Beverly Hills
Planning Division
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Planning Commission Report

Meeting Date: September 24, 2015

Subject: **332-336 North Oakhurst Drive**
Vesting Tentative Tract Map and Development Plan Review
Request for a Vesting Tentative Tract Map and Development Plan Review to allow construction of a new, 31-unit multi-family condominium building partially located in the City of Los Angeles. Pursuant to the provisions set forth in the California Environmental Quality Act, the City of Beverly Hills, as a responsible agency, must also consider the Mitigated Negative Declaration that has been prepared and adopted by the City of Los Angeles, which serves as the lead agency for this project.
PROJECT APPLICANT: Terry Moore

Recommendation: That the Planning Commission:
1. Conduct a public hearing and receive testimony on the Project; and
2. Adopt the attached resolution conditionally approving a Vesting Tentative Tract Map and Development Plan Review to allow the proposed condominium project.

REPORT SUMMARY

A request for a Vesting Tentative Tract Map and Development Plan Review has been made to allow the construction of a new 31-unit multi-family condominium project. The project is partially located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. The proposed building would have a total height of 4 stories and 40' for the portion located in Beverly Hills, and a total height of 5 stories and 59'-11" for the portion located in Los Angeles. The Beverly Hills portion, which is located toward the front of the lot and fronts on North Oakhurst Drive, would contain all of part of 7 units, with the remaining 24 units located in Los Angeles. The project proposes a total of 82 parking spaces in a subterranean garage, 22 of which would be located in Beverly Hills, with the remaining 60 parking spaces located in Los Angeles. This report provides an overview of the proposed project and analyzes key project components including architectural and urban design, neighborhood compatibility, traffic, and General Plan consistency. This report also provides a summary of the project's background and the jurisdictional responsibilities of Beverly Hills and Los Angeles. Based on the analysis contained in this report, the recommendation is for project approval.

Attachment(s):
A. Required Findings
B. Public Notice
C. Draft Resolution
D. Traffic Analysis
E. City of Los Angeles Advisory Agency Approval of Vesting Tentative Tract Map
F. City of Los Angeles Appeal Recommendation Report to Central Area Planning Commission
G. Los Angeles City Council Action Denying Appeal
H. Mitigated Negative Declaration (Prepared and Adopted by City of Los Angeles)
I. Architectural Plans

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BACKGROUND

File Date	1/7/2014
Application Complete	2/7/2014
Subdivision Deadline	180 days from CEQA Determination
CEQA Determination	Mitigated Negative Declaration (MND). For the purposes of CEQA, the City of Los Angeles serves as the lead agency, and the City of Beverly Hills serves as a responsible agency. Accordingly, the City of Beverly Hills is required to consider the MND adopted by the City of Los Angeles.
Permit Streamlining	Take action on project within 180 days of Lead Agency approval.
Applicant(s)	Terry Moore
Owner(s)	Oakhurst 90210, LLC
Representative(s)	Terry Moore
Prior City of Los Angeles Action	02/03/2015: Approval of Vesting Tentative Tract Map and MND 03/10/2015: Appeal denied by Central Area Planning Commission 04/22/2015: Appeal denied by Los Angeles City Council
Prior PC Action	None
Prior Council Action	02/12/2015: City Council discussion regarding whether to appeal the City of Los Angeles' decision approving the Vesting Tentative Tract Map and MND. A majority of the City Council did not vote in support of filing an appeal.
CC/PC Liaison	None
CHC Review	None

PROPERTY AND NEIGHBORHOOD SETTING

Property Information

Address	332-336 North Oakhurst Drive
Assessor's Parcel No.	4335-007-005, 4335-007-007, 4335-007-009
Zoning District	R-4
General Plan	Multiple Residential – High Density
Existing Land Use(s)	Three (3) multiple-family residential buildings
Lot Dimensions & Area	Beverly Hills – 154.5' x 42.65' (6,589.4 SF) Los Angeles – 154.5' x 107.35' (16,585.6 SF) TOTAL – 154.5' x 150' (23,175 SF)
Year Built	1931 (332 N. Oakhurst Drive) 1930 (334 N. Oakhurst Drive) 1930 (336 N. Oakhurst Drive)
Historic Resource	The Mitigated Negative Declaration adopted by the City of Los Angeles found that none of the properties are eligible as historic resources.
Protected Trees/Grove	None

Adjacent Zoning and Land Uses

North	R-4 (Multiple Residential – High Density)
East	City of Los Angeles ([Q]R4-1-O – High Medium Residential)

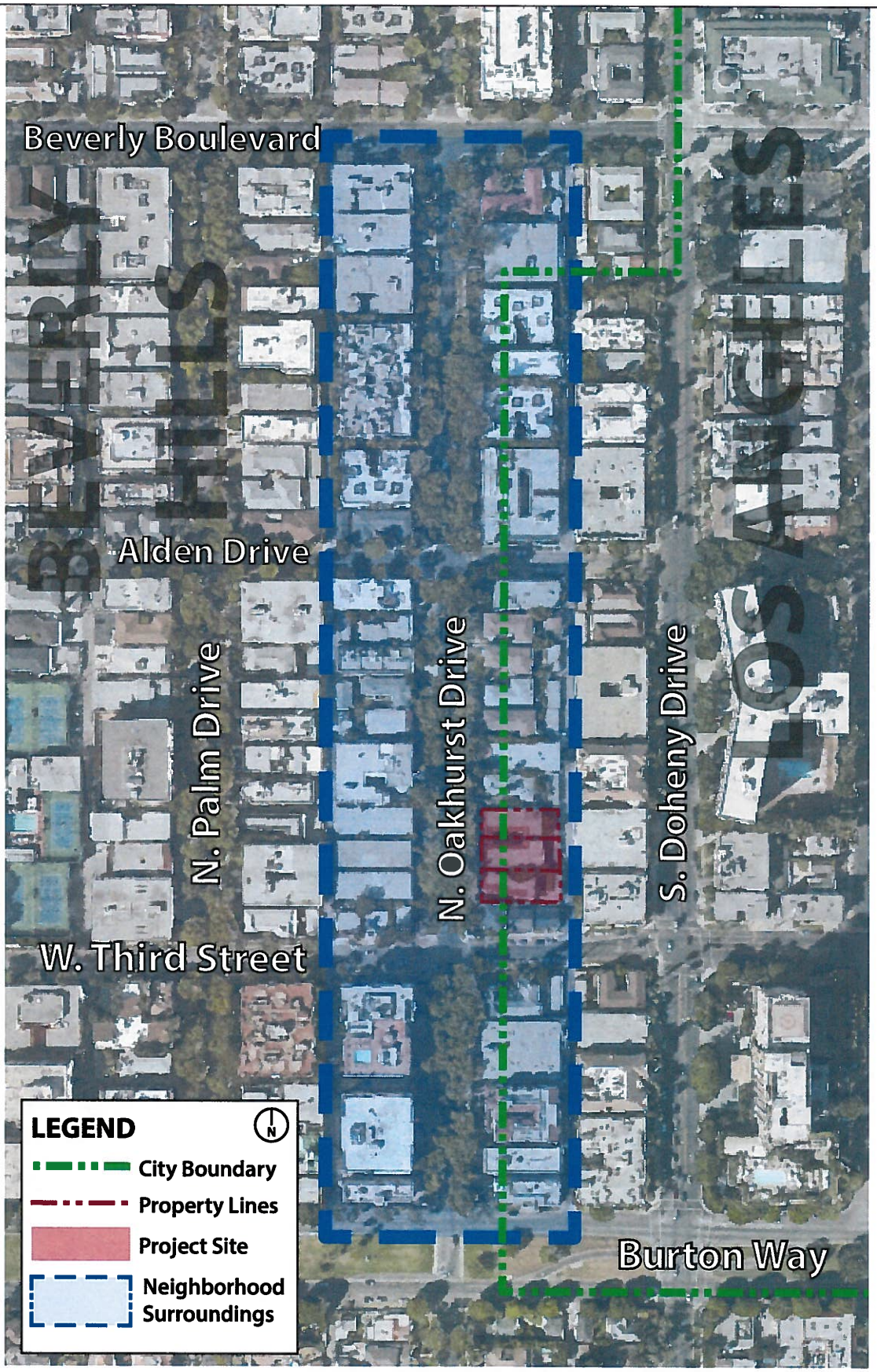
South	R-4 (Multiple Residential – High Density)
West	R-4 (Multiple Residential – High Density)

Circulation and Parking

Adjacent Street(s)	Alden Drive, W. Third Street
Existing Traffic Volumes	N. Oakhurst Drive (South of Beverly Boulevard) – both directions • Weekday: 2,230 • Saturday: 1,370 • Sunday: 1,350 Alden Drive (between Foothill Road & N. Maple Drive) – both directions • Weekday: 2,305 W. 3rd Street (between N. Oakhurst Drive & Doheny Drive) – both directions • Weekday: 8,922
Adjacent Alleys	20' wide two-way, north-south alley at east end of properties *Note: The alley is located entirely within the City of Los Angeles.*
Parkways & Sidewalks	N. Oakhurst Drive parkway/sidewalk – 16' from face of curb to property line

Neighborhood Character

The project site is located on the eastern side of North Oakhurst Drive, between Alden Drive to the north and West 3rd Street to the south. The boundary line between the City of Beverly Hills and the City of Los Angeles bisects the project site in a north-south direction; approximately 30% of the site is located within the City of Beverly Hills to the west and approximately 70% of the site is located within the City of Los Angeles to the east. The project site is part of a large grouping of multi-family residential properties between Burton Way and Civic Center Drive, and is completely bordered by multi-family residential uses in both jurisdictions. For the purposes of this analysis, the more immediate neighborhood surrounding the project site consist of both sides of the 300- and 400-blocks of North Oakhurst Drive, between Burton Way and Beverly Boulevard. The 300-block of North Oakhurst Drive consists primarily of two-story residential buildings generally built in the 1930's in period revival styles; however, some properties have been redeveloped with higher densities and heights. The 400 block and portions of the 300 block of North Oakhurst Drive south of West Third Street have experienced more large-scale redevelopment and contain buildings of varying densities, building ages, and architectural styles. Building heights in the 400 block of North Oakhurst Drive range between 2- and 4-stories, and range between 3- and 5-stories in the 300 block of North Oakhurst Drive south of West Third Street. North Oakhurst Drive is located parallel to and just to the west of Doheny Drive, a thoroughfare that connects the cities of Beverly Hills, Los Angeles, and West Hollywood. Both sides of the 300 and 400 blocks of North Oakhurst Drive between Burton Way and Beverly Boulevard are located in an A1 Preferential Parking Permit area, which limits non-permit parking to 2 hours between 8AM to 6PM daily.



Project Site and Neighborhood Surroundings

Existing Project Site Viewed from North Oakhurst Drive

PROJECT DESCRIPTION

The project consists of replacing 3 existing 2-story multi-family apartment buildings containing a total of 17 units with a single new 4 and 5 story multi-family condominium building containing 31 units. The portion of the building located in the City of Beverly Hills would contain 7 units or fractions thereof, have a height of 4 stories and 40', and provide 22 subterranean parking spaces. The remaining 24 residential units would be located in the portion of the building located in the City of Los Angeles, with a height of up to 5 stories and 59'-11", and containing 60 subterranean parking spaces. The table below summarizes the various development standards that apply to the portion of the proposed project located in the City of Beverly Hills, as well as details regarding the proposed project (broken down by jurisdiction):

Development Standard	Required/Allowed (Per BHMC)	City of Beverly Hills Portion	City of Los Angeles Portion	Notes
Site Area	N/A	6,591 SF	16,579 SF	Total Lot Area is 23,170 SF
Density	1 unit per 900 SF of Site Area = 7 Units	7 Units	24 Units	Where portions of units are split between Beverly Hills and Los Angeles, the entire unit is counted toward the maximum number of units allowed on the Beverly Hills portion.
Floor Area	N/A	14,311 SF	36,191 SF	
1st Floor	*N/A*	*3,183 SF*	*4,922 SF*	
2nd Floor	*N/A*	*3,574 SF*	*7,088 SF*	
3rd Floor	*N/A*	*4,043 SF*	*7,088 SF*	
4th Floor	*N/A*	*3,511 SF*	*7,088 SF*	
5th Floor	*N/A*	*0 SF*	*10,005 SF*	
Height	45' Max	40'-0"	59'-11"	
Stories	4 Stories Max	4 Stories	5 Stories	
Front Setback	25'	25'	N/A	Front setback located in City of Beverly Hills
Side Setback (South)	19' combined	9'-0"	11'-0"	
Side Setback (North)	19' combined	10'-0"	11'-0"	

Rear Setback	N/A	N/A	7'-0"	Rear setback located in City of LA
Parking	20 Standard Tenant Parking Spaces; 2 Standard Guest Parking Spaces	22 Standard Parking Spaces	35 Standard parking spaces; 25 Compact parking spaces	All parking for Beverly Hills units complies with City of Beverly Hills parking standards (number of spaces and dimensions). According to the traffic analysis provided, the project also provides the number and types of parking spaces per Los Angeles standards for units in Los Angeles.
Open Space	200 SF per unit = 1,400 SF Required	1,412 SF	2,490 SF (2,400 SF required)	Common outdoor space counted separately for BH and LA portions (no double counting).
Modulation	Min. 3,045 SF Required; Min. 60% and Max. 70% of front façade on first 2 stories built to front setback line	3,052 SF 68.3% of front façade on first 2 stories built to front setback line	N/A N/A	

Required Entitlements. As proposed, the project requires the following entitlements in order to be developed:

- **Vesting Tentative Tract Map:** Pursuant to California Government Code §66426, a tentative map is required for all subdivisions creating five or more condominiums.

- **Development Plan Review:** Pursuant to BHMC §10-3-3100(F), a Development Plan Review is required for all common interest development projects (e.g. a condominium building).

Multi-Jurisdictional Processing and Background. The subject property is somewhat unusual in that only a portion of the property is located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. Thus, there are several jurisdictional issues associated with project processing. In order for the project to proceed, approvals are needed from both the City of Los Angeles as well as the City of Beverly Hills for the portions of the project located in each respective jurisdiction. While the City of Beverly Hills' jurisdiction over the project is generally limited to those portions of the project located in Beverly Hills, the Planning Commission is required to make specific findings, which may take into consideration the entire project, including the portions located in the City of Los Angeles, to the extent that the portions in Los Angeles relate to the required findings for approval or denial of the project entitlements.

For the purposes of CEQA, the City of Los Angeles is the designated "lead agency" for this project[1], whereas the City of Beverly Hills serves as a "responsible agency"[2]. As such, the City of Los Angeles prepared an Initial Study to determine the proposed project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this project may have a significant effect on the environment, but that by implementing certain mitigation measures, the project's potentially significant effects could be reduced to less than significant levels. Accordingly, a Mitigated Negative Declaration (MND) was prepared by the City of Los Angeles in 2012.

During the public review period carried out by Los Angeles, the City of Beverly Hills submitted comments regarding the project's potential environmental impacts, specifically relating to concerns that the subject properties could be part of a potential historic district. In response to Beverly Hills' comments, a Historic Resource Evaluation was prepared by the applicant's historic consultant, which concluded that the subject properties are not potentially historic. Subsequently, the City of Beverly Hills engaged its own historic consultant, Historic Resources Group, to study the subject properties. This study concluded that the subject properties are located within a potential historic district. These comments were considered by the City of Los Angeles, and the City of Los Angeles ultimately determined that the subject properties are not part of a potential district, and that no environmental impacts would result from the project relating to historic resources.

