or 'reasonable documentation' required by the applicant is that the project qualifies for a density bonus." HCD Notice of Violation to City of Encinitas (Jan. 20, 2022), at p. 3. Under this standard, the fact that the Project includes the required number of deed-restricted units to qualify for density bonus benefits is all the justification needed for the City to grant the requested waiver.

Put another way, the City has a choice. It can either comply with state law or face one of two (or perhaps both) outcomes: a successful suit enforcing the Map Act (which successful suit would result in the award of substantial attorneys' fees to the Owner), or a density bonus project that bypasses the map issue entirely and obtains waivers of all CASP requirements that inhibit the development of affordable housing units. In no case will the City achieve imposing illegal conditions on the Property through a map modification.

More broadly, given that the City's primary stated reason for violating section 66472.1 was to impose dedication requirements it now clearly cannot under state law, we hope that the issues detailed in the October 28, 2024, appeal can be addressed in a more thoughtful and deliberate manner.

Despite the foregoing objections, the Owner remains willing, for the time being, to engage in a less dismissive and more productive discussion regarding the map modification and which CASP conditions the City may legally impose after approving the map modification. To this end, we request a meeting within the next 10 days to discuss how to best proceed to eliminate the illegal map modification conditions and reach consensus on which, if any, such conditions may be imposed during review of a project after the map modification. Failing this, the Owner will vigorously act to protect its rights and enforce state law.

We look forward to a further discussion with you on this matter.

Sincerely,

Alexander M. DeGood

AMD:amd

Jane Choi, Principal City Planner Helene Rotolo, Council District 1 Kyle Hickey, Council District 1 Rachel Freeman, Deputy Mayor for Business and Economic Development

David P. Waite, Cox, Castle & Nicholson LLP



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File No. 108688

February 27, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012 Jane Choi, AICP Principal City Planner, Project Planning

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Follow-Up to February 19, 2025, Discussion

Dear Ms. Webber and Ms. Choi:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). On February 19, 2025, this office held a discussion with Ms. Choi regarding the above-referenced appeal. This letter addresses the issues Ms. Choi raised with respect to the application of AB 3177 to the Property and its impact on several land dedication conditions of approval the City seeks to impose through the Property's tract map modification request.

Application of AB 3177

As acknowledged by Ms. Choi, AB 3177, which prohibits the imposition of a "land dedication requirement on a housing development," applies to the Property in the event a housing development is proposed. Notwithstanding this general prohibition, Ms. Choi noted that AB 3177 contains language that permits an agency to impose a dedication requirement in very narrow circumstances. Government Code section 66005.1(c)(2)(B) states that an agency may:

"Discretionarily impose a land dedication requirement as a condition of approval of a specific housing development project for traffic safety features if the local agency makes a finding, specific to the housing development project and supported by substantial evidence, that the land dedication requirement is necessary to preserve the health, safety, and welfare of the public, including pedestrians, cyclists, and children."

A review of the plain language of the code, coupled with the Legislature's analysis of AB 3177, demonstrates that the exception cannot apply to the Property's proposed residential project. First, the code requires that the City must find that a *specific* housing project would, absent the imposition of a dedication requirement, directly cause an immediate health and safety

Lisa Webber and Jane Choi February 27, 2025 Page 2

impact, and such a finding must be supported by substantial evidence in the administrative record. "Substantial evidence" means something that is both legally significant and factual.¹

While AB 3177 does not separately define what would constitute a "health, safety and welfare" impact that could only be alleviated by the imposition of a dedication requirement, the Housing Accountability Act ("HAA"), which applies to housing development projects, does, stating that "a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date [an] application was deemed complete." Gov. Code §65589.5(d)(2). The HAA also states that "It is the intent of the Legislature that the conditions that would have a specific, adverse impact upon the public health and safety...arise infrequently."

It is not enough for the City to conclude a dedication would be beneficial, that it would help pedestrians or cyclists, or that arguably applicable City plans or policies otherwise require a dedication. Absent direct, quantifiable evidence that a specific, immediate public health or safety impact will be directly caused by the project absent the imposition of a dedication requirement, the City cannot impose one. There is no such evidence.

In other words, requiring dedications in this instance violates AB 3177. There is no substantial evidence supporting the necessity of dedications, as there is not evidence of any impact, let alone a specific adverse health and safety impact in the absence of dedications.

Indeed, the tract map modification dedication conditions say nothing about public health and safety, and simply reference "street widening per BOE improvement conditions" (Condition No. S-3(c)(1)), and a "60-foot wide strip of land to be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street" (Condition. No. 20). Such general dedication conditions are precisely what AB 3177 now prohibits.²

Notably, the Assembly, in its floor analysis of AB 3177, <u>directly cited the City's costly</u> and pointless dedication requirements as a primary motivation for the bill.

"In some urban areas, such as the City of Los Angeles, the practice of "Spot Widening" along roadways adjacent to new developments has become a requirement imposed by cities on developers. This process involves the widening of a portion of the roadway to accommodate increased vehicular traffic that might result from the new development...A

¹ See *Roddenberry v. Roddenberry* (1996) 44 Cal.App.4th 634, 651 (""Substantial evidence" is evidence of ponderable legal significance, evidence that is reasonable, credible and of solid value... Speculation or conjecture alone is not substantial evidence"); Pub. Res. Code §21080(e)(1) and (2) ("substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact...[it] is not argument, speculation, unsubstantiated opinion or narrative[.]").

² The City also seeks to impose dedication requirements on property not under control of the applicant, which it similarly cannot do.

Lisa Webber and Jane Choi February 27, 2025 Page 3

2016 research study published in the Journal of Transport and Land Use found that <u>road</u> <u>widening requirements in Los Angeles can cost developers over \$10,000 per unit</u>, resulting in up to hundreds of thousands of dollars being added to projects subjected to these requirements in certain instances. Such additional costs often lead to higher rent prices to make up for the loss. In addition to the monetary costs, developers also lose valuable land they could have used for additional housing units." AB 3177 Assembly Floor Analysis, p. 3, attached as Exhibit "A" (emphasis added).

The Assembly's analysis also noted that dedications for road widening do not even accomplish what they purportedly exist to do; namely, increasing traffic flow: "the growing body of evidence on the effects of road widening makes clear that this practice induces driving and worsens congestion." *Id.*

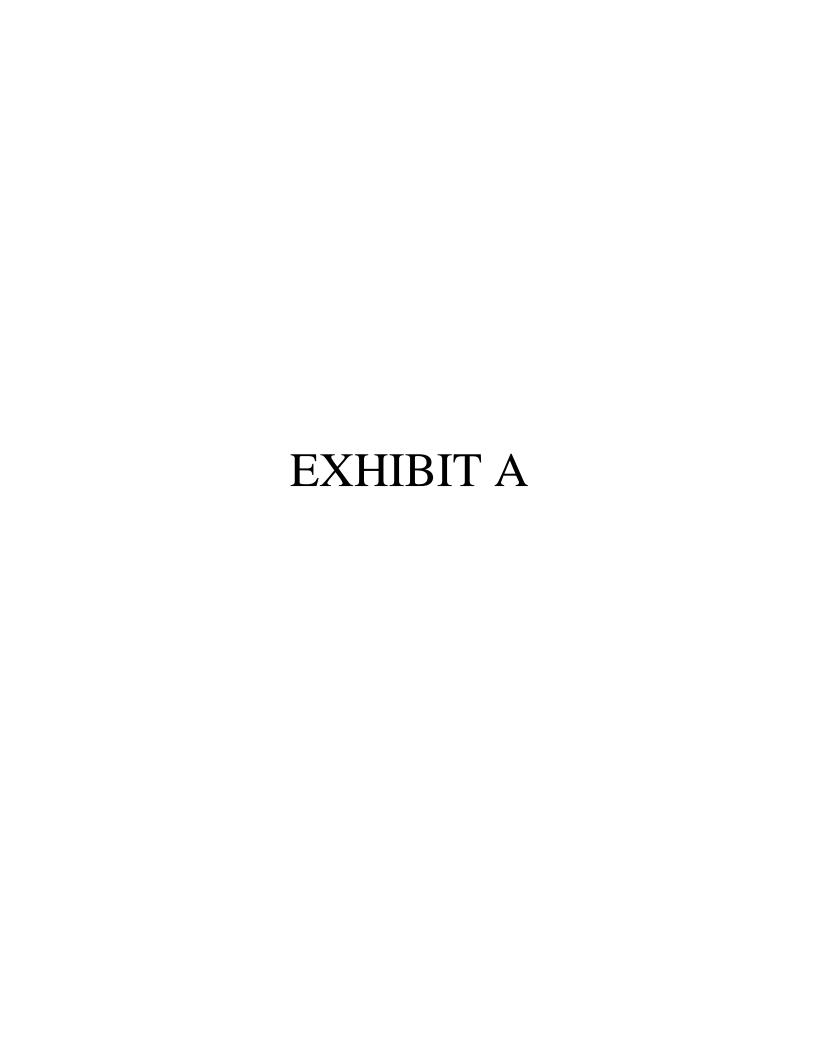
AB 3177 also permits an agency to "[i]mpose a land dedication requirement to construct public improvements, including...sidewalk and sewer improvements." Gov. Code § 66005.1(c)(2)(C). This exception is not implicated by the map modification conditions, as the City is not seeking street dedications for sidewalk or sewer improvements. Rather, the map modification contains several conditions that require repair and reconstruction of *existing* sidewalks only, acknowledging that new dedications for sidewalk improvements are not necessary.

Given the above, it is clear the City cannot impose dedication requirements on a residential project as part of the requested map modification.

Sincerely,

Alexander M. DeGood

AMD:amd Attachment



CONCURRENCE IN SENATE AMENDMENTS AB 3177 (Wendy Carrillo) As Amended August 19, 2024 Majority vote

SUMMARY

Prevents local agencies from imposing land dedication requirements on new housing developments in transit priority areas to widen a roadway for vehicular traffic purposes, or for achieving a desired roadway width, with certain exemptions.

Senate Amendments

- 1) Amends the locational requirement where the provisions of this bill would apply to:
 - a) A transit priority area (TPA), rather than within one half mile of a TPA; and
 - b) Areas within one half mile a planned major transit stop that will be completed before or within one year from the completion and occupancy of the housing development.
- 2) Clarifies that a local agency cannot impose land dedication requirements on new housing developments in transit priority areas to widen a roadway for vehicular traffic purposes, or to achieve a desired roadway width.
- 3) Clarifies that local governments can exercise discretion to impose a land dedication requirement as a condition of approval of a specific housing development in TPAs for traffic safety features if the local agency makes a finding, specific to the housing development project and supported by substantial evidence, that the land dedication requirement is necessary to preserve the health, safety, and welfare of the public, including pedestrians, cyclists, and children.
- 4) Defines "roadway" as a portion of a highway improved, designed, or ordinarily used for vehicular travel.
- 5) Incorporates chaptering amendments.

COMMENTS

Statewide Housing Needs: According to the Department of Housing and Community Development's (HCD's) 2022 Statewide Housing Plan Update, ¹ California's housing crisis is a half century in the making. After decades of underproduction, supply is far behind need and housing and rental costs are soaring. As a result, millions of Californians must make hard decisions about paying for housing at the expense of food, health care, child care, and transportation, directly impacting quality of life in the state. One in three households in the state doesn't earn enough money to meet their basic needs. In 2023, over 181,000 Californians experienced homelessness on a given night, with a sharp increase in the number of people who

¹ California Department of Housing and Community Development, *A Home for Every Californian*: 2022 Statewide Housing Plan. March 2022, https://storymaps.arcgis.com/stories/94729ab1648d43b1811c1698a748c136

became experienced homelessness for the first time.² To meet this housing need, HCD determined that California must plan for more than 2.5 million new homes, and no less than one million of those homes must be affordable to lower-income households.

Cost of Building Housing: It is expensive to build housing in California. The UC Berkeley Terner Center finds that challenging macroeconomic conditions, including inflation and high interest rates, affect the availability and cost of capital, resulting in rising costs for labor and materials.³ Furthermore, workforce and supply shortages have exacerbated the already high price of construction in California, and economic uncertainty has made equity partners and lenders apprehensive about financing new housing development proposals. An analysis by the California Housing Partnership compares the cost of market rate development prototypes developed by the Terner Center with the median cost of developing affordable rental homes. In the four regions analyzed, the study found that the cost of developing one unit of affordable housing ranged from approximately \$480,000 to \$713,000, while the cost of developing one unit of market rate housing in the state ranged from approximately \$508,000 to \$637,000.⁴ This fee discrepancy between affordable and market rate housing stems from a variety of factors, including the complexity associated with securing the capital required to build subsidized housing, and the various regulations placed on affordable units.

Impact Fees and Exactions – Added Uncertainty and Costs: Development fees serve many purposes and can be broadly divided into two categories: service fees and impact fees. Service fees cover staff hours and overhead, and are used to fund the local agency's role in the development process such as paying for plan reviews, permit approvals, inspections, and any other services related to a project moving through various local departments. Impact fees refer generally to fees that offset the public costs of new infrastructure incurred by the larger community. In the wake of the passage of Proposition 13 in 1978 and the loss of significant property tax revenue, local governments have also turned to development fees as a means to pay for new infrastructure. According to the UC Berkeley Terner Center for Housing Innovation, between 2008 and 2015, California fees rose 2.5%, while the national average decreased by 1.2%. Development fees can comprise 17% of the total development costs of new housing, and in California in 2015, impact fees were nearly three times the national average.

Existing law limits the fees local agencies can impose on housing developments within 1/2 mile of a transit station, which includes a rail or light-rail station, ferry terminal, bus hub, or bus transfer station, but excludes other major bus stops, as well as planned transit stops. To enhance traffic-impact mitigation strategies, it is important to consider transit priority areas, which are designated zones within 1/2 mile of a major transit stop. This bill would prevent land dedication

² U.S. Department of Housing and Urban Development, Point in Time Counts.

https://www.huduser.gov/portal/datasets/ahar/2023-ahar-part-1-pit-estimates-of-homelessness-in-the-us.html ³ David Garcia, Ian Carlton, Lacy Patterson, and Jacob Strawn, *Making It Pencil: The Math Behind Housing Development (2023 Update)*, Terner Center for Housing Innovation, December 2023, https://ternercenter.berkeley.edu/research-and-policy/making-it-pencil-2023/

⁴ Mark Stivers, *Affordable Housing Compares Favorably to Market-Rate Housing From a Cost Perspective*, California Housing Partnership, January 2024: https://chpc.net/affordable-housing-compares-favorably-to-market-rate-housing-from-a-cost-

perspective/#:~:text=It%20turns%20out%20that%20costs,market%2Drate%20developments%20do%20not.

⁵ Sarah Mawhorter, David Garcia and Hayley Raetz, *It All Adds Up: The Cost of Housing Development Fees in Seven California Cities*, Terner Center for Housing Innovation, March 2018, https://ternercenter.berkelev.edu/research-and-policy/it-all-adds-up-development-fees

requirements from being imposed on housing development projects for road widening to accommodate vehicular traffic in TPAs, with certain exemptions.

Spot Widening: In some urban areas, such as the City of Los Angeles, the practice of "Spot Widening" along roadways adjacent to new developments has become a requirement imposed by cities on developers. This process involves the widening of a portion of the roadway to accommodate increased vehicular traffic that might result from the new development. According to the California Department of Housing and Community Development (HCD), this sort of land dedication may affect the cost and feasibility of developing housing as well as its affordability. A 2016 research study published in the Journal of Transport and Land Use found that road widening requirements in Los Angeles can cost developers over \$10,000 per unit, resulting in up to hundreds of thousands of dollars being added to projects subjected to these requirements in certain instances. Such additional costs often lead to higher rent prices to make up for the loss. In addition to the monetary costs, developers also lose valuable land they could have used for additional housing units.

Shifting land from housing to roads on a per project basis may not achieve any mitigation because the widening is limited to the roadway adjacent to the project, leading to road configurations that essentially zigzag. In instances where an entire block of the road is widened due to a large development, the growing body of evidence on the effects of road widening makes clear that this practice induces driving and worsens congestion. Placing "spot widening" requirements on a developer may result in more driving, rather than mitigating congestion.

Transit Priority Areas: Transit Priority Areas (TPAs) are designated regions within a half-mile radius of an existing or planned major transit stop. These areas are identified as part of the state's strategy to promote sustainable development and reduce greenhouse gas emissions. The rationale behind encouraging car-free or low-car developments in TPAs is to leverage the proximity to public transit, thereby reducing the reliance on private vehicles for daily commutes. This approach aligns with California's broader environmental and urban planning goals, aiming to create more walkable, bike-friendly, and transit-oriented communities. By fostering developments in TPAs that minimize automobile dependency, the state seeks to alleviate traffic congestion, improve air quality, and enhance the overall quality of life for residents.

The state seeks to incentivize and prioritize new housing development in climate-smart places, accompanied by the policy goals of lowering the cost of housing and reducing greenhouse gas emissions. As such, limiting road widening for vehicular traffic via land dedication, and limiting the fees that a local jurisdiction can charge for vehicular traffic mitigation, in TPAs as proposed in this bill is well aligned with these existing goals and priorities. Nothing in this bill would prevent local governments from imposing other types of land dedication requirements in TPAs, or other requirements to construct public improvements, including, but not limited, to sidewalk and sewer improvements. Furthermore, a local government may still impose a land dedication requirement on housing development for street widening if the local agency makes specific

⁶ https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/fees-and-exactions

⁷ Michael Manville, *Automatic street widening: Evidence from a highway dedication law*. Journal of Transport and Land Use, 9(1). 2016. https://doi.org/10.5198/jtlu.2016.834

findings that the dedication is necessary to preserve the health, safety, and welfare of the public, providing the local government with flexibility.

According to the Author

"AB 3177 promotes efficient land use by placing limits on 'Spot Widening,' whereby developers give up land and pay for road expansions as a permitting requirement. This practice affects the financial feasibility of housing developments, reducing the number of homes a developer can build and increasing tenants' rents. One project in Los Angeles lost over 6,000 square feet of land to road widening, which amounted to a loss of over 30 dwelling units. There was a delay of almost two years for another project, consisting of permanent supportive housing for the homeless, as the developer sought to waive the road-widening requirement. These additional costs and delays contribute to California's housing shortage and homelessness crisis."

Arguments in Support

According to Streets for All and The Greenlining Institute, "the requirement for homebuilders to finance roadway widening and surrender land as a condition for housing project approvals is fundamentally misaligned with principles of environmental sustainability, equity, and justice. This approach not only fosters a dependency on automobiles, leading to higher Vehicle Miles Traveled (VMT) and associated emissions, but also exacerbates the urban heat island effect, a critical environmental concern. In the rare instance where a significant length of the road is widened, the growing body of evidence on the effects of road widening makes it clear that this practice induces more driving and worsens congestion in the long run. Placing the burden of potential mitigations on a developer leads to poor road design and induces more driving instead of easing congestion. On the housing front, this city policy has cost or delayed thousands of units of deed-restricted and homeless housing which is desperately needed in our communities."

Arguments in Opposition

None on file.

FISCAL COMMENTS

None.

VOTES:

ASM HOUSING AND COMMUNITY DEVELOPMENT: 7-0-2

YES: Ward, Grayson, Kalra, Lee, Quirk-Silva, Reyes, Wilson

ABS, ABST OR NV: Joe Patterson, Sanchez

ASM LOCAL GOVERNMENT: 7-1-1

YES: Juan Carrillo, Valencia, Kalra, Pacheco, Ramos, Ward, Wilson

NO: Waldron

ABS, ABST OR NV: Essayli

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Arambula, Bryan, Calderon, Wendy Carrillo, Mike Fong, Grayson, Haney, Hart,

Pellerin, Villapudua

NO: Sanchez, Dixon, Jim Patterson, Ta

ASSEMBLY FLOOR: 57-12-11

YES: Addis, Aguiar-Curry, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Connolly, Mike Fong, Garcia, Gipson, Grayson, Haney, Hart, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Santiago, Schiavo, Soria, Ting, Valencia, Villapudua, Ward, Wicks, Wilson, Wood, Zbur, Robert Rivas

NO: Alanis, Davies, Dixon, Essayli, Flora, Vince Fong, Gallagher, Lackey, Sanchez, Ta, Waldron, Wallis

ABS, ABST OR NV: Cervantes, Chen, Megan Dahle, Friedman, Gabriel, Holden, Hoover, Mathis, Jim Patterson, Joe Patterson, Weber

SENATE FLOOR: 31-8-1

YES: Allen, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hurtado, Laird, Limón, McGuire, Menjivar, Min, Newman, Padilla, Portantino, Roth, Rubio, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener

NO: Alvarado-Gil, Dahle, Grove, Jones, Nguyen, Niello, Ochoa Bogh, Seyarto **ABS, ABST OR NV:** Wilk

UPDATED

VERSION: August 19, 2024

CONSULTANT: Dori Ganetsos / H. & C.D. / (916) 319-2085 FN: 0004777



Cox, Castle & Nicholson LLP

2029 Century Park East, Suite 2100 Los Angeles, California 90067-3284 P: 310.284.2200 F: 310.284.2100

Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

March 6, 2025

VIA E-MAIL

Lisa Webber, AICP Deputy Director, Project Planning Los Angeles Department of City Planning 200 N. Spring Street Los Angeles, CA 90012 Jane Choi, AICP Principal City Planner, Project Planning

Re: 201 West Sotello Street: Appeal of Case No. TT-51669-IND-M3

Outline of Acceptable Conditions

Dear Ms. Webber and Ms. Choi:

This office represents S&R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property"). On February 19, 2025, this office held a discussion with Ms. Choi regarding the above-referenced appeal. During that discussion, we committed to providing Planning with a mark-up of the conditions the City imposed through its October 21, 2024, letter of determination. Attached please find a mark-up of the conditions that can be discussed during our scheduled March 6th call.

Sincerely,

Alexander M. DeGood

AMD:amd Attachments



DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

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PRESIDENT
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SHANA M.M. BONSTIN DEPUTY DIRECTOR HAYDEE URITA-LOPEZ DEPUTY DIRECTOR

ARTHI L. VARMA, AICP DEPUTY DIRECTOR LISA M. WEBBER, AICP DEPUTY DIRECTOR

Decision Date: October 21, 2024

Appeal End Date: October 31, 2024

Kacy Keys (A) Praxis Development Group 4858 West Pico Boulevard #736 Los Angeles, CA 90019

Steven Riboli (O) S & R Partners 715 Lamar Street Los Angeles, CA 90031

Dana Sayles (R) Three6ixty 11287 Washington Boulevard A Culver City, CA 90230

Jonas Simjus (Other) TCA Architecture 801 S. Grand Avenue, Ste 1020 Los Angeles, CA 90017 Case No: TT-51669-IND-M3

Related Case: TT-51669-IND, TT-51669-IND-M1

TT-51669-IND-M2

Address: 201 West Sotelo Street Community Plan: Central City North

Zone: UV(CA)

District Map: 136-5A217

Council District: 1 - Hernandez

CEQA: 93-0244 (MND), ENV-2009-599-EIR Legal Description: Lots 1, 3 and 4 of Tract 51669

The Advisory Agency <u>FOUND</u>, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

In accordance with the provisions of Sections 17.03 and 17.14 of the Los Angeles Municipal Code (LAMC), the Advisory Agency APPROVED a modification to Condition Nos. 12.a, 12.b, and 12.c of

recorded final Tract Map No. 51669-IND, located at 201 West Sotello Street, as shown on revised map stamp dated November 17, 2023, in the Central City North Community Plan.

The Advisory Agency approved Tract No. 51669-IND on July 11, 1994, subject to conditions of approval, including Condition 12, which were implemented as mitigation measures limiting the project site's use, maximum floor area, and parking. Said conditions were intended to reduce impacts of future development of the parcels to be created by the recordation of the map.

Subsequently, on August 14, 2013, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. The GASP greatly expanded the range of uses, permitted density and floor area allowed on the site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program.

