

FINDINGS FOR TT-84566-CC

FINDINGS OF FACT (CEQA)

The Advisory Agency determines that based on the whole of the administrative record, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 (Class 1 Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of (Vesting) Tentative Tract Map No. VTT-84566-CC the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C, tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Wilshire Community Plan, which designates the site with a Medium Residential land use designation. The Medium Residential land use designation lists the R3 Zone as the corresponding zone. The Project Site is zoned [Q]R3-1-O, which is consistent with the land use designation. The site is subject to Qualified "Q" Conditions contained within Ordinance No. 168,193, which limits building height to a maximum of 35 feet, requires building articulation for facades greater than 40 feet in width, among other requirements. The project site has approximately 8,838.6 square feet of lot area, which would permit a maximum of eleven (11) dwelling units. The project was issued a building permit on November 29, 2007, and a Certificate of Occupancy on January 25, 2013 (LADBS Permit # 07010-30000-01373). The building permit and certificate of occupancy were both issued after the effective date of Ordinance No. 168,193, which was effective on October 2, 1992. As such the project is in conformance with the Wilshire Community Plan and Qualified "Q" conditions that apply to the site.

The project is compatible with the Wilshire Community plan which encourages projects that:

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new resident in the Wilshire Community Plan Area...

Objective 1-1.3 Provide for adequate Multi Family residential development.

The project will provide new homeownership opportunities in the Wilshire Community Plan area through the conversion of the existing apartment building into residential condominiums. Therefore, as conditioned, the proposed subdivision is substantially consistent with the applicable general plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. As the project site is zoned [Q]R3-1-O would permit a maximum of eleven (11) dwellings on the approximately 8,838.6 square-foot site. As the map is proposed for an eight (8) unit condominium subdivision, it is consistent with the density permitted by the zone.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along South Hi Point Street, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The site is developed with a two (2) story multifamily residential structure measuring 35 feet in height and containing eight (8) dwelling units. The project was legally constructed in 2007, under permit application No. 7010-30000-01373, which is after the effective date of Ordinance No. 168,193 (effective date 10/2/1992), which implements the Q conditions on the site. As such, the project was designed and built to meet the Q conditions. The

current project proposes the conversion of the existing 8-unit multifamily residential building into an eight (8) unit residential condominium project. The proposed Vesting Tentative Tract Map (VTT-84566-CC) is for the purposes of condominium conversion of the existing building and no physical additions or alterations are proposed to the existing building as part of this application.

The project site is located within 1.48 km from the Newport - Inglewood Fault Zone, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide, liquefaction, or tsunami inundation zone. The site is located within a methane zone and will be required to comply with all applicable regulations as it pertains to development within a methane zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation.

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed type of development.

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

The project site, which is comprised of one lot that is approximately 8,838.6 square feet and is developed with a two (2)-story, eight (8) unit multifamily residential structure. The proposed project is for the conversion of the eight (8) rental units to condominium units. There are no proposed changes to the existing multifamily structure which was designed and built to be in compliance with all applicable zoning standards. The site has a by-right density of eleven (11) units. As proposed, the density and height are consistent with the zone and land use designation, which would permit a maximum of eleven dwelling units and a height of 35 feet. The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Additionally, prior to the issuance of a certificate of occupancy, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The proposed project is a residential condominium conversion which will preserve the existing two (2)-story, eight (8) unit multifamily structure. There is one street tree adjoining the property. The project does not propose to remove the existing street tree. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. Therefore, the condominium conversion and design of the subdivision and proposed improvements are not likely to cause substantial environmental damage or injury to wildlife or their habitat.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY

TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Hi Point Street, which is a public street. The project site consists of a parcel identified as Lot No. FR 10 Arb 3 of Tract TR 3909 and is identified by the Assessor Parcel No. 506-801-2034. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the tract map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

The project site is developed with a two (2)-story, eight (8)-unit apartment building over a subterranean parking garage. The project is a residential condominium conversion and will maintain the existing structures on the site without any major modification. Design modifications are not feasible to an existing building.