On February 3, 2015, the City of Los Angeles adopted the MND and approved the project. Subsequent to the adoption of the MND by the City of Los Angeles, the Beverly Hills City Council considered appealing Los Angeles' decision; however, a majority of the Council did not vote in support of filing an appeal. Nonetheless, the decision was appealed by a member of the public to the City of Los Angeles Central Area Planning Commission. At its meeting on March 10, 2015, the Central Area Planning Commission denied the appeal and upheld the original approval. The decision to uphold the approval was further appealed to the Los Angeles City Council. At its meeting on April 22, 2015, the Los Angeles City Council voted to deny the appeal and uphold the approval of the project and adoption of the MND. This was a final action with no additional opportunities for appeal; however, a subsequent lawsuit was filed challenging the City of Los Angeles' decision. Although the lawsuit is currently pending, State law mandates that the City of Beverly Hills continue processing its portion of the project unless otherwise stipulated by the courts. To staff's knowledge, the court has not issued a stay or other injunction that would prevent the City of Beverly Hills from considering and acting upon the project. Accordingly, the project is now being presented for consideration by the Planning Commission, and additional information regarding relevant CEQA provisions is provided below in this report.

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[1] The procedure for determining which city is the "lead agency" is set forth in State law (the CEQA Guidelines), and is based on which city first undertook review of the project. Since a majority of the project is in Los Angeles, the City of Los Angeles was first to undertake review of the project. Accordingly, the City of Los Angeles became the lead agency, and is primarily responsible for preparing the environmental review for the project.

[2] A responsible agency is an agency that has a role in reviewing a project and issuing permits or approvals, but is not the primary agency (a.k.a. the lead agency) carrying out review of the project. Except in some limited circumstances, a responsible agency generally must rely on the CEQA documentation prepared by the lead agency.

GENERAL PLAN[3] POLICIES

The General Plan includes numerous goals and policies intended to help guide development in the City. Some policies relevant to the Planning Commission's review of the project include:

- **Policy LU 2.4 Architectural and Site Design.** Require that new construction and renovation of existing buildings and properties exhibit a high level of excellence in site planning, architectural design, building materials, use of sustainable design and construction practices, landscaping, and amenities that contribute to the City's distinctive image and complement existing development.

- **Policy LU 7.1 Character and Design.** Require that multi-family dwellings and properties be designed to reflect the high level of architectural and landscape quality that distinguishes existing neighborhoods.
    - Building facades and entrances that directly address the street, including the use of stoops, porches, and recessed entries;
    - Modulation of building volume and masses, avoiding the effect of blank continuous walls; and
    - Setback of the ground floor from the sidewalk to provide privacy, a sense of security, and to leave room for landscaping while being open and contributing to a quality pedestrian environment.

- **Policy LU 14.4 New Construction of Private Buildings.** Require that new and substantially renovated buildings be designed and constructed in accordance with the City's sustainability programs such as the City's Green Building Ordinance or comparable criteria to reduce energy, water, and natural resource consumption, minimize construction wastes, use recycled materials, and avoid the use of toxics and hazardous materials.

- **Policy LU 14.8 Private Development Landscaping Material and Irrigation.** Require the use of landscaping materials and irrigation systems that minimize water use and runoff onto public streets and drainage systems.

- **Policy OS 6.3 Landscaping.** Require that new development be located and designed to visually complement the urban setting by providing accessible, landscaped entries, courtyards, and plazas.

ENVIRONMENTAL ASSESSMENT

The Project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act [Public Resources Code Sections 21000, et seq. (CEQA)], the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.) and the City's Local CEQA Guidelines.

Pursuant to Section 15050 of the State CEQA Guidelines, as part of its review of the requests for project entitlements, the City of Beverly Hills, as a responsible agency, must rely on the MND prepared and

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[3] Available online at http://www.beverlyhills.org/services/planning_division/general_plan/genplan.asp

adopted by the City of Los Angeles, which is the lead agency for this project. After consideration by the City Council, the City of Beverly Hills did not appeal the decision of the lead agency to adopt the MND prepared for this project, and thus the determination of the lead agency is final and conclusive.

Pursuant to Section 15231 of the State CEQA Guidelines, an MND adopted by a lead agency shall be conclusively presumed to comply with CEQA for the purposes of use by responsible agencies unless the MND is finally adjudged in a legal proceeding not to comply with the requirements of CEQA, or a subsequent EIR is made necessary. Further environmental review could be required only if there were to be 1) substantial changes in the project that require major revisions to the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes with respect to the circumstances under which the project is undertaken which require major revisions of the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance that was not know and could not have been known with the exercise of reasonable diligence at the time of the preparation of the MND that shows one or more significant effects not discussed in the MND.

Furthermore, Pursuant to Section 15233 of the State CEQA Guidelines, in cases where a lawsuit is filed challenging an MND for noncompliance with CEQA, if no injunction or stay is granted in the lawsuit, the responsible agency shall assume that the MND fully meets the requirements of CEQA, and shall approve or disapprove the project within the applicable time limits.

As to Beverly Hills, there are limited circumstances in which, if it is determined through the provision of new or additional information about the project that changes made to the project since adoption of the MND result in new impacts or mitigation measures, recirculation of the MND may be required. If newly identified environmental impacts cannot be mitigated, an Environmental Impact Report may be required. Presently, no such circumstances have been identified.

PUBLIC OUTREACH AND NOTIFICATION

Type of Notice	Required Period	Required Notice Date	Actual Notice Date	Actual Notice Period
Posted Notice (Agenda)	N/A	N/A	9/17/15	7 Days
Newspaper Notice	10 Days	9/14/15	9/11/15	13 Days
Mailed Notice (Owners & Occupants - 500' Radius + block face)	10 Days	9/14/15	9/14/15	10 Days
Property Posting	10 Days	9/14/15	9/14/15	10 Days
Website	N/A	N/A	7/16/15	7 Days

<u>Public Comment</u>
As of the writing of this report, staff had not received any public comments regarding the project.

ANALYSIS[4]

Project approval, conditional approval, or denial is based upon specific findings for each discretionary application requested by the applicant. The specific findings that must be made in order to approve the project are provided as Attachment A to this report, and may be used to guide the Planning Commission's deliberation of the subject project. Application of the required findings may take into consideration all aspects of the project, including those portions located in the City of Los Angeles that pertain to the required findings.

In reviewing the requested entitlements, the Commission may wish to consider the following information as it relates to the project and required findings:

General Plan Consistency. The General Plan provides numerous policies regarding the desire to maintain the City's existing residential neighborhoods while allowing for new development to occur in a controlled and appropriate manner. The proposed project is consistent with the applicable policies related to new multi-family residential development, which are referenced in this report. Although the proposed project complies with the applicable development standards (height, density, setbacks, etc.), it is frequently challenging for newer developments to maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of existing neighborhoods that have historically been lower in density and scale. In that regard, the project is larger in scale than existing buildings on the block, but exhibits good architectural design and attempts to integrate into its surroundings through the use of modulation and step-backs, while meeting the height restrictions of the Height District applicable to this area (Height District B: 4 stories and 45' height). From a broader neighborhood perspective (the area between Burton Way and Beverly Boulevard), the project is generally compatible with the existing built environment, as well as the expected future built environment based on existing development standards that allow for 4 and 5 story buildings.

Public Services. As noted above, the project is split between Beverly Hills and Los Angeles, each with their own utility and service providers. The table below summarizes the various utility and service providers, and their responsibilities and agreements for providing their respective services given the property's configuration. The table is provided for informational purposes only and is based on the best available information at the time of the writing of this report; however, the information may be subject to change in the future depending on interjurisdicational policy and infrastructure decisions/agreements.

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[4] The information provided in this section is based on analysis prepared by the report author prior to the public hearing. The Planning Commission in its review of the administrative record and based on public testimony may reach a different conclusion from that presented in this report and may choose to make alternate findings. A change to the findings may result in a final action that is different from the staff recommended action in this report.

Service	Jurisdiction Information
Fire	BHFD has an agreement with LAFD for properties that have dual jurisdiction. The jurisdiction in which the property is addressed (or fronts) is responsible for responding to calls for service. For the project site, BHFD would be the first responders; however, a larger incident would likely include mutual aid from LAFD.
Police	BHPD confirmed that since the property is addressed (or fronts) in Beverly Hills, BHPD would be the primary responder. While BHPD would be the primary responder, there may be larger events in which LAPD may carry out the investigation (if the event occurred within the Los Angeles boundary), as opposed to BHPD.
Code Enforcement	Portions of the property/structure located within Beverly Hills will be serviced by Beverly Hills Code Enforcement and the portions of the property/structure located in Los Angeles will be covered by Los Angeles Code Enforcement.
Rent Control	Rent control regulations of the jurisdiction in which more than 50% of floor area of the structure(s) onsite is constructed shall apply. For the project site, more than 50% of the floor area of the structure(s) onsite is located within the City of Los Angeles. Consequently, the City of Los Angeles rent control regulations apply.
BHUSD	Since the project has a Beverly Hills address and has the zip code of 90210 (in the BH school district), the students could attend BHUSD. They would be zoned for Hawthorne for grades K-8 and BHHS for grades 9-12. School fees would need to be paid to BHUSD for the entire project, not just the portion in Beverly Hills. The City of Beverly Hills has no jurisdiction over how district boundaries are determined either now or in the future.
Gas Utility	Independent provider.
Water	Provided by Beverly Hills to portions of the building in Beverly Hills and provided by LADWP for portions in Los Angeles.
Electric	Provided by LADWP.
Sewer	Provided by Los Angeles.
Parking Permits	Since the property has frontage on a Beverly Hills street, permits are issued by Beverly Hills for all tenants (if they qualify). Qualifications are based upon the number of parking spaces that are provided to a tenant on the site and the number of vehicles the tenant owns.
Alley Improvements	The City of Los Angeles is requiring that the alley be improved. The improvement requires reconstruction of the alley intersection with West Third Street.
Permit/Plan Check Fees	Beverly Hills charges plan check and permit fees for the portion of the structure that is located in Beverly Hills. Beverly Hills will check the fire code and sprinkler system for the entire building since BHFD services the entire building. The jurisdiction that will handle inspections is yet to be determined.
Business Tax	Business tax will be paid to Beverly Hills for the portions of the structure(s) in Beverly Hills.

While the allocation and equity of municipal services and associated policies is an important matter for the City, the Planning Commission's purview is limited to the specific findings that must be made in order to approve or deny the requested Vesting Tentative Tract Map and Development Plan Review. In staff's review of the required findings, there does not appear to be a clear link between the allocation of municipal services and approval or denial of the project, except that the project must not result in detrimental impacts to the general welfare. Given that sufficient resources exist to serve the project site, the allocation of municipal services does not appear to be detrimental to the general welfare of the City.

Urban Design and Neighborhood Compatibility. The front 42'-8" of the property is located in the City of Beverly Hills, while the remaining 107'-4" of the property is located in the City of Los Angeles. The portions of the building located in the City of Beverly Hills conform to the City of Beverly Hills' development standards, which restrict building height to 4 stories and 45'. The proposed project maintains a height of 4 stories and 40', which is 5' lower than the maximum allowed. The height of the building increases to 5 stories and 59'-11" at the city boundary line. This increase in height is achieved through gradual increases as the building steps back from the front property line. This stepping back of height reduces the appearance of bulk and mass of the building as viewed from the street. Additionally, the front façade of the building is well modulated and contains openings that provide outdoor space for the units facing the street, as well as units facing the neighboring properties to the north and south. Landscaping is also proposed along the front façade of the building, as well as in open courtyards located at the north and south ends of the building. The combination of modulation, open space, landscaping, and setbacks result in meaningful reductions in bulk and mass as experienced from the streetscape and from adjacent properties.

While the proposed building varies from the existing buildings on the east side of the 300-block of North Oakhurst Drive, where a majority of the buildings are two-story structures, the development pattern for newer buildings is to build to the height allowed by code, which is between 4 stories (45') and 5 stories (55') as exhibited by buildings on the 400 block of North Oakhurst Drive. Additionally, while the modulation is compatible with the east side of North Oakhurst Drive, the scale of the project is also compatible with newer developments located on the 400 block of North Oakhurst Drive between Alden Drive and Beverly Boulevard, the 300 block of North Oakhurst Drive between West Third Street and Burton Way, and with a handful of new developments on the west side of the 300 block of North Oakhurst Drive. As stated in previous sections of this report, it is often challenging for newer developments that otherwise meet current development standards to be balanced with the scale and massing of existing, older buildings that tend to be of lower scale and density. Given these challenges, the Planning Commission may wish to consider how well the scale, massing, and height of the proposed project fit into the neighborhood context.

Privacy. The proposed building is set back from the southern property line by 9'-0" in Beverly Hills and 11'-0" in Los Angeles, and from the northern property line by 10'-0" in Beverly Hills and 11'-0" within Los Angeles. To accommodate code-required open space for the ground floor corner unit, the building is set back further by 11'-0" for the entire length of the Beverly Hills portion of the property. The additional setback is carried through the full height of the building within the Beverly Hills portion. Additionally, the existing property immediately adjacent to the subject property on the north side is set back approximately 14'-0" from the shared side property line. Taking into account the code required setback, the building setback for open space, and the location of the existing building on the adjacent property, the resulting total building separation to the north is 35'-0". Two

large building cutouts are also proposed in the approximate middle of each side elevation, located fully within the Los Angeles portion, which will create larger setbacks from adjacent properties. The cutouts at the ground level and at the upper levels will provide required outdoor space, and thus may have the potential to cause privacy concerns related to visibility and noise. While there is generally an expectation that multi-family developments are not able to provide the same level of privacy that might be experienced in a single-family development, the Planning Commission may wish to consider the landscaping configuration and any other methods that could reduce any potential impacts. Furthermore, while lighting information is not provided at this time, potential light and glare issues may be addressed through conditions requiring use of the minimum amount of illumination necessary for safety and requiring the use of light caps to further reduce potential spillover to adjacent properties.

Traffic and Parking. The proposed project will contain a total of 82 parking spaces within two subterranean levels, 22 of which will be located in the City of Beverly Hills portion of the property, and meet the parking requirements for the 7 units located in the City of Beverly Hills, plus guest parking (per the City of Beverly Hills parking requirements). The remaining 60 parking spaces are located in the City of Los Angeles portion of the property, and are intended to serve the remaining 24 units located in the City of Los Angeles, plus guest parking (per the City of Los Angeles parking requirements). Parking access for the project will be provided via the 20' wide alley to the rear of the site, located in the City of Los Angeles. There will be no new curb cuts on North Oakhurst Drive to provide vehicular access from the front of the property. The proposed number of parking spaces also provides more off-street parking per unit than the existing multi-family buildings on the project site. As a result, there is less likelihood of residents and their guests utilizing street parking on North Oakhurst Drive and West Third Street, leaving more spaces open for other buildings on the street.

The applicant provided a traffic analysis prepared by Arthur L. Kassan, P.E., Consulting Traffic Engineer, which was peer reviewed by the City's Senior Transportation Engineer. Arthur L. Kassan, P.E. conducted a trip generation analysis of the proposed project as compared with the existing apartment buildings on the project site in order to estimate the net increase in the number of vehicle trips on North Oakhurst Drive that would result from the project. The trip generation results are provided in the tables below.