On April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. Subsequently, on December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

Under the current modification request, the approval eliminates the restriction on use, maximum floor area and parking requirements for the Lot Nos. 1, 3 and 4, while incorporating street dedication and improvement conditions to ensure the project's compliance with the CASP Street Standard requirements.

The Advisory Agency's approval is subject to the following modified

conditions: Modify Condition No. 10 to read as follows:

10. That on site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any Department permit.

Note: The tract already has a final recorded map. All references to recording a final map should be stricken. Of note, the City's position for the adjoining tract map modification at 200 Mesnager Street was that "no new final map recordation is required based upon the proposed

modification request," and the City included no such language in the Mesnager modification approval. See March 1, 2018 email from BOE to Planning.

Grading Division approvals are conducted at 221 North Figueroa Street. 12th Floor Suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

Modify Condition No. 12 to read as follows:

12. Prior to the recordation of the final map issuance of building permits, the subdivider will prepare and execute two copies

of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:

a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1 2, 3 4 and a portion of Lot No. 8 as identified in Exhibits A and **B** of Instrument No. 97-1724079 and as described as follows:

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35 10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 971724079, of official records.

The maximum floor area on each lot shall be limited as follows:

Lot No. 4	Maximum Floor Area* Permitted (sq. ft.)
3	5′1,181
4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951

12 14,995 13 14,361

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1 2, 3 4 and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
 - c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot Nos. 1 2, 3 4, and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot Nos. 1, 2, 3 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications to

improvements. Refer -to the Los Angeles Municipal Code Section 17.05N. Written evidence of the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro Street, Los Angeles, CA 90012, (213) 185 7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 1342 Eagle Rock Boulevard

Los Angeles, CA 90011

Telephone: (213) 258 3252

Louise Harris, Gen. Mgr.

[Prior to the recordation of the final map, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearancelacity.oru, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.] Remove condition. It is outdated. Cable TV not required.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990 2010.

^{*}Floor Area per Planning and Zoning Code Section 12.03.

^{**}Excludes portion of Lot No. 8 as described above.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per B0E improvement conditions. relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St. AB 3177 prohibits street widening. Further, the Property does not touch Main Street.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the <u>1990</u> 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.by the construction of a 10 foot full width concrete sidewalk with tree wells.

Add Conditions Nos S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (p) Improve Naud Street extension adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street adjoining the tract boundary by the construction the following:

(1) Longitudinal concrete gutters and 10-foot concrete sidewalks with tree wells-on-both sides of the street adjoining the Property on Naud.

- (2) Suitable surfacing to join the existing pavement to complete a 40-foot "V-Shape" roadway along the Property controlled by the Applicant.
- (3) Curb ramps at the new street intersections with Mesnager Street and along Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.
- (4) The necessary removal and reconstruction of existing improvements.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (q) Close all unused driveways adjoining Lot Nos. 1. 3 and 4 of the tract satisfactory with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- (r) Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01-1020 satisfactory to the City Engineer.
- (s) Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer. Condition is not related to the action requested.

ADD Condition Nos. 19-24 to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division. located at 201 North Figueroa Street. Suite 290, or by calling (213) 808-8604.

- 19. Prior to issuance of building permtis, t\(T\)hat the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 20. That a 60-foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street in accordance with the Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer. Applicant does not control property to Mesnager Street, nor does it control a 60-foot wide strip at any point, and therefore cannot make said dedication. Further, said dedication is prohibited by AB 3177. Applicant agrees to "Dedicate an approximately 20-foot wide strip along lots 3 and 4 for required fire access."
- 21. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the intersection of Naud Street and Sotello Street.
- 22. That the existing public easements be clearly shown on the final map. The final map has already been recorded.

- 23. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 24. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 25 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY. ZONING DIVISION

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 or Laura. Duonglacity.org to schedule an appointment.

25. That prior to recordation of the final map issuance of building permits, the Department of Building and Safety, Zoning

<u>Division shall certify that no Building or Zoning Code violations exist on the subject site.</u> In addition, the following items shall be satisfied:

- <u>a.</u> Obtain approval from the Advisory Agency for the modification request to modify Conditions No. 12.a, 12.b, and 12.c. This condition is satisfied by this approval.
- <u>b.</u> Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

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

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

Add Condition No. 26-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestoplacity.org.

- 26. Prior to issuance of building permtis, aA minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
- 27. Prior to issuance of building permits, pParking stalls shall be designed so that a vehicle is not required to back into or out of any public street. LAMC 12.21 A.

- 28. <u>Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.</u>
- 29. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (GASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3-Streets. Section E, Street Intersection Design Regulations (Page 3-14) for signal installation. This condition was not required of 200 W. Mesnager, a 200-unit project that fronts on Mesnager.
- 30. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 31 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 31. That prior to the recordation of the final mapissuance of building permits for a residential project, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
 - <u>a.</u> Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - <u>b.</u> Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - <u>c.</u> One or more Knox Boxes will be required to be installed for LAFD access to project.
 - d. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).
 - e. 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.
 - 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 Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) Fire lanes, where required and dead ending streets shall terminate in a cul-desac 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.
- 4) Submit plot plans indicating access road and turning area for Fire Department approval.
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. <u>Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.</u>
- 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 <u>individual</u> units.
- j. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- <u>k.</u> The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or

the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width: all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or quest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

I. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- <u>iii.</u> This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. 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.
- <u>Construction of public or private roadway in the proposed development shall</u>
 not exceed 10 percent in grade.
- **g.** Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- r. Standard cut-corners will be used on all turns.
- <u>s.</u> The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

- <u>t.</u> The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- <u>u.</u> Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- w. During demolition, the Fire Department access will remain clear and unobstructed.
- x. The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- <u>z.</u> That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map. a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
 - <u>iii.</u> <u>In the event that the property owners association fails to maintain the</u> common property and easements as required by the CC and R's, the

- <u>individual property owners shall be responsible for their proportional</u> share of the maintenance.
- <u>iv.</u> Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.</u>
- dd. <u>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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.</u>
- ee. Entrance to the main lobby shall be located off the address side of the building
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 32 to read as follows:

DEPARTMENT OF WATER AND POWER

32. Prior to issuance of building permits, sSatisfactory 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)). There is no Condition No. S-1(c).

Add Condition No. 33 to read as follows:

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

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).

<u>O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District. No district exists.</u>

Add Condition No. 34 to read as follows:

BUREAU OF SANITATION

34. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)). There is no Condition No. S-1(d).

Add Condition Nos. 35-37 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 35. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.
- 36. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- 37. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847-3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 38 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa. Valley, or West Los Angeles Development Services Centers. To clear conditions an appointment is required, and can be requested at planning.lacity.org.

38.Prior to the recordation of the final mapissuance of building permits or a Certificate of Occupancy, 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. 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.

FINDINGS OF FACT (CEQA)

The Advisory Agency found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the modification of recorded Tract No. 51669-IND, the Advisory Agency of the City of Los Angeles, pursuant to the State of California Government Code Sections 66427.1 (the Subdivision Map Act). makes the prescribed findings as follows:

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.

The subject site and the scope of the modification request comprised of Lot Nos. 1, 3, and 4 of recorded Tract No. 51669-IND, which encompasses a total of 13 lots, as initially approved in 1994. The site is located within the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan (CASP) which was adopted after the original 1994 Tract Map approval.

Prior to the Los Angeles City Council's adoption of the CASP on June 28, 2013, the site had a land use designation of Light Industrial and was zoned MR2-1. On July 11, 1994, the Advisory Agency approved Tract No. 51669-IND. Among the conditions of approvals,

several were implemented as mitigation measures, including Condition No. 12. Condition No. 12 contained conditions which implemented mitigation measures which were intended to reduce impacts of future development of the parcels to be created by the recordation of the map. The conditions and mitigation measures were appropriate as it related to the zoning and land use designation at the time of the approval.

On August 14, 2013, however, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos. 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the GASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. Additional uses and increased floor area permitted by the CASP were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. The CASP greatly expanded the range of uses and the permitted density and floor area allowed on the subject site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program. Projects may obtain said increase in floor area greater than the otherwise maximum floor area permitted by demonstrating compliance with the CASP requirements, including street improvement requirements set forth herein.

Subsequently, on April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. On December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

The subject Modification (Tract No. 51669-IND-M3) was filed to amend Condition No. 12 to remove existing restrictions related to use, permissible floor area, and parking for Lot Nos 1 , 3 and 4. Under the original Condition No. 12 of Tract No. 51669-IND, the subject property would be limited to warehousing/manufacturing use with a maximum floor area of 86,969 square feet. With the requested Modification, it would allow for the construction of a 7-story, 445-unit residential development with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1 (Building Permit 23010-10000-04539, filed on November 15, 2023). The dedications and improvements, along with the conditions of approval as modified, are directly related and limited to boundaries of the tract map modification request. Additionally, the CASP establishes specific street designations and standards that apply to the project site. Sotello Street is designated as a Modified Local Street per the CASP. Condition S-3 (m) has been updated to limit the scope of the improvements to Lot Nos 1, 3 and 4 while ensuring compliance with the GASP street standards. Furthermore, the GASP specifies a street extension to connect the Naud Street section between Sotello and Mesnager (Chapter 3 Street, Page 3-9), leading to the inclusion of additional dedication and improvement conditions that require

this future street extension. The adoption of the GASP and associated zoning represents a change in the projected future development of the area that was not anticipated at the time of the approval of the original tract map. As such, the CASP and its specific zoning regulations have made the restrictions of Condition No. 12 of the recorded tract no longer necessary.

2. That the modification does not impose any additional burden on the present fee owner of the property.

The modification under the current request is limited to removal of existing restrictions pertaining to permitted uses, permissible floor area, and parking on Lot Nos. 1, 3 and 4 and grants the applicant additional development rights in excess of what was additional entitled as part of the 1994 approval, and therefore does not impose any additional planning or zoning requirements. Through the modification process, the applicant would be able to eliminate floor area restrictions and avail themselves of the Floor Area Bonus available in the CASP. The modification does not result in changes to the number of lots of Tract Map No. 51669-IND. As of March 27, 2024, the applicant notified all the owners of the Tract Map about the proposed tract map modifications via certified mail with a return receipt. Two out of five adjacent owners have signed consent letters regarding the proposed modification and no opposition has been received to date. As such, it can be found that the modification was communicated to and would not impose any additional burden on the present fee owner(s) of the property.

3. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map.

Tract Map No. 51669-IND-M3 is a modification of the original subdivision (Tract No. 51669). The modification of Tract Map 51669-IND would only affect property, title and interest conferred on the applicant as a fee owner by the City's approval of Tract No. 51669 and the recordation of the same by the County Recorder. The property owner of record does not change as a result of the modification and the modification does not result in additional lots to be created as part of this modification request. As such, the modification approved herein does not alter any right, title, or interest in the real property reflected on the recorded Tract Map No. 51669-IND.

4. That the map and conditions as modified conform to the provisions of Government Code Section 66474 and of this Code.

As described in Finding 1, the project site is located within the Central City North Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. Additionally, the site is located within the Cornfield Arroyo Seco Specific Plan (CASP) and is zoned UV(CA), or Urban Village, which allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment and cultural facilities uses. The existing floor area, use and parking restrictions in Condition No. 12 of Tract Map No. 51669-IND limits the project site to warehouse and manufacturing uses with a maximum Floor Area of 86,969 square feet. Those limitations are more restrictive than the floor area and use provisions permitted for the zone under the GASP. The modification of recorded final Tract Map No. 51669-IND would make the site-specific restrictions that were imposed as part of the 1994 approval consistent with what is permitted under the later-adopted GASP, including the floor area, use, and parking restrictions of Condition No. 12. As a result,

the modification would permit development of the site with a project that is in conformance with the adopted Cornfield Arroyo Seco Specific Plan and subjects the project to the requirements of the GASP.

The conditions of approval of the modification would ensure that the proposed development complies with the development standards from various departments. (As previously noted, on November 15, 2023, the applicant applied for a building permit, under application number 23010-10000-04539, to allow the construction of 7-story, 445-unit affordable housing development utilizing CASP floor area incentives at the project site. The proposed Floor Area is approximately 476,764 square feet, and the proposed FAR is 3.41:1.)

It would also require the project to adhere to the CASP street standards outlined in Chapter 3- Streets Pages 3-9 and 3-14, including extending Naud Street along the project site and providing a traffic signal warrant study. As such, the proposed modifications would be consistent with the use and area requirements of the Urban Village zone and would therefore align with the applicable General and Specific Plans.

Additionally, as an existing recorded tract map, the design and improvement of the subdivision has already been reviewed, approved, and implemented. The modification has no effect on the design or improvement of the existing subdivision, which was found to be consistent with applicable General and Specific Plans. The modification would be in conformance with the adopted CASP, the provisions of which take into consideration the suitability of the site with respect to development type, density, environmental impact, public health, and passive or natural heating or cooling. Furthermore, as no changes to the tract or lot lines are requested or proposed, the modification would not conflict with any easements for access through or use of property within the subdivision.

5. That the decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The project site and surrounding properties are located within the boundaries of the GASP and were re-designated and re-zoned as part of the adoption of the Specific Plan. The adjoining property to the east is Lot No. 2 of Tract No. 51669-IND, zoned Urban Village, and is currently being developed into a new 285-unit mixed-use housing and commercial development, reviewed under Administrative Clearance (ADM-2021-8129-CASP), with a total Floor Area of 225,745 square feet and an FAR of 3.39:1. The adjoining properties to the south are Lots Nos. 5 and 8 of Tract No. 51669-IND, zoned Urban Innovation, and developed with surface parking lots and industrial warehousing and distribution buildings. The adjoining property to the west is zoned UV(CA) and developed with manufacturing uses. The property to the north of the subject site, across North Spring Street, is the Los Angeles State Historic Park and is zoned GW(CA) for open space. The adjoining property to the north of the site, on the south side of North Spring Street, is an unnumbered lot zoned UV(CA) and developed with a billboard.

As noted, the modifications would permit development of the site with a residential project that is in conformance with the adopted CASP. When it was adopted in 2013, the GASP amended the zoning and land use designations of a 65-acre area northeast of Downtown Los Angeles, comprised primarily of industrial uses, to support new commercial and

residential developments within the Specific Plan. The Specific Plan involved an extensive public outreach process, and its effects were studied in the environmental impact report certified by the Los Angeles City Council (EIR No. ENV-2009-599-EIR).

The Applicant is requesting approval of this Tract Map Modification to eliminate floor area, use and parking restrictions to allow the construction of a 100% residential project consisting of 445 residential dwelling units. The residential development will be reviewed separately under administrative clearance for compliance with the CASP under building permit number 23010-10000-04539. As such, it can be found that the modifications will not result in detrimental effects on surrounding properties, which are subject to many of the same provisions under the CASP as the subject site.

LIMITATIONS OF A MODIFICATION OF RECORDED FINAL MAP

In connection with the approval of the Modification of Recorded Final Tract Map No. 51669 (Case No. TT-51669-IND), pursuant to Section 17.14 E of Chapter 1 of the Los Angeles Municipal Code, modifications and amending maps shall be governed by the following limitations:

 No modifications involving increases in density shall be allowed which would change the density of a subdivision as approved on appeal by the City Planning Commission or the City Council, where such density was the subject of the appeal to the City Planning Commission or the City Council.

This provision does not apply to the subject modification. While the initial decision of the Advisory Agency was appealed to the City Planning Commission on August 14, 1994, the scope of the appeal was limited to the dedication and improvement requirements. Density was not a challenged subject; therefore, this provision would not apply to the proposed project, which seeks to utilize the density, floor area, and other provisions of the CASP.

2. No condition may be modified if it was imposed as a mitigating measure identified in a mitigated or conditional negative declaration or in an Environmental Impact Report.

The Mitigated Negative Declaration ENV-1993-224, certified for the Tract 51669, included conditions which were implemented as mitigation measures. Those conditions were intended to reduce impacts of future development of the parcels in the Tract. Subsequently, additional uses and increased floor area permitted by the Cornfield Arroyo Seco Specific Plan were analyzed as part of the certified Environmental Impact Report (EIR), Case No. ENV-2009-599-EIR. Under the subject action, the applicant is seeking a modification of Condition Nos. 12.a.. 12.b, and 12.c. Condition 12.a. limits the total floor area for the entire tract map and gross floor area for each lot, Condition 12.b restricts uses to be warehousing/manufacturing use, and Condition 12.c. requires parking to be provided according to the warehouse parking ratio. The original approval under Tract Map TT-51669-IND, limits the project site to warehouse/manufacturing uses with a maximum floor area of 86,969 square feet.

Under the subject action, the applicant seeks a modification of Condition 12 to allow for the construction of a 7-story, 445-unit affordable housing development utilizing CASP floor

area incentives (Building Permit 23010-10000-04539). The proposed Floor Area is approximately 476,764 square feet, resulting in a Floor Area Ratio (FAR) of 3.41:1. The proposed residential development will be reviewed separately under administrative clearance for compliance with the CASP. As the proposed project would comply with the GASP, it is expected to have no additional environmental impacts beyond those previously analyzed in the CASP **EIR**.

3. Modifications involving increases in density over that originally approved by the Advisory Agency in approving the tentative map shall be limited to not more than 10 percent for subdivisions containing 10 or more lots or dwelling units.

This provision does not apply to the subject modification as the Advisory Agency did not limit density as part of the original approval for TT-51669-IND.

4. Modifications involving either increase in the height of structures shall be limited to not more than 10 percent above the approved height of such structures.

The zoning of the subject site is Urban Village or UV(CA) under CASP. CASP regulates building heights, the minimum building height for the subject parcel is 45 feet and maximum height is limited to 110 feet. The original approval under Tract Map. No. TT-51669-IND did not regulate the height of structures. Therefore, this provision does not apply to the subject modification.

5. The Modification would not violate the intent of any of the original conditions of the tract map approval.

The original conditions of the tract map are consistent with the General Plan and applicable Specific Plans. The Cornfield Arroyo Seco Specific Plan (CASP) was adopted on June 28, 2013, becoming effective on August 14, 2013, after the original Tract Map was approved. The proposed modification of the Tract Map would be in compliance with the CASP, which is also consistent with the General Plan. Therefore, the modification would not violate the intent of any of the original conditions of the tract map approval.

APPEAL PERIOD - EFFECTIVE DATE

This grant is not a permit or license and any permits and/or licenses required by law must be obtained from the proper public agency. If any Condition of this grant is violated or not complied with, then the applicant **or** their successor in interest may be prosecuted for violating these Conditions the same **as** for any violation of the requirements contained in the Los Angeles Municipal Code (LAMC).

This determination will become effective after the end of appeal period date on the first page of this document, unless an appeal is filed with the Department of City Planning. An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment.

An appeal may be filed utilizing the following options:

Online Application System (OAS): The OAS (https://planning.lacity.gov/oas) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.

Drop off at DSC. Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, and payment can be made by credit card or check. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications; alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

Forms are available online at http://planning.lacitv.qov/development-services/forms. Public offices are located at:

Metro DSC	Van Nuys DSC
201 N. Figueroa Street Los Angeles, CA 90012 planning.figcounter@lacity.org (213) 482-7077	6262 Van Nuys Boulevard Van Nuys, CA 91401 planning.mbc2@lacity.org (818) 374-5050
South LA DSC	West LA DSC
(In person appointments available on Tuesdays and Thursdays 8am-4pm only) 8475 S. Vermont Avenue 1st Floor Los Angeles, CA 90044 planning.southla@lacity.org	(CURRENTLY CLOSED) 1828 Sawtelle Boulevard West Los Angeles, CA 90025 planning.westla@lacity.org (310) 231-2901

City Planning staff may follow up with the appellant via email and/or phone **if** there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Verification of condition compliance with building plans and/or building permit applications are done at the City Planning Metro or Valley DSC locations. An in-person or virtual appointment

for Condition Clearance can be made through the City's BuildLA portal (appointments.lacity.gov). The applicant is further advised to notify any consultant representing you of this requirement as well.



QR Code to Online Appeal Filing



QR Code to Forms for In-Person Appeal Filing

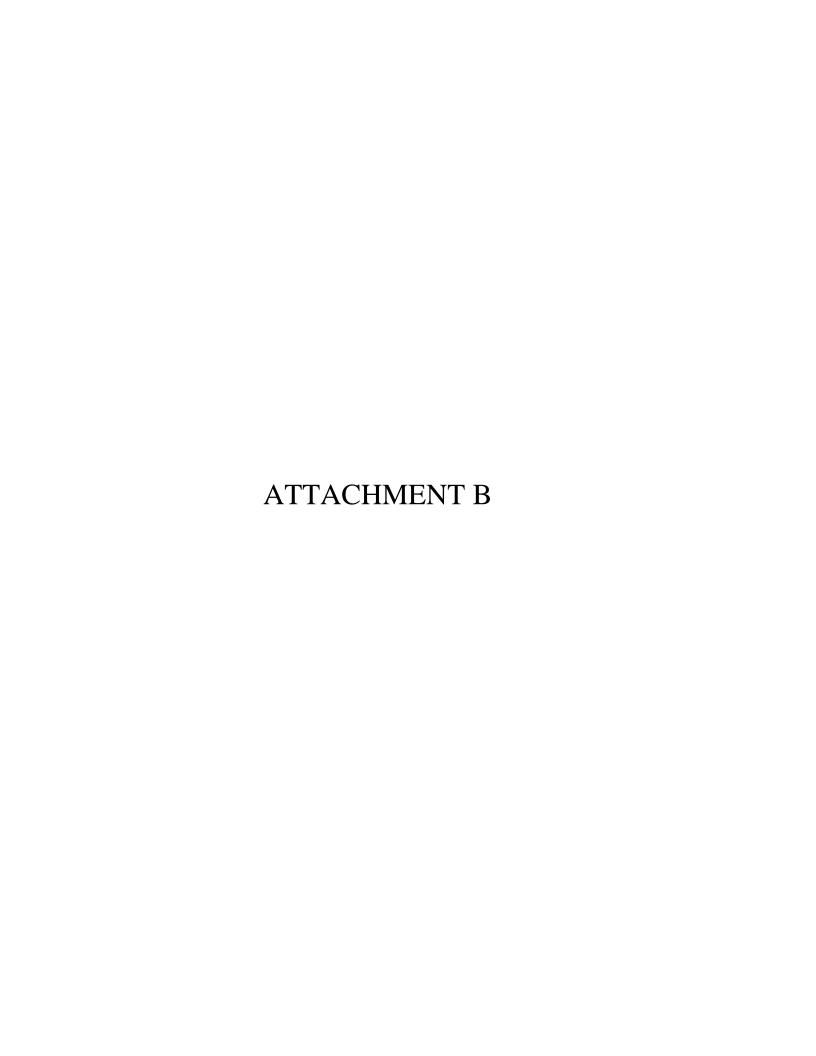


QR Code to BuildLA Appointment Portal for Condition Clearance

VINCENT P. BERTONI, AICP Advisory Agency

VANESSA SOTO, AICP Deputy Advisory Agency

VS:YL





Michael Sin <michael.sin@lacity.org>

BOE response for TT-51669 Modification

2 messages

Georgic Avanesian <georgic.avanesian@lacity.org>
To: Michael Sin <michael.sin@lacity.org>

Thu, Mar 1, 2018 at 2:11 PM

BOE has no additional comments or objection to TT-51669 Modification request to Planning dated 2/26/18. No new final map recordation is required based on the proposed modification request.