FINDINGS OF FACT (CONDOMINIUM CONVERSIONS)

Furthermore, the Advisory Agency pursuant to Section 12.95.2 of the Los Angeles Municipal Code, makes the prescribed findings as follows.

- (i) THE PROPOSED MAP IS SUBSTANTIALLY CONSISTENT WITH THE APPLICABLE DENSITY PROVISIONS OF THE GENERAL PLAN OR SPECIFIC PLANS IN EFFECT AT THE TIME THE ORIGINAL BUILDING PERMIT WAS ISSUED AND THE APPLICATION FOR MAP APPROVAL IS FIELD FIVE YEARS OR MORE FROM THE DATE OF THE ORIGINAL CERTIFICATE OF OCCUPANCY FOR THE BUILDING ISSUED.

The project site is located within the Wilshire Community Plan, which designates the site with a Medium Residential land use designation. The land use designation lists the R3 Zone as the corresponding zone. The Project Site is zoned [Q]R3-1-O, which is consistent with the land use designation. The site is subject to Qualified "Q" Conditions contained

within Ordinance No. 168,193, which limits height to 35 feet, requires building articulation for facades greater than 40 feet and limits the use of balconies above the first floor that have a line of sight on structures with a single family use, among other requirements. The project site has approximately 8,838.6 square feet of lot area, which would permit a maximum of 11 dwelling units. The project was issued a building permit on November 29, 2007 and a Certificate of Occupancy on January 25, 2013 (Permit # 07010-30000-01373). Both the building permit and certificate of occupancy were issued after the effective date of Ordinance No. 168,193, which was effective on October 2, 1992. As such the project is in conformance with the Wilshire Community Plan and Qualified "Q" conditions that apply to the site. The project is thus in conformance with the density requirements of the [Q]R3-1-O, and the application for a map approval is more than five years since the certificate of occupancy was issued.

- (j) THE PROPOSED MAP IS CONSISTENT WITH ANY APPLICABLE GENERAL PLAN OR SPECIFIC PLAN PROVISION WHICH CONTAINS DEFINITE STATEMENT OF POLICIES AND OBJECTIVES EXPLICITLY APPLICABLE TO CONDOMINIUM CONVERSION PROJECTS.

The Wilshire Community Plan does not contain policies or objectives that are explicitly applicable to condominium conversion projects. As such, the requested map action does not conflict with the Wilshire Community Plan. The proposed map is not located within the boundaries of a Specific Plan.

The project is compatible with the Wilshire Community Plan, which encourages project that:

Objective 1-1: Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing resident and expected new residents in the Wilshire Community Plan Area...

Objective 1-1.3: Provide for adequate Multi Family residential development.

The project will provide new homeownership opportunities in the Wilshire Community Plan area through the conversion of an existing multifamily structure into condominiums. Therefore, as conditioned, the proposed subdivision is substantially consistent with the Wilshire Community Plan.

- (k) THE PROPOSED CONDOMINIUM CONVERSION DOES NOT CONTAIN ANY VIOLATIONS OF CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE (LAMC) THAT HAVE NOT BEEN CORRECTED OR AN ADEQUATE PLAN TO CORRECT SUCH VIOLATIONS HAS BEEN DEVELOPED OR ACCOMPLISHED. FOR PURPOSES OF THIS PROVISION, CHAPTER IX OF THE LAMC MEANS THE CODE IN EFFECT WHEN THE BUILDING PERMIT WAS ISSUED AND OTHER SUBSEQUENTLY ENACTED REGULATIONS EXPLICITLY MADE APPLICABLE TO EXISTING STRUCTURES.

The proposed condominium conversion does not contain any violations of Chapter IX of the LAMC.