Trip Generation Rates
(Arthur L. Kassan, P.E., February 29, 2014 Report, Pg. 3)

Component	Vehicle Trips Per Unit						
	24 Hours	*Morning Peak Hour*			*Afternoon Peak Hour*		
	Total, Both Directions	Entering	Leaving	Total	Entering	Leaving	Total
Condominiums	5.81	17%	83%	0.44	67%	33%	0.52
Apartments	6.65	20%	80%	0.51	65%	35%	0.62

Based on these trip generation rates, analysis was conducted to demonstrate the net increase in daily and peak hour trips resulting from development of the project, which will increase the number of units from 17 to 31. The results of this analysis are provided in the tables below:

Estimated Trip Generation
(Arthur L. Kassan, P.E., Exhibit A)

Component	Size	Number of Vehicle Trips						
		24 Hours	*Morning Peak Hour*			*Afternoon Peak Hour*		
		Total, Both Directions	Entering	Leaving	Total	Entering	Leaving	Total
PROPOSED Condominiums	31 units	180	2	12	14	11	5	16
EXISTING Apartments	17 units	113	(2)	(7)	(9)	(7)	(4)	(11)
NET TRIPS		**67**	**0**	**5**	**5**	**4**	**1**	**5**

As shown in the trip generation analysis, the project is anticipated to result in a maximum total increase of 5 trips onto adjacent residential streets at the peak hours. Based on existing traffic volumes, this represents a maximum increase of 0.2% on weekdays on North Oakhurst Drive, and a maximum increase of 0.1% on weekdays on West Third Street. The results of this analysis indicate that traffic impacts to the adjacent residential streets resulting from the net increase in number of units would be minimal.

Summary and Conclusion. The proposed project is consistent with the applicable General Plan policies related to new multi-family residential development, and the analysis in this report suggests that the findings required for project approval can be made. Although the proposed project complies with the applicable development standards (height, density, setbacks, parking, etc.), it is frequently challenging for newer developments to maintain and enhance the character, distribution, built form, scale, and aesthetic qualities of existing neighborhoods that have historically been lower in density and scale. In that regard, the Planning Commission may wish to give careful consideration as to whether or not the project, as proposed, is as compatible as possible with the existing neighborhood, taking into account the expected future built environment based on existing development standards that allow for 4 and 5 story buildings.

NEXT STEPS

It is recommended that the Planning Commission conduct the public hearing and adopt a resolution conditionally approving the proposed project.

Alternatively, the Planning Commission may consider the following actions:

1. Deny the project, or portions of the project, based on specific findings.
2. Direct staff or applicant as appropriate and continue the hearing to a date (un)certain, consistent with permit processing timelines.

Report Reviewed By:

Michele McGrath, Principal Planner

ATTACHMENT A

REQUIRED FINDINGS

ATTACHMENT A
Required Findings

Tentative Tract Map Findings.

1) Whether the proposed map is consistent with applicable general and specific plans;

2) Whether the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

3) Whether the site is physically suitable for the type of development;

4) Whether the site is physically suitable for the proposed density of development;

5) Whether the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;

6) Whether the design of the subdivision or type of improvements is not likely to cause serious public health problems;

7) Whether the design of the subdivision or 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; and

8) Whether the design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Development Plan Review Findings.

1) The proposed plan is consistent with the General Plan and any specific plans adopted for the area;

2) The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;

3) The nature, configuration, location, density, height, and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;

4) The proposed plan will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and

5) The proposed plan will not be detrimental to the public health, safety or general welfare.

ATTACHMENT B

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

DATE: September 24, 2015

TIME: 1:30 PM, or as soon thereafter as the matter may be heard

LOCATION: Commission Meeting Room 280A
Beverly Hills City Hall
455 North Rexford Drive
Beverly Hills, CA 90210

The Planning Commission of the City of Beverly Hills, at its REGULAR meeting on Thursday, September 24, 2015, will hold a public hearing beginning at **1:30 PM**, or as soon thereafter as the matter may be heard to consider the following:

PROJECT DESCRIPTION

The proposed project involves the construction of a new multi-family residential condominium building containing a total of 31 units on the property located at 332-336 N. Oakhurst Drive. The subject property is partially located in the City of Beverly Hills (westerly portion, including building frontage on N. Oakhurst Drive), with a majority portion located in the City of Los Angeles (easterly portion). The proposed project would have a total height of 4 stories and 40' for the portion of the building located in Beverly Hills, and a total height of 5 stories and 59'-11" for the portion of the building located in Los Angeles. The portion of the building located in Beverly Hills would contain a total of 7 units, with the remaining 24 units located in Los Angeles. The project would contain a total of 82 subterranean parking spaces, 22 of which would be located in the Beverly Hills portion of the project, with the remaining 60 parking spaces located in Los Angeles. Approval of the project requires approval of a Tentative Tract Map and a Development Plan Review.

ENVIRONMENTAL REVIEW

This project has been assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The subject property is partially located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. As the designated lead

agency for this project, the City of Los Angeles prepared an Initial Study to determine the proposed project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this project may have a significant effect on the environment, but by implementing certain mitigation measures, the project's potentially significant effects could be reduced to less than significant levels. Accordingly, a Mitigated Negative Declaration (MND) was prepared and adopted by the City of Los Angeles. The City of Beverly Hills, as a responsible agency, will consider the MND prepared and adopted by the City of Los Angeles.

Any interested person may attend the meeting and be heard or present written comments to the Commission.

According to Government Code Section 65009, if you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City, either at or prior to the public hearing.

If there are any questions regarding this notice, please contact **Andre Sahakian, Associate Planner** in the Planning Division at (310) 285-1127, or by email at **asahakian@beverlyhills.org**. Copies of the project plans and associated application materials are on file in the Community Development Department, and can be reviewed by any interested person at 455 North Rexford Drive, Beverly Hills, CA 90210.

Sincerely:

Andre Sahakian, Associate Planner

Mailed: September 14, 2015

ATTACHMENT C

DRAFT RESOLUTION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS CONDITIONALLY APPROVING A VESTING TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW TO ALLOW THE CONSTRUCTION OF A NEW, 31-UNIT CONDOMINIUM DEVELOPMENT ON THE PROPERTY LOCATED AT 332-336 NORTH OAKHURST DRIVE

The Planning Commission of the City of Beverly Hills hereby finds, resolves, and determines as follows:

Section 1. Terry Moore, representative of Oakhurst, LLC (the "Applicant"), has submitted an application for a Vesting Tentative Tract Map and Development Plan Review to allow the construction of a new, 31-unit condominium development on the property located at 332-336 North Oakhurst Drive (the "Project"). The Project does not meet all by-right development standards, and therefore requires entitlements that can be granted by the Planning Commission pursuant to a Development Plan Review. Further, Planning Commission review and approval is required for the Vesting Tentative Tract Map.

Section 2. The Project consists of replacing three existing 2-story multi-family apartment buildings, containing a total of 17 units, with a single new 4 to 5 story multi-family condominium building containing 31 units. The westerly portion of the Project site is located in the City of Beverly Hills, while the easterly portion of the site, which is a majority of the overall site area, is located in the City of Los Angeles. The portion of the building located in the City of Beverly Hills would contain 7 units or fractions thereof, have a height of 4 stories and 40', and provide 22 subterranean parking spaces. The remaining 24 residential units would be

located in the portion of the building located in the City of Los Angeles, with a height of up to 5 stories and 59'-11" and containing 60 subterranean parking spaces. The residential units located in Beverly Hills (including all units with any portion located in Beverly Hills) would have a total floor area of 14,311 square feet, while the remaining units located in Los Angeles would have a total floor area of 36,191 square feet. The structure will be set back 25' from the front property line, 7' from the rear property line (in Los Angeles), 10' from the north side property line for the portion of the building in Beverly Hills, and 9' from the south side property line for the portion of the building in Beverly Hills. The Project will provide approximately 1,412 square feet of outdoor open space for the 7 units (or fractions thereof) located in Beverly Hills, and 2,490 square feet of outdoor open space for the remaining 24 units located in Los Angeles. The building will have a modulation area of approximately 3,052 square feet, with approximately 68.3% of the first two levels of the front façade built to the front setback line.

Section 3. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.*("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq.*), and the environmental regulations of the City. The subject property is partially located in the City of Beverly Hills, with a majority portion located in the City of Los Angeles. The City of Los Angeles serves as the designated CEQA lead agency for this Project, whereas the City of Beverly Hills is a responsible agency. As such, the City of Los Angeles prepared an Initial Study to determine the proposed Project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this Project may have a significant effect on the environment, but by implementing certain mitigation measures, the Project's

potentially significant effects could be reduced to less than significant levels. Accordingly, the City of Los Angeles adopted a Mitigated Negative Declaration (MND) for the Project on April 22, 2015. As the responsible agency, the City of Beverly Hills' Planning Commission considered the MND that was adopted by the City of Los Angeles in conjunction with its review of the proposed Project. Having considered the MND, the Planning Commission considered the potentially significant impacts identified in the MND and the mitigation measures identified to reduce those impacts to a less than significant level. A mitigation monitoring and reporting program (MMRP), attached hereto as Exhibit A and incorporated herein by reference, has been prepared summarizing those mitigation measures that are applicable to the Beverly Hills portion of the Project. The Planning Commission hereby adopts MMRP, and through a condition of approval, makes each of the mitigation measures in the MMRP enforceable upon the Project. The Planning Commission finds that there is no evidence showing new significant environmental effects or a substantial increase in the severity of previously identified significant effects of the Project, substantial changes with respect to the circumstances under which the Project is undertaken which would require major revisions of the MND due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects, or new information of substantial importance that was not know and could not have been known with the exercise of reasonable diligence at the time of the preparation of the MND that shows one or more significant effects not discussed in the MND. The documents relating to this determination are in the custody of the Community Development Department at 455 N. Rexford Drive, Beverly Hills, California.

Section 4. Notice of the Project and public hearing was mailed on September 14, 2015 to all property owners and residential occupants within a 500-foot radius (plus block face) of the property, and published in two newspapers of local circulation, the *Beverly Hills* Courier and the *Beverly Hills* Weekly. On September 24, 2015 the Planning Commission considered the application at a duly noticed public hearing. Evidence, both written and oral, was presented at the meeting.

Section 5. In reviewing the request for a Vesting Tentative Tract Map, the Planning Commission considered the following criteria:

1. Whether the proposed map is consistent with applicable general and specific plans;

2. Whether the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

3. Whether the site is physically suitable for the type of development;

4. Whether the site is physically suitable for the proposed density of development;

5. Whether the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially or avoidably injure fish or wildlife or their habitat;

6. Whether the design of the subdivision or type of improvements is not likely to cause serious public health problems; and

7. Whether the design of the subdivision or 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.

8. Whether the design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Section 6. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Vesting Tentative Tract Map:

1. The proposed map is consistent with the Beverly Hills General Plan and the objectives, policies, general land uses, and programs specified therein. The General Plan land use designation for the Project site is Multi-Family Residential – High Density. The proposed map includes 31 residential condominium units. Of those 31 units, seven units, or portions thereof, are located within the City of Beverly Hills. The number of units compared with the site area of the Beverly Hills portion of the subject property is in conformance with the General Plan land use designation and R-4 multifamily residential zoning of the Project site. Therefore, the map is consistent with the Beverly Hills General Plan. The Project site is not located within a specific plan area.

2. The proposed subdivision complies with all applicable goals and policies set forth in the general plan, and allows for an increase in the residential units in the City's housing stock with a Project that exhibits thoughtful site and architectural design. The Project will promote pedestrian-active streets as vehicular

access to the site will occur from the alley, and the building itself is well articulated and modulated with a design that is consistent with the scale and mass of more recent developments in the vicinity of the Project site. As proposed, the use of the Project is consistent with the R-4 zone and all of that zone's development standards, and the Project will not create any unreasonable or detrimental impacts on the neighborhood with respect to safety, noise, or quality of life. The proposed plan is not located within a specific plan area.

3. The site is comprised of three lots with a total site area of 23,170 square feet, and the proposed Project consists of a total of 31 residential condominium units. The boundary line between the City of Beverly Hills and the City of Los Angeles bisects the Project site in a north-south direction, with approximately 30% of the site located within the City of Beverly Hills to the west and approximately 70% of the site located within the City of Los Angeles to the east. The portion of the site located in Beverly Hills consists of approximately 6,591 square feet. The map proposes to accommodate seven units or portions thereof within that area, which is consistent with the Beverly Hills Zoning Code, which allows multi-family residential condominiums at a density of 1 unit per 900 square feet for this site. Because the proposed Project can be accommodated on the site in conformance will all setback, modulation, parking, and other development standards, the site is physically suitable for the proposed type of development.

4. The site is comprised of three lots with a total site area of 23,170, and the proposed Project consists of a total of 31 residential condominium units. The boundary line between the City of Beverly Hills and the City of Los Angeles

bisects the Project site in a north-south direction, with approximately 30% of the site located within the City of Beverly Hills to the west and approximately 70% of the site located within the City of Los Angeles to the east. The portion of the site located in Beverly Hills consists of approximately 6,591 square feet, and the dimensions of the lot are able to accommodate the seven units or portions thereof that are proposed to be located in the City of Beverly Hills portion of the site, while also providing the required setbacks, outdoor open space, and building modulation. The width and depth of the site also allow for all required parking to be provided in two subterranean levels on site. Since all of the development standards can be met within the site without resulting in significant impacts to adjacent properties, the site is physically suitable for the proposed density of development.

5. The Project has been environmentally reviewed pursuant to the provisions of CEQA. As the lead agency for this Project, the City of Los Angeles prepared an Initial Study to determine the proposed Project's potential impact on the environment. After reviewing the Initial Study, the lead agency determined that this Project may have a significant effect on the environment, but by implementing certain mitigation measures, the Project's potentially significant effects could be reduced to less than significant levels. Accordingly, a Mitigated Negative Declaration (MND) was adopted by the City of Los Angeles on April 22, 2015. As the responsible agency, the City of Beverly Hills considered the MND that was adopted by the City of Los Angeles, as more specifically explained in Section 3 of this Resolution. Specifically, the MND found that there would be no impacts to

fish, wildlife, or their habitat, and that with the implementation of mitigation measures, all other potentially significant impacts could be reduced to less than significant. Further, the mitigation measures identified in the MND have been reviewed by the City of Beverly Hills, and a mitigation monitoring and reporting program prepared and adopted to ensure compliance with those measures applicable to the Beverly Hills portion of the Project. In addition, the Project site is located within a developed urban setting that does not contain habitat suitable for fish or wildlife. Therefore, the development is not anticipated to cause substantial environmental damage or substantially or unavoidably injure fish or wildlife or their habitat.

6. The Project will be built in accordance with the City's Building Code standards and is consistent with the R-4 multifamily residential zoning for the area. Privacy concerns have been addressed through the proposed site design, with adequate setbacks on the side elevations. In addition, privacy can be further protected by requiring, as set forth in the conditions of approval, appropriate screening so as to limit visibility and the transfer of noise between adjacent properties. Additionally, potential issues of light and glare can be mitigated through the use of minimally required lighting and providing appropriate light shields to further reduce any spillover to adjacent properties. As such, the design of the subdivision or type of improvements is not likely to cause serious public health problems.