Georgic Avanesian

Land Development Group & GIS Division, Civil Engineering Associate II Bureau of Engineering, Department of Public Works 201 North Figueroa Street #200, Los Angeles CA 90012

Mail Stop 901

O: 213-202-3484, F:213-202-3499



Michael Sin <michael.sin@lacity.org>
To: georgic.avanesian@lacity.org

Thu, Mar 1, 2018 at 2:13 PM

Your message

To: Michael Sin

Subject: BOE response for TT-51669 Modification

Sent: 3/1/18, 2:11:34 PM PST

was read on 3/1/18, 2:13:02 PM PST

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Cox, Castle & Nicholson LLP

2029 Century Park East, Suite 2100 Los Angeles, California 90067-3284 **P**: 310.284.2200 **F**: 310.284.2100

Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

April 7, 2025

VIA E-MAIL

Monique Lawshe President Los Angeles City Planning Commission 200 North Spring Street, Room 340 Los Angeles, CA 90012 cpc@lacity.org

Re: 201 W. Sotello Street Tract Map Modification Appeal: Agenda Item #11

Dear President Lawshe and Members of the City Planning Commission:

This office represents S&R Partners, LLC, the owner and applicant ("Applicant") for a tract map modification for the property located at 201 W. Sotello Street (the "Property"), Case No. TT-51669-IND-M3-1A, to conform the uses permitted by the map with current zoning (the "Conformance Application"). This letter follows the City's April 2, 2025, staff report ("Staff Report") concerning the Applicant's October 28, 2024, appeal (the "Appeal") of the Advisory Agency's October 21, 2024, heavily-conditioned Conformance Application approval. The City's position, as articulated in the Staff Report, is without legal support, would impose crushing burdens on the Applicant, and is direct contravention of the City's actions on an adjacent property. To wit:

- The Staff Report misstates the record. The Staff Report appears predicated on the idea there is an active application for a residential project on the Property. There is no project application before the City. The only thing before the City is the Conformance Application, which simply seeks to align an almost 30 year old tract map with current zoning, which permits residential development, as well as other uses currently prohibited on site. 1
- The City's position violates the Subdivision Map Act. The Map Act, in section 66472.1, explicitly states that a map modification cannot "impose any additional burdens on the fee owners," nor can it "alter any right, title, or interest" in the property. Yet the City here seeks to impose millions of dollars in fees and other requirements through the

¹ In November 2023 the Applicant filed for a preliminary zoning conformance determination for a potential residential project, which was due to expire shortly by its own terms and which the Applicant has formally withdrawn.

Conformance Application, which simply seeks to permit uses on the site that the underlying zoning permits. The Map Act flatly prohibits imposition of such conditions through the modification process.

The City's "legal" response is a non-sequitur, as the Staff Report states the conditions "do not create an undue burden as they do not apply to unrelated properties or impose unnecessary obligations on neighboring landowners." What do neighboring properties not part of the application have to do with anything? The Map Act prohibits imposing a burden on the applicant landowner, which here it is unrefuted the City seeks to do.

• There is no authority to "re-record" an already recorded tract map. The City has treated the Conformance Application as if the Applicant filed for a new tract map by seeking to impose conditions it could only impose on a new map. But the City knows there is no mechanism under the Map Act to impose such conditions, so it manufactures a requirement to "re-record" the already recorded map, thereby requiring the Applicant to clear all of the imposed conditions, pay millions in fees, and bond for improvements, regardless of whether the Applicant has a project. Nothing in section 66472.1 mentions, let alone requires, re-recording an already recorded map, nor gives a jurisdiction the right or authority to interpret the Map Act to contain provisions not stated within it, and with good reason – the entire point of the operative Map Act section is to narrowly revise final maps to conform with changed circumstances (here, underlying zoning that permits residential and other uses that are prohibited in the tract map that predates current zoning).²

Further, many conditions do not even state the Applicant must "re-record" the map but state the Applicant must clear them "prior to recordation of a final map." However, the map in question was recorded decades ago, and not even the City can explain how the Applicant could clear such a condition.

• The City seeks to impose millions in Quimby fees at the subdivision amount level when the Conformance Application does not subdivide the Property. Despite no subdivision of property, as that occurred almost 30 years ago, the City seeks to impose approximately **§6.9 million** in Quimby fees, calculated at the subdivision level for a potential future project. First, all required fees were paid at the time of map recordation in accordance with state law, and the City cannot now impose new fees. Second, even if the City could impose new fees, there is no basis to impose them based on the fee structure for subdivision of property when no subdivision is taking place here. Finally, as noted above,

interpretation of its own code is that if the code does not explicitly permit something, it is not permitted.

² The City attempts a sleight of hand, stating that while nothing in the Map Act provides for re-recordation of a map, nothing explicitly prohibits it, which amounts to proving a negative. The Map Act creates a detailed statutory scheme regarding property subdivision, prescribing in detail myriad processes and requirements. It is absurd to suggest that it permits anything it does not explicitly prohibit. Further, the City's longstanding policy with respect to

the imposition of such fees directly violates the Map Act section regarding map modifications.

• The City's Map Act interpretation would eliminate section 66472.1. The City argues that because section 66472.1 references Map Act section 66474, which requires the City to find the Conformance Application is consistent with the City's General Plan, the City can impose all the conditions imposed here. The City badly misunderstands the scope of its authority, which is limited to determining whether the proposed map modification is consistent with the General Plan, which it is, as the General Plan permits residential and other uses at the Property. McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, 95 (scope of agency discretion limited by statutory scope of authority); San Diego Navy Broadway Complex Coalition v. City of San Diego (2010) 185 Cal.App.4th 924, 938 (same). The map modification request is specifically for the purpose of bringing the tract map into conformance with the Cornfield Arroyo Specific Plan.

Here, the Map Act clearly limits the scope of the City's discretion to consideration of the specific proposed map modification. To hold that the reference to section 66474 allows the City to impose any conditions as it would on a new map application would invest the City with unlimited discretion and read section 66472.1 completely out of the Government Code and violate bedrock law regarding statutory construction. *State Dept. of Public Health v. Superior Court* (2015) 60 Cal.4th 940, 955 ("A court must, where reasonably possible, harmonize statutes, reconcile seeming inconsistencies in them, and construe them to give force and effect to all of their provisions.") (citations omitted)

• The City imposed **no conditions** on an adjoining property's map modification application. In 2018, the City approved an *identical* map modification request to remove a use restriction and align permitted uses with the underlying zoning for the adjacent property located at 200 Mesnager Street (the "Mesnager application"). The City properly applied the Map Act and imposed no conditions on the Mesnager application. Indeed, senior Bureau of Engineering staff stated in writing that BOE sought no conditions and that "no new final map recordation is required based upon the proposed modification request."³

The City's purported reason for such impermissible, differential treatment is that the Conformance Application concerns an actual project whereas the Mesnager application did not. But, as detailed above, that is not true. Nor can the City point to *any* time it sought to impose such burdensome conditions on a map modification application, and there is no legal justification for it here.

³ The Mesnager site now has a 280-unit residential project, thus effectuating City policy for residential development in this area of the Cornfields Arroyo Specific Plan ("CASP").

Monique Lawshe April 7, 2025 Page 4

The Conformance Application simply seeks to conform a decades-old tract map with the uses the City, as a policy matter, has now long permitted on the Property. Faced with a straightforward request under the Map Act it previously granted with no issue, for some reason the City here seeks to impose conditions that the Applicant would be forced to clear absent actually having a project, including payment of millions in fees and bonding for various public improvements.

The City Planning Commission should grant the appeal, resulting in an approved map modification identical to the Mesnager application that would permit future development consistent with the CASP and nothing more.

Sincerely,

Alexander M. DeGood

AMD:amd

cc: Helen Campbell, Planning Director, Office of Councilmember Eunisses Hernandez Lisa Webber, Deputy Director of Planning

Jane Choi, Principal City Planner

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⁴ Indeed, the City recently adopted an updated CASP and again adopted zoning for the Property that would permit substantial residential development.

RED Comments. Notes for discussion.

Revised Conditions

TT-51669-IND-M3-1A

Deleted text is shown in strikethrough and added text is shown in underline.

Modify Condition No. 10 to read as follows:

10. That on-site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division for recordation of the final map and prior to the issuance of any Department permission.

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor Suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

- 12. Prior to the <u>issuance of a building permit</u>, recordation of the final map, the subdivider will prepare and execute two copies of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as identified in Exhibits A and B of Instrument No. 97-1724079 and as described as follows:

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35

10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 97-1724079, of official records.

The maximum floor area on each lot shall be limited as follows:

Lot No.	Maximum Floor Area* Permitted (sq. ft.)
4	16,843
3	54,181
4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951
11	11,880
12	14,995
13	14,361

^{*}Floor Area per Planning and Zoning Code Section 12.03.

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
- c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications 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 the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro Street, Los Angeles, CA 90012, (213) 485-7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 4342 Eagle Rock Boulevard

^{**}Excludes portion of Lot No. 8 as described above.

Los Angeles, CA 90041

Telephone: (213) 258-3252

Louise Harris, Gen. Mgr.

Prior to the issuance of a building permit, recordation of the final map, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearance@lacity.org, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990-2010.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to recordation of the final map the issuance of a building permit or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the 1990 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer. by the construction of a 10-foot full-width concrete sidewalk with tree wells.

Add Conditions Nos S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- Alternative language to simplify / clean up without references to one CASP or the other, or future entitlements, etc. The Processes and Procedures Ordinance will dictate what is required at the time of filing.

(p)

- "Prior to issuance of a Building Permit, the s ubdivider shall comply with applicable requirements of the Bureau of Engineering (BOE), for any dedications and/or improvements that m ay be required to comply with requirements of the Cornfield Arroyo Seco Specific Plan (CASP).
- Improve Naud Street as a public paseo as identified in the attachment to the letter from Council District 1, dated April 9, 2025, extension adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street. The paseo shall not conflict with any Fire Department requirements for building access for life safety purposes. by the construction the following: Said paseo is identified in the Draft Cornfield Arroyo Seco Specific Plan (CASP), Exhibit D1, Chapter 8, Streets, Page 101 (Council File No. 13-0078-S2). If the Applicant applies for a building permit application prior to the effective date of the CASP update, the applicant shall file a request for a Specific Plan Exception, as the current CASP contemplates a 60-foot right-of-way for the Naud Street extension as shown in CASP Subarea 1 Street Map, Chapter 3, Street, Page 3-9).
- (1) <u>Longitudinal concrete gutters and 10-foot concrete sidewalks with tree</u> wells on both sides of the street.
- (2) Suitable surfacing to join the existing pavement to complete a 40-foot "V-Shape" roadway.
- (3) <u>Curb ramps at the new street intersections with Mesnager Street and Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.</u>
- (4) The necessary removal and reconstruction of existing improvements.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (q) <u>Close all unused driveways adjoining Lot Nos. 1, 3 and 4 of the tract satisfactory</u> with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- (r) Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01 1020 satisfactory to the City Engineer.
- (s) Construct mainline sewer if necessary and house connection sewers to serve the

development satisfactory to the City Engineer.

ADD Condition Nos. 19-234 to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8604.

- That the subdivider make a request to the Central District Office of the Bureau of 19. Engineering to determine the capacity of existing sewers in this area.
- That a 60-foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend-Naud Street adjoining Lot Nos. 3 and 4 of the tract boundary shall be Alternative language to simplify / clean up without dedicated and improved as a public paseo as identified in the attachment to the references to one CASP or the other, or future entitlementetter from Council District 1, dated April 9, 2025. The paseo shall not conflict with etc. The Processes and any Fire Department requirements for building access for life safety purposes. Procedures Ordinance will dictate what is required at from Sotello Street to Mesnager Street. Said paseo is identified in the update of in the time of filing. accordance with the **Draft** Cornfield Arroyo Seco Specific Plan (CASP) on an alignment "Prior to issuance of a satisfactory to the City Engineer Exhibit D1, Chapter 8, Streets, Page 101 (Council

File No.13-0078-S2). If the Applicant applies for a building permit applications are to the effective date of the CASP update, the applicant shall file a reque only imposed per the Specific Plan Exception, as the current CASP contemplates a 60-foot right mobility element for local for the Naud Street extension as shown in CASP Subarea 1 Street Map, Chand higher streets, not Street, Page 3-9).

paseo's or alleys... This should be deleted.

That 15-foot radius property line returns or 10-foot by 10-foot cut corners/be dedicated at 21. the intersection of Naud Street and Sotello Street.

That the existing public easements be clearly shown on the final map.

As necessary

What easement? 223. This appears to be a straggling tract condition this would not be required In the related to an review and approval.

Building Permit, the s

ubdivider shall comply with applicable requirements of

the Bureau of Engineering (BOE), for any dedications

and/or improvements that m

ay be required to comply with requirements of the

Cornfield Arrovo Seco

Specific Plan (CASP).

That a Covenant and Agreement be recorded advising all future owners and builders. that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements during the normal course of plan check. IS this meant and to construct over any existing facilities must be submitted to the City Engineer for

> That no portion of the proposed development shall encroach within the new public 2**34**. right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 245 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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 or Laura.Duong@lacity.org to schedule an appointment.

That pPrior to recordation of the issuance of a building permit, final map, the 245.

Revised Conditions TT-51669-IND-M3-1A

<u>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:</u>

Is this condition necessary anymore? isnt this map mod the approval? This is a. from a DBS recommendation letter for the tract, but doesnt have any operative effect after approval?

Obtain approval from the Advisory Agency for the modification request to modify Conditions No. 12.a, 12.b, and 12.c.

Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

The existing or proposed building plans have not been checked for and shall

comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

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

Add Condition No. 25-296-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

<u>Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org.</u>

Prior to issuance of a Building Permit, the subdivider shall submit plans to LADOT for review and approval, showing compliance with the following standards:

- 256. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
- 267. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.
- <u>278.</u> Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.

Revised Conditions TT-51669-IND-M3-1A

Suggest striking specificity and defer to the CASP not a specific section. This should be broader -Traffic improvements are Chapter 8 of the updated CASP, not Chapter 3...

2<mark>89</mark>.

The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (CASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3- Streets, Section E, Street Intersection Design Regulations (Page 3-14) for signal installation.

2930. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 304 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 304. That pPrior to the issuance of a building permit, 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: compliance with any applicable requirements of the Fire Department related to a proposed project at the time a specific project is submitted for formal Fire Department review during the building plan check process.
 - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

These conditions have no place here any applicant will need to comply with LAFD... and if LAFD standards change, then we are held to these which may conflict with future policies... We recommend a broad compliance condition and not something so prescriptive that is potentially in conflict with future standards C.

- Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- c. One or more Knox Boxes will be required to be installed for LAFD access to project.
- d. Location and number to be determined by LAFD Field Inspector. (Refer to FPB Reg # 75).



- e. 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.
- 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 Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) 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.
- 4) <u>Submit plot plans indicating access road and turning area for Fire Department approval.</u>
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) <u>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>
- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- 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. <u>The Fire Department may require additional vehicular access where buildings</u> <u>exceed 28 feet in height.</u>
- k. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map

or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- iii. This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. 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.
- p. <u>Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.</u>
- q. Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- r. Standard cut-corners will be used on all turns.
- s. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

- t. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- u. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- w. <u>During demolition</u>, the <u>Fire Department access will remain clear and unobstructed</u>.
- x. The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- z. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
 - ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation

- of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. <u>That the Common Fire Lanes and Fire Protection facilities be shown on the Fina Map.</u>
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.</u>
- dd. 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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.
- ee. Entrance to the main lobby shall be located off the address side of the building.
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 312 to read as follows:

DEPARTMENT OF WATER AND POWER

Prior to issuance of a building permit.
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)).

Add Condition No. 323 to read as follows:

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

<u>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).</u>

323. Prior to the issuance of a building permit recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Add Condition No. 334 to read as follows:

BUREAU OF SANITATION

334. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)).

Add Condition Nos. 345-367 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING Prior to issuance of a building permit, any project

- 345. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.
- When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.

<u>367.</u> Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 378 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, and can be requested at planning.lacity.org.

- <u>378.</u> Prior to the **issuance of a building permit** 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. 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.

DEPARTMENT OF RECREATION AND PARKS

389. Prior to issuance of a building permit, the applicant shall pay the applicable Park Fee to the Department of Recreation and Parks, which shall be calculated as a Subdivision (Quimby in-lieu) fee.

See attached CCN Supplemental Letter re: QUIMBY Applicability



Cox, Castle & Nicholson LLP

2029 Century Park East, Suite 2100 Los Angeles, California 90067-3284 **P**: 310.284.2200 **F**: 310.284.2100

Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

April 30, 2025

Jane Choi, AICP Principal Planner Department of City Planning 201 N. Spring Street Los Angeles, CA 90012 jane.choi@lacity.org

Re: 201 Sotello St. - Request to Remove Proposed Condition of Approval

(TT-51669-IND-M3-1A)

Dear Ms. Choi:

As you know, this firm represents S & R Partners LLC, the owner ("Owner") of the property located at 201 West Sotello Street (the "Property") regarding the proposed modification to the existing Tract Map (the "Project") recorded against the Property.

During recent discussions and correspondence regarding proposed revised conditions for the Project, the Department of Recreation and Parks has requested the addition of a condition stating as follows:

"38. Prior to issuance of a building permit, the applicant shall pay the applicable Park Fee to the Department of Recreation and Parks, which shall be calculated as a Subdivision (Quimby in-lieu) fee."

As discussed below, the proposed condition is unauthorized, would violate the law, and further makes little sense in the context of the limited request at issue in the Project.

First, the City cannot impose Quimby fees on the Project because such imposition would violate Government Code section 66472.1, which governs the approval of map modifications, and prohibits the City from imposing additional burdens on the Owner as part of the modification approval:

"[A]fter a final map...is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map...if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that **the modifications do not impose any additional burden on the fee owners of the real property**, and if the modifications do

not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification."

Under the City's proposed condition, if the Owner was to eventually move forward with a residential project, it would owe millions in Quimby fees, which is obviously a substantial additional burden not present under the current recorded map.

In addition, the plain language of the Quimby Act, which is codified in Gov. Code Section 66477, makes clear that the City's authority to impose a Quimby in-lieu fee only applies to "the approval of a tentative map or parcel map" for a "residential" project. Gov. Code Section 66477(a). Here, neither the approval of a tentative map or parcel map is at issue; the Project instead requests a modification to an approved map in relevant part to modify the uses permitted at the Property, pursuant to Gov. Code section 66472.1. As such, there is no legal authority for the imposition of Quimby fees, as the trigger for their imposition does not exist.

Further, while the proposed map modification is to permit other uses on the Property besides industrial uses, which may include residential uses, there is not currently a residential project (much less one involving a tentative map or parcel map) implicated by the requested modification. As the Owner has repeatedly communicated, it will assess the market and determine what type of development is most viable for the site. Gov. Code Section 664477(a)(2) specifically requires that any imposed Quimby fee "shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household." Again, the City is not approving a new tentative map or parcel map in furtherance of residential uses here, and therefore the City has no authority to impose a Quimby fee on the Project.¹

The City's own park fee ordinance, codified in LAMC Section 12.33, expressly acknowledges that Quimby in-lieu fees are only applicable to residential <u>subdivision</u> projects exceeding 50 residential units and that all other residential projects are subject to the City's park mitigation fee, stating as follows in LAMC Section 12.33-B:

"B. Types of Fees. The type and amount of park and recreation impact fee associated with a project depends on the type of project being developed. <u>Subdivision projects consisting of more than 50 residential units are subject to a Quimby in-lieu fee. All other residential projects are subject to a park mitigation fee." (Emphasis added.)</u>

¹ The Quimby Act also provides that subdivisions not used for residential purposes are exempt from Quimby fees. Gov. Code §§ 66477(a)(8) and 66477(d). Here, given that upon modification approval the Property may be used for various commercial, non-residential uses, there is no basis to impose Quimby fees.

"**B. Types of Fees.** The type and amount of park and recreation impact fee associated with a project depends on the type of project being developed. <u>Subdivision projects consisting of more than 50 residential units are subject to a Quimby in-lieu fee. All other residential projects are subject to a park mitigation fee." (Emphasis added.)</u>

Put simply, neither the Quimby Act nor the City's Quimby Act implementation ordinance authorizes the City to impose Quimby fees on the Project, which (1) involves the approval of a modification to an approved map and not the approval of a tentative map or parcel map; (2) does not involve a current residential project; and (3) concerns property that, post-modification approval, may contain various non-residential uses.

Further, the requested condition of approval would constitute an unlawful exaction. Under the *Nollan/Dolan* test repeatedly affirmed by the Supreme Court, any fee imposed on an *ad hoc* basis as a condition for a discretionary entitlement must be "roughly proportional" to the development's impacts and there must be an "essential nexus" between the public interest and the condition imposed. (*See, e.g., Nollan v. California Coastal Comm'n* (1987) 483 U.S. 825 and *Dolan v. City of Tigard* (1994) 512 U.S. 374.)

Here, neither the requirement for rough proportionality nor a nexus is met. As discussed previously, the Project involves the modification of an existing condition of approval to an approved map, and does not propose a new subdivision, a new residential project, or any new development whatsoever. There is no development proposed bearing a relationship to the need of the Quimby Fee, which is a development impact fee for the purpose of developing new or rehabilitating existing recreational facilities. Therefore, in addition to being unauthorized, the proposed condition would be unconstitutional.

In addition, the imposition of the requested condition of approval makes little sense given the limited scope of the Project, and the City's imposition further implicates issues of fairness in light of the City's actions on a neighboring site involving the same conditions of approval. In 2018, the City approved a modification to Tract Map No. 51669 (the same tract map at issue in the Project) in order to modify the conditions applicable to the adjoining site located at 200 Mesnager St.

Similar to the Project, the Department of Recreation and Parks sought to unlawfully impose a new Quimby fee condition for the requested Mesnager St. modification. Upon request and argument of the applicant of that modification, the City removed the proposed unlawful Quimby fee condition, which was not included in the modified conditions of approval.²

² The conditions of approval for that modification are available at https://planning.lacity.gov/pdiscaseinfo/document/MTg4ODk50/03b6cd7a-61f3-4d27-8bc5-9bb6e20119bc/pdd.

Jane Choi, AICP April 30, 2025 Page 4

Failing to remove the condition of approval here would present issues of procedural and substantive fairness, given the overlapping issues and the resulting disparate outcomes, particularly where the imposition of the condition is both unlawful and unauthorized.

To be clear, in the event the Owner eventually proceeds with a residential project, such project will be subject to the City's "Non-Subdivision Residential Projects" fee, which is currently \$8,362.00 per unit. As such, in event of a residential project, the City will receive substantial park fees.

What the City cannot do is impose Quimby fees, which currently are \$17,060.00 per unit. While the Owner has not proposed a project, by way of example, the adjacent Mesnager project is 280 units. If the Owner moved forward with a similar project, it would owe \$2,341,360 in park fees, whereas Quimby fees would total \$4,776,800, a difference of \$2,435,440, a tremendous burden that would violate the Map Act, as detailed above.³

* * *

In light of the foregoing, we respectfully request that the City strike the proposed condition of approval regarding Quimby fees.

Please do not hesitate to reach out if you have any questions. We look forward to our continued work with the City on the Project.

Sincerely,

Alexander M. DeGood

AMD:ejs

cc: Helen Campbell, Planning Director, Office of Councilmember Eunisses Hernandez Lisa Webber, Deputy Director of Planning

³ Both existing and future CASP zoning would provide for more units on the Property, but this is used for illustration purposes.

<u>Updated</u> Revised Conditions TT-51669-IND-M3-1A Post 5/1/2025 Meeting

<u>Updated</u> Deleted text is shown in <u>strikethrough</u> and added text is shown in <u>underline</u>. [Post 5/1/2025 meeting]

Deleted text is shown in strikethrough and added text is shown in underline. [Post 4/10/2025]

Modify Condition No. 10 to read as follows:

10. That on site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division for recordation of the final map and prior to the issuance of any Department building permit.

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor Suite 1200. The approval of this Tract Map Modification shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

- 12. Prior to the <u>issuance of a building permit, recordation of the final map</u>, the subdivider will prepare and execute two copies of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as identified in Exhibits A and B of Instrument No. 97-1724079 and as described as follows:

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of

maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35 10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 97-1724079, of official records.