- (l) THE BUILDING PROPOSED FOR CONVERSION IS NOT OF UNREINFORCED MASONRY FOR WHICH THE BUILDING PERMIT WAS ISSUED PRIOR TO OCTOBER 1, 1933, NOR IS IT MORE THAN THREE STORIES IN HEIGHT WITHOUT AN

ELEVATOR.

The project was issued a building permit on November 29, 2007 and a Certificate of Occupancy on January 25, 2013 (Permit # 07010-30000-01373). The permit was for a two (2)-story, eight (8) unit multifamily structure. As such, the proposed map action does not conflict with this finding.

- (m) THE VACANCY RATE OF THE PLANNING AREA IN WHICH THE PROPERTY IS LOCATED IS NOT LESS THAN 5 PERCENT. AS CONDITIONED, THE PROPOSED CONVERSION PROJECT WILL NOT HAVE A SIGNIFICANT CUMULATIVE EFFECT ON THE RENTAL HOUSING MARKET IN THE PLANNING AREA IN WHICH THE PROPOSED PROJECT IS LOCATED.

Section 12.95.2-F.6 of the LAMC reads in pertinent part: "After considering the following criteria, the Advisory Agency may approve a tentative map or preliminary parcel map for a residential conversion project, unless it makes both of the following findings: (1) the vacancy rate of the planning area in which the property is located is five percent or less, and (2) the cumulative effect on the rental housing market in the planning area of successive residential...conversion projects (past, present and future) is significant." In determining whether there is a significant cumulative effect, the section requires the Advisory Agency to consider the following criteria: (a) the number of tenants who are willing and able to purchase a unit in the building; (b) the number of units in the existing building prior to conversion; (c) the number of units which will be eliminated in case conversion occurred in order to satisfy Municipal Code parking requirements; (d) the adequacy of the relocation assistance plan proposed by the subdivider; and (e) any other factors pertinent to the determination.

Consistent with the requirements of Los Angeles Municipal Code (LAMC) Section 12.95.2-F.6 the Advisory Agency considered the criteria enumerated in this subsection. The Department of City Planning Demographics Unit reports that the overall vacancy rate is 6.88 percent, which is more than 5 percent. The vacancy rate was calculated using 2022 American Community Survey 5-year Estimate data.

The project does not have a significant cumulative effect on the rental housing market. There was one approved condominium conversions within a 1000-foot radius of the project site since 2008, removing a total of three (3) units from the rental market.

Case No.	Address	Units	Determination	Action
AA-2006-10359-PMLA-CC	1513 S. Orange Ave.	3	2/22/08	Approved

In calendar year 2022, a total of new 1,836 dwelling units, which includes 611 affordable units, were proposed through Planning Entitlements in the Wilshire Community Plan area.

- (n) THE OFF-STREET RESIDENT PARKING SPACES AND GUEST PARKING SPACES REQUIRED FOR THE PROPOSED CONDOMINIUM CONVERSION ARE REASONABLE AND FEASIBLE AND SUBSTANTIALLY CONSISTENT WITH THE PURPOSES OF THE LAMC.

As stated previously, the project was issued a building permit on November 29, 2007

and a Certificate of Occupancy on January 25, 2013 (Permit # 07010-30000-01373). In order to secure a building permit the project was required to meet Qualified "Q" Conditions found in Ordinance No. 168,193. As such the project met the parking requirement found in LAMC Section 12.21 A.4(a). Additionally, the Q condition required .25 guests parking spaces per unit for rentals and .5 guest parking spaces per guest unit condominiums. The project provides 20 automobile parking spaces which meets the requirements in LAMC Section 12.21 A.4(a) and the Q for condominiums. As such the project is consistent with the parking requirements of the LAMC and Q condition. Additionally, the proposed project is within a half mile of a major transit stop, as such the City is prohibited from imposing minimum parking standards per Assembly Bill (AB) 2097 which became effective on January 1, 2023. Therefore, the proposed project does not conflict with this finding.