7. Upon review of the survey provided by the Applicant, as well as the parcel map on file with the Los Angeles County Assessor, no conflicts were

found with any public easements within the City of Beverly Hills portion of the subject site. Therefore, the design of the subdivision and type of improvements are not anticipated to conflict with any public easements for access through or use of the property within the proposed subdivision.

8. The design of the proposed subdivision will provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision in that the subdivision design considers local climate, contours, parcel configuration, and other design and improvement requirements. The lot layout of the subdivision has taken into consideration the north/south orientation, as well as the site's flat topography in maximizing passive or natural heating and cooling opportunities. Further, the subdivider will consider various building construction techniques, green building standards, overhanging eaves, window locations, insulation, and landscaping for building shade prior to final design and obtaining building permits for the Project. As such, the Project will provide, to the extent feasible, future passive or natural heating or cooling opportunities.

Section 7. In reviewing the request for a Development Plan Review, the Planning Commission considered whether it could make the following findings in support of the Project:

1. The proposed plan is consistent with the General Plan and any specific plans adopted for the area;

2. The proposed plan will not adversely affect existing and anticipated development in the vicinity and will promote harmonious development of the area;

3. The nature, configuration, location, density, height, and manner of operation of any commercial development proposed by the plan will not significantly and adversely interfere with the use and enjoyment of residential properties in the vicinity of the subject property;

4. The proposed plan will not create any significant adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards; and

5. The proposed plan will not be detrimental to the public health, safety or general welfare.

Section 8. Based on the foregoing, the Planning Commission hereby finds and determines as follows with respect to the Development Plan Review:

1. The proposed plan complies with all applicable goals and policies set forth in the general plan, and allows for an increase in the residential units in the City's housing stock with a Project that exhibits thoughtful site and architectural design. The Project will promote pedestrian-active streets as vehicular access to the site will occur from the alley, and the building itself is well articulated and modulated with a design that is consistent with the scale and mass of more recent developments in the vicinity of the Project site. As proposed, the use of the Project is consistent with General Plan land use designation of Multi-Family Residential – High Density as well

as with the R-4 multi-family residential zone, and the Project will not create any unreasonable or detrimental impacts on the neighborhood with respect to safety, noise, and quality of life. The proposed plan is not located within a specific plan area.

2. The Project replaces three existing multi-family residential buildings on the site with a single multi-family residential building that provides an increase in the number of units. The proposed Project is consistent with the uses and lot dimensions of other developments in the surrounding area, including four and five story multi-lot developments in the area at 321 N. Oakhurst Dr., 325 N. Oakhurst Dr., 320-322 N. Oakhurst Dr., 339 N. Oakhurst Dr., 400 N. Oakhurst Dr., and 411 N. Oakhurst Dr. The façade modulation, above ground terraces, and gradual stepping-back of the higher portions of the building result in a reduced perception of scale and mass from the streetscape. The side setbacks and ground floor patios provide additional separation from adjacent properties, resulting in reduced privacy, scale and mass impacts to neighbors. Therefore, the Project will be a harmonious addition to the area without adversely affecting existing and anticipated development in the vicinity of the Project site.

3. The proposed Project consists solely of multi-family residential uses, and no commercial uses are proposed. Thus, there will be no significant or adverse impacts to residential properties in the vicinity resulting from commercial uses on the Project site.

4. The traffic analysis prepared for this Project found that the Project is expected to generate, after taking into account trips from the existing residential development, a total net increase of 67 daily trips, including a maximum of five

morning peak hour trips, and five evening peak hour trips. Based on existing traffic volumes, this represents a maximum increase of 0.2% on weekdays on N. Oakhurst Drive, and a maximum increase of 0.1% on weekdays on W. Third Street. The results of this analysis indicate that traffic impacts to adjacent streets resulting from the net increase in number of units would be minimal, and well below the City's street segment impact threshold of significance, which would be a 16% increase in average daily traffic or peak hour traffic (or both) for N. Oakhurst Drive, and a 6.25% increase in average daily traffic or peak hour traffic (or both) for W. Third Street. The Project provides all required parking in a subterranean garage, increases the total amount of off-street guest parking than is currently available, does not result in a significant increase in traffic, and improves the pedestrian environment by providing parking access from the alley with no curb cuts along the street frontage. Therefore, the Project will not create any significantly adverse traffic impacts, traffic safety hazards, pedestrian-vehicle conflicts, or pedestrian safety hazards.

5. The Project will be built in accordance with the City's Building Code standards and is consistent with the R-4 multi-family residential zoning and development standards for the area. Privacy concerns have been addressed through the proposed site design, with adequate setbacks on the side elevations. In addition, privacy can be further protected by requiring, as set forth in the conditions of approval, appropriate screening so as to limit visibility and the transfer of noise between adjacent properties. or can be further mitigated by requiring appropriate screening so as to limit visibility and the transfer of noise between adjacent properties. Additionally, potential issues of light and glare can be mitigated through

the use of minimally required lighting and providing appropriate light shields to further reduce any spillover to adjacent properties. As such, the Project is not anticipated to be detrimental to the public health, safety, or general welfare of the community.

Section 9. Based on the foregoing, the Planning Commission hereby grants the requested Vesting Tentative Tract Map and Development Plan Review subject to the following conditions:

1. This approval is for those plans submitted to the Planning Commission on September 24, 2015, a copy of which shall be maintained in the files of the Community Development Department. Project construction shall be consistent with such plans, except as otherwise specified in these conditions of approval. Specifically, the Project shall maintain a minimum of 22 standard subterranean parking spaces for the use of those units or portions thereof located in the City of Beverly Hills.

2. Minor amendments to the plans shall be subject to approval by the Director of Community Development. A significant change to the approved Project, as determined by the Director, shall be subject to Planning Commission Review.

3. Project Plans are subject to compliance with all applicable zoning regulations, except as may be expressly modified herein. Project plans shall be subject to a complete Code Compliance review when building plans are submitted for plan check. Compliance with all applicable Municipal Code and General Plan Policies is required prior to the issuance of a building permit.

4. The Project shall be subject to the review and approval by the City of Beverly Hills Architectural Commission prior to the issuance of any building permits for the Project.

5. The Applicant shall submit a Construction Management Plan to the Community Development Department prior to issuance of a building permit or demolition permit. The Construction Management Plan shall include, at a minimum, the following:

a. Written information about the construction parking arrangements, and hauling activities at different stages of construction.

b. Information regarding the anticipated number of workers, the location of parking with respect to schedules of the construction period, the arrangements of deliveries, hauling activities, the length of time of operation, designation of construction staging area and other pertaining information regarding construction related traffic.

c. The proposed demolition/construction staging for this Project to determine the amount, appropriate routes and time of day of heavy hauling truck traffic necessary for demolition, deliveries, etc., to the subject site.

6. To mitigate potential privacy, noise, light, and glare impacts to neighboring residents, screens shall be provided along those outdoor patio walls that directly face adjacent properties to the north and south. Such screens shall be architecturally consistent with the design of the building, and shall be subject to review and approval by the Architectural Commission. All exterior building lighting shall be

oriented to minimize light and glare impacts to neighboring properties, shall incorporate appropriate light shields to further reduce any spillover to adjacent properties, and shall be subject to review and approval by the Architectural Commission.

7. Prior to issuance of a building permit, either (a) the owner of the Project site shall record a lot tie covenant against all lots comprising the Project site, satisfactory in form and content to the City Attorney, or (b) record the final vesting tentative tract map.

8. In accordance with the provisions of Section 10-2-704 of the Beverly Hills Municipal Code, prior to approval of the Final Map, the Applicant shall submit a copy of the proposed covenants, conditions and restrictions (CC&Rs) for the Project to the City Attorney for review and approval, which CC&Rs shall be recorded prior to or concurrent with the recordation of the Final Map.

9. The Applicant shall comply with all requirements of the Mitigation Monitoring and Reporting Program, which is attached hereto as Exhibit A, and incorporated herein by reference.

10. The subdivider shall consider various building construction techniques, green building standards, overhanging eaves, window locations, insulation, and landscaping for building shade to maximize passive or natural heating and cooling opportunities, and incorporate such design features into the Project prior to final design and obtaining building permits for the Project.

11. The Project shall comply with all applicable water conservation ordinances and regulations of the City of Beverly Hills at all times.

12. Amplified music shall be prohibited in outdoor open spaces and courtyards.

13. The Applicant shall provide signage in the subterranean parking garages to direct guests to the guest parking spaces in the garage. All guest parking spaces shall be clearly marked as such. Directional signs and guest parking space identification shall be designed and installed to the satisfaction of the Director of Community Development.

14. The Project shall operate at all times in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking, or other actions.

15. The Project shall operate at all times in compliance with Municipal Code requirements for Noise Regulation.

16. APPEAL. Decisions of the Planning Commission may be appealed to the City Council within fourteen (14) days of the Planning Commission action by filing a written appeal with the City Clerk. Appeal forms are available in the City Clerk's office. Decisions involving subdivision maps must be appealed within ten (10) days of the Planning Commission Action. An appeal fee is required.

17. RECORDATION. The resolution approving a Development Plan Review and Vesting Tentative Tract Map shall not become effective until the owner of the Project site records a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this resolution. The covenant shall include a copy of the resolution as an exhibit. The Applicant shall deliver the executed covenant to the Department of Community Development **within 60 days** of the Planning Commission decision. At the time that the Applicant delivers the covenant to the City, the Applicant

shall also provide the City with all fees necessary to record the document with the County Recorder. If the Applicant fails to deliver the executed covenant within the required 60 days, this resolution approving the Project shall be **null and void** and of no further effect. Notwithstanding the foregoing, the Director of Community Development may, upon a request by the Applicant, grant a waiver from the 60-day time limit if, at the time of the request, the Director determines that there have been no substantial changes to any federal, state, or local law that would affect the Project.

18. EXPIRATION. Development Plan Review and Vesting Tentative Tract Map: The exercise of rights granted in such approval shall be commenced within two (2) years after the adoption of such resolution unless otherwise extended in accordance with the provisions of Section 10-3-207 of the Beverly Hills Municipal Code.

19. VIOLATION OF CONDITIONS: A violation of any of these conditions of approval may result in a termination of the entitlements granted herein.

20. Approval of the vesting tentative tract map approval from the City of Los Angeles shall be required for that portion of the proposed tract within the City of Los Angeles.

21. APPROVAL RUNS WITH LAND. These conditions shall run with the land and shall remain in full force for the duration of the life of the Project.

Standard Conditions

22. Prior to the issuance of a building permit, all applicable Park and Recreation Facilities Taxes required by the Municipal Code shall be paid.

23. The Applicant shall remove and replace all public sidewalks surrounding the Project site that are rendered defective as a result of Project construction, as determined by the City Engineer.

24. The Applicant shall remove and replace all curbs and gutters surrounding the Project site that are rendered defective as a result of Project construction, as determined by the City Engineer.

25. The Applicant shall protect all existing street trees adjacent to the subject site during construction of the Project. Every effort shall be made to retain mature street trees. No street trees, including those street trees designated on the preliminary plans, shall be removed and/or relocated unless written approval from the Recreation and Parks Department and the City Engineer is first obtained.

26. Removal and/or replacement of any street trees shall not commence unless and until the Applicant has provided the City with an improvement security to ensure the establishment of any relocated or replaced street trees. The security amount will be determined by the Director of Community Services, and shall be in a form approved by the Director of Community Development.

27. The Applicant shall provide that all roof and/or surface drains discharge to the street. All curb drains installed shall be angled at 45 degrees to the curb face in the direction of the normal street drainage flow. The Applicant shall provide that all groundwater discharges to a storm drain. All ground water discharges must have a permit (NPDES) from the Regional Water Quality Control Board. Connection to a storm drain shall be accomplished in the manner approved by the City Engineer and the Los

Angeles County Department of Public Works. No concentrated discharges onto the alley surfaces will be permitted.

28. The Applicant shall provide for all utility facilities, including electrical transformers required for service to the proposed structure(s), to be installed on the subject site. No such installations will be allowed in any City right-of-way.

29. The Applicant shall underground, if necessary, the utilities in adjacent streets and alleys per requirements of the Utility Company and the City.

30. The Applicant shall make connection to the City's sanitary sewer system through the existing connections available to the subject site unless otherwise approved by the City Engineer and shall pay the applicable sewer connection fee.

31. The Applicant shall make connection to the City's water system through the existing water service connection unless otherwise approved by the City Engineer. The size, type, and location of the water service meter installation will also require approval from the City Engineer.

32. The Applicant shall obtain the appropriate permits from the Community Development Department for the placement of construction canopies, fences, etc., for construction of any improvements in the public right-of-way, and for use of the public right-of-way for staging and/or hauling certain equipment and materials related to the Project.

33. The Applicant shall remove and reconstruct any existing improvements in the public right-of-way damaged during construction operations performed under any permits issued by the City.

34. Condensation from HVAC and refrigeration equipment shall drain to the sanitary sewer, not curb drains.

Section 10. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: September 24, 2015

_____
Alan Robert Block
Chair of the Planning Commission of the
City of Beverly Hills, California

Attest:

_____
Secretary

Approved as to form:

_____
David M. Snow
Assistant City Attorney

Approved as to content:

_____
Ryan Gohlich
City Planner

Exhibit A

Mitigation Monitoring and Reporting Program

[Note: MMRP will be provided under separate cover]

ATTACHMENT D

TRAFFIC ANALYSIS

ARTHUR L. KASSAN, P.E.
Consulting Traffic Engineer

January 29, 2014

Mr. Ryan Golich
Associate Planner
Community Development
City of Beverly Hills
455 N. Rexford Drive
Beverly Hills, CA 90210

Subject: Proposed Residential Development
332-336 N. Oakhurst Drive

Dear Mr. Golich:

At the request of Mr. Bijan Vaziri, Senior Transportation Engineer for the City, I have prepared the following letter to provide you with information about the transportation and parking issues related to the proposed condominium development at the above address. The issues that I have addressed are those about which Mr. Vaziri expressed interest.

Project Description and Setting

The proposed development will consist of 31 condominium dwelling units. It will replace buildings with 17 apartment units already on the site.

The site of the proposed development is 0.53 acres in area and is located on the east side of Oakhurst Drive, north of Third Street. A two-way alley forms the eastern boundary of the site. Multiple-family houses are located immediately north and south of the site. The Beverly Hills/Los Angeles City Limit line runs north-south through the site, approximately 43 feet east of the Oakhurst Drive right-of-way line. Approximately 28% of the site area is within Beverly Hills, and 72% of the area is within Los Angeles.

Parking for the new development will be provided in two subterranean levels. A total of 82 spaces are planned – 68 spaces for residents, and 14 spaces for guests. Those quantities will satisfy the Municipal Code requirements of both cities, as follows:

- City of Beverly Hills – 7 units at 2 or 3 resident spaces per unit = 20 spaces
  7 units at 0.25 guest space per unit = 2 spaces
  22 spaces
- City of Los Angeles – 24 units at 2 resident spaces per unit = 48 spaces
  24 units at 0.50 guest space per unit = 12 spaces
  60 spaces

Telephone
(310) 558-0808

5105 Cimarron Lane
Culver City, CA 90230

FAX
(310) 558-1829

The parking will be served by a driveway within the alley; there will be no direct vehicular connection between the on-site parking and Oakhurst Drive. However, the primary pedestrian access for the development will be on Oakhurst Drive. The parking garage driveway and internal circulation will be discussed later.