The maximum floor area on each lot shall be limited as follows:

Lot No.	Maximum Floor Area* Permitted (sq. ft.)
1 3 4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951
11	11,880
12	14,995
13	14,361

^{*}Floor Area per Planning and Zoning Code Section 12.03.

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
- c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications 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 the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro

^{**}Excludes portion of Lot No. 8 as described above.

Street, Los Angeles, CA 90012, (213) 485 7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 4342 Eagle Rock Boulevard

Los Angeles, CA 90041

Telephone: (213) 258 3252

Louise Harris, Gen. Mgr.

Prior to the **issuance of a building permit**, recordation of the final map, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearance@lacity.org, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990 2010.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to <u>recordation of the final</u> map the issuance of a building permit or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the 1990 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.by the construction of a 10 foot full width concrete sidewalk with tree wells.

Add Conditions Nos S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (p) Improve Naud Street as a public paseo as identified in the attachment to the letter from Council District 1, dated April 9, 2025, extension adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street consistent with the Cornfield Arroyo Seco Specific Plan (CASP) requirements in place at the time of filing of plans and fees sufficient to vest plan check. The paseo shall not conflict with any Fire Department requirements for building access for life safety purposes, by the construction the following: Said paseo is identified in the Draft Cornfield Arroyo Seco Specific Plan (CASP), Exhibit D1, Chapter 8, Streets, Page 101 (Council File No. 13-0078-S2). If the Applicant applies for a building permit application prior to the effective date of the CASP update, the applicant shall file a request for a Specific Plan Exception, as the current CASP contemplates a 60-foot right-of-way for the Naud Street extension as shown in CASP Subarea 1 Street Map, Chapter 3, Street, Page 3-9).
 - (1) Longitudinal concrete gutters and 10 foot concrete sidewalks with tree wells on both sides of the street.
 - (2) Suitable surfacing to join the existing pavement to complete a 40 foot "V-Shape" roadway.
 - (3) Curb ramps at the new street intersections with Mesnager Street and Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01 1020.
 - (4) The necessary removal and reconstruction of existing improvements.
 - (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.

- (q) Close all unused driveways adjoining Lot Nos. 1, 3 and 4 of the tract satisfactory with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- <u>(r)</u> <u>Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01 1020 satisfactory to the City Engineer.</u>
- (s) Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer.

ADD Condition Nos. 19-234-to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8604.

- 19. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- That a 60 foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street adjoining Lot Nos. 3 and 4 of the tract boundary shall be dedicated consistent with the Cornfields Arroyo Seco Specific Plan (CASP) in place at the time of filing of plans and fees sufficient to vest a plan check. and improved as a public paseo as identified in the attachment to the letter from Council District 1, dated April 9, 2025. The paseo shall not conflict with any Fire Department requirements for building access for life safety purposes. from Sotello Street to Mesnager Street. Said paseo is identified in the update of in accordance with the Draft Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer. Exhibit D1, Chapter 8, Streets, Page 101 (Council File No.13-0078-S2). If the Applicant applies for a building permit application prior to the effective date of the CASP update, the applicant shall file a request for a Specific Plan Exception, as the current CASP contemplates a 60-foot right-of-way for the Naud Street extension as shown in CASP Subarea 1 Street Map, Chapter 3, Street, Page 3-9).
- 21. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated at the intersection of Naud Street and Sotello Street.
- <u>22.</u> <u>That the existing public easements be clearly shown on the final map.</u>
- 223. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 234. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 245 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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 or Laura. Duong@lacity.org to schedule an appointment.

- 245. That pPrior to recordation of the issuance of a building permit, 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:
 - <u>a.</u> <u>Obtain approval from the Advisory Agency for the modification request to modify</u> Conditions No. 12.a, 12.b, and 12.c.
 - b. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

The existing or proposed building plans have not been checked for and shall

comply with Building and Zoning Code requirements. With the exception of revised health or safety standards, the subdivider shall have a vested right to proceed with the proposed development in substantial compliance with the ordinances, policies, and standards in effect at the time the subdivision application was deemed complete. Plan check will be required before any construction, occupancy or change of use.

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

Add Condition No. 25-296-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org. Prior to the issuance of a building permit, the subdivider shall submit plans to the Department of Transportation, for review and approval, demonstrating compliance with the following conditions or those as modified at the time by the Department of Transportation:

2<u>56.</u> A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300

- parking spaces respectively or as shall be determined to the satisfaction of the Department of Transportation.
- 267. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.
- 278. Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.
- 289. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (CASP) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3- Streets, Section E, Street Intersection Design Regulations (Page 3-14) for signal installation.
- <u>2930.</u> A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 301 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 301. That pPrior to the issuance of a building permit, 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 conditions or those as modified at the time by the Fire Department:
 - <u>a.</u> Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - <u>b.</u> Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - <u>c.</u> One or more Knox Boxes will be required to be installed for LAFD access to project.
 - <u>d.</u> Location and number to be determined by LAFD Field Inspector. (Refer to FPB Req # 75).

- e. 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.
- 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 Requirements:

- 1) 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.
- 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 3) Fire lanes, where required and dead ending streets shall terminate in a cul-desac 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.
- <u>4) Submit plot plans indicating access road and turning area for Fire Department approval.</u>
- 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- 6) 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.
- 7) Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. <u>Construction of public or private roadway in the proposed development shall not</u> exceed 10 percent in grade.

- 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. <u>The Fire Department may require additional vehicular access where buildings exceed</u> 28 feet in height.
- k. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- I. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)
 - i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
 - ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
 - <u>iii.</u> This policy does not apply to single-family dwellings or to non-residential buildings.
 - m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire

 Department apparatus, overhead clearance shall not be less than 14 feet.
- 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.

- <u>p.</u> Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- <u>q.</u> Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.
- r. Standard cut-corners will be used on all turns.
- s. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- t. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- <u>u.</u> Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention
 Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all
 High-Rise buildings in the City. However, FPB's Requirement 10 has been revised
 to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- w. During demolition, the Fire Department access will remain clear and unobstructed.
- <u>x.</u> The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- z. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any

- necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
- ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.</u>
- dd. <u>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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.</u>
- ee. Entrance to the main lobby shall be located off the address side of the building.
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 312 to read as follows:

DEPARTMENT OF WATER AND POWER

312. Prior to the issuance of a building permit,sSatisfactory 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)).

Add Condition No. 323 to read as follows:

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

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).

323. Prior to the <u>issuance of a building permit recordation of the final map</u> or issuance of the <u>Certificate of Occupancy (C of O)</u>, street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Add Condition No. 334-to read as follows:

BUREAU OF SANITATION

334. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)).

Add Condition Nos. 345-367 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

- 345. Prior to the issuance of a building permit, the pProject shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.
- 356. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 378 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, and can be requested at planning.lacity.org.

- 378. Prior to the issuance of a building permit 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. 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.

DEPARTMENT OF RECREATION AND PARKS

389. Prior to issuance of a building permit, the applicant shall pay the applicable Park

Fee to the Department of Recreation and Parks, which shall be calculated as a

Subdivision (Quimby in-lieu) fee.

EXHIBIT I





April 9, 2025

Los Angeles City Planning Commission Department of City Planning 200 North Spring Street Los Angeles, California 90012

Re: Agenda Item 11, 201 West Sotello Street, TT-51669-IND-M3-1A

Dear Honorable Members of the City Planning Commission,

On behalf of the First District, I encourage the City Planning Commission to carefully consider the appeal and balance the opportunities to support the potential development of a major housing project at this site while also ensuring for the necessary infrastructure to be developed in keeping with the Cornfield Arroyo Seco Specific Plan (CASP). This map modification will work to bring regulations on the site in alignment with the current CASP and will open the opportunity for this site to host much-needed multifamily housing in an area that is well served by transit and open space.

Our office urges the Commission to ensure that the public street and lighting improvements along Spring, Sotello and Mesnager outlined in the conditions for modifying the map be conditioned when a project is filed for development on the site. Chapter 8 of the updated CASP (see Appendix A), which has been approved by Council and is undergoing form and legality review, outlines the requirements for street dedications and improvements. I encourage the Commission to consider the guidance under section B.4.b ("Proposed Paseo"), for the Naud Street Extension. In short, the updated CASP calls for the creation of a paseo as the extension of Naud Street, instead of the full roadway proposed under the existing CASP. The paseo would serve pedestrians and cyclists, and I encourage the Commission to explore conditioning the future project such that the paseo be dedicated and improved as a public right-of-way when a project is filed at this site.

I urge you to support part of the appeal to ensure the conditions meet the guidance of the updated CASP, and recommend that the Commission modify conditions to demonstrate compliance as part of the plan check and permitting process, as opposed to demonstrating compliance before recordation of the final map. It is important that the City reasonably impose conditions, so that we receive these important infrastructure improvements without entirely precluding beneficial projects for our City.

Thank you for your consideration,

Eunsses Penancy

Eunisses Hernandez, Los Angeles City Councilmember, 1st District



Chapter 8 Streets

A. Street Dedication and Improvement

1. Requirement

Projects in the Specific Plan shall comply with the applicable dedication and improvement requirements of Div. 10.1. (Street Dedication and Improvement) of Chapter 1A (Zoning Code) of the LAMC. For the purposes of this Division, any lot in an Urban Village, Urban Center, Urban Innovation, or Public Use (P2) Use District shall be deemed equivalent to a lot in an Industrial-Mixed Use District.

a. Pursuant to Div. 10.1.I. of Chapter 1A (Zoning Code) of the LAMC, where the existing improved roadway meets or exceeds the street standard, but the abutting sidewalk dimension is less than standard as depicted in the most recent version of the Bureau of Engineering's standard plan number S470, the sidewalk must be widened to meet the standard.

2. Street Standards

The street designations and street standards of rights-of-way within the Specific Plan boundaries can be found in Appendix A (Street Cross-Sections) and the Bureau of Engineering Navigate LA website.

B. Basic Streetscape Improvements

1. Applicability

When a right-of-way improvement is required of any Project pursuant to Section 8.A. of this Specific Plan, the following Basic Streetscape Improvements are also required as part of the right-of-way improvement.

2. Waiver of Improvements

The Director of Planning may waive, reduce, or modify the requirements of the Basic Streetscape Improvements pursuant to the waiver of dedication and improvement provisions set forth in Sec. 10.1.10. (Waiver and Appeals) of Chapter 1A (Zoning Code) of the LAMC.

3. Street Trees

- a. Requirement. The Project shall include the installation of street trees planted in parkways along the right of way adjacent to the Project, in coordination with the Bureau of Engineering and as approved by the Bureau of Street Services, Urban Forestry Division.
- b. **Number, Size, and Location of Street Trees.** The Project shall provide the maximum number of street trees, as determined by the Bureau of Street Services, Urban Forestry Division. Trees shall be planted in parkways; or if not in parkways, in the largest possible size tree wells meeting the requirements of the Bureau of Street Services, Urban Forestry Division.
- c. **Tree Removal and Replacement.** Where existing street trees must be removed and/or replaced as a result of required street widening or other improvements, approval from the Board of Public Works through the Bureau of Street Services, Urban Forestry Division, may be necessary.

- 4. Additional Basic Streetscape Improvements
- a. **Requirement for Projects.** A Project that includes fewer than 50 dwelling units or guest rooms shall provide at least one of the Additional Basic Streetscape Improvements listed in Table 8-1. For every additional 100 dwelling units or guest rooms, a Project shall provide an additional improvement listed in Table 8-1, not to exceed four Additional Basic Streetscape Improvements. A Project that does not include dwelling units or guest rooms shall include one Additional Basic Streetscape Improvement per 50,000 square feet of nonresidential floor area.



Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Parkways			
 Standard dimension: 5' wide Surface treatment: low-growing drought-tolerant plants with mulch Convenience Strip: Unobstructed area 18" from back of curb, excluding a minimum 6"-wide curb. Required at planted parkways adjacent to curbside parking spaces or loading areas. Natural concrete (standard gray) or permeable pavers if approved by BOE. 	BOE, BSS	BOE, BSS	Repair house walks when damaged; weed and clean as needed by owner
 House Walk: If parkway is adjacent to marked on-street parking or loading spaces, a 5'-wide walkable surface across the parkway shall be provided every 35 to 50 feet. Walkable surface should be concrete (or permeable pavers if approved by BOE). 			
Special Sidewalk Paving			
 Preferred: Concrete to be standard gray color, with approved permeable interlocking concrete pavers between tree wells (standard gray color). Type and pattern of permeable pavers to be approved by BOE. Approved pavers are listed on the "Approved Products" page at https://boe.lacity.org/apm/menu.cfm 	BOE	Non-Standard	Repair when damaged; clean as needed by owner

Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Special Lighting			
 Special lighting that adds to the Area's sense of place is encouraged within the public right-of-way, provided that it does not interfere with pedestrian movement, vehicular safety, the approved street light/street tree spacing pattern, or other required streetscape elements 	BSS	Non-Standard	Repair when damaged
 Examples of special lighting include accent lighting of landscape and architectural features 			
 Special lighting may be installed with a revocable permit. The infrastructure for this lighting shall be maintained by the permit holder and not the Bureau of Street Lighting. 			
Bicycle Racks			
 Place at a location approved by the DOT and city engineer. A minimum 48" wide unobstructed sidewalk access must be maintained. Inverted U or approved equal 	DOT, BOE	S-671	Per review agency
Potted Planters			
 Shrub heights to be approved by BSS Include water trays or internal water system Not to exceed dimensions (width/depth) of tree wells per this plan Must be designed and installed against any overturning force 	BSS	Non-Standard	Weed; remove/replace dead, dying or diseased plants; prune; remove litter; fertilize periodically
Bus Shelters			
 Provided at the discretion of the City Coordinated Street Furniture Program vendor at major bus stops 	BSS, BOE	BSS, BOE	By City vendor

Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Bus Benches & Trash Receptacles			
 Provided at the discretion of the City Coordinated Street Furniture Program vendor at major bus stops 	BSS, BOE	BSS, BOE	By City vendor
Bus Stop Lights			
Install in pairs within 20' of bus stops14' or 12' AV Steel Pole (galvanized steel) or approved equal	BSL, DWP	BSL, DWP	By BSL
Crosswalk Striping			
 Per LADOT policy, the implementation of continental striping on existing marked crosswalks shall be prioritized on major streets and at intersection crossings 	DOT, BOE	S-480, S-481.1	Reapply every 5-10 years
Crosswalk ADA Ramps			
ADA-approved ramps with detectable warning surface (min. 3' x 4')	вое	S-442	Repair when damaged; clean as needed
 Two ramps per corner at intersections (as feasible) and one ramp at each end of mid-block crossings 			
 Detectable warning surface in yellow; remainder of ramp to be natural concrete (standard gray) 			

- See Table 8-2

- b. **Proposed Paseo.** In addition to the requirement(s) set forth above, a Project shall include a passageway for pedestrians at the location(s) where a Proposed Paseo has been identified in the Subarea Street Map. The passageway shall meet the following requirements:
 - İ. Minimum width of 10 feet that is uncovered and open to the sky.
 - ii. Shall be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle. Physical separation methods may include curbs of no less than 4 inches in height or bollards, walls, raised planters or similar containment methods, no less than 30 inches in height and separated by no more than 5 feet.
 - iii. The surface of the passageway shall be illuminated in accordance with Sec. 4C.10.1.C.3. (Pedestrian-Oriented Lighting) of Chapter 1A (Zoning Code) of the LAMC.
 - iv. Shall be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of a pedestrian passageway from pedestrian access during the required available hours, and a sign shall be posted at every public entrance to the pedestrian passageway in accordance with the standards in Sec. 2C.3.3.D.10.b.ii. of Chapter 1A (Zoning Code) of the LAMC.
 - v. Each facade facing the passageway shall meet the side street transparency and entrance standards of the applied Frontage District (Chapter 3).
- c. **Mesnager Street Extension.** A Project that abuts the location of the Proposed Street Extension as identified in the Subarea 1 Street Map shall include an extension of Mesnager Street as a public right-of-way between Naud Street and North Main Street. The street extension shall meet the following requirements:
 - i. Designed as a "shared street" that allows motor vehicle access at low speed.

- ii. Dedicated and improved to a minimum right-of-way width of 40 feet, including a 28-foot roadway width, 10-foot sidewalk width, and 2-foot parkway width.
- iii. A property owner shall only be responsible for their half of the extension for portions that abut a neighboring property.

EXHIBIT J

Revised Conditions and Findings for Consideration by the City Planning Commission (7/10/2025) TT-51669-IND-M3-1A

The following are proposed revised Conditions of Approval and Findings to the Deputy Advisory Agency's original determination dated October 21, 2024, for the City Planning Commission's consideration.

Deleted text is shown in strikethrough and added text is shown in underline.

Modify Condition No. 10 to read as follows:

10. That on-site drainage be provided in a manner satisfactory to the Department of Building and Safety, Grading Division. Comply with any applicable requirements with the Department of Building and Safety, Grading Division prior to the issuance of any Department building permit.

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor Suite 1200. The approval of this Tract Map Modification shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property.

- 12. Prior to the <u>issuance of a building permit</u>, recordation of the final map, the subdivider will prepare and execute two copies of a covenant and agreement (Planning Department Form CP-6770) in a manner satisfactory to the Department of Building and Safety and the Planning Department, binding the subdivider and all successors to the following:
 - a. Limit the industrial development to a maximum of 367,605 square feet of gross floor area, exclusive of the floor area used for automobile parking spaces, for basement storage or for rooms housing mechanical equipment incidental to the operation of the building.

The maximum floor area permitted on a lot may be exceeded by transferring unused floor area from another lot within the tract. In no event shall a lot be left with less than a total of 10,000 square feet of permitted floor area or have an excess of 1.5:1 FAR. In addition, the overall permitted floor area for the tract shall not exceed 367,605 square feet.

Whenever the subdivider chooses to transfer floor area, a new Covenant and Agreement must be recorded to reflect the changes.

Notwithstanding the above, the limitations on floor area shall not apply to Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as identified in Exhibits A and B of Instrument No. 97-1724079 and as described as follows:

Lot 1, of Tract No. 51669, in the City of Los Angeles, County of Los Angeles, State of California, as per map filed in Book 1221 Page(s) 1 through 4 inclusive of maps, in the office of the County Recorder of said county.

Lot 2 of Tract No. 51669, in the City of Los Angeles. County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4 inclusive of maps, in the Office of the County Recorder of said county; along with that portion of Lot 8 of said Tract 51669 described as follows:

Beginning at the northwest corner of Lot 8 of said Tract 51669, thence along the northwest line of said Lot 8, north 53° 45' 57" east 248.08 feet to the northeast line of said Lot 8 shown on said Tract No. 51669 as having a bearing of north 35 10 14 west; thence along said northeast line south 35° 10' 14" east 25.31 feet; thence south 58° 05' 27" west 249.43 feet to the southwest line of said Lot 8; thence along said southwest line north 31° 44' 52" west 16.54 feet to the point of beginning, as per certificate of compliance recorded October 30, 1997 as instrument No. 97-1724079, of official records.

Lot 3 of Tract No 51669, in the City of Los Angeles, County of Los Angeles, State of California, as per map filed in Book 1221 Pages 1 through 4, inclusive of maps, in the office of the County Recorder of said county.

Lot 4 of Tract No. 51669, in the City of Los Angeles, County of Los Angeles, State of California, as per map filed in Book 1221, Pages 1 through 4, inclusive of maps, in the office of the County Recorder of said county.

The maximum floor area on each lot shall be limited as follows:

Lot No.	Maximum Floor Area* Permitted (sq. ft.)
4	16,843
3	54,181
4	15,945
5	25,379
6	19,272
7	18,480
8**	38,462
9	28,490
10	25,951
11	11,880
12	14,995
13	14,361

^{*}Floor Area per Planning and Zoning Code Section 12.03.

- b. The use of the site shall be limited to warehousing/manufacturing, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12.a. Development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.
- c. Provide, as a minimum, warehouse parking in compliance with Section 12.21.A.4(c) of the Los Angeles Municipal Code, except for Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 as described in Condition No. 12 (a). Parking for the development of Lot Nos. 1, 2, 3, 4, and a portion of Lot No. 8 shall be in conformance with the applicable zoning regulations.

^{**}Excludes portion of Lot No. 8 as described above.

Modify Condition No. 14 to read as follows:

14. That satisfactory arrangements be made with the cable television franchise holder for this area in accordance with policies adopted by the Department of Telecommunications 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 the arrangements made with the applicant must be submitted by the cable company to the Department of Telecommunications, Room 600, 120 S. San Pedro Street, Los Angeles, CA 90012, (213) 485-7969 before the condition can be cleared by the Department.

The current cable television holder for this area is:

Area H Century Southwest Cable Television, Inc.

(Eagle Rock System) 4342 Eagle Rock Boulevard

Los Angeles, CA 90041

Telephone: (213) 258-3252

Louise Harris, Gen. Mgr.

Prior to the issuance of a building permit, to assure that cable television facilities will be installed in the same manner as other required improvements, the applicant shall email ita.cabletvclearance@lacity.org, which provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

Modify Condition No. S-1 (I) to read as follows:

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (I) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990-2010.

Modify Condition No. S-3 (c), (h) and (m) to read as follows:

- S-3. That the following improvements are either constructed prior to recordation of the final map the issuance of a building permit or that the construction is suitably guaranteed:
 - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
 - 1) Construct new street light: one (1) on Naud St. If street widening per BOE improvement conditions, relocate and upgrade street lights; five (5) on Spring St., one (1) on Sotello St. and one (1) on Main St.

NOTES:

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

Conditions set: 1) in compliance with Cornfield Arroyo Seco Specific Plan, 2) by Los Angeles Department of Transportation, or 3) by other legal instrument excluding the Bureau of Engineering conditions, 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.

- (h) Construct any necessary additional street improvements to comply with the 1990 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (m) Improve Sotello Street being dedicated and adjoining Lot No. 4 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer. by the construction of a 10-foot full-width concrete sidewalk with tree wells.

Add Conditions Nos. S-3 (n) to (s) to read as follows:

- (n) Improve North Spring Street adjoining Lot Nos. 1 and 3 of the tract by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (o) Improve Mesnager Street adjoining Lot No. 1 of the tract boundary by the repair and or replacement of any damaged, cracked or off-grade concrete curb, gutter, sidewalk, and roadway pavement including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.
- (p) Improve Naud Street adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street by the construction the following: as a public paseo, as identified in the attachment to the letter from Council District 1, dated April 9, 2025, adjoining Lot Nos. 3 and 4 of the tract boundary. The paseo shall not conflict with any Fire Department requirements for building access for life safety purposes. Said paseo is identified in the Draft Cornfield Arroyo Seco Specific Plan (CASP) Update, Exhibit D1, Chapter 8, Streets, Page 101 (Council File No. 13-0078-S2).

Note: If the Applicant applies for a building permit application prior to the effective date of the CASP Update (Council File No. 13-0078-S2), the applicant may file a request for a Specific Plan Project Exception (SPPE) for CASP compliance (Ordinance No. 182,617).

- (1) <u>Longitudinal concrete gutters and 10-foot concrete sidewalks with tree</u> wells on both sides of the street.
- (2) <u>Suitable surfacing to join the existing pavement to complete a 40-foot</u> "V-Shape" roadway.
- (3) <u>Curb ramps at the new street intersections with Mesnager Street and Sotello Street to BOE standards to comply with ADA requirements and per Special Order No. 01-1020.</u>

- (4) The necessary removal and reconstruction of existing improvements.
- (5) The necessary transition to join the existing improvements all satisfactory to the City Engineer (Central District Office) and Department of City Planning.
- (q) <u>Close all unused driveways adjoining Lot Nos. 1, 3 and 4 of the tract satisfactory</u> with full height curb, gutter and sidewalk satisfactory to the City Engineer.
- (r) Improve all curb ramps adjoining Lot Nos. 1, 3 and 4 of the tract per BOE Standards and Special order 01-1020 satisfactory to the City Engineer.
- (s) <u>Construct mainline sewer if necessary and house connection sewers to serve the development satisfactory to the City Engineer.</u>

Note: Conditions 17-18 are carried over from the Advisory Agency's Letter of Determination for TT-51669-IND-M1 dated April 11, 2018.

ADD Condition Nos. 19-2423 to read as follows:

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to the Case Management Permit Division, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8604.

- 19. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
- 20. That a 60-foot wide strip of land be dedicated from Lot Nos. 3 and 4 of the tract to extend Naud Street from Sotello Street to Mesnager Street in accordance with the Cornfield Arroyo Seco Specific Plan (CASP) on an alignment satisfactory to the City Engineer. That Naud Street adjoining Lot Nos. 3 and 4 of the tract boundary, shall be provided as a paseo through an easement, as identified in the attachment to the letter from Council District 1, dated April 9, 2025.
- 21. That 15-foot radius property line returns or 10-foot by 10-foot cut corners be dedicated provided as an easement at the intersection of Naud Street and Sotello Street.
- 22. That the existing public easements be clearly shown on the final map.
- 223. That a Covenant and Agreement be recorded advising all future owners and builders that prior to issuance of a building permit, a Notice of Acknowledgement of Easement must be recorded and an application to do work in any sewer and drainage easements and to construct over any existing facilities must be submitted to the City Engineer for review and approval.
- 234. That no portion of the proposed development shall encroach within the new public right-of-way, this includes any encroachments above or below the grade.

Add Condition No. 24 25 to read as follows:

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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 or Laura Duong@lacity.org to schedule an appointment.

- 245. Prior to the issuance of a building permit 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 approval from the Advisory Agency for the modification request to modify Conditions No. 12.a, 12.b, and 12.c.
 - b. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedications. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

Notes:

This property is located in a Liquefaction Zone.

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

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

Add Condition No. 25-29 26-30 to read as follows:

DEPARTMENT OF TRANSPORTATION

Transportation approvals are conducted at 201 N. Figueroa Street Room 550. For an appointment, contact LADOT's One Stop email at: ladot.onestop@lacity.org. Prior to the issuance of a building permit, the subdivider shall submit plans to the Department of Transportation, for review and approval, demonstrating compliance with the following conditions or those modified at the time by the Department of Transportation:

256. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line when driveway is serving less than 100 parking spaces. Reservoir space will increase to 40-feet and 60-feet when driveway is serving more than 100 and 300 parking spaces respectively or as shall be determined to the satisfaction of the

Department of Transportation.

- <u>267.</u> Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street, LAMC 12.21 A.
- <u>278.</u> <u>Driveway(s) and vehicular access for residential component of any development should be limited to the street with lowest classification or as shall be determined to the satisfaction of the Department of Transportation.</u>
- 289. The project must adhere to the requirements outlined in the Cornfield Arroyo Seco Specific Plan (CASP) (Ordinance 182,617) and associated recommendations. In collaboration with LADOT's Central District Office, the applicant is tasked with conducting traffic signal warrant studies for the intersections of Spring/Sotello and Spring/Mesnager, as designated in the CASP Chapter 3- Streets, Section E, Street Intersection Design Regulations (Page 3-14) for signal installation.
- 2930. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety.

Add Condition No. 30 31 to read as follows:

FIRE DEPARTMENT

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) 482-6543. You should advise any consultant representing you of this requirement as well.

- 304. Prior to the issuance of a building permit That prior to 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 conditions or those modified at the time by the Fire Department:
 - a. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - b. Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
 - c. One or more Knox Boxes will be required to be installed for LAFD access to project.
 - d. <u>Location and number to be determined by LAFD Field Inspector.</u> (Refer to FPB Reg # 75).

- e. 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.
- 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 Requirements:
 - 1) 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.
 - 2) The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
 - 3) 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.
 - 4) <u>Submit plot plans indicating access road and turning area for Fire Department approval.</u>
 - 5) All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
 - 6) 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.
 - 7) <u>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>
 - 8) All public street and fire lane cul-de-sacs shall have the curbs painted red and/or be posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
 - 9) No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- h. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.
- 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 Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- k. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

I. 2014 CITY OF LOS ANGELES FIRE CODE, SECTION 503.1.4 (EXCEPTION)

- i. When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.
- ii. It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term "horizontal travel" refers to the actual path of travel to be taken by a person responding to an emergency in the building.
- iii. This policy does not apply to single-family dwellings or to non-residential buildings.
- m. Site plans shall include all overhead utility lines adjacent to the site.
- n. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- o. 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.
- p. Construction of public or private roadway in the proposed development shall not exceed 10 percent in grade.

- q. <u>Private development shall conform to the standard street dimensions shown on Department of Public Works Standard Plan S-470-0.</u>
- r. Standard cut-corners will be used on all turns.
- s. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.
- t. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Safety Plan, which is an element of the General Plan of the City of Los Angeles.
- u. Recently, the Los Angeles Fire Department (LAFD) modified Fire Prevention Bureau (FPB) Requirement 10. Helicopter landing facilities are still required on all High-Rise buildings in the City. However, FPB's Requirement 10 has been revised to provide two new alternatives to a full FAA-approved helicopter landing facilities.
- v. Each standpipe in a new high-rise building shall be provided with two remotely located Fire Department Connections (FDCs) for each zone in compliance with NFPA 14-2013, Section 7.12.2.
- w. <u>During demolition</u>, the <u>Fire Department access will remain clear and</u> unobstructed.
- x. The Fire Department has no objection to the Airspace Vacation.
- y. 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.
- z. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:
 - i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.

- ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed of their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
- iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
- iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.
- v. <u>That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.</u>
- aa. The plot plans shall be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.
- bb. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- cc. <u>Provide Fire Department pathway front to rear with access to each roof deck via gate or pony wall less than 36 inches.</u>
- dd. <u>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 150ft horizontal travel distance from the edge of the public street, Private Street or Fire Lane. This stairwell shall extend onto the roof.</u>
- ee. Entrance to the main lobby shall be located off the address side of the building.
- ff. Any required Fire Annunciator panel or Fire Control Room shall be located within 20ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.
- gg. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

- hh. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.
- ii. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Add Condition No. 3132 to read as follows:

DEPARTMENT OF WATER AND POWER

Prior to the issuance of a building permit, Ssatisfactory 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.(e)).

Add Condition No. 3233 to read as follows:

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

<u>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).</u>

323. Prior to the issuance of a building permit recordation of the final map or issuance of the Certificate of Occupancy (C of O), street lighting improvement plans shall be submitted for review and the owner shall provide a good faith effort via a ballot process for the formation or annexation of the property within the boundary of the development into a Street Lighting Maintenance Assessment District.

Add Condition No. 3334 to read as follows:

BUREAU OF SANITATION

334. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found potential problems to their structure or potential maintenance problem, as stated in the memo dated April 18, 2024. 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)).

Add Condition Nos. 34-36 35-37 to read as follows:

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

345. Prior to the issuance of a building permit, the project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A permit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of

Public Works and Urban Forestry Division.

- 356. When street dedications are required and to the extent possible, the project shall provide larger planting areas for existing street trees to allow for growth and planting of larger stature street trees. This includes and is not limited to parkway installation and/or enlargement of tree wells and parkways.
- 367. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

Note: Removal of street trees requires approval from the Board of Public Works. All projects must have environmental (CEQA) documents that appropriately address any removal and replacement of street trees. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

Add Condition No. 37 38 to read as follows:

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

<u>Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, and can be requested at planning.lacity.org.</u>

- 378. Prior to the issuance of a building permit 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. 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.

Add Condition No. 38 to read as follows:

DEPARTMENT OF RECREATION AND PARKS

38. Park Fee

- a. Prior to the issuance of a Certificate of Occupancy for a residential project, the applicant shall pay the applicable Park Fee to the Department of Recreation and Parks, which shall be calculated as a Subdivision (Quimby in-lieu) fee.
- b. Prior to the issuance of a building permit for a non-residential project, the Applicant shall record a Covenant and Agreement, the language of which shall be subject to the approval of the Department of Recreation and Parks, stating that the future development of Lots 1, 3, and 4 is for non-residential purposes

prior to the issuance of Certificate of Occupancy.

FINDINGS OF FACT (CEQA)

The Advisory Agency found, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project.

FINDINGS OF FACT (SUBDIVISION MAP ACT, LAMC Chapter 1)

In connection with the modification of recorded Tract No. 51669-IND, the Advisory Agency of the City of Los Angeles, pursuant to the State of California Government Code Sections 66427.1 (the Subdivision Map Act), makes the prescribed findings as follows:

1. That there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary.

The subject site and the scope of the modification request comprised of Lot Nos. 1, 3, and 4 of recorded Tract No. 51669-IND, which encompasses a total of 13 lots, as initially approved in 1994. The site is located within the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan (CASP) which was adopted after the original 1994 Tract Map approval.

Prior to the Los Angeles City Council's adoption of the CASP on June 28, 2013, the site had a land use designation of Light Industrial and was zoned MR2-1. On July 11, 1994, the Advisory Agency approved Tract No. 51669-IND. Among the conditions of approvals, several were implemented as mitigation measures, including Condition No. 12. Condition No. 12 contained conditions which implemented mitigation measures which were intended to reduce impacts of future development of the parcels to be created by the recordation of the map. The conditions and mitigation measures were appropriate as it related to the zoning and land use designation at the time of the approval.

On August 14, 2013, the CASP became effective, which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regards to building form, urban design, open space, and street standards. The zoning of the subject site (Lot Nos. 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. Additional uses and increased floor area permitted by the CASP were analyzed as part of the certified Environmental Impact

Report (EIR), Case No. ENV-2009-599-EIR. The CASP greatly expanded the range of uses and the permitted density and floor area allowed on the subject site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program. Projects may obtain said increase in floor area greater than the otherwise maximum floor area permitted by demonstrating compliance with the CASP requirements, including street improvement requirements set forth herein.

Subsequently, on April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description. On December 23, 2021, a second modification request to Tract No. 51669-IND was filed but subsequently terminated on January 18, 2024, at the request of the applicant.

The subject Modification (Tract No. 51669-IND-M3) was filed to amend Condition No. 12 to remove existing restrictions related to use, permissible floor area, and parking for Lot Nos 1, 3 and 4. Under the original Condition No. 12 of Tract No. 51669-IND, the subject property would be limited to warehousing/manufacturing use with a maximum floor area of 86,969 square feet. With the requested Modification, it would allow for the construction development of a 7-story, 445-unit multi-family residential development project or any other use permitted for the zone per the CASP with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1 (Building Permit 23010-10000-04539, filed on November 15, 2023). The dedications and improvements, along with the conditions of approval as modified, are directly related and limited to boundaries of the tract map modification request. Additionally, the CASP establishes specific street designations and standards that apply to the project site. Sotello Street is designated as a Modified Local Street per the CASP. Condition S-3 (m) has been updated to limit the scope of the improvements to Lot Nos 1, 3 and 4 while ensuring compliance with the CASP street standards. Furthermore, the CASP specifies a street extension to connect the Naud Street section between Sotello and Mesnager (Chapter 3 Street, Page 3-9), leading to the inclusion of additional dedication and improvement conditions that require this future street extension in the Letter of Determination dated October 21, 2024.

However, the CASP is being updated to better support the development of affordable, mixed-income, and permanent supportive housing. Chapter 8 of the CASP Update outlines proposed streetscape improvements for future development, including a potential requirement for a paseo instead of the previously planned street extension

along Naud Street between Sotello Street and Mesnager Street. On October 29, 2024, the Los Angeles City Council voted to approve the CASP Update, which is now under form and legality review. On April 9, 2025, Council District 1 submitted a letter to the City Planning Commission and requested the Commission to consider requiring that the project to provide a paseo following the CASP Update. As a result, the revised Conditions of Approval has been updated to reflect that change.

The adoption of the current CASP, the CASP Update, and associated zoning represents a change in the projected future development of the area that was not anticipated at the time of the approval of the original tract map. As such, the CASP and its specific zoning regulations have made the restrictions of Condition No. 12 of the recorded tract no longer necessary and supports the need for this modification for Lots 1, 3 and 4.

2. That the modification does not impose any additional burden on the present fee owner of the property.

The modification under the current request is limited to removal of existing restrictions pertaining to permitted uses, permissible floor area, and parking on Lot Nos. 1, 3 and 4 and grants the applicant additional development rights in excess of what was additional entitled as part of the 1994 approval, and therefore does not impose any additional planning or zoning requirements. Through the modification process, the applicant would be able to eliminate floor area restrictions and avail themselves of the Floor Area Bonus available in the CASP. The modification does not result in changes to the number of lots of Tract Map No. 51669-IND. As of March 27, 2024, the applicant notified all the owners of the Tract Map about the proposed tract map modifications via certified mail with a return receipt. Two out of five adjacent owners have signed consent letters regarding the proposed modification and no opposition has been received to date. As such, it can be found that the modification was communicated to and would not impose any additional burden on the present fee owner(s) of the property.

3. That the modifications do not alter any right, title or interest in the real property reflected on the recorded map.

Tract Map No. 51669-IND-M3 is a modification of the original subdivision (Tract No. 51669). The modification of Tract Map 51669-IND would only affect property, title and interest conferred on the applicant as a fee owner by the City's approval of Tract No. 51669 and the recordation of the same by the County Recorder. The property owner of record does not change as a result of the modification and the modification does not result in additional lots to be created as part of this modification request. As such, the modification approved herein does not alter any right, title, or interest in the real property reflected on the recorded Tract Map No. 51669-IND.

4. That the map and conditions as modified conform to the provisions of

Government Code Section 66474 and of this Code.

As described in Finding 1, the project site is located within the Central City North Community Plan, one of 35 community plans that comprise the Land Use Element of the General Plan. Additionally, the site is located within the Cornfield Arroyo Seco Specific Plan (CASP) and is zoned UV(CA), or Urban Village, which allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment and cultural facilities uses. The existing floor area, use and parking restrictions in Condition No. 12 of Tract Map No. 51669-IND limits the project site to warehouse and manufacturing uses with a maximum Floor Area of 86,969 square feet. Those limitations are more restrictive than the floor area and use provisions permitted for the zone under the CASP. This third modification of recorded final Tract Map No. 51669-IND would make the site-specific restrictions that were imposed as part of the 1994 approval consistent with what is permitted under the later-adopted CASP, including the floor area, use, and parking restrictions of Condition No. 12 for Lots 1, 3 and 4. As a result, the modification would permit development of the site with a project that is in conformance with the adopted CASP and subjects the project to the requirements of the CASP.

The current CASP calls for a street extension with a 60-foot right of way to connect the Naud Street segment between Sotello and Mesnager Streets (CASP, Chapter 3 at p. 3-9.) This extension requires additional dedication and improvement conditions to facilitate its completion. The proposed CASP Update (Council File No. 13-0078-S2) that has not yet taken effect includes replacing the originally planned 60-foot Modified Local Street with a public paseo, emphasizing pedestrian activity over vehicular infrastructure. The CASP Update is currently under form and legality review by the City Attorney's Office and is not yet effective.

Consistent with the CASP Update, the project has been conditioned through revised conditions (Condition No. S-3(p)) to allow for a paseo through an easement along Naud Street in lieu of the street extension through a dedication, as originally mandated in the Advisory Agency's Letter of Determination dated October 29, 2024.

If a building permit application is filed while the current CASP is effective, the project would be subject to the rules and regulations that are in place at the time the plan check fees are paid and plans sufficient for a complete plan check are accepted by the Department of Building and Safety, including the 60-foot dedication and improvement of Naud Street. If this modification to a recorded map allows for the paseo while the current CASP is in effect, any proposed project complying with the paseo requirement would not be in compliance with the CASP. Therefore, a Specific Plan Project Exception would be required. If a building permit application is filed after the effective date of the new CASP, the paseo in this modification to the recorded map approval would be consistent with the new CASP and no Specific Plan Project Exception would be required. By meeting these requirements, the Project will be consistent with the CASP

with regard to the CASP's Naud Street requirements.

The conditions of approval of the modification would ensure that the proposed development complies with the development standards from various departments. (As previously noted, On November 15, 2023, the applicant applied for a building permit, under application number 23010-10000-04539, to allow the construction of 7-story, 445-unit affordable housing development utilizing CASP floor area incentives at the project site. The proposed Floor Area is approximately 476,764 square feet, and the proposed FAR is 3.41:1.) Subsequently, on March 26, 2025, the applicant withdrew the aforementioned building permit with the Department of Building and Safety.

It would also require the project to adhere to the CASP <u>or the CASP Update</u>, <u>street</u> <u>standards outlined in Chapter § 3- Streets Pages 3-9 and 3-14, including extending Naud Street incorporate a paseo as an easement along the Naud Street project <u>site</u> <u>frontage</u>, and <u>conduct providing</u> a traffic signal warrant study. As such, the proposed modifications would be consistent with the use and area requirements of the Urban Village zone and would therefore align with the applicable General and Specific Plans.</u>

Additionally, as an existing recorded tract map, the design and improvement of the subdivision has already been reviewed, approved, and implemented. With the exception of the conditions of approval to achieve CASP compliance, the modification has no effect on the design or improvement of the existing subdivision, which was found to be consistent with applicable General and Specific Plans. The modification would be in conformance with the adopted CASP as well as the CASP Update Chapter 8. Streets, Page 101 (Council File No. 13-0078-S2), the provisions of which take into consideration the suitability of the site with respect to development type, density, environmental impact, public health, and passive or natural heating or cooling. Furthermore, as no changes to the tract or lot lines are requested or proposed, the modification would not conflict with any easements for access through or use of property within the subdivision.

5. That the decision-maker has given consideration, among other factors, to the effects of the modifications on surrounding properties.

The project site and surrounding properties are located within the boundaries of the CASP and were re-designated and re-zoned as part of the adoption of the Specific Plan. The adjoining property to the east is Lot No. 2 of Tract No. 51669-IND, zoned Urban Village, and is currently being developed into a new 285-unit mixed-use housing and commercial development, reviewed under Administrative Clearance (ADM-2021-8129-CASP), with a total Floor Area of 225,745 square feet and an FAR of 3.39:1. The adjoining properties to the south are Lots Nos. 5 and 8 of Tract No. 51669-IND, zoned Urban Innovation, and developed with surface parking lots and industrial warehousing and distribution buildings. The adjoining property to the west is zoned UV(CA) and developed with manufacturing uses. The property to the north of the subject site, across North Spring Street, is the Los Angeles State Historic Park and is

zoned GW(CA) for open space. The adjoining property to the north of the site, on the south side of North Spring Street, is an unnumbered lot zoned UV(CA) and developed with a billboard.

As noted, the modifications would permit the development of the site with a multi-family residential project, or any other uses permitted in the zone provided that they are that is in conformance with the adopted CASP. When it was adopted in 2013, the CASP amended the zoning and land use designations of a 65-acre area northeast of Downtown Los Angeles, comprised primarily of industrial uses, to support new commercial and residential developments within the Specific Plan. The Specific Plan involved an extensive public outreach process, and its effects were studied in the environmental impact report certified by the Los Angeles City Council (EIR No. ENV-2009-599-EIR).

The Applicant is requesting approval of this Tract Map Modification to eliminate floor area, use and parking restrictions to allow future development that would be in line with the CASP regulations—the construction of a 100% residential project consisting of 445 residential dwelling unit. The residential Future development will be reviewed separately under administrative clearance for compliance with the CASP. under building permit number 23010-10000-04539. As such, it can be found that the modifications will not result in detrimental effects on surrounding properties, which are subject to many of the same provisions under the CASP as the subject site.

EXHIBIT K



DEPARTMENT OF CITY PLANNING APPEAL RECOMMENDATION REPORT

City Planning Commission

Date: Thursday, April 10, 2025

Time: After 8:30 A.M.*

Place: Los Angeles City Hall

Council Chambers, Room 340

200 North Spring Street Los Angeles, CA 90012

And via Teleconference. Information will be provided no later than 72 hours before the meeting on the meeting agenda published at https://planning.lacity.org/about/commissions

boards-hearings and/or by contacting

cpc@lacity.org

Public Hearing: May 8, 2024

Appeal Status: Appealable to City Council

Expiration Date: April 10, 2025

Multiple No

Approval:

Case No.: TT-51669-IND-M3-1A

CEQA No.: 93-0244 (MND), ENV-2009-

599-EIR

Related Cases: TT-51669-IND,TT-51669-

IND-M1, TT-51669-IND-M2

Council No.: 1 – Hernandez
Plan Area: Central City North
Specific Plan: Cornfield Arroyo Seco
Certified NC: Historic Cultural North
GPLU: Hybrid Industrial

Zone: UV(CA)

Applicant: Kacy Keys, Praxis

Development Group

Representative: Dana Sayles, three6ixty

Appellant: Same as applicant

PROJECT

LOCATION: 201 West Sotello Street

PROPOSED PROJECT:

A modification of Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of the recorded final Tract

Map No. 51669-IND for Lot Nos. 1, 3 and 4.

REQUESTED ACTIONS:

- Pursuant to CEQA Guidelines Sections 15162 and 15164, in consideration of the whole of the administrative record, that the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002, certified on June 28, 2013, and the addendum dated September 23, 2022, and no subsequent EIR, negative declaration, or addendum is required for approval of the project.
- 2. An appeal of the October 21, 2024, Advisory Agency's approval of Tract Map No. TT-51669-IND-M3 for the modification of Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4, pursuant to Los Angeles Municipal Code ("LAMC") Sections 17.03 and 17.14.

RECOMMENDED ACTIONS:

 Find, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in Mitigated Negative Declaration, No. 93-0244, adopted on July 11, 1994; and the Cornfield Arroyo Seco Specific Plan (CASP) Environmental Impact Report No. ENV-2009-599-EIR, SCH No. 2009031002,

- certified on June 28, 2013, and the addendum dated September 23, 2022, and pursuant to CEQA Guidelines 15162 and 15164, no major revisions are required to the EIR and no subsequent EIR, negative declaration, or addendum is required for approval of the project;
- 2. **DENY** the appeal **and SUSTAIN** the Advisory Agency's Determination of Tract Map No. TT-51669-IND-M3 for modification to Condition Nos. 12.a, 12.b, 12.c and S-3 (m) of the recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4, located at 201 West Sotello Street, as shown on map stamp-dated November 17, 2023.
- 3. **ADOPT** the Revised Conditions and Findings (**Exhibit H**).

VINCENT P. BERTONI, AICP Director of Planning

Jane J. Choi, AICP, Principal City Planner

Vanessa Soto

Vanessa Soto, AICP, Senior City Planner

Yi Lu, AICP, City Planner

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *City Planning Commission Secretariat, 200 North Spring Street, Room 272, Los Angeles, CA 90012* (Phone No.213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commissions meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1299.

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Exhibits:

Exhibit A: Tract Map (TT-51669-IND-M3), dated November 17, 2023

Exhibit B: Letter of Determination (TT-51669-IND-M3)

Exhibit C: Appeal Application and Justification

Exhibit D: Radius and Vicinity Maps

Exhibit E: NavigateLA

Exhibit F: Agency Comment Letters

Exhibit G: Cornfield Arroyo Seco Specific Plan (CASP)

Exhibit H: Revised Conditions and Findings

APPEAL BODY

Pursuant to LAMC Section 13B.7.4.H. and 13B.7.3.C.3. of Chapter 1A, as a Tract Map involves lots with more than 65,000 square feet of lot area, the City Planning Commission serves as the Appeal Board for the appeal of the Modification of a Recorded Tract Map.

PROJECT ANALYSIS

PROJECT SUMMARY

Tract Map No. 51669-IND-M3 was approved by the Advisory Agency on October 21, 2024 for the modification of Conditions Nos. 12.a, 12.b, 12.c and S-3(m) of the recorded final Tract Map No. 51669-IND for Lot Nos. 1, 3 and 4 (Exhibit A). On October 29, 2024, the Tract Map Modification was subsequently appealed by the applicant. The applicant /appellant requested the removal of all conditions imposed, except for Conditions 12.a, 12.b, 12.c, and S-3(m).