Currently on the site, there are 17 parking spaces that serve the 17 existing apartments. All of those spaces are in ground level garages that are individually accessed from the alley. With only one space per unit, many residents and all guests must park on Oakhurst Drive and the other streets in the vicinity, particularly Third Street.

Oakhurst Drive is a two-lane residential street with a 65-foot wide right-of-way and a 35-foot wide roadway. The sidewalk/landscaping on each side of the street is 15 feet wide. Parking is provided at both curbs, with a two-hour limit from 8 a.m. to 6 p.m., except by permit. Parking is prohibited for street sweeping purposes from 9 a.m. to noon on Mondays on the east side of the street (adjacent to the site) and on Tuesdays on the west side.

The alley immediately east of the site is 20 feet wide and is lined with garages serving the residential properties on both sides of the alley. As mentioned above, the proposed development's only driveway will be located in the alley.

Third Street, which intersects Oakhurst Drive south of the site, is a two-lane street with a 35-foot wide roadway. There is one traffic lane and parking in each direction and left-turn lanes in both directions at Doheny Drive, one block east of Oakhurst Drive.

The intersection of Oakhurst Drive and Third Street is controlled by STOP signs for all four legs (all-way STOP). The intersection of Third Street and Doheny Drive is controlled by a traffic signal.

Trip Generation

We have estimated the trip generation of the proposed development and subtracted the estimated generation of the existing apartments to arrive at the net increase in 24-hour and peak-hour trips that will result from the development. The estimates are based on trip rates for each type of land use, as published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 9th Edition, 2012. The published trip rates are tabulated on the following page. The estimates of trips are in the attached Exhibit A.

TRIP GENERATION RATES

PROPOSED CONDOMINIUM DEVELOPMENT

332 TO 336 OAKHURST DRIVE, NORTH OF THIRD STREET

COMPONENT	VEHICLE TRIPS PER UNIT						
	24 HOURS	MORNING PEAK HOUR			AFTERNOON PEAK HOUR		
	Total, Both Directions	Entering	Leaving	Total	Entering	Leaving	Total
Condominiums	5.81	17%	83%	0.44	67%	33%	0.52
Apartments	6.65	20%	80%	0.51	65%	35%	0.62

As you can see in Exhibit A, the net increases in trips (future minus current) will be five trips per hour during each of the peak hours and 67 trips during a weekday 24 hours.

Mathematically, volumes of those magnitudes will not have significant impacts at city street intersections. Therefore, no impact analysis has been required by the City of Los Angeles, nor has such an analysis been performed.

Parking Garage Access and Circulation

The parking garage driveway will be in the alley in the northern part of the site, approximately 190 feet north of the Third Street northern curbline. It will ramp down to the below-grade parking levels. Within the building structure the driveway will be 23 feet, 5 inches wide, wall-to-wall. Adjacent to the driveway, the building will be set back approximately 13 feet west of the property line/edge-of-alley.

However, there will be a wall for the gymnasium patio on the south side of the driveway. That wall will be angled away from the driveway to enhance the vehicle turning radius and the range of vision for drivers exiting the garage and looking toward the south for northbound vehicles or pedestrians in the alley. With the most current design of that wall, the visibility to the south will be adequate for safe, efficient exiting.

To the north of the driveway, there will be an electrical transformer located on-site, approximately four feet west of the edge of the alley. An exiting driver, stopped before entering the alley, will be able to see beyond the transformer northward along the alley to identify on-coming southbound vehicles or pedestrians.

Considering either side, the driveway design will be a substantial improvement over the existing situation in which most drivers who use the on-site alley garages back into the alley with essentially no visibility in either direction because of the garage walls.

Mr. Vaziri has requested that the building owners consider installing a flashing light in the alley and appropriate vehicle detection equipment in the up-ramp of the driveway to provide a warning of vehicles exiting the driveway for alley drivers and pedestrians. As the driveway is in the City of Los Angeles, we will consult with that city's staff, and if they approve, the signal will be installed.

The circulation within the garage will be "elliptical", as illustrated in the attached reduced plans prepared by the architect. The parking spaces will be at 90 degrees, and the vehicle circulation aisles will be two-way. Level P-1 will have one aisle at a 2% slope and one aisle at a 5% slope. To continue to P-2, there will be a 12% down-ramp. Level P-2 will have one flat aisle and one aisle at a 5% slope.

The parking circulation will be similar to many schemes that drivers encounter frequently, and there should be no difficulties for either residents or guests.

Parking on Oakhurst Drive

As described earlier, with the current on-site development providing only 17 off-street parking spaces for 17 residential units, residents with more than one vehicle and all guests must park on Oakhurst Drive or on the other surrounding streets, particularly Third Street.

With the proposed development, there will be on-site spaces for more than two vehicles per unit – 82 spaces for 31 units, as detailed on page 1. That will substantially relieve the current parking demand on Oakhurst Drive and on Third Street, leaving more spaces available for the residents of the other buildings and their guests.

To summarize from the viewpoints of traffic flow and parking, the proposed development will have no significant impacts on the surrounding street network, will function efficiently and safely within the alley, and will benefit the neighborhood parking supply by providing on-site parking for all residents and for guests, leaving many on-street spaces available for others.

If you or Mr. Vaziri have any further questions about the proposed development, please contact me at your convenience.

Very truly yours,

Arthur L. Kassan, P.E.
Registered Traffic Engineer No. 152
Registered Civil Engineer No. 15563

Attach.

EXHIBIT A

ESTIMATED TRIP GENERATION
PROPOSED CONDOMINIUM DEVELOPMENT
332 TO 336 OAKHURST DRIVE, NORTH OF THIRD STREET

COMPONENT	SIZE	NUMBER OF VEHICLE TRIPS						
		24 HOURS	MORNING PEAK HOUR			AFTERNOON PEAK HOUR		
		Total, Both Directions	Entering	Leaving	Total	Entering	Leaving	Total
PROPOSED								
Condominiums	31 units	180	2	12	14	11	5	16
EXISTING								
Apartments	17 units	(113)	(2)	(7)	(9)	(7)	(4)	(11)
NET TRIPS		**67**	**0**	**5**	**5**	**4**	**1**	**5**

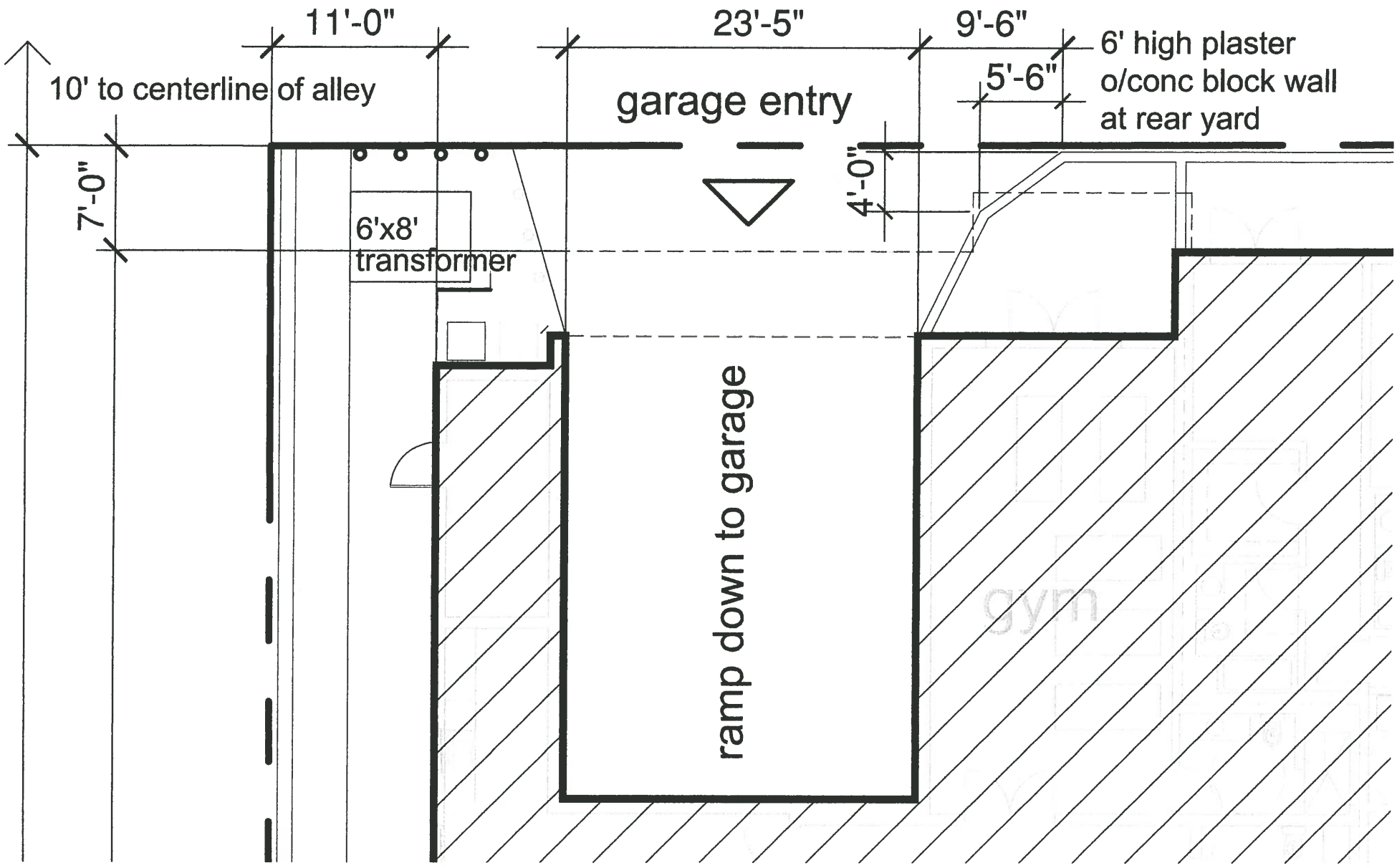
Sources: Trip rates and equations published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual, 9th Edition,* 2012.

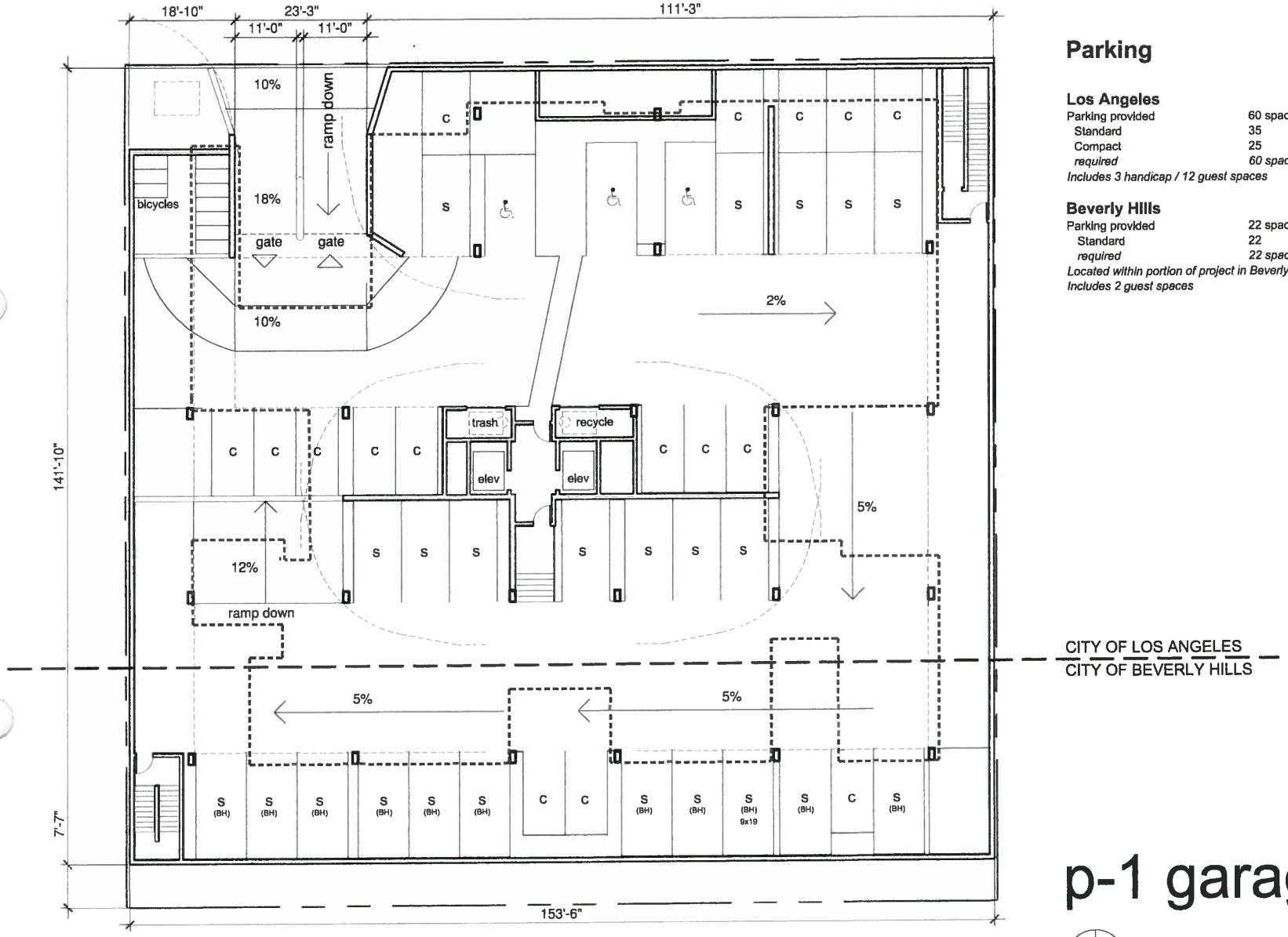
180 Total Trips /24 hrs
= 7.5 trips/hr

Peak = 2 hours = 15 trips

17% of 15 = 2.55 = 3
83% of 15 = 12.45 = 12

14 = 0.44 * # of units


11'-0"
23'-5"
9'-6"
6' high plaster
o/conc block wall
at rear yard
5'-6"
10' to centerline of alley
garage entry
4'-0"
7'-0"
6'x8'
transformer
ramp down to garage
gym