Background:

Approval of the Original Tract Map

On July 11, 1994, the Advisory Agency approved Tract No. 51669-IND, which consists of 13 lots totaling approximately 13 acres, within the Central City North Community Plan Area. The tract is generally bounded by Spring Street to the north, Main Street to the south, Mesnager Street to the east, and Sotello Street to the west. A portion of Tract No. 51669-IND is also bounded by Naud Street to the north (*Figure 1, Tract Map 51669 and M1, M2 and M3 Project Sites*).

The tract map, that was recorded on December 23, 1996, includes Condition No. 12, which restricts the maximum permitted floor area and limits the permitted uses to warehousing or manufacturing, and requires warehouse parking. This condition was implemented to limit the uses associated with future development of the parcels to be created by the recordation of the map.



Figure 1: Tract Map 51669 and M1, M2 and M3 Project Sites

New Land Use and Zoning through the Cornfields Arroyo Seco Specific Plan

On June 28, 2013, the City Council adopted the Cornfield Arroyo Seco Specific Plan (CASP), which amended the land use designations and zoning for properties located within the boundaries of the plan area requiring specific development standards in regard to building form, urban design, open space, and street standards. The general plan land use of the subject site was changed to Hybrid Industrial and the zoning of the subject site (Lot Nos 1, 3, and 4 of Tract No. 51669-IND) was changed to Urban Village, or UV(CA) per the CASP. The Urban Village zone allows for a mix of uses, including multi-family residential, light manufacturing and assembly, wholesale, commercial office, schools, hotels, entertainment, and cultural facilities uses. The CASP greatly expanded the range of uses, permitted density and floor area allowed on the site. Specifically, the project site now has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units, and allows an increase in the floor area up to 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program. The expanded uses, increased density and floor area allowed in the CASP was analyzed in the Environmental Impact Report prepared for the CASP (ENV-2009-599-EIR).

The property adjoining to the east is Lot 2 of Tract No. 51669-IND, zoned UV(CA), and is currently being developed into a mixed-use housing and commercial development. The properties to the south are Lots 5 and 8 of Tract No. 51669-IND, zoned Urban Innovation (UI(CA)), and developed with surface parking lots and industrial warehousing and distribution buildings. The property to the west is zoned Urban Village and developed with manufacturing uses. The property to the north of the subject site, across North Spring Street, is zoned Greenway (GW(CA)) and developed as the Los Angeles State Historic Park. The adjoining property to the north of the site, on the south side of North Spring Street, is an unnumbered lot zoned UV(CA) and developed with a billboard.

<u>Streets</u>

<u>Spring Street</u>, a designated Modified Avenue I, is dedicated to a width of 56.5 feet and is improved with a roadway of 44.5 feet and is improved with curb, gutter and sidewalk.

<u>Sotello Street</u>, a designated Modified Local Street-Standard, is dedicated to a width of 40 feet and is improved with a roadway of 26 feet and is improved with curb, gutter and sidewalk.

<u>Mesnager Street</u>, a designated Modified Local Street-Standard, is dedicated to a width of 50 feet and is improved with a roadway of 40 feet and is improved with curb, gutter and sidewalk.

Requests for Modifications to Recorded Map 51669-IND

While the CASP adopted new and increased development standards and allowable uses through the plan area, the CASP did not change any requirements set by any prior City actions, including conditions recorded on a property through a Recorded Final Map. Because the tentative tract map has been recorded, in order to modify the conditions, the Subdivision Map Act and the City's Zoning Code requires that the applicant file for a tract map modification and re-record the map to effectuate the requested modifications. Subsequent to the adoption of the CASP, the various owners of the parcels within Recorded Map No. 51669-IND requested the modification of Recorded Map No. 51669-IND in order to eliminate the conditions of approval of the original tract that limited the uses, maximum floor area, and parking across the entire tract and allow for the use of the new CASP standards.

TT-51669-IND-M1

On April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) of Condition No. 12 of recorded Tract No. 51669-IND allowing the property located at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the CASP. At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description.

TT-51669-IND-M2

On December 23, 2021, a second modification request to Tract No. 51669-IND was filed for a proposed conversion of existing industrial buildings to commercial uses and the addition and construction of a new building resulting in a total floor area of 147,601 square feet of commercial uses and other related improvements. The property is located at 1600 Naud Street and 1635-1639 North Main Street (Lot 9, 10 and a portion of Lot 8). The applicant subsequently withdrew the filing and the case was terminated on January 18, 2024.

TT-51669-IND-M3

On November 7, 2023, the Applicant for the subject property, located at 201 West Sotello Street, filed the third modification request for TT-51669-IND. The subject modification request comprises Lots 1, 3, and 4 within Tract No. 51669-IND. The site has an area of approximately 159,542 square feet and has three existing street frontages and one future street frontage. The site has an approximately 490-foot frontage along North Spring Street, 200-foot frontage along Sotello Street, and 120-foot frontage along Mesnager Street, which are all existing streets. The site also abuts Naud Street, which is a future street extension planned within the CASP. The site is currently developed with surface parking and a 6,073-square-foot bus transportation company. The modification request was to change Condition No. 12 (a) to eliminate restrictions of maximum

floor area for Lots 1, 3 and 4; Condition No. 12 (b) to eliminate restrictions on allowable uses for Lots 1,3 and 4; Condition No. 12 (c) to amend the parking requirements such that Lots 1,3 and 4 provide parking consistent with applicable zoning regulations and State Law in lieu of warehouse parking requirements; Condition No. S-3(m) to improve Sotello Street per the standards outlined in the Cornfield Arroyo Seco Specific Plan.

Under the CASP regulations, the site has a permitted base Floor Area Ratio (FAR) of 3:1, or 1.5:1 for projects with more than 15 residential units. The FAR on the site may be increased to a FAR of 5:1 through use of the CASP's Floor Area Bonus and/or Transfer of Floor Area Rights (TFAR) program.

Since the existing floor area and use restrictions in Condition No. 12 of Tract No. 51669-IND are more restrictive than those outlined for the site under the CASP, the Applicant requested a modification of Conditions 12.a, 12.b, and 12.c to exclude Lots 1, 3, and 4 from the floor area, use, and parking restrictions to permit a multi-family development or any other type of use permitted for the zone per the CASP.

On November 15, 2023, a Building Permit 23010-10000-04539 was filed with the Department of Building and Safety for the construction of a 7-story, 445-unit residential development with a proposed floor area of approximately 476,764 square feet and a proposed FAR of 3.41:1. Any proposed development would need to be reviewed separately under an administrative review process to ensure compliance with the CASP. Additionally, the Applicant requested a modification of Condition S-3 (m) to improve Sotello Street per the standards outlined in the CASP.

Upon filing, the map was circulated to the Subdivision Committee, comprised of sister City agencies, for review and comment. Comments were provided by the Bureau of Engineering, the Department of Building and Safety, Zoning Division, Recreation and Parks, Fire Department, Street Lighting, Sanitation, and Streets LA Urban Forestry Division. The recommendations in the comment letters were incorporated as conditions of approval in the staff report for consideration by the Deputy Advisory Agency at the public hearing.

On May 8, 2024, a subdivision hearing was held by the Deputy Advisory Agency (DAA) for the Tract Map Modification. The applicant voiced concerns about the proposed conditions imposed on the project, specifically regarding whether they are related to the proposed project. At the conclusion of the hearing, the DAA placed the case under advisement for further investigation into the applicant's concerns.

On October 21, 2024, the Department of City Planning issued a decision letter approving the requested revisions, subject to conditions based on comment letters received from different Departments, including Bureau of Engineering, Bureau of Street Lighting, Bureau of Street Services, Urban Forestry Division, Department of Building and Safety Zoning and Grading Sections, Department of Transportation, Fire and Sanitation.

Subsequently, on October 29, 2024, an appeal of the Advisory Agency's decision on the Tract Map Modification was filed by the applicant.

New Community Plan (Downtown Community Plan)

The project site is located within the Central City North Community Plan Area. An update to the Central City North Community Plan area (now the Downtown Community Plan) was adopted by City Council on December 4, 2024 and went into effect on January 27, 2025. The project was approved prior to the adoption of the new Community Plan; therefore, the project is not subject to the new Downtown Community Plan.

On March 26, 2025, the applicant withdrew their Building Permit Application (Building Permit No. 23010-10000-04539) with the Department of Building and Safety.

APPEAL ANALYSIS

On October 29, 2024, the Department of City Planning received one (1) appeal of the project from Kacy Keys of Praxis Development Group, the Applicant, contesting the conditions imposed on the project except for Conditions Nos. 12.a, 12.b, 12.c and S-3(m). The appeal is provided in its entirety as Exhibit C for reference.

Appeal Points and Staff Responses:

The following section provides a summary of the appellant's points and responses from Planning staff to each point. These responses address the applicant's letters to the Department at the time of the appeal filing, and additional letters dated February 4, 2025, February 27, 2025 and March 6, 2025.

Appeal Point 1:

The Approval conditions as written are not pertinent to the project under review as part of Case No. TT-51669-IND-M3.

Since there are no physical changes to the recorded tract map, any conditions not directly related to the requested changes are inappropriate and exceed the authority of the Subdivision Map Act. The City is requiring improvements on property not owned by the applicant.

The modification imposes an undue burden on the property owner, and that conditions related to future development should be addressed during the plan check and permitting phase of the project.

Staff Response:

The project site consists of Lots 1, 3, and 4 of Tract Map 51669-IND. The applicant is requesting modifications to the existing Tract Map conditions, Condition Nos. 12.a, 12.b, 12.c and S-3(m) to facilitate the development of a multi-family development project or any other type of use permitted for the zone per the CASP. Under the original Condition No. 12 of Tract Map 51669-IND, the property was restricted to warehousing and manufacturing uses, with a maximum floor area of 86,969 square feet. With the requested modification, this would allow for the construction of a multi-family development, or any other type of use permitted for the zone per the CASP.

The CASP establishes specific street designations and standards that must be adhered to for the orderly and sustainable development of the area. In particular, Sotello Street is designated as a Modified Local Street under the CASP, and Condition S-3 (m) has been updated to limit the scope of street improvements to Lots 1, 3, and 4, ensuring that the development complies with the required street design standards. Additionally, the CASP specifies the need for a street extension to connect the Naud Street section between Sotello and Mesnager Streets (Chapter 3, Page 3-9, Exhibit G), which requires further dedication and improvement conditions to facilitate this extension. This connection is vital for improving traffic flow and public safety, both of which are essential elements of the proposed development.

The requested modifications, including the dedications and improvements requirements from the CASP, and additional conditions from various departments -- Bureau of Engineering, Bureau of

Street Lighting, Bureau of Street Services, Urban Forestry Division, Department of Building and Safety Zoning and Grading Sections, Department of Transportation, Fire and Sanitation, Recreation and Parks, are directly related to the proposed project and confined within the boundaries of the project site. These conditions address infrastructure needs, such as street dedications and improvements, street lighting, fire lane and fire access, all of which support the development and ensure compliance with public health, life safety, and ensure compliance with the City's Mobility plan. For example, the Bureau of Street Service requested one new street light for the new street segment along the Naud Street extension. The Bureau of Street Lighting's mission is to provide reliable, safe lighting for all community members and visitors. As part of the City's infrastructure, street lights improve transportation safety, promote community identity and enhance public safety. The nexus between the conditions of approval and the proposed project is evident. Contrary to the appellant's claim, none of these conditions extend beyond the project site or apply to unrelated properties. All the imposed conditions are directly relevant to the proposed modification and necessary to ensure compliance with the CASP and conformance with all applicable provisions of the LAMC, Building and Fire Code requirements.

Regarding the appellant's claim that the conditions place an undue burden on the property owner, Subdivision Map Act (Government Code Section 66472.1) permits modifications to recorded maps when necessary, provided that the modifications do not impose additional burdens on the fee owners of real property. The conditions imposed on this project, including changes to allow for diversified uses, additional floor area, ensure compliance with the CASP, and the conditions imposed on the project do not create an undue burden as they do not apply to unrelated properties or impose unnecessary obligations on neighboring landowners. Moreover, the conditions reflect and account for the applicant's change of use from the original 1994 tentative tract map's industrial use to allow for a multi-family residential development, or any other use permitted for the zone per the CASP. The conditions are designed to ensure the project meets the necessary planning, infrastructure, and safety standards required for public health and safety. All the imposed conditions are directly relevant to the proposed modification development and necessary to ensure compliance with the Cornfield Arroyo Seco Specific Plan (CASP, Exhibit G), as well as with the design standards established by the Subdivision Map Act and the Division of Land Regulations of the Los Angeles Municipal Code (LAMC).

The appellant's argument that conditions related to future development fall outside the Advisory Agency's purview is incorrect. While the Department of Building and Safety does review detailed plans during the plan check and permitting phases, the Advisory Agency retains the authority to impose conditions that shape site development and ensure consistency with broader planning goals and regulatory frameworks, including the City's Mobility Plan standards and the CASP. As authorized by the Subdivision Map Act, the Central City North Community Plan, and the CASP, the Advisory Agency is responsible for reviewing and approving modifications to tract maps, including those affecting future development, infrastructure, and public safety.

Appeal Point 2:

The conditions as written are dependent on the recordation of a final map and therefore are impossible to satisfy.

Staff Response:

The appellant contends that the recordation of a final map is impossible because the original Tract Map has already been recorded. The Appellant has not identified the provision in the Subdivision Map Act that states that an amended map may not be recorded after a final map has been recorded.

Government Code Section 66472.1 states:

In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3. The local agency shall confine the hearing to consideration of, and action on, the proposed modification.

There is no prohibition on recording an amended map through Government Code Section 66472.1. The recordation of the revised final map is necessary in this situation because the requested modifications to the Tract Map Condition Nos. 12.a, 12.b, 12.c and S-3(m) have triggered necessary dedication and improvement requirements along Naud Street, which directly abuts the project site. These requirements are mandated by the CASP, which guides land use and infrastructure development within the area and necessitate the filing of a revised final map to reflect the scope of modifications that are being requested as part of this modification request.

Government Code Section 66474, cited in Government Code Section 66472.1, establishes the findings that need to be made in order for a map to be approved or denied. In Finding (a), the finding that the proposed map is consistent with applicable general and specific plans as specified in Section 65451 needs to be made, and in Finding (b) that the design or improvement of the proposed subdivision is consistent with applicable general and specific plans. "Design" per Government Code Section 66418 is defined as follows:

66418. "Design" means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) other specific physical requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan as required pursuant to Section 66473.5.

"Improvement" is defined per Government Code Section 66419 as follows:

66419. (a) "Improvement" refers to any street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the final map thereof.

(b) "Improvement" also refers to any other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

In order for the Advisory Agency to approve the modification of the final map, it needed to find that the map is meeting Findings (a) and (b) of Government Code Section 66474, including any relevant dedications, improvements and implementation of the standards for new streets and

street extensions in the CASP. The conditions of approval related to street dedication, improvement, and the new street extension, as well as the street lights, sewer and stormwater infrastructure conditions are necessary in order for the Advisory Agency to find that the map meets Findings (a) and (b) as outlined above and to approve the map modification.

Under the provisions of the CASP, Naud Street is classified as a Modified Local Street. Currently, Naud Street does not connect Sotello Street to Mesnager Street, creating a gap in the street network. The CASP outlines the need for a street extension to link these two streets, as shown in *Figure 2 - CASP Subarea 1 Street Map* (Exhibit G, Chapter 3, Street, Page 3-9). The project site consists of Lot Nos. 1, 3, and 4 of Tract Map 51669-IND, with Lots 3 and 4 directly adjacent to Naud Street. In order to facilitate the required street extension, these lots are required to dedicate a 60-foot wide strip of land to extend Naud Street from Sotello Street to Mesnager Street, as outlined in the BOE conditions.

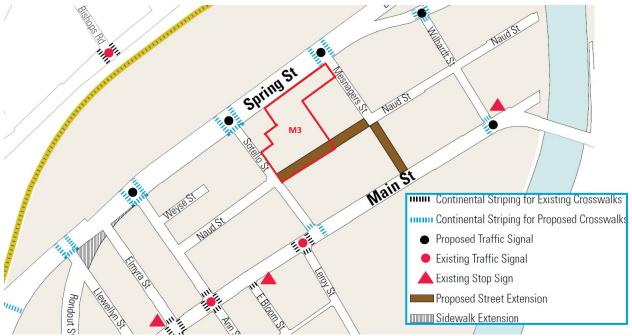


Figure 2. CASP Subarea 1 Street Map

This required dedication will necessitate a modification of the parcel boundaries for Lots 3 and 4 to accommodate the street extension. As such, the recordation of a revised map is required to finalize the dedication and ensure that the necessary improvements are made to the street, and to meet the findings under Government Code Section 66474. This process is in full compliance with the CASP's requirements for street design and infrastructure improvements.

Therefore, the Advisory Agency did not err in requiring the recordation of a revised map. The proposed street dedication and the corresponding parcel boundary changes are integral to the project's compliance with the CASP and necessary for the successful completion of the street extension and to properly document these changes and finalize the improvements to Naud Street.

Appeal Point 3:

The City approved a substantially similar request in 2018 without including the illegal conditions included here.

Staff Response:

The appellant argues that a similar project (Tract No. 51669-IND-M1) was approved in 2018 without any of the conditions imposed on this project (M3), raising concerns about unfair treatment between the two projects.

On April 11, 2018, the Advisory Agency conditionally approved a modification (Tract No. 51669-IND-M1) to Condition No. 12 of the recorded Tract No. 51669-IND, allowing the property at 200 N. Mesnager Street (Lot 2 and a portion of Lot 8) to be redeveloped in accordance with the standards, regulations, and policies of the Cornfield Arroyo Seco Specific Plan (CASP, Exhibit G). At the time of the Tract No. 51669-IND-M1 filing, there was no specific development proposal or plan for the site, nor was there any evidence of a forthcoming project in the record—either in the form of building permit applications or in the administrative record in the form of a detailed project description. It's important to note that while the M1 site is located adjacent to the M3 site, no dedication or improvement requirements were triggered for the M1 site under the CASP. Since no conditions were added for dedications and improvements, the Applicant provided voluntary improvements through the Bureau of Engineering's B Permit Process. Mesnager Street, abutting the Tract No. 51669-IND-M1, was improved with new sidewalk, curb and gutter.

In contrast, the M3 project, approved on October 21, 2024, involves Lots 1, 3, and 4 of Tract Map 51669-IND and seeks modifications to Condition No. 12 to facilitate a multi-family residential development, or any other use permitted for the zone per the CASP. Under the original Condition No. 12, the property was limited to warehousing and manufacturing uses, with a maximum floor area of 86,969 square feet. With the requested modification, the project would be allowed a multi-family development or any use permitted for the zone per the CASP. Unlike the M1 project, the M3 modification triggers the need for dedication and improvement requirements along Naud Street. The CASP mandates a street extension to connect Naud Street between Sotello Street and Mesnager Street, as illustrated in the Subarea 1 Street Map (Chapter 3, Street, Page 3-9). This results in additional dedication and improvement conditions that are directly related to the M3 project's future street extension.

While both projects involve modifications to Condition No. 12, there are important distinctions between them. M1 did not propose a specific development at the time of its modification request, and no dedication or improvement requirements were triggered. In contrast, M3 at the time of filing, had a clearly defined development proposal—a 7-story, 445-unit residential project (Building Permit 23010-10000-04539, filed on November 15, 2023, said permit was withdrawn by the applicant on March 26, 2025). M1 is treated differently in terms of street dedications and improvements than M3 because M3 has three existing street frontages and one frontage along the street extension, while M1 has one street frontage along Mesnager Street, for which the CASP did not require street dedications or improvements.

Given these significant differences, the conditions imposed on M3 are directly related to the amount of street frontage the project has and reflects the requirements of the CASP. Therefore, the Advisory Agency acted appropriately in its determination. The imposition of conditions for M3 is consistent with the City's General Plan, the specific requirements of the CASP, and the Advisory Agency did not err in differentiating the two projects in terms of conditions imposed.

Appeal Point 4:

AB 3177 Precludes the City from Imposing Any Dedication Requirements.

Staff Response:

AB 3177 addresses the Mitigation Fee Act and land dedications related to mitigating vehicular

traffic impacts in the context of new housing development projects. AB 3177 specifies that a local agency shall not impose a land dedication requirement on a housing development to <u>widen a roadway</u> if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. In effect, it applies to dedications and improvements that lead to widenings of existing streets.

For this specific project, the land dedication requirement involves the construction of a new street to connect two segmented street sections, a key component necessary to provide access to the development. This new street will improve connectivity in the area, facilitating access to the proposed development, as outlined in the Street Section of the CASP. Unlike a road widening dedication requirement, which typically increases the capacity of an existing roadway to accommodate more traffic, this land dedication pertains to the creation of a new street infrastructure designed to ensure proper access for the development, compliance with the Americans with Disabilities Act of 2010, and stormwater conveyance.

Given that the requirement is for the construction of a new street, rather than road widening or traffic mitigation, the present circumstance differs significantly from the situations contemplated by AB 3177. As such, the land dedication for this project is considered appropriate for the development's needs. Consequently, since the purpose of the land dedication does not align with the criteria set forth by AB 3177, the provisions of the bill are not applicable in this case.

Appeal Point 5:

The Owner May Build a Density Bonus Project Without Modifying the Map.

Staff Response:

Per Government Code Section 65915 and LAMC Section 12.22 A.37, Density Bonus is defined as a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and/or specific plan granted pursuant to this subdivision. The Applicant/Appellant is correct in that the Owner may build a density bonus project without modifying the map. However, the application that was submitted and considered was for a proposed modification to a final map, not a density bonus project, so this point is not pertinent to the appeal at issue.

Appeal Point 6:

The Applicant would like the City to consider a revised set of Conditions proposed by the Applicant.

Staff Response:

The following table illustrates the nature of the changes to the Conditions of Approval as part of this modification of a final map:

Changes to Conditions of Original Tract	Purpose of Changing Condition
Modify 10	Update Department of Building and Safety, Grading Division's condition to ensure any grading requirements are satisfied prior to the recordation of the final map and issuance of any Department permit.

Modify 12	Per applicant's request, eliminate maximum floor area restrictions and use limitations to manufacturing uses in order to allow for a residential project or any other type of use permitted for the zone per the CASP.
Modify 14	Update Information Technology Agency's cable television facilities contact on how to obtain Cable TV clearance.
Modify S-1(I) and S-3(h)	Update reference to Americans with Disabilities Act (ADA) of 1990 to Americans with Disabilities Act (ADA) of 2010.
Modify S-3 (c)	Update condition to require one street light on Naud Street.
Modify S-3 (m), add S-3 (n),(o), (q)-(s)	Require repair and replacement of any damage, cracked or off-grade concrete curb, gutter and sidewalk, close unused driveways, construct mainline sewers
	Note: No dedication is being required for Spring Street, Sotello Street and Mesnager Street, and no moving of the curb is required.
Add S-3(p)	Improve Naud Street, creating a new street per the CASP's street extension requirements.
Add 19-24	These conditions specify the requirements for the new street extension along Naud Street.
Add 25-38	Incorporates standard conditions from Department of Building and Safety, Zoning Division, Department of Transportation, Fire Department, Department of Water and Power, Bureau of Street Lighting, Bureau of Sanitation, and Urban Forestry Division.

As shown above, the conditions required under M3 are standard conditions that are imposed on tract projects, with the exception of Condition S-3(p), which addresses the Naud Street extension. That requirement is unique to the project, as the site abuts the easement identified as a street extension in the CASP.

On March 6, 2025, Planning Staff received communication from the Applicant Team regarding an Outline of Acceptable Conditions and changes the Applicant is requesting of the City as part of their appeal. The changes requested can be summarized in the following four (4) categories:

Category 1: Revision of references to trigger for condition compliance.