Parking

Los Angeles

Parking provided	60 spaces
Standard	35
Compact	25
required	*60 spaces*

Includes 3 handicap / 12 guest spaces

Beverly Hills

Parking provided	22 spaces
Standard	22
required	*22 spaces*

Located within portion of project in Beverly Hills
Includes 2 guest spaces

p-1 garage

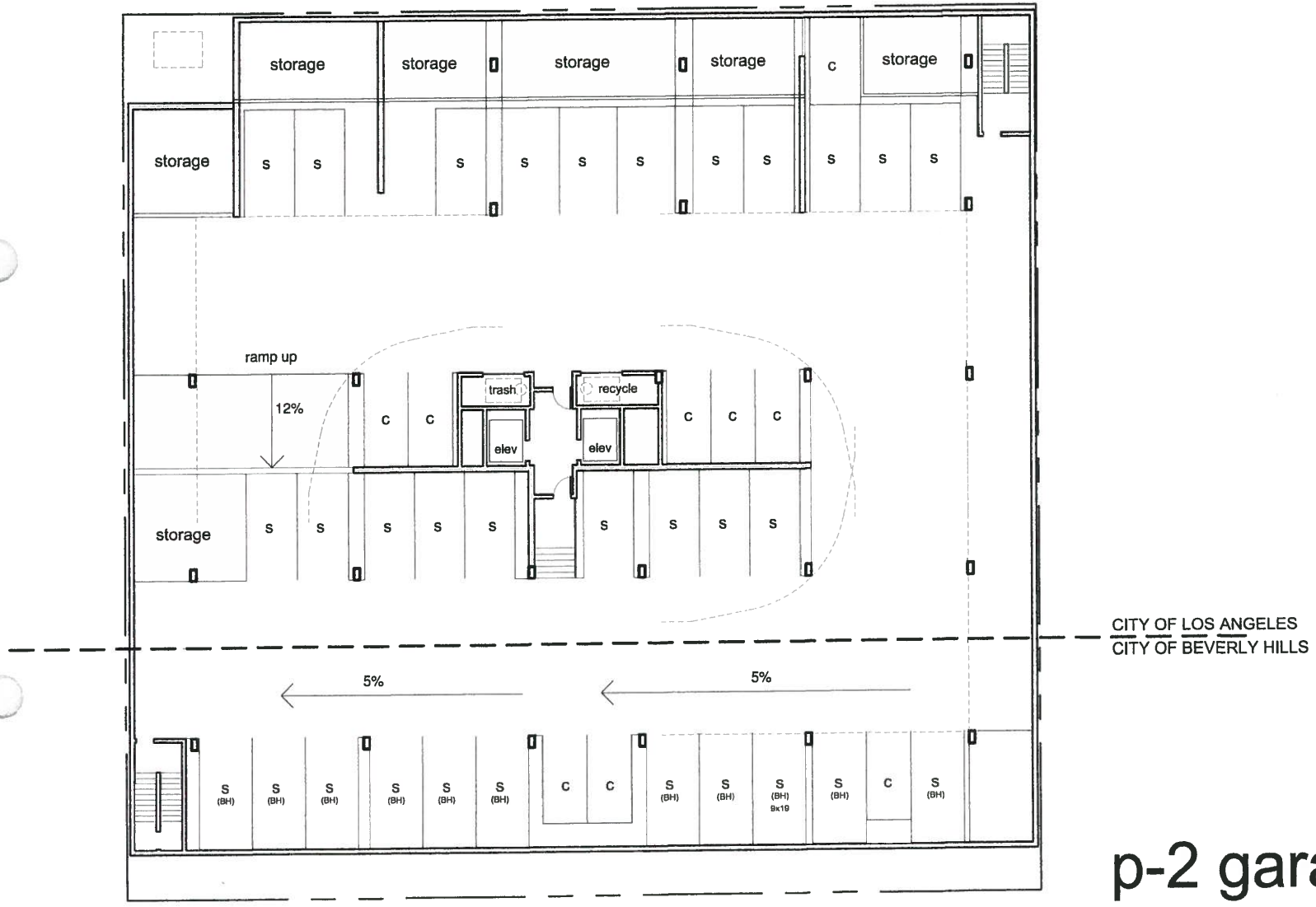
0 10 20

MICHAEL BALL Architects
4761 Halbrent Avenue Sherman Oaks, CA 91403
818·783·8027

Oakhurst Condominiums

332-336 N Oakhurst Drive, Los Angeles, CA 90048

November 2013



p-2 garage

0 10 20

Oakhurst Condominiums

332-336 N Oakhurst Drive, Los Angeles, CA 90048

November 2013

MICHAEL BALL Architects
4761 Halbrent Avenue Sherman Oaks, CA 91403
818·783·8027

ATTACHMENT E

CITY OF LOS ANGELES ADVISORY AGENCY

APPROVAL OF VESTING TENTATIVE TRACT MAP

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

CITY PLANNING COMMISSION
RENEE DAKE WILSON
PRESIDENT
DANA M. PERLMAN
VICE-PRESIDENT
ROBERT L. AHN
DAVID H. J. AMBROZ
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
MARTA SEGURA
JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES

CALIFORNIA

ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
MICHAEL J. LOGRANDE
DIRECTOR
(213) 978-1271
ALAN BELL, AICP
DEPUTY DIRECTOR
(213) 978-1272
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DEPUTY DIRECTOR
(213) 978-1274
JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273
FAX: (213) 978-1275
INFORMATION
www.planning.lacity.org

Decision Date: February 3, 2015

Appeal Period Ends: February 13, 2015

Oakhurst, LLC (A)(O)
248 N. Glenroy Avenue
Los Angeles, CA 90049

Reynaldo T. De Rama (E)
Tala Associates
1916 Colby Avenue
Los Angeles, CA 90025

Matthew Hayden (R)
Three6ixty
4309 Overland Avenue
Culver City, CA 90230

RE: Vesting Tentative Tract No. 70499-CN
Address: 332-336 North Oakhurst Drive
Council District: 5
Existing Zone: [Q]R4-1-O
Community Plan: Wilshire
CEQA No.: ENV-2011-3325-MND-REC

In accordance with provisions of Los Angeles Municipal Code (LAMC) Section 17.03 of the, the Advisory Agency approved Vesting Tentative Tract Map No. 70499-CN composed of 1-lot, located at 332-336 North Oakhurst Drive for a new maximum **31 residential condominium units** as shown on map stamp-dated December 13, 2013 in the Wilshire Community Plan. This unit density is based on the proposed [Q]R4-1-O Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077. The Advisory Agency's approval is subject to the following conditions:

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

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That the portions of the tract within the City of Los Angeles and the City of Beverly Hills be shown as separate lots on the final map and that a Covenant and Agreement be recorded tying the lots together.

2. That the final map not be recorded until the tentative tract map has been filed with and approved by the City of Beverly Hills.

3. That any fee deficit under Work Order No. EXT00458 expediting this project be paid.

4. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of the existing sewer in the area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

5. Prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated January 27, 2012, Log No. 76058 and attached to the case file for Tract No. 70499. (MM)

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

6. 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. Revise the submitted to show that the tract map is for the portion within the Los Angeles City only unless otherwise approved by the City of Los Angeles Planning Advisory Agency to include the portion within the City of Beverly Hills.

   b. Show all street/alley 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/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).

   Notes:

   Tract subdivision approval from the City of Beverly Hills will be required for portion of the tract within the City of Beverly Hills.

   Compliance with the City of Beverly Hills Zoning requirements is will be required for portion of tract within the City of Beverly Hills.

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.

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

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

DEPARTMENT OF TRANSPORTATION

7. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure: (MM)

   a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.

   b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

FIRE DEPARTMENT

8. 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: (MM)

   a. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel.

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

   c. No framing shall be allowed until the roadway is installed to the satisfaction for the Fire Department.

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

   e. 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 unto the roof.

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

g. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

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

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

j. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6504. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF WATER AND POWER

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

BUREAU OF STREET LIGHTING

10. In a letter dated, February 9, 2012, the Bureau of Street Lighting determined that no street lighting improvements were required for the project.

BUREAU OF SANITATION

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

INFORMATION TECHNOLOGY AGENCY

12. That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, 213 922-8363.

DEPARTMENT OF RECREATION AND PARKS

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

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

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

    a. Limit the proposed development to a maximum of 31 residential units.

    b. Provide the number of parking spaces in accordance with LAMC Section 12.21-A,4.

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

       In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (Development Services Center).

    c. The applicant shall install an air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 11 or better in order to reduce the effects of diminished air quality on the occupants of the project. (MM)

    d. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.

    e. That the subdivider considers the use of natural gas and/or solar energy and consults with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.

    f. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. (MM)

g. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties. (MM)

15. That the subdivider shall record and execute a Covenant and Agreement to comply with [Q] Condition per Ordinance No. 167,711.

16. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

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

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

19. Adjustment. Pursuant to LAMC Section 17.03, the Advisory Agency has approved an adjustment to allow a 10% increase in the allowable FAR (3:1), or an FAR of 3.3:1.

20. City of Beverly Hills. Prior to the issuance of a demolition permit by the Department of Building and Safety, the applicant shall provide evidence in the form of a letter from the City of Beverly Hills, that the project has been reviewed for conformance with any and all applicable zoning regulations, and has made suitable arrangements for any necessary improvements relative to the public right-of-way, including sewers, street dedications and improvements, street trees, etc.

21. **Indemnification.** The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

22. Prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition Nos. 5, 7, 8, 13, 14c, 14f, 14g, 17, 23, and 24 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

23. 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:

MM-1 Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.

The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from the street or alley, pursuant to Los Angeles Municipal Code Section 91.8104.15.

MM-2. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties pr the public right-of-way.

MM-3. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right-of-way.

All signiciant (8-inch or greater trunk diameter, or cumulative trunk diameter of multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inc box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of way, may be counted toward replacement tree requirements.

Removal or plating of any tree in the public right-of-way required approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division of the Department of Public Works, Bureau of Street Services.

MM-4. The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.

MM-5. The applicant shall provide a staked signage at the site with a minimum of 3-inch lettering containing contact information for the Senior Street Use Inspector (Department of Publci Works), the Senior Grading Inspector (LADBS) and the hauling or general contractor.

Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. All grading activities require grading permits from the Department of Building and Safety. Additional provisions are required for grading activities within Hillside areas. The application of BMP's includes but is not limited to the following mitigation measures:

- Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.
- Stockpiles, excavated, and exposed soil shall be covered with secured tarps, plastic sheeting, erosion control fabrics, or treated with a bio-degradable soil stabilizer.

MM-6. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movements or reduction in foundation bearing soil-capacity, and discuss mitigation measures that may include building design consideration. Building design consideration shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacement or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified.

MM-7. Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or registered civil engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movements or reduction in foundation bearing soil-capacity, and discuss mitigation measures that

may include building design consideration. Building design consideration shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacement or any combination of these measures. The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project and as it may be subsequently amended or modified.

MM-8. Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

MM-9. Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

Prior to the issuance any permit for the demolition or alteration of any existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSA regulations.

Prior to the issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulations governing PCB removal and disposal.

MM-10. All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.

MM-11. Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

MM-12. a. Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical

threshold standard is required.

b. Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.

c. Promote natural vegetation by using parking lot islands and other landscaped areas.

d. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

e. Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing a rock outlet protection. Rock outlet protection is physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe-outlet. Inspect, repair, and maintain the outlet protection after each significant rain.

f. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.

g. Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.

h. Legibility of stencils and signs must be maintained.

i. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

j. The storage area must be paved and sufficiently impervious to contain leaks and spills.

k. The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.

l. Trash container areas must have drainage from adjoining roofs and pavement diverted around the areas.

m. Trash container areas must be screened or walled to prevent off-site transport of trash.

n. Reduce impervious surface area by using permeable materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block and granular materials, i.e. crushed aggregates, cobbles.

o. Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.

p. Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Department of Public Works, Stormwater Management Division.

q. Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation, and flow reducers.

r. Prescriptive Methods detailing BMPs specific to this project category are available. Applicants are encouraged to incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at: www.lastormwater.org.

s. The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

MM-13. The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the area.

MM-14. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

MM-15. The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).

In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:

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

MM-16. Install no more than one showerhead per shower stall, having a flow rate no greater than 2.0 gallons per minute.

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

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

MM-17. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.

Prior to the issuance of any demolition permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.

To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

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

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

a. Locate the sign in a conspicuous place on the subject site or structure (if developed) so that the public can easily read it. The sign must be sturdily attached to a wooden post if it will be freestanding.

b. Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.

c. If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres, or portion thereof. Each sign must be posted in a prominent location.

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

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

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

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

CM-6. All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-7. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

CM-8. The project shall comply with the City of Los Angeles Noise Ordinance Nos. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

CM-9. Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-10. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-11. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-12. The project sponsor shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

CM-13. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.

CM-14. Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.

CM-15. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

CM-16. All waste shall be disposed of properly. Use appropriately labeled recycling bins to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non recyclable materials/wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed regulated disposal site.

CM-17. Clean up leaks, drips and spills immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

CM-18. Do not hose down pavement at material spills. Use dry cleanup methods whenever possible.

CM-19. Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.

CM-20. Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.

CM-21. Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop cloths to catch drips and spills.

DEPARTMENT OF CITY PLANNING-STANDARD CONDOMINIUM CONDITIONS

C-1. Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with LAMC Section 17.12 and is to be paid and deposited in the trust accounts of the Park and Recreation Fund.

C-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan, prepared by a licensed landscape architect, shall be submitted to and approved by the Advisory Agency in accordance with CP-6730.

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

C-3. In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable tract conditions affecting the physical design of the building and/or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable tract conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

OR

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

BUREAU OF ENGINEERING - STANDARD CONDITIONS

S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.

(b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.

(c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.

(d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.

(e) That drainage matters be taken care of satisfactory to the City Engineer.

(f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.

(g) That any required slope easements be dedicated by the final map.

(h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.

(i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

(j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.

(k) That no public street grade exceeds 15%.

(l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

(a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.

(b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.

(c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.

(d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

(e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(a) Construct on-site sewers to serve the tract as determined by the City Engineer.

(b) Construct any necessary drainage facilities.

(c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting, as follows:

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.

(e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.

(f) Construct access ramps for the handicapped as required by the City Engineer.

(g) Close any unused driveways satisfactory to the City Engineer.

(h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

a. Improve the alley adjoining the subdivision by the reconstruction of alley intersection with 3rd Street including any necessary removal and reconstruction of the existing bad order alley improvements.

NOTES:

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

Approval from Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through Bureau of Street Services Urban Forestry Division.

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

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

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

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

A public hearing was held on March 19, 2014 in City Hall, Room 1020. In attendance were the applicant, the applicant's representative, the applicant's architect, and area residents and property owners. The representative for the project stated for the record that the project would be eligible to meet LEED Silver certification, is providing bicycle parking and is providing 5,000 square feet of open space, in excess of what is required by code. The applicant clarified the request for the 10% increase in Floor Area, stating that the request was meant to provide bigger units without expanding the building foot print or height. They detailed their outreach efforts, stating that they met with the Mid City West Neighborhood Council, and held an informational meeting for tenants on March 1, 2014. The applicant provided some letters of support from adjacent property

owners. In addition, the representative stated that the applicant was prepared to provide a historic assessment of the property at the request of the community, the Council Office, and the Planning Department.

Also in attendance at the public hearing were tenants, area residents and nearby property owner, with speakers in opposition citing concerns with traffic, the proposed height of the project, construction impacts on adjacent older properties, air quality and health impacts associated with construction, and changes to the character of development along the immediate block of Oakhurst Avenue.

Shawn Bayliss, of Council District 5, asked that the case be placed under advisement pending the completion of a historic resources assessment of the property. The case was placed under advisement pending the preparation and submittal of a Historic Resource Assessment, which was submitted to the department electronically on May 1, 2014. The Historic Resource Evaluation was prepared by Kaplan Chen Kaplan and dated April 21, 2014, and concluded that the properties at 332, and 334-336 North Oakhurst Drive do not meet the criteria for designation to the National Register of Historic Places, the California Register of Historical Resources, or as a City of Los Angeles Historic Cultural Monument of historic district. Moreover, that the buildings do not meet the criteria for designation as a City of Beverly Hills Landmark nor as a City of Beverly Hills Historic District. Following that report, the City of Beverly Hills provided a two-page memo prepared by the Historic Resources Group and dated May 29, 2014, contesting the findings of the report, arguing that there is potential for the creation of a historic district along North Oakhurst Drive and requesting that the City of Los Angeles prepare and EIR. Planning staff then requested that a report be provided to address the potential historic district issue along North Oakhurst Drive. This report, dated December 3, 2014 and prepared by Kaplan Chen Kaplan, determined that there is no potential for the establishment of a City of Los Angeles Historic Preservation Overlay Zone, and that while no buildings have been identified as individual landmarks, an argument could be made for the establishment of a potential district within the City of Beverly Hills based on commonalities of two architectural styles (Spanish Colonial Revival and Minimal Traditional/Regency) common to the 1930's and for which structures remain.