The Applicant asserts that since the tract has already been recorded with the initial map, all references to recording a final map should be stricken. The Applicant would like the trigger for condition compliance to be the time of building permit clearance, not prior to the recordation of a final map.

However, as established in Staff's Response to Appeal Point 2, the Map Act does not prohibit a jurisdiction from requiring the recording of a revised final map after the modification of a recorded final map, and the Advisory Agency used its discretion under the Map Act to require a revised final map to be recorded. It is standard practice for tract maps to require the demonstration of condition compliance prior to the recordation of the final map. <u>Therefore, Planning Staff does not agree with accommodating this change proposed by the Applicant.</u>

Category 2: Amend Condition S-3(p) to reflect requirements on land controlled by the tract only.

The Applicant requests that the conditions be amended to reflect that the dedication and improvement conditions apply only to where the tract abuts a public street or future street. Planning Staff is amenable to recommending this change. Condition S-3(p) requires improvement and Condition No. 20 requires dedication for the Naud Street extension adjoining Lot Nos. 3 and 4 of the tract boundary from Mesnager Street to Sotello Street. However, the project site does not abut the portion of the future Naud Street extension from the end of Lot No. 3 to the intersection of Naud Street and Mesnager Street. *Planning Staff has prepared and submitted revised Conditions of Approval* to the Advisory Agency's original determination dated October 21, 2024, *under Exhibit H for the Commission's consideration*.

Category 3: Elimination of conditions deemed unnecessary by the Applicant.

The Applicant requests that conditions it finds irrelevant be removed from the Letter of Determination. For example, Condition 14 was amended by the Advisory Agency to update the latest information about cable television connections, which is a standard condition in tract determination letters. <u>Planning Staff does not recommend this type of change.</u>

Category 4: Revision of dedication and improvement of the new Naud Street extension.

The Applicant is proposing a twenty-foot fire lane in lieu of the new Naud Street extension. The Cornfield Arroyo Seco Specific Plan calls for a 60-foot right of way for the Naud Street extension.

If the Applicant wanted to request for the City to consider a different roadway configuration under the tract map, it could have requested this proposal when it filed the tract modification. The Applicant would have also needed to request a Specific Plan Exception, and the project would not be meeting the 60-foot right of way width called for in the CASP. Planning Staff advised the Applicant of these options for the City to consider a different roadway configuration prior to the filing of the case. However, the Applicant team did not file the requests at that time.

At this juncture, it would not be possible to consider a reduced Naud Street extension without the request being reviewed by the Subdivision Committee members, which is a process that occurs before the hearing and decision. *Planning Staff recommends the Commission deny the appeal, sustain the Deputy Advisory Agency's decision, and that the Applicant file a modification and a Specific Plan Exception in order for the City to consider a different right of way configuration than what has been conditioned under TT-51669-IND-M3.*

In summary, the conditions imposed on the project are directly related to the proposed development, are consistent with the goals of the CASP, and are necessary for compliance with public safety and infrastructure requirements. The Advisory Agency did not err in its determination, except as otherwise addressed under the revised condition language in Exhibit H. The appellant's claims that the conditions are unrelated to the requested changes or that they fall outside the Advisory Agency's jurisdiction are unfounded.

Department of Recreation and Parks - Park Fee

New residential dwelling units increase demand on existing park and recreational facilities and create a need for additional facilities. Residential subdivision projects in the City of Los Angeles are subject to Quimby (in-lieu) Fees, pursuant to Los Angeles Municipal Code (LAMC) Section 12.33 of Chapter 1 and Section 13B.7.1.D.3. of Chapter 1A, which require the collection of fees to be used for the purpose of developing new or rehabilitating existing recreation facilities in the City prior to recordation of the subject map.

Furthermore, LAMC Section 13B.7.1.C.2. of Chapter 1A, gives the Advisory Agency the authority:

"-...with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of requiring the dedication of land, the payment of fees in lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities, and is hereby authorized to approve, conditionally approve, or disapprove tentative tract maps of proposed subdivisions, private streets and such maps as are provided for herein, to prescribe the design, kinds, nature and extent of improvements required to be installed in connection therewith and to report directly to the subdivider the action taken on the tentative tract map."

Additionally, the Final Tract Map section of Chapter 1A (LAMC Ch. 1A, Section 13B.7.4.E.2.) further provides that no final subdivision map "shall be approved or recorded" unless the applicable park fee is paid.

To date, subdivision Quimby (in-lieu) fees have not been imposed on the original Vesting Tentative Tract approval (TT-51669-IND) or any of the subsequent Tract Map modifications discussed earlier in the report.

Under the original Vesting Tentative Tract approval, (TT-51669-IND), the scope of the project involved industrial development. As such, the Deputy Advisory Agency (DAA) did not impose any condition of approval related to Quimby (in-lieu) Fees because a residential project was not contemplated for the site at the time of approval.

As to the first modification (TT-51669-IND-M1), there was no specific development plan or evidence of a future project in the record, either in the form of building permit applications or within the project description. As a result, no Quimby (in-lieu) fees were conditioned as part of the M1 project approval. As mentioned earlier in the staff report, a second modification request to Tract No. 51669-IND (TT-51669-IND-M2) was filed but the applicant subsequently withdrew the filing, and the case was terminated on January 18, 2024.

The subject application, the third modification request for TT-51669-IND (TT-51669-IND-M3) involves a request to eliminate restrictions of maximum floor area, allowable uses; and to amend parking requirements for Lots 1,3 and 4, to permit a multi-family development or any other type of use permitted for the zone per the CASP. Additionally, the application involves a request to improve Sotello Street per the standards outlined in the Cornfield Arroyo Seco Specific Plan. This case was scheduled for a subdivision hearing before the DAA for the third modification request on May 8, 2024. In advance of the DAA hearing, staff released a copy of the staff report which included a condition of approval requiring payment of the Quimby (in-lieu) Fees.

Subsequently, on October 21, 2024, the Department of City Planning issued a decision letter approving the requested tract map modifications but inadvertently omitted the inclusion of the Department of Recreation and Park's Quimby (in-lieu) Fee condition as part of the approval. As such, Planning staff has included a revised set of Conditions of Approval referenced in Exhibit H, which includes the addition of this condition (Condition No. 39), specific to Park Fees to be paid to the Department of Recreation and Parks, for the Commission's consideration. Said condition would require the applicant or future owner (if the project is sold) to pay the applicable Park Fee to the Department of Recreation and Parks as a Subdivision (Quimby in-lieu) fee.

CONCLUSION AND STAFF RECOMMENDATION

The appeal of the Tract Map Modification challenged the conditions imposed on the project, comparing it to a previously approved project with different circumstances. Based on the information submitted, the reports of other City agencies and Departments, the surrounding land uses and zoning patterns, conformance with the General Plan, Mobility Element, Los Angeles Municipal Code, and compliance with the Central City North Community Plan, and the Cornfield Arroyo Seco Specific Plan, the Advisory Agency acted reasonably in approving the requested Tract Map Modification as conditioned.

As the Tract Map Modification was approved pursuant to the provisions of State's Subdivision Map Act, the proposed project would facilitate future development to be in compliance with Cornfield Arroyo Seco Specific Plan (CASP) as well as all applicable provisions of the City's Municipal Code and the General Plan, including the dedications and improvements as originally approved. The appeal raises no relevant issues where the Advisory Agency erred or abused its discretion.

Staff recommends that the City Planning Commission deny the appeal and sustain the determination made by the Advisory Agency, and adopt the Revised Conditions and Findings found in Exhibit H.

INITIAL SUBMISSIONS

The following submissions by the public are in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3a. Please note that "compliance" means that the submission complies with deadline, delivery method (hard copy and/or electronic) <u>AND</u> the number of copies. The Commission's ROPs can be accessed at http://planning.lacity.org, by selecting "Commissions & Hearings" and selecting the specific Commission.

The following submissions are not integrated or addressed in the Staff Report but <u>have</u> been distributed to the Commission.

Material which does not comply with the submission rules is not distributed to the Commission.

ENABLE BOOKMARKS ONLINE:

**If you are using Explorer, you will need to enable the Acrobat to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.





April 9, 2025

Los Angeles City Planning Commission Department of City Planning 200 North Spring Street Los Angeles, California 90012

Re: Agenda Item 11, 201 West Sotello Street, TT-51669-IND-M3-1A

Dear Honorable Members of the City Planning Commission,

On behalf of the First District, I encourage the City Planning Commission to carefully consider the appeal and balance the opportunities to support the potential development of a major housing project at this site while also ensuring for the necessary infrastructure to be developed in keeping with the Cornfield Arroyo Seco Specific Plan (CASP). This map modification will work to bring regulations on the site in alignment with the current CASP and will open the opportunity for this site to host much-needed multifamily housing in an area that is well served by transit and open space.

Our office urges the Commission to ensure that the public street and lighting improvements along Spring, Sotello and Mesnager outlined in the conditions for modifying the map be conditioned when a project is filed for development on the site. Chapter 8 of the updated CASP (see Appendix A), which has been approved by Council and is undergoing form and legality review, outlines the requirements for street dedications and improvements. I encourage the Commission to consider the guidance under section B.4.b ("Proposed Paseo"), for the Naud Street Extension. In short, the updated CASP calls for the creation of a paseo as the extension of Naud Street, instead of the full roadway proposed under the existing CASP. The paseo would serve pedestrians and cyclists, and I encourage the Commission to explore conditioning the future project such that the paseo be dedicated and improved as a public right-of-way when a project is filed at this site.

I urge you to support part of the appeal to ensure the conditions meet the guidance of the updated CASP, and recommend that the Commission modify conditions to demonstrate compliance as part of the plan check and permitting process, as opposed to demonstrating compliance before recordation of the final map. It is important that the City reasonably impose conditions, so that we receive these important infrastructure improvements without entirely precluding beneficial projects for our City.

Thank you for your consideration,

Eunsses Penancy

Eunisses Hernandez, Los Angeles City Councilmember, 1st District



Chapter 8 Streets

A. Street Dedication and Improvement

1. Requirement

Projects in the Specific Plan shall comply with the applicable dedication and improvement requirements of Div. 10.1. (Street Dedication and Improvement) of Chapter 1A (Zoning Code) of the LAMC. For the purposes of this Division, any lot in an Urban Village, Urban Center, Urban Innovation, or Public Use (P2) Use District shall be deemed equivalent to a lot in an Industrial-Mixed Use District.

a. Pursuant to Div. 10.1.I. of Chapter 1A (Zoning Code) of the LAMC, where the existing improved roadway meets or exceeds the street standard, but the abutting sidewalk dimension is less than standard as depicted in the most recent version of the Bureau of Engineering's standard plan number S470, the sidewalk must be widened to meet the standard.

2. Street Standards

The street designations and street standards of rights-of-way within the Specific Plan boundaries can be found in Appendix A (Street Cross-Sections) and the Bureau of Engineering Navigate LA website.

B. Basic Streetscape Improvements

1. Applicability

When a right-of-way improvement is required of any Project pursuant to Section 8.A. of this Specific Plan, the following Basic Streetscape Improvements are also required as part of the right-of-way improvement.

2. Waiver of Improvements

The Director of Planning may waive, reduce, or modify the requirements of the Basic Streetscape Improvements pursuant to the waiver of dedication and improvement provisions set forth in Sec. 10.1.10. (Waiver and Appeals) of Chapter 1A (Zoning Code) of the LAMC.

3. Street Trees

- a. Requirement. The Project shall include the installation of street trees planted in parkways along the right of way adjacent to the Project, in coordination with the Bureau of Engineering and as approved by the Bureau of Street Services, Urban Forestry Division.
- b. **Number, Size, and Location of Street Trees.** The Project shall provide the maximum number of street trees, as determined by the Bureau of Street Services, Urban Forestry Division. Trees shall be planted in parkways; or if not in parkways, in the largest possible size tree wells meeting the requirements of the Bureau of Street Services, Urban Forestry Division.
- c. **Tree Removal and Replacement.** Where existing street trees must be removed and/or replaced as a result of required street widening or other improvements, approval from the Board of Public Works through the Bureau of Street Services, Urban Forestry Division, may be necessary.

- 4. Additional Basic Streetscape Improvements
- a. **Requirement for Projects.** A Project that includes fewer than 50 dwelling units or guest rooms shall provide at least one of the Additional Basic Streetscape Improvements listed in Table 8-1. For every additional 100 dwelling units or guest rooms, a Project shall provide an additional improvement listed in Table 8-1, not to exceed four Additional Basic Streetscape Improvements. A Project that does not include dwelling units or guest rooms shall include one Additional Basic Streetscape Improvement per 50,000 square feet of nonresidential floor area.



Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Parkways			
 Standard dimension: 5' wide Surface treatment: low-growing drought-tolerant plants with mulch Convenience Strip: Unobstructed area 18" from back of curb, excluding a minimum 6"-wide curb. Required at planted parkways adjacent to curbside parking spaces or loading areas. Natural concrete (standard gray) or permeable pavers if approved by BOE. 	BOE, BSS	BOE, BSS	Repair house walks when damaged; weed and clean as needed by owner
- House Walk: If parkway is adjacent to marked on-street parking or loading spaces, a 5'-wide walkable surface across the parkway shall be provided every 35 to 50 feet. Walkable surface should be concrete (or permeable pavers if approved by BOE).			
Special Sidewalk Paving			
 Preferred: Concrete to be standard gray color, with approved permeable interlocking concrete pavers between tree wells (standard gray color). Type and pattern of permeable pavers to be approved by BOE. Approved pavers are listed on the "Approved Products" page at https://boe.lacity.org/apm/menu.cfm 	BOE	Non-Standard	Repair when damaged; clean as needed by owner

Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Special Lighting			
 Special lighting that adds to the Area's sense of place is encouraged within the public right-of-way, provided that it does not interfere with pedestrian movement, vehicular safety, the approved street light/street tree spacing pattern, or other required streetscape elements 	BSS	Non-Standard	Repair when damaged
 Examples of special lighting include accent lighting of landscape and architectural features 			
 Special lighting may be installed with a revocable permit. The infrastructure for this lighting shall be maintained by the permit holder and not the Bureau of Street Lighting. 			
Bicycle Racks			
 Place at a location approved by the DOT and city engineer. A minimum 48" wide unobstructed sidewalk access must be maintained. Inverted U or approved equal 	DOT, BOE	S-671	Per review agency
Potted Planters			
 Shrub heights to be approved by BSS Include water trays or internal water system Not to exceed dimensions (width/depth) of tree wells per this plan Must be designed and installed against any overturning force 	BSS	Non-Standard	Weed; remove/replace dead, dying or diseased plants; prune; remove litter; fertilize periodically
Bus Shelters			
 Provided at the discretion of the City Coordinated Street Furniture Program vendor at major bus stops 	BSS, BOE	BSS, BOE	By City vendor

Table 8-1. Basic Streetscape Improvements

Typical Characteristics	Required Review	Standard Plan or Agency Review	Typical Maintenance
Bus Benches & Trash Receptacles			
 Provided at the discretion of the City Coordinated Street Furniture Program vendor at major bus stops 	BSS, BOE	BSS, BOE	By City vendor
Bus Stop Lights			
Install in pairs within 20' of bus stops14' or 12' AV Steel Pole (galvanized steel) or approved equal	BSL, DWP	BSL, DWP	By BSL
Crosswalk Striping			
 Per LADOT policy, the implementation of continental striping on existing marked crosswalks shall be prioritized on major streets and at intersection crossings 	DOT, BOE	S-480, S-481.1	Reapply every 5-10 years
Crosswalk ADA Ramps			
ADA-approved ramps with detectable warning surface (min. 3' x 4')	BOE	S-442	Repair when damaged;
 Two ramps per corner at intersections (as feasible) and one ramp at each end of mid-block crossings 			clean as needed
 Detectable warning surface in yellow; remainder of ramp to be natural concrete (standard gray) 			

- See Table 8-2

- b. **Proposed Paseo.** In addition to the requirement(s) set forth above, a Project shall include a passageway for pedestrians at the location(s) where a Proposed Paseo has been identified in the Subarea Street Map. The passageway shall meet the following requirements:
 - İ. Minimum width of 10 feet that is uncovered and open to the sky.
 - ii. Shall be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle. Physical separation methods may include curbs of no less than 4 inches in height or bollards, walls, raised planters or similar containment methods, no less than 30 inches in height and separated by no more than 5 feet.
 - iii. The surface of the passageway shall be illuminated in accordance with Sec. 4C.10.1.C.3. (Pedestrian-Oriented Lighting) of Chapter 1A (Zoning Code) of the LAMC.
 - iv. Shall be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of a pedestrian passageway from pedestrian access during the required available hours, and a sign shall be posted at every public entrance to the pedestrian passageway in accordance with the standards in Sec. 2C.3.3.D.10.b.ii. of Chapter 1A (Zoning Code) of the LAMC.
 - v. Each facade facing the passageway shall meet the side street transparency and entrance standards of the applied Frontage District (Chapter 3).
- c. **Mesnager Street Extension.** A Project that abuts the location of the Proposed Street Extension as identified in the Subarea 1 Street Map shall include an extension of Mesnager Street as a public right-of-way between Naud Street and North Main Street. The street extension shall meet the following requirements:
 - i. Designed as a "shared street" that allows motor vehicle access at low speed.

- ii. Dedicated and improved to a minimum right-of-way width of 40 feet, including a 28-foot roadway width, 10-foot sidewalk width, and 2-foot parkway width.
- iii. A property owner shall only be responsible for their half of the extension for portions that abut a neighboring property.



Cox, Castle & Nicholson LLP

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Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

April 9, 2025

VIA E-MAIL

Monique Lawshe President Los Angeles City Planning Commission 200 North Spring Street, Room 340 Los Angeles, CA 90012 cpc@lacity.org

Re: 201 W. Sotello Street Tract Map Modification Appeal: Flagrant Planning

Misrepresentations

Hearing Date April 10, 2025: Case No. TT-51669-IND-M3-1A, Agenda Item #11

Dear President Lawshe and Members of the City Planning Commission:

This office represents S&R Partners, LLC, the owner and applicant ("Applicant") for a tract map modification (the "Sotello application") for the property located at 201 W. Sotello Street (the "Property"). This letter addresses egregious misrepresentations made in the City's April 2, 2025, staff report ("Staff Report") that fundamentally undermine the City's central argument for treating the Application differently than the City treated the tract map modification for 200 Mesnager Street (the "Mesnager application"). The Commission has been actively misled by Planning staff regarding the Sotello and Mesnager applications.

This office's April 7, 2025, letter detailed the disparate treatment between the Mesnager and Sotello applications, in which the City properly imposed no conditions on the Mesnager application but here seeks to impose dozens of burdensome conditions on the Sotello application. The Staff Report's central assertion is that the Sotello application concerns a proposed project, whereas the Mesnager application did not, so the City may impose conditions on the Sotello application's residential project.

First, there is no project associated with the Sotello application, as our April 7th letter detailed, and which Planning staff knows. As to the Mesnager application, the Staff Report states: "there was no specific development plan or program proposed or contemplated for the [Mesnager] site or evidence of a future project in the record[.]" This is false and Planning staff knows it is.

In fact, the record discloses that the City knew there was a residential project proposed for 200 Mesnager in conjunction with the tract map modification application and stated so in the Mesnager application's hearing notice, which states "The Applicant is proposing the future development of a mixed-use residential and commercial development at the Site with a maximum floor area ratio of 4:1, or a maximum building area of 266,304 square feet, that will be consistent with the CASP." This aligns with the Mesnager application, which states on page 1 that the "Proposed Use" is "Mixed residential and commercial." In addition, the Fire Department's March 18, 2019, Inter-Departmental Correspondence regarding the Mesnager application requests a number of conditions specific to a residential project.

The Commission cannot countenance this level of material misrepresentation. The knowingly false statements in the Staff Report raise troubling questions about the fairness of the process as to the Applicant, which has now spent 17 months pursuing a simple tract map modification in the exact same manner as the Mesnager application, only to be thwarted by conditions that violate the Map Act, justified by fraudulent statements about previous City approvals.

In the face of such misrepresentations, the Commission must grant the appeal, which simply asks the City to approve a tract map modification in the same manner it approved the Mesnager application.

Sincerely,

Alexander M. DeGood

AMD:amd

cc: Helen Campbell, Planning Director, Office of Councilmember Eunisses Hernandez Lisa Webber, Deputy Director of Planning Jane Choi, Principal City Planner



Ms. Monique Lawshe
President, Los Angeles City Planning Commission
Members of the Los Angeles City Planning Commission
200 North Spring Street, Room 340
Los Angeles, CA 90012
cpc@lacity.org

Re: Item 11: TT-51669-M3 / 201 W. Sotello Street

Tract Map Modification Appeal

Dear President Lawshe and Members of the City Planning Commission:

This office represents S&R Partners, LLC, the owner, applicant ("Applicant"), and appellant for a tract map modification to TT-51669-M3 (the "Sotello Case"), for the property located at 201 W. Sotello Street (the "Property"). Our office is in receipt of the case file for Case TT-51669-M1, for the property located at 200 N. Mesnager Street, (the "Mesnager Case"), which was approved by the City of Los Angeles in 2018, for an identical request to the subject application.

The Staff report to our Sotello Case makes repeated representations regarding the Mesnager case that "At the time of the filing of the first modification, there was no specific development plan or program proposed or contemplated for the site or evidence of a future project in the record, either in the form of building permit applications or within the project description" (Appeal recommendation report, page A-3), as well as in Appeal Point 3, page A-9. This false statement is the basis of the Department of City Planning's entire unfair treatment of the Mesnager Case vs the current Sotello Case.

Included herein are copies of the Applicant's original DCP Application form, indicating the proposed use as a "Mixed residential and commercial", as well as the published hearing notice for the Advisory Agency Hearing for the Mesnager case on Thursday March 29, 2018, where the published Proposed Project Description states "...The Applicant is proposing the future development of a mixed-use residential and commercial development at the Site, with a maximum floor area ratio of 4:1, or a maximum building area of 266,304 square feet, that will be consistent with the CASP. No change to the tract of lot lines requested". This case file was in the possession of DCP staff overseeing this case.

The unfair and unequal treatment of these two cases is undeniable, and yet the Department of City Planning continues to justify the onerous conditions and differential treatment of these cases rather than acknowledge that there was an error and abuse of discretion by staff and the Advisory Agency, and thus an unwillingness to modify conditions for the Sotello Case in a manner that would permit future development on site in a consistent manner to the Mesnager Case. It is clear that the City Planning Commission cannot support staff's position here and that this appeal must be granted.

Respectfully,

Dana Sayles, three6ixty Applicant's Representative

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DEPARTI	MENT OF CITY PLANNING APPLICATI	ON	
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	Jse Mixed residential and commercial. See attached me (if applicable)		
	detail the characteristics, scope and/or operation of	the proposed project Tra	act map modification to
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20+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT TO THE CPC@LACITY.ORG INBOX FOR THE CITY PLANNING COMMISSION'S CONSIDERATION:

Item 11:

Case No. TT-51669-IND-M3

<u>Subject Line:</u> Appeal of Case No. TT-51669-IND-M3 - letter of support 201 Sotello street

Email Message:

Dear City Planning Commission,

I write this letter in support of permitting new housing creation.

Instead of simply removing a decades-old, out-of-date restriction prohibiting housing and aligning the property's tract map with existing and planned zoning (as it did for the 200 Mesnager project next door), the City has imposed overly burdensome conditions, in violation of the Subdivision Map Act.

The City Planning Commission should grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2. Any other result is both illegal and unfair, and in direction opposition to the City's stated goal of producing housing.

With such a massive need for housing, the City should be doing everything that it can to support the production of new housing, versus creating new barriers with overly burdensome conditions and protracted City processes. This causes undue expense and delay and, ultimately prevents new housing from being built.

Current zoning permits housing and prohibits industrial development. The applicant is requesting to align the tract map with current zoning. Instead, the City is attempting to impose dozens of conditions, which are both burdensome and inconsistent with a prior, identical request.