FINDINGS OF FACT (CEQA)

The subject property is located in two jurisdictions, with one third of the site being located within the City of Beverly Hills. In a letter dated, November 7th, 2011, the City of Beverly Hills stated that their City Attorney reviewed the project and that the City of Los Angeles would be the lead agency as it would process the application first. With respect to environmental impacts, they identified traffic as being "the category that presents the greatest potential for environmental impact."

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2011-3325-MND on March 28, 2012 for a 5- and 6-story residential condominium with 37 units. Based on the Department of Transportation's (DOT) Traffic Study Exemption Thresholds, the 37-unit project was below the threshold of 48 units for residential condominiums, resulting in a less than significant impact. The tract map was placed on hold and the new owner revised the tract map proposing a reduced project of a 4- and 5-story residential condominium with 31 units. A Reconsideration of ENV-2011-3325-MND was issued on February 7, 2014. Upon issuance of both the originally issued

Mitigated Negative Declaration (MND) and the subsequent Reconsideration of the MND, no comments were submitted by the City of Beverly Hills relative to the environmental analysis or the mitigation measures.

At the public hearing held on March 19, 2014, several public speakers, including a representative from Council Office 5, expressed concern about the potential historic value of the existing buildings. The applicant volunteered to hire a consultant and the Advisory Agency placed the case under advisement pending the submittal of a historic resource assessment.

A Historic Resource Evaluation prepared by Kaplan Chen Kaplan (dated April 21, 2014), concluded that "the buildings at 332 North Oakhurst Drive, 334 North Oakhurst Drive, and 336 North Oakhurst Drive, do not meet the criteria for designation to the National Register of Historic Places, the California Register of Historic Resources or as a City of Los Angeles Historic Cultural Monument or as a historic district." In particular, the report found that 332 North Oakhurst was built in 1931 in the Spanish Colonial Revival style by architect Paul Needham, of whom nothing has been identified about his body of work. The property at 334-336 North Oakhurst was designed by Edith Norman, in the Monterey sub-style of the Spanish Colonial revival style. Architect Edith Mortensen Northman, practiced architecture in Los Angeles in the 1930's beginning with multi-family buildings, having moved onto commercial and institutional buildings and factories, including over 50 service stations for the Union Oil Company and military engineering fortifications for the U.S. Army Corps of Engineers. While there are some references to Northman in the Los Angeles Times together with other practicing architects, there are "no newspaper references to any contemporaneous awards or recognition of her work" and "no references to Northman in the Avery Index to Architectural Periodicals".

Moreover, the report asserted that while the buildings are reflective of the Spanish Colonial Revival style prevalent in the 1930's, there are no noteworthy architectural features or characteristics, and no association with historic events or historic persons, that elevated these structures beyond being typical representations of the Spanish Colonial Revival architectural style. The historic resource report concluded that the properties at 332, and 334-336 North Oakhurst Drive do not meet the criteria for designation to the National Register of Historic Places, the California Register of Historical Resources, or as a City of Los Angeles Historic Cultural Monument or historic district. Moreover, the report stated that the buildings do not meet the criteria for designation as a City of Beverly Hills Landmark nor as a City of Beverly Hills Historic District.

Following the submittal of the report, the City of Beverly Hills submitted a letter (dated June 11, 2014), together with a two-page memo prepared by the Historic Resources Group (HRG) contesting the findings of the report and requesting that the City of Los Angeles prepare an EIR. The HRG memo, dated May 29, 2014, argued that nine properties along North Oakhurst Drive were "identified as a potential historic district during the preliminary reconnaissance for the survey update," finding that the area included lots that were uniform, rectangular, modest, with a consistent setback, sharing concrete walkways, detached garages, concrete sidewalks and parkways, and mature Jacaranda trees with "a notable concentration of Period Revival style multi-family residences from the 1930's". While the City of Beverly Hills contends in their June 11,

2014 letter that "100 percent of the buildings located along the east side of North Oakhurst between Alden Drive and West 3rd Street contribute to a potential historic district," the HRG report only analyzed 9 of the 11 properties that constitute the entirety of the east side of the North Oakhurst block between Arden Drive and 3rd Street, with no mention of the two properties on the west side of North Oakhurst Drive and entirely within the City of Beverly Hills, that share these same characteristics. In addition, the report prepared by HRG provides no analysis as to how the properties meet the criteria used to establish historic districts, including important events, association with the lives of significant persons, or any distinctive characteristics of the structures. The memo found only one architect to correspond to the list of master architects for a property located at 344 North Oakhurst Drive (not the project site). In addition, aside from the "potential district" having originally been subdivided in 1922 by the Rodeo Land and Water Company, the report offered little information relative to development of the 1930's residences, any distinctive characteristics, the level of integrity, or its relationship to the history or prehistory of the Beverly Hills. Moreover, the report fails to establish, without substantial evidence in the record, how the potential district would meet the criteria of the California Register of Historic Resources, or what methodology was used to reach its conclusion.

With respect to the California Environmental Quality Act (CEQA), the consideration of historic resources or potential historic resources is discussed in CEQA in Section 21084.1, which states:

> "A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, and historical resources is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not including in a local register of historical resources, or not deemed significant pursuant to a criteria set for in the subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for the purposes of this section."

In determining the significance of a project not yet listed or determined to be eligible for listing, subsection (g) of Section 5024.1 of CEQA states:

(g) A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:
  (1) The survey has been or will be included in the State Historic Resources Inventory.
  (2) The survey and survey documentation were prepared in accordance with office procedures and requirements.

(3) The resources is evaluated and determined by the office to have a significance rating of Category 1 to 5 on DPR Form 523.
(4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

None of the individual properties along north Oakhurst between Alden Drive and West 3rd Street have been identified for historic significance, and until recently, no argument has been made as to the potential of a historic district. The information provided by both consultants, Historic Resources Group and Kaplan Chen Kaplan, provides little substantive information to support how the features of the potential district meet a standard of significance under local and state criteria. For example, in determining the significance of impacts on historical resources, Section 15064.5 of CEQA, the term "historical resources" includes a resource listed in the California Register of Historical Resources, listed in a local register of historical resources, or is characterized as a site, structure, or area determined to be historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California provided the determination is substantiated be the evidence in light of the whole record. In this instance, the resource must meet the criteria for listing the California Register of Historical Resources, including: being associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; is associated with the lives of persons important in our past; embodies distinctive characteristics of a type, period, region, method of construction, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or, has yielded, or may be likely to yield, information important in prehistory or history.

To address the potential historic district issue, planning staff requested that an additional historic resources report be prepared to further analyze the project site and North Oakhurst Drive between Alden Drive and 3rd Street. The report prepared by Kaplan Chen Kaplan and dated December 3, 2014, reviewed North Oakhurst Drive between Alden Drive and West 3rd Street against the criteria used to establish a City of Los Angeles Historic Preservation Overlay Zone (HPOZ) and as an Historic District within the City of Beverly Hills. The report determined that the west side of Oakhurst Drive, which is entirely within the jurisdictional boundaries of the City of Beverly Hills would not qualify as an historic district as only two buildings (20 percent) retain potential historic significance, and which would not qualify for designation as individual landmarks under City of Beverly Hills criteria. Of the potentially contributing properties on the east side, there are five Spanish Colonial Revival buildings and five Minimal Traditional/Regency style buildings and one contemporary building, with the principal facades of the structures being located in the City of Beverly Hills, and the remainder of the structures sitting within the jurisdictional boundaries of the City of Los Angeles.

The criteria for the designation of a HPOZ within the City of Los Angeles looks for an area that: adds to the historic architectural qualities or associations for which a property is significant during a period of significance, represents an established feature of the neighborhood, community or city due to its unique location or singular physical

characteristics, and retaining the building, structure, landscaping, or natural feature would contribute to the preservation and protection of a historic place or area of historic interest in the City. The report finds that there is no potential for the establishment of a City of Los Angeles HPOZ as the portions of the buildings on the 300 block having their street-facing facades, where the primary architectural features are found, are within the City of Beverly Hills. The area within the bounds of the City of Los Angeles is otherwise limited.

For designation of a Historic District within the City of Beverly Hills, the project must meet seven criteria, including:

(1) At least 70% of the properties in the proposed district have been identified as contributing properties.

(2) Must meet at least two of the following criteria:

a. Is identified with important events in the main currents of national, state, or local history, or directly exemplifies or manifests significant contributions to the broad, social, political, cultural, economic, recreational, or architectural history of the Nation, State, City, or community;

b. Is directly associated with the lives of Significant Persons important to national, state, City or local history;

c. Embodies distinctive characteristics of a style, type, period, or method of construction;

d. Represents a notable work of a person included on the City's List of Master Architects or possesses high artistic or aesthetic value;

e. Has yielded or has the potential to yield, information important in the prehistory or history of the Nation, State, City or community;

f. Is listed or has been formally determined eligible by the National Park Service for listing on the National Register of Historic Places, or is listed or has been determined eligible by the State Historical Resources Commission for listing on the California Register of Historical Resources.

(3) The proposed District retains integrity of location, design, setting, materials, workmanship, and association. A proposed Contributing Property's or District's deferred maintenance, dilapidated condition, or illegal alterations shall not, on their own, be construed to equate loss of integrity.

(4) The nominated District is of significant architectural value to the community beyond its simple market value, and its designation as a District is reasonable, appropriate, and necessary to promote, protect, and further the goals and purposes of this Article.

(5) The District is a contiguous or non-contiguous grouping of thematically related properties, or a definable area possessing a concentration of historic, scenic, or thematic Sites, which contribute to each other and are unified aesthetically by plan, physical development, or architectural quality.

(6) The district reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning.

(7) The proposes designation is in conformance with the purpose of the city's historic preservation provisions set forth in this article and the city's general plan.

None of the existing properties within the City of Beverly Hills on the North Oakhurst Block between Arden Drive and 3rd street have been designated and would not qualify as individual landmarks and have not yet been identified as contributing buildings to a potential historic district by the City of Beverly Hills. No historic events or significant persons have been identified that would characterize the significance of the district as a whole, and only one structure has been found to correspond with the City of Beverly Hills' list of Master Architects. In addition, the architectural styles identified are common to the era in which they were constructed and lack a high level of cohesiveness, diverging from Spanish Colonial Revival to Minimal Traditional/Regency, and no unique or distinctive features have been identified which distinguish these residences from similar structures of the era.

Nevertheless, if the City of Beverly Hills should choose to consider a potential district relative to these architectural styles, the 20% (two) properties that remain on the west side of Oakhurst together with ten of the 11 structures on the east side of Oakhurst, could potentially constitute an historic district with a total of 12 structures in the Spanish Colonial Revival and Minimal/Traditional Regency styles. With the development of property at 332 and 334-336 North Oakhurst, more than 70% of the properties would remain, thereby meeting the 70% threshold per the City of Beverly Hills criteria for an Historic District.

As such, this assessment coincides with Mitigated Negative Declaration, ENV-2011-3325-MND(REC), which determined that "the project site is not designated a historic monument nor listed as a significant historic resource" thereby having a less than significant impact and not resulting a "substantial adverse change in the significance of a historic resources as defined in Section 15064.5."

With the reconsideration of the reduced project, the Department of City Planning found that no additional negative impacts would occur from the project's implementation. Moreover, mitigation measures have been imposed to reduce impacts to less than significant levels in the areas of:

Aesthetics;
Biological Resources;
Geology/Soils;
Hydrology & Hazardous Materials;
Noise;
Population/Housing;
Public Services;
Transportation/Traffic;
Utilities/Service Systems

The Advisory Agency hereby certifies that Mitigated Negative Declaration No. ENV-2011-3325-MND(REC) reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant

level through implementation of Condition **Nos. 5, 7, 8, 13, 14c, 14f, 14g, 17, 23, and 24** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The project site, as well as the surrounding area are presently developed with residential structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 23.

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

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

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 70499-CN, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Wilshire Community Plan designates the subject property for High Medium Residential land use with the corresponding zone of R4-1. The property is not located in any specific plan area. The property is comprised of three parcels with approximately .531 net acres (23,165 net square feet after required dedication) and is presently zoned [Q]R4-1. The property has a frontage of 154.5 feet along Oakhurst Drive and a lot depth of 150 feet, and is located north of 3rd Street and south of Alden Drive. Approximately one-third of the property, with an approximate depth of 46 feet from the westerly property line, is located within the municipal boundaries of the City of Beverly Hills. The remaining two-thirds of the site is located within the City of Los Angeles. The subject site is currently developed with three two-story apartment buildings on three respective parcels with a total of 17 units.

The proposed development of 31 dwelling units is allowable under the current adopted zone and the land use designation. The project will provide much needed new home ownership opportunities for the Community Plan area. The

existing tenants will be provided with relocation assistance pursuant to the Los Angeles Housing Department's applicable ordinances.

The 'Q' condition on the site has numerous development limitations, including, but not limited to the following:

Height: No building abutting a single-family zoned lot shall exceed 45 feet

Side yards: The minimum side yard shall be 8 feet for developments that exceed 80 feet of street frontage.

Parking: Guest parking shall be provided at 0.25 per unit and tandem parking shall only be used to serve a single residential unit.

Garage: A parking garage of one level shall be permitted above the natural existing grade with a maximum height of ten feet.

Trees: Trees not less than 24-inch box in size shall be planted on the property at a ratio of one tree for every 1,000 square feet of lot area.

Articulation: The continuous width of any exterior wall shall not exceed 40 feet without a change in the plane of at least 5 feet for a minimum distance of 8 feet before returning to the original plane.

The subject property does not abut a single-family residential zone and the designated Height District 1 has no height limitation for the subject property. As such, the building is proposed to be four stories in height on the portion of the property located within the City of Beverly Hills and five stories within the boundaries of the City of Los Angeles, and includes two levels of subterranean parking.

With the exception for the request seeking an increase in the allowable FAR by 10%, the project complies with the aforementioned 'Q' conditions for the site.

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

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

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

The project fronts Oakhurst Drive, which is in the jurisdiction of the City of Beverly Hills. The alley to the east is located within the City of Los Angeles and is dedicated to a 20-foot width at the project's rear frontage. The Bureau of Engineering requires no dedication along Oakhurst and is only requesting improvements to the existing alley dedication. While the project is not subject to

any Specific Plan requirements, the proposed project will meet the height, side yard setback, parking, garage, tree ratio, and articulation conditions specified in the 'Q'. Moreover, the development will provide 68 parking spaces and 14 guest parking spaces in conformance with the L.A.M.C. Advisory Agency's policy for residential condominium projects. As conditioned the design and improvements of the proposed project are consistent with the applicable General and Specific Plans. As conditioned, the design and improvements of the proposed project are consistent with the applicable General and Specific Plans.