I oppose the Advisory Agency's imposed conditions and support the Appellant here. This body needs to get it right and allow much needed housing to go forward.

80+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT TO THE CPC@LACITY.ORG INBOX FOR THE CITY PLANNING COMMISSION'S CONSIDERATION:

<u>Items 11:</u>

Case No. TT-51669-IND-M3

Subject Line:

Support the proposed 450-unit development at 201 Sotello Street! (Case# TT-51669-IND-M3)

Email Message:

Dear LA City Planning Commission,

I am writing to support the proposed 450-unit development, including 50 affordable units for very-low-income renters, at 201 Sotello Street, case number TT-51669-IND-M3. I urge the commission to grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing, and should do everything it can to support the production of new housing, and avoid imposing expensive and onerous conditions. Not only will this project help provide that much needed housing by replacing an underutilized bus parking lot with no loss of existing residential units, but it will help to revitalize an area no longer permitted for industrial development.

This project is in a great location for housing, in a walkable neighborhood with bus stops, ½ mile away from the Chinatown Metro Station, and a little over a mile from Union Station. It is across the street from Los Angeles State Park and near restaurants and Dodger Stadium. Again, we urge the city to grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2.



www.tca-arch.com



18821 Bardeen Avenue Irvine, CA 92612

Letter of Support - 201 Sotello Street
• Appeal of Case No. TT-51669-IND-M3

Addressed to: CPC@lacity.org

• Hearing Date: April 10, 2025, at 8:30 a.m.

Dear Members of the Los Angeles City Planning Commission,

I am writing in strong support of the appeal regarding Case No. TT-51669-IND-M3, which concerns the proposed residential development at 201 Sotello Street.

The project represents a critical opportunity to create much-needed housing on a site that is already zoned for residential use through the specific plan. However, instead of simply removing an outdated restriction prohibiting residential development—and bringing the tract map into alignment with both current zoning and long-term land use planning—the City has imposed a series of onerous and excessive conditions. These conditions are not only inconsistent with precedent but may also be in violation of the Subdivision Map Act.

We respectfully urge the Commission to grant the appeal and apply the same fair and reasonable conditions that were approved for the adjacent, functionally identical project at 200 Mesnager Avenue (Case No. TT-51669-IND-M2). Imposing a separate and more burdensome set of conditions on this project sets a troubling precedent and raises serious concerns about fairness and equitable treatment under the law.

It is worth noting that the current zoning for the site explicitly allows for residential development while prohibiting industrial uses. The applicant is merely seeking to align the tract map with that zoning framework—an action that should be routine, especially given its direct parallels to the adjacent project.

At a time when Los Angeles faces a historic housing shortage, the City must avoid adding unnecessary barriers to the development process. Developers are already navigating an increasingly complex and costly landscape. When faced with inconsistent or unpredictable conditions, many choose to invest in other states with more reliable, transparent, and supportive regulatory environments. The long-term impact of such decisions is fewer housing units, less affordability, and continued pressure on local residents.

For these reasons, we strongly oppose the conditions imposed by the Advisory Agency and support the Appellant in this case. The Planning Commission has both the authority and responsibility to ensure consistency, fairness, and alignment with the City's stated goals of increasing housing supply.

We urge you to grant the appeal and enable this project to move forward under the same conditions as its neighboring counterpart.

Sincerely,

√rwin Yau President, TCA Architects



Agenda Item #11: SUPPORT the Appeal of Conditions for TT-51669-M3 - 201 Sotello Street: Supporting Residential Development Consistent with CASP Goals

Will Wright <will@aialosangeles.org>

Wed, Apr 9, 2025 at 2:31 PM

To: cpc@lacity.org

Cc: Lisa Webber lisa.webber@lacity.org>, William Lamborn <william.lamborn@lacity.org>, rachel.freeman@lacity.org, Helen Campbell <helen.campbell@lacity.org>, Kyle Hickey <kyle.hickey@lacity.org>, eric.ares@lacity.org, Kevin Keller <kevin.keller@lacity.org>, Vince Bertoni <Vince.Bertoni@lacity.org>, Shana Michele Murphy Bonstin <shana.bonstin@lacity.org>, Arthi Varma <arthi.varma@lacity.org>, haydee.urita-lopez@lacity.org, yi.lu@lacity.org, Jane Choi <jane.choi@lacity.org>

Ms. Monique Lawshe President, Los Angeles City Planning Commission Members of the Los Angeles City Planning Commission 200 North Spring Street, Room 340 Los Angeles, CA 90012

RE: 4/10/2025 CPC Agenda Item #11 - TT-51669-IND-M3-1A

Dear President Lawshe and Members of the City Planning Commission,

As the Director of Government & Public Affairs for the Los Angeles Chapter of the American Institute of Architects, (and as a resident of Chinatown in Council District #1), I am writing to respectfully encourage and recommend the Commission to uphold (and grant) the applicant's appeal regarding the conditions imposed on the TT-51669-M3 case, pertaining to the proposed development at 201 Sotello Street.

We believe the current conditions create unnecessary hurdles that would impede the realization of much-needed residential investment in an area specifically targeted for such growth under the Cornfield Arroyo Seco Specific Plan (CASP).

The continued use of the 201 Sotello Street site as a bus yard stands in direct contrast to the CASP's fundamental objective of encouraging new residential development in this area, particularly given its adjacency to the significant public amenity of the Los Angeles State Park. The seemingly disparate treatment of this case compared to the immediately adjacent TT-51669-M1 site at 200 Mesnager Street (which is a beautiful project and should be highly commended for its design attributes) is concerning and undermines the consistent application of the CASP's administrative review process.

We recognize that the CASP is a complex specific plan, and development within its boundaries has been limited since its adoption. Imposing burdensome conditions that effectively prevent projects from proceeding under the plan's administrative review framework is counterproductive to its intended goals. We strongly advocate for the Commission to grant the appeal and apply the same, more limited conditions that were deemed appropriate for the prior, identical request for the immediately adjacent project: TT-51669-IND-M1.

The greater Los Angeles region faces a critical housing shortage, especially in the realm of affordable housing. It is imperative that the City actively supports the production of new housing and avoids the imposition of costly and onerous conditions that stifle development. This proposed project offers a valuable opportunity to contribute to our housing supply by responsibly replacing an underutilized bus parking lot without displacing any existing residential units. Furthermore, it aligns with the City's broader goals of revitalizing areas no longer suitable for industrial development.

The location of this property is highly conducive to residential use, situated within a walkable neighborhood offering access to bus lines, proximity to the Chinatown Metro Station (½ mile), and convenient connections to Union Station (just over a mile). Its location across from the Los Angeles State Park and near essential amenities, restaurants, and cultural attractions like Chinatown's Central Plaza, Walt Disney Concert Hall, La Placita Olvera, and Dodger Stadium further underscores the inappropriateness of its continued industrial use as a bus yard.

For these compelling reasons, we reiterate our strong support for granting the appeal and applying the same limited conditions that were previously established for the immediately adjacent and identical project: TT-51669-IND-M1.

Thank you for your time and careful consideration of this important matter.

Very truly yours,

Will Wright, Hon. AIA|LA
Director, Government & Public Affairs
American Institute of Architects, Los Angeles Chapter (AIA|LA)
Architecture for Communities Los Angeles (ACLA)
4450 West Adams Blvd.

Los Angeles, CA 90016
E: will@aialosangeles.org

O: (213) 639-0764 M: (310) 309-9580

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March 28, 2025

Yi Lu vi.lu@lacity.org

Dear City Planning Commission,

We are writing to you about the proposed 450-unit development, including 50 affordable units for very-low-income renters, at 201 Sotello Street, case number TT-51669-IND-M3. We urge the commission to grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2.

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing, and should do everything it can to support the production of new housing, and avoid burdening developers with expensive and onerous conditions. Not only will this project help provide that much needed housing by replacing an underutilized bus parking lot with no loss of existing residential units, but it will help to revitalize an area no longer permitted for industrial development.

This project is in a great location for housing, in a walkable neighborhood with bus stops, ½ mile away from the Chinatown Metro Station, and a little over a mile from Union Station. It is across the street from Los Angeles State Park and near restaurants and Dodger Stadium. Again, we urge the city to grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2.

Best Regards,

Azeen Khanmalek

AHLA Executive Director

Azeen Khanmalek

Tami Kagan-Abrams

AHLA Project Director

Tami Kagan-Ahrams

DEPARTMENT OF RECREATION AND PARKS

BOARD OF COMMISSIONERS

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BRENDA AGUIRREASSISTANT GENERAL MANAGER

CHINYERE STONEHAMASSISTANT GENERAL MANAGER

(213) 202-2633

Letter sent via email to: cpc@lacity.org

April 1, 2025

City Planning Commission
Attn: Cecilia Lamas, Commission Executive Assistant II
200 N. Spring Street, Room 272
Los Angeles, CA 90012
Mail Stop 395

DEPARTMENT OF RECREATION AND PARKS REPORT AND RECOMMENDATIONS RELATIVE TO TT-51669-M3

Dear City Planning Commission,

The City of Los Angeles Department of Recreation and Parks (RAP) has prepared the following report and recommendations in response to your request for comments relative to TT-51669-M3 (project), a proposed residential subdivision. Copies of this report is being sent simultaneously to staff members of the Department of City Planning identified below.

We note that RAP previously provided a report and recommendation regarding this project on November 27, 2023.

RAP's report and recommendation(s) regarding the proposed project are as follows:

General Comments:

The applicant is requesting approval of the proposed project, a residential subdivision. Los Angeles Municipal Code (LAMC) 12.33 requires most residential projects that create new dwelling units or joint living and work quarters to dedicate land or pay a fee for the purpose of developing park and recreational facilities and LAMC 19.17 specifies how those fees are to be calculated.

Effective January 11, 2017, RAP is responsible for calculating the required park fees owed by each residential development project, including subdivision projects, pursuant to LAMC 12.33, and issuing the fee calculation letters to applicants.



RAP Recommendation:

The applicant is requesting approval of a subdivision that will contain more than 50 dwelling units. Therefore, pursuant to Los Angeles Municipal Code sections 12.33 and 19.17, this subdivision project is subject to the payment of Park Fees (i.e. Quimby in-lieu fees). LAMC 12.33.B. specifically states that subdivision projects consisting of more than 50 residential units are subject to a Quimby in-lieu fee. Further, LAMC Chapter 1A, Section 13B.7.1.C.2.a. states the following:

"The Advisory Agency is charged with the duty of making investigations and reports on the design and improvement of proposed subdivisions, of *requiring* the dedication of land, payment of fees in-lieu thereof, or a combination of both, for the acquisition and development of park and recreation sites and facilities, and is hereby authorized to approve, conditionally approve, or disapprove tentative tract maps of proposed subdivisions, private streets and such maps as are provided for herein, to prescribe the design, kinds, nature and extent of improvements required to be installed in connection therewith and to report directly to the subdivider the action taken on the tentative tract map" (emphasis added).

Finally, LAMC Chapter 1A, Section 13B.7.4 (Final Tract Map) Subsection E.2 provides that no final subdivision map be approved or recorded unless land within the subdivision has been dedicated to the City of Los Angeles for park or recreational purposes or the park and recreation impact fee has been paid pursuant to Chapter 1 (General Provisions and Zoning) and Section 12.33 (Park Fees and Land Dedication).

We also note that Conditions 10 and 12 of the M3 Letter of Determination contemplates the recordation of a new final map. Therefore, based on the reasons stated in this letter, RAP recommends the following be added as a condition of the approval of the proposed project:

Prior to the recordation of the final map, the applicant shall pay the applicable Park Fee to the Department of Recreation and Parks, which shall be calculated as a Subdivision (Quimby in-lieu) fee.

Thank you for the opportunity to provide information relative to recreation and park issues related to this proposed project. Please provide the RAP contact listed below with any and all agendas, notices, and staff reports for the Advisory Agency actions and/or hearings related to this application.

If you have any questions or comments regarding this information please feel free to contact Park Fees staff, at 213-202-2682 or rap.parkfees@lacity.org, at your convenience.

Sincerely,

DARRYL FORD Superintendent

DF:ml

TT-51669-M3 Report and Recommendations April 1, 2025 Page 3

cc:

Jane Choi, jane.choi@lacity.org Vanessa Soto, vanessa.soto@lacity.org Yi Lu, yi.lu@lacity.org



201 Sotello Street - Letter of Support for Housing Development

Amber Kain <amberkain@gmail.com> To: CPC@lacity.org

Sun, Apr 6, 2025 at 7:24 PM

Dear City Planning Commission Members,

I'm a middle class citizen of Santa Monica, CA. I own two modest homes in safe beachside neighborhoods. But I wasn't always so fortunate. As a child, I experienced homelessness for 21 months when my mother and I were displaced from our rental apartment in New York City by skyrocketing rents during the gentrification of Harlem. My mother continued to work and I continued to attend school where I was an honor student. But I had to complete my homework while riding buses and subway cars as my mother and I had to search every night for a new place to sleep — a friend's sofa bed, a relative's garage, a stranger's rooftop. The homeless shelters were too dangerous for women and girls to even entertain.

Homelessness is not an experience I would wish on my worst enemy. Certainly, no working mother and child should ever experience it. Please park the buses in an underground lot. Do everything in your power to mitigate the housing crisis in Los Angeles. With the ready availability of e-scooters, bikes, rideshare apps, etc., today's adult generation of Los Angeles embraces alternative modes of transportation so that fewer and fewer own cars, reducing their experience of traffic.

You are in a unique position to save thousands of innocent hard-working people from suffering the trauma of living unhoused. Please seize the day & *use your enormous power for good*. Current Angelenos and our children will gratefully look to you all as LA's heroes.

Amber Kain, Author & Landlord

https://www.amazon.com/author/amberkain https://www.instagram.com/amberkainartist/ https://www.barnesandnoble.com/s/AmberKain



Appeal of Case No. TT-51669-IND-M3

Cynthia Clemons <cclemons88@gmail.com>
To: "cpc@lacity.org" <cpc@lacity.org>
Cc: ali@housingactioncoalition.org

Fri, Apr 4, 2025 at 7:44 PM

Dear LA City Planning Commission,

I am writing this letter in strong support of permitting new housing creation. Instead of simply removing a decades-old, out-of-date restriction prohibiting housing and aligning the property's tract map with existing and planned zoning, the City has imposed overly burdensome conditions, in violation of the Subdivision Map Act.

With such a massive need for housing, the City should be doing everything that it can to support the production of new housing, versus creating new barriers with overly burdensome conditions and protracted City processes. This causes undue expense and delay and ultimately prevents new housing from being built.

The City Planning determination violates the clear reading of the tract map statutes, as well as State Law prohibiting such exactions. I believe the Planning Department seeks to use this as a precedent setting case and to apply it to other previously industrial zoned properties with tract map use restrictions. This will impair the Planning Commission, City Council and Mayor's stated policy objectives of encouraging the redevelopment of obsolete industrial properties into desperately needed housing.

This body needs to get it right and allow much needed housing to go forward.

Sincerely, Cynthia Clemons

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Cynthia Clemons 404 - 542 - 2645





Cox, Castle & Nicholson LLP

2029 Century Park East, Suite 2100 Los Angeles, California 90067-3284 **P**: 310.284.2200 **F**: 310.284.2100

Alexander M. DeGood 310.284.2205 ADeGood@coxcastle.com

File No. 108688

April 7, 2025

VIA E-MAIL

Monique Lawshe President Los Angeles City Planning Commission 200 North Spring Street, Room 340 Los Angeles, CA 90012 cpc@lacity.org

Re: 201 W. Sotello Street Tract Map Modification Appeal: Agenda Item #11

Dear President Lawshe and Members of the City Planning Commission:

This office represents S&R Partners, LLC, the owner and applicant ("Applicant") for a tract map modification for the property located at 201 W. Sotello Street (the "Property"), Case No. TT-51669-IND-M3-1A, to conform the uses permitted by the map with current zoning (the "Conformance Application"). This letter follows the City's April 2, 2025, staff report ("Staff Report") concerning the Applicant's October 28, 2024, appeal (the "Appeal") of the Advisory Agency's October 21, 2024, heavily-conditioned Conformance Application approval. The City's position, as articulated in the Staff Report, is without legal support, would impose crushing burdens on the Applicant, and is direct contravention of the City's actions on an adjacent property. To wit:

- The Staff Report misstates the record. The Staff Report appears predicated on the idea there is an active application for a residential project on the Property. There is no project application before the City. The only thing before the City is the Conformance Application, which simply seeks to align an almost 30 year old tract map with current zoning, which permits residential development, as well as other uses currently prohibited on site. 1
- The City's position violates the Subdivision Map Act. The Map Act, in section 66472.1, explicitly states that a map modification cannot "impose any additional burdens on the fee owners," nor can it "alter any right, title, or interest" in the property. Yet the City here seeks to impose millions of dollars in fees and other requirements through the

¹ In November 2023 the Applicant filed for a preliminary zoning conformance determination for a potential residential project, which was due to expire shortly by its own terms and which the Applicant has formally withdrawn.

Conformance Application, which simply seeks to permit uses on the site that the underlying zoning permits. The Map Act flatly prohibits imposition of such conditions through the modification process.

The City's "legal" response is a non-sequitur, as the Staff Report states the conditions "do not create an undue burden as they do not apply to unrelated properties or impose unnecessary obligations on neighboring landowners." What do neighboring properties not part of the application have to do with anything? The Map Act prohibits imposing a burden on the applicant landowner, which here it is unrefuted the City seeks to do.

• There is no authority to "re-record" an already recorded tract map. The City has treated the Conformance Application as if the Applicant filed for a new tract map by seeking to impose conditions it could only impose on a new map. But the City knows there is no mechanism under the Map Act to impose such conditions, so it manufactures a requirement to "re-record" the already recorded map, thereby requiring the Applicant to clear all of the imposed conditions, pay millions in fees, and bond for improvements, regardless of whether the Applicant has a project. Nothing in section 66472.1 mentions, let alone requires, re-recording an already recorded map, nor gives a jurisdiction the right or authority to interpret the Map Act to contain provisions not stated within it, and with good reason – the entire point of the operative Map Act section is to narrowly revise final maps to conform with changed circumstances (here, underlying zoning that permits residential and other uses that are prohibited in the tract map that predates current zoning).²

Further, many conditions do not even state the Applicant must "re-record" the map but state the Applicant must clear them "prior to recordation of a final map." However, the map in question was recorded decades ago, and not even the City can explain how the Applicant could clear such a condition.

• The City seeks to impose millions in Quimby fees at the subdivision amount level when the Conformance Application does not subdivide the Property. Despite no subdivision of property, as that occurred almost 30 years ago, the City seeks to impose approximately **§6.9 million** in Quimby fees, calculated at the subdivision level for a potential future project. First, all required fees were paid at the time of map recordation in accordance with state law, and the City cannot now impose new fees. Second, even if the City could impose new fees, there is no basis to impose them based on the fee structure for subdivision of property when no subdivision is taking place here. Finally, as noted above,

interpretation of its own code is that if the code does not explicitly permit something, it is not permitted.

² The City attempts a sleight of hand, stating that while nothing in the Map Act provides for re-recordation of a map, nothing explicitly prohibits it, which amounts to proving a negative. The Map Act creates a detailed statutory scheme regarding property subdivision, prescribing in detail myriad processes and requirements. It is absurd to suggest that it permits anything it does not explicitly prohibit. Further, the City's longstanding policy with respect to

the imposition of such fees directly violates the Map Act section regarding map modifications.

• The City's Map Act interpretation would eliminate section 66472.1. The City argues that because section 66472.1 references Map Act section 66474, which requires the City to find the Conformance Application is consistent with the City's General Plan, the City can impose all the conditions imposed here. The City badly misunderstands the scope of its authority, which is limited to determining whether the proposed map modification is consistent with the General Plan, which it is, as the General Plan permits residential and other uses at the Property. McCorkle Eastside Neighborhood Group v. City of St. Helena (2018) 31 Cal.App.5th 80, 95 (scope of agency discretion limited by statutory scope of authority); San Diego Navy Broadway Complex Coalition v. City of San Diego (2010) 185 Cal.App.4th 924, 938 (same). The map modification request is specifically for the purpose of bringing the tract map into conformance with the Cornfield Arroyo Specific Plan.

Here, the Map Act clearly limits the scope of the City's discretion to consideration of the specific proposed map modification. To hold that the reference to section 66474 allows the City to impose any conditions as it would on a new map application would invest the City with unlimited discretion and read section 66472.1 completely out of the Government Code and violate bedrock law regarding statutory construction. *State Dept. of Public Health v. Superior Court* (2015) 60 Cal.4th 940, 955 ("A court must, where reasonably possible, harmonize statutes, reconcile seeming inconsistencies in them, and construe them to give force and effect to all of their provisions.") (citations omitted)

• The City imposed **no conditions** on an adjoining property's map modification application. In 2018, the City approved an *identical* map modification request to remove a use restriction and align permitted uses with the underlying zoning for the adjacent property located at 200 Mesnager Street (the "Mesnager application"). The City properly applied the Map Act and imposed no conditions on the Mesnager application. Indeed, senior Bureau of Engineering staff stated in writing that BOE sought no conditions and that "no new final map recordation is required based upon the proposed modification request."³

The City's purported reason for such impermissible, differential treatment is that the Conformance Application concerns an actual project whereas the Mesnager application did not. But, as detailed above, that is not true. Nor can the City point to *any* time it sought to impose such burdensome conditions on a map modification application, and there is no legal justification for it here.

³ The Mesnager site now has a 280-unit residential project, thus effectuating City policy for residential development in this area of the Cornfields Arroyo Specific Plan ("CASP").

Monique Lawshe April 7, 2025 Page 4

The Conformance Application simply seeks to conform a decades-old tract map with the uses the City, as a policy matter, has now long permitted on the Property. Faced with a straightforward request under the Map Act it previously granted with no issue, for some reason the City here seeks to impose conditions that the Applicant would be forced to clear absent actually having a project, including payment of millions in fees and bonding for various public improvements.

The City Planning Commission should grant the appeal, resulting in an approved map modification identical to the Mesnager application that would permit future development consistent with the CASP and nothing more.

Sincerely,

Alexander M. DeGood

AMD:amd

cc: Helen Campbell, Planning Director, Office of Councilmember Eunisses Hernandez Lisa Webber, Deputy Director of Planning

Jane Choi, Principal City Planner

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⁴ Indeed, the City recently adopted an updated CASP and again adopted zoning for the Property that would permit substantial residential development.

20+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT TO THE CPC@LACITY.ORG INBOX FOR THE CITY PLANNING COMMISSION'S CONSIDERATION:

Item 11:

Case No. TT-51669-IND-M3

<u>Subject Line:</u> Appeal of Case No. TT-51669-IND-M3 - letter of support 201 Sotello street

Email Message:

Dear City Planning Commission,

I write this letter in support of permitting new housing creation.

Instead of simply removing a decades-old, out-of-date restriction prohibiting housing and aligning the property's tract map with existing and planned zoning (as it did for the 200 Mesnager project next door), the City has imposed overly burdensome conditions, in violation of the Subdivision Map Act.

The City Planning Commission should grant the appeal and impose the same conditions as those imposed in a prior, identical request for an immediately adjacent project: TT-51669-IND-M2. Any other result is both illegal and unfair, and in direction opposition to the City's stated goal of producing housing.

With such a massive need for housing, the City should be doing everything that it can to support the production of new housing, versus creating new barriers with overly burdensome conditions and protracted City processes. This causes undue expense and delay and, ultimately prevents new housing from being built.

Current zoning permits housing and prohibits industrial development. The applicant is requesting to align the tract map with current zoning. Instead, the City is attempting to impose dozens of conditions, which are both burdensome and inconsistent with a prior, identical request.

I oppose the Advisory Agency's imposed conditions and support the Appellant here. This body needs to get it right and allow much needed housing to go forward.