As previously mentioned, the property sits within the boundaries of the City of Beverly Hills for a lot depth of approximately 46 feet. The portion within Beverly Hills includes the primary frontage, together with the sidewalks and the adjoining parkway, street trees, and street lights. The project's design has been reviewed by the City of Beverly Hills on at least two occasions. In a letter dated September 15, 2011, planning staff for the City of Beverly Hills reviewed the Conceptual Review application for the originally proposed 37-unit project, discussing the required entitlements, fees to be paid, and provided a series of recommendations to update the plans, by providing clarity on open space calculations, setbacks, and parking, to name a few. It also provided requirements intended to address street trees, fire, storm water, traffic, and building and safety issues. Aside from architectural review, development review and an R-4 permit for parking and paving, no other entitlements were listed as being required, and aside from traffic, no other issues were raised by the City of Beverly Hills relative to project impacts. In a November 20, 2013 report to the Architectural Commission, Beverly Hills planning staff presented the project to Architectural Commission as "well-articulated with appropriate massing, modulation, and fenestration", providing "a good use of color variation and horizontal banding," and requesting that the applicant present a night rendering for purposes of understanding the "streetscape context of the building in both day and evening hours."

The project meets the regulations of the underlying zone, land use designation, and the 'Q' conditions relative to the development of the site. Moreover, while preliminary reviews of the design by the City of Beverly Hills are preliminarily favorable, a condition has been included herein requiring that the applicant seek the necessary entitlements to satisfy the public improvements to develop within that portion within the jurisdiction of the City of Beverly Hills.

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

The site is currently developed with three existing apartment buildings. The site is designated for High Medium Residential Density by the Wilshire Community Plan which allows for a density of 400 square feet per dwelling unit. The 23,165 square-foot site would allow a maximum of 57 residential units. As proposed, the 31-unit residential condominium project is well below the maximum permitted density. The development of this tract is an infill of an otherwise multiple-family neighborhood.

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

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

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

Properties to the north along Oakhurst Drive are improved with multi-family residences ranging in density from 4 units to 8 units in the [Q]R4-1-O Zone. Immediately to the south properties are improved with a duplex, and single-family residences on small substandard lots of less than 2,400 square feet and lot widths of 45 feet in the [Q]R4-1-O Zone. Properties to the east across the alley are improved with multi-family residences ranging in density from 6 units to 42 units. To the west across Oakhurst Drive properties are improved with small single-family residences along 3rd Street and multi-family residences along Oakhurst Drive ranging in density from 4 units to 21 units within the City of Beverly Hills. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for either fish or wildlife with no natural open spaces or areas of significant biological resource value.

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

There appear to be no potential public health problems caused by the design or improvement of the proposed subdivision. A Mitigated Negative Declaration, ENV-2011-3325-MND, and a Reconsideration for a reduced project was prepared for the project, which determined that the project would not have a significant effect upon the environment provided the mitigation measures listed in ENV-2011-3325-MND are implemented and incorporated herein as conditions of approval.

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

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

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

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

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

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

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

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 70499-CN.

Michael LoGrande
Advisory Agency

JAE KIM
Deputy Advisory Agency

JK:LI:jjq

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Central Area Planning Commission, it must be accepted as complete by the Development Services Center of the Department of City Planning and appeal fees paid, prior to

expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

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

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.

If you have any questions, please call Development Services Center staff at (213) 482-7077.

ATTACHMENT F

CITY OF LOS ANGELES APPEAL RECOMMENDATION REPORT TO CENTRAL AREA PLANNING COMMISSION

DEPARTMENT OF CITY PLANNING

APPEAL RECOMMENDATION REPORT

ITEM 4

Central Area Planning Commission

Date: March 10, 2015
Time: After 4:30 P.M.*
Place: Los Angeles City Hall
200 North Spring Street, 10th Floor
Los Angeles, CA 90012

Public Hearing: Yes
Appeal Status: Further Appealable to City Council
Expiration Date: March 13, 2015
Multiple Approval: No

Case No.: VTT-70499-CN-1A
CEQA No.: ENV-2011-3325-MND(REC)
Incidental Cases: N/A
Related Cases: N/A
Council No.: 5
Plan Area: Wilshire
Specific Plan: None
Certified NC: Mid City West
GPLU: High Medium Residential
Zone: [Q]R4-1-O

Appellants: Steve Mayer
Applicant: Oakhurst, LLC

PROJECT LOCATION: 332-336 N. Oakhurst Drive

PROPOSED PROJECT: The construction of a 31-unit residential condominium in the [Q]R4-1-O Zone.

APPEAL ACTION:

1. Pursuant to LAMC Section 17.06, an appeal of the entire decision of the Deputy Advisory Agency's approval of Vesting Tentative Tract Map No. 70499-CN for a maximum of 31 residential condominium units.
2. Appeal of Mitigated Negative Declaration No. ENV-2011-3325-MND(REC).

RECOMMENDED ACTIONS:

1. Deny the appeal;
2. Sustain the decision of the Deputy Advisory Agency's approval of Vesting Tentative Tract No. 70499-CN for the approval of 31 residential condominiums;
3. Adopt Mitigated Negative Declaration No. ENV-2011-3325-MND(REC);
4. Advise the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring;
5. Advise the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

MICHEAL J. LOGRANDE
Advisory Agency

Jae H. Kim, Senior City Planner
Deputy Advisory Agency

Luciralia Ibarra, Senior City Planner

VTT-70499-CN-1A

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

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2. Radius Map
3. Aerial View
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6. ENV-2011-3325-MND(REC)

PROJECT ANALYSIS

Project Summary

The Deputy Advisory Agency approved Vesting Tentative Tract Map No. 70499-CN, permitting the subdivision of a 23,165 net square-foot site at 332-336 North Oakhurst Drive and the construction of a 31-unit residential condominium in the [Q]R4-1-O Zone. The project site is a rectangular-shaped lot, designated for Medium Residential land use within the Wilshire Community Plan. The site is currently improved with three multi-family structures and a total of 17 dwelling units. The 'Q condition on the site has numerous limitations, including, but not limited to:

Height:	No building abutting a single-family zoned lot shall exceed 45 feet
Side yards:	The minimum side yard shall be 8 feet for developments that exceed 80 feet of street frontage.
Parking:	Guest parking shall be provided at 0.25 per unit and tandem parking shall only be used to serve a single residential unit.
Garage:	A parking garage of one level shall be permitted above the natural existing grade with a maximum height of ten feet.
Open Space:	The project shall provide a minimum of 100 square feet of usable open space unit; no less than 150 square feet of private open space per unit; and common usable open space shall have a total area of at least 400 square feet, with an average width of 20 feet, and no width less than 15 feet. Side and rear yard areas shall be at least five feet.
Trees:	Trees not less than 24-inch box in size shall be planted on the property at a ratio of one tree for every 1,000 square feet of lot area.
Articulation:	The continuous width of any exterior wall shall not exceed 40 feet without a change in the plane of at least 5 feet for a minimum distance of 8 feet before returning to the original plane.

The subject property is located in two jurisdictions, with approximately one third of the property, including the primary street frontage, being located within the City of Beverly Hills. The remaining two-thirds of the property are located within the City of Los Angeles, with rear access to the alley. In a letter dated, November 7th, 2011, the City of Beverly Hills stated that their City Attorney reviewed the project and that the City of Los Angeles would be the lead agency as it would process the application first. With respect to environmental impacts, they identified traffic as being "the category that presents the greatest potential for environmental impact."

Land uses within 500 feet of the project site are primarily composed of multi-family structures ranging in density from two units to 228 residential units. To the south and southwest of the project site, however, there are approximately six single-family structures fronting 3rd Street. The zoning for those properties within the jurisdiction of Los Angeles is uniformly [Q]R4-1-O.

Background

The project was originally filed December 29, 2011 as a five- and six-story residential condominium with 37 units and a Mitigated Negative Declaration, ENV-2011-3325-MND, was issued on March 28, 2012. The project was placed on hold at the request of the applicant, the property was sold, and the new owner revised the tract map proposing a reduced project of four- and five-stories and 31 residential condominium units. A Reconsideration of the ENV-2011-3325-MND was issued on February 7, 2014 and a public hearing was held on March 19, 2014.

At the public hearing held on March 19, 2014, several public speakers, including a representative from Council Office 5, expressed concern about the potential historic value of the existing buildings. The applicant volunteered to hire a consultant and the Advisory Agency placed the case under advisement pending the submittal of a historic resource assessment.

A Historic Resource Evaluation prepared by Kaplan Chen Kaplan (dated April 21, 2014), concluded that "the buildings at 332 North Oakhurst Drive, 334 North Oakhurst Drive, and 336 North Oakhurst Drive, do not meet the criteria for designation to the National Register of Historic Places, the California Register of Historic Resources or as a City of Los Angeles Historic Cultural Monument or as a historic district." In particular, the report found that 332 North Oakhurst was built in 1931 in the Spanish Colonial Revival style by architect Paul Needham, of whom nothing has been identified about his body of work. The property at 334-336 North Oakhurst was designed by Edith Norman, in the Monterey sub-style of the Spanish Colonial revival style. Architect Edith Mortensen Northman, practiced architecture in Los Angeles in the 1930's beginning with multi-family buildings, having moved onto commercial and institutional buildings and factories, including over 50 service stations for the Union Oil Company and military engineering fortifications for the U.S. Army Corps of Engineers. While there are some references to Northman in the Los Angeles Times together with other practicing architects, there are "no newspaper references to any contemporaneous awards or recognition of her work" and "no references to Northman in the Avery Index to Architectural Periodicals".

Moreover, the report asserted that while the buildings are reflective of the Spanish Colonial Revival style prevalent in the 1930's, there are no noteworthy architectural features or characteristics, and no association with historic events or historic persons, that elevated these structures beyond being typical representations of the Spanish Colonial Revival architectural style. The historic resource report concluded that the properties at 332, and 334-336 North Oakhurst Drive do not meet the criteria for designation to the National Register of Historic Places, the California Register of Historical Resources, or as a City of Los Angeles Historic Cultural Monument or historic district. Moreover, the report also stated that the buildings do not meet the criteria for designation as a City of Beverly Hills Landmark nor as a City of Beverly Hills Historic District.

Following the submittal of the report, the City of Beverly Hills submitted a letter (dated June 11, 2014), together with a two-page memo prepared by the Historic Resources Group (HRG) contesting the findings of the report and requesting that the City of Los Angeles prepare an EIR. The HRG memo, dated May 29, 2014, argued that nine properties along North Oakhurst Drive were "identified as a potential historic district during the preliminary reconnaissance for the survey update," finding that the area included lots that were uniform, rectangular, modest, with a consistent setback, sharing concrete walkways, detached garages, concrete sidewalks and parkways, and mature Jacaranda trees with "a notable concentration of Period Revival style multi-family residences from the 1930's". While the City of Beverly Hills contends in their June 11, 2014 letter, which accompanied the HRG memo, that "100 percent of the buildings located along the east side of North Oakhurst between Alden Drive and West 3rd Street contribute to a potential historic district," the HRG memo analyzed only 9 of the 11 properties that constitute the

entirety of the east side of the North Oakhurst block between Arden Drive and 3rd Street, with no mention of the two properties on the west side of North Oakhurst Drive and entirely within the City of Beverly Hills, that share these same characteristics.

In addition, the report prepared by HRG provided no analysis as to how the properties met the criteria used to establish historic districts, including important events, association with the lives of significant persons, or any distinctive characteristics of the structures. The memo found only one architect to correspond to the list of master architects for a property located at 344 North Oakhurst Drive (not the project site). In addition, aside from the "potential district" having originally been subdivided in 1922 by the Rodeo Land and Water Company, the report offered little information relative to development of the 1930's residences, any distinctive characteristics of the structures, level of integrity, or its relationship to the history or prehistory of the Beverly Hills. Moreover, the report fails to establish, without substantial evidence in the record, how the potential district would meet the criteria of the California Register of Historic Resources, or what methodology was used to reach its conclusion.

Appeal Analysis

Planning Staff recommends that the Central Area Planning Commission deny the appeal in its entirety and sustain the Advisory Agency's approval of Vesting Tentative Tract Map No. 70499-CN, to permit the subdivision of a 31-unit residential condominium.

Appellant:

Steve Mayer

The proposed project approval received one appeal from a community member. The main appeal points challenge the process, the historical analysis, traffic, and proposes additional mitigations to impose on the project. The following statements have been compiled from the submitted appeal. The appeal in its entirety has been attached herein for reference.

Appeal Points:

Introduction

1. The Hearing Officer accepted the misrepresentation of the applicant, never looked at the file following the public hearing of March 19, 2014, did not re-examine the public testimony, and there is virtually no difference between the staff report prepared in advance of the March 19, 2014 hearing and the determination letter dated February 3, 2015.

   Staff Response

   It is presumed that by 'Hearing Officer', the appellant is referring to the Deputy Advisory Agency. The appellant is in no position to know whether the Deputy Advisory Agency examined the file following the public hearing. Nevertheless, numerous meetings were conducted internally to review the contents of the case following the public hearing. Moreover, the determination letter extensively augmented the land use and CEQA analysis, included a summary of the public hearing, and the additional information that was submitted to administrative record, including the historic assessment reports.

2. The MND public file is incomplete. The Reconsideration of February 7, 2014 was not in the file. The VTT file was not available on February 11, 2013 and in previous examination it was incomplete with references to documents in the determination letter were not there for the public.

   Staff Response

   The appellant physically inspected the case files on at least three occasions throughout the process, most recently on February 11, 2015. The Reconsideration letter is, and has always been included in the environmental case file since it's issuance of February 7, 2014. Moreover, the appellant does not specify which documents referenced in the determination letter were not available, providing insufficient evidence upon which Planning staff may adequately respond.

3. The Applicant boarded-up his property with residents still living inside. The Department of City Planning was made aware and people could have been killed.

Staff Response

On December 10, 2014, the appellant e-mailed Planning Staff, and representatives of the Council Office (CD 5) and the Los Angeles Housing and Community Investment Department (LAHCID) with a complaint that the windows and doors have been boarded with plywood. Noah Mulhstein from the council office responded that the e-mail had been forwarded to Building and Safety. Planning staff conferred with LAHCID and was able to confirm that inspectors from LAHCID had visited the property as January 27, 2015, and that there were no outstanding code enforcement issues on the property. Moreover, that the property owner was in compliance with tenant relocation procedures. In addition, no code enforcement violations have been identified by the City of Los Angeles' Department of Building and Safety.

Process

4. On June 11, 2014, the City of Beverly Hills requested an EIR based on the findings of a historical consultant citing that the block upon which the project resides could be deemed a historic district. The City of Los Angeles should grant the request for an EIR by the City of Beverly Hills when the request is reasonable.

Staff Response

On June 11, 2014, the City of Beverly Hills submitted a letter together with a memo prepared by the Historic Resources Group (HRG) contesting the findings of the April 21, 2014 historic report prepared by the applicant's consultant (Kaplan Chen Kaplan) and requested that the City of Los Angeles prepare and EIR.

Requests for EIR's are considered when there is substantial evidence on the record or a fair argument is made as to the significance of the identified environmental category. As previously mentioned, the HRG memo argued that only 9 of the 11 properties along the eastern side of Oakhurst Drive were "identified as a potential historic district during the preliminary reconnaissance for the survey update," finding that the area included lots that were uniform, rectangular, modest, with a consistent setback, sharing concrete walkways, detached garages, concrete sidewalks and parkways, and mature Jacaranda trees with "a notable concentration of Period Revival style multi-family residences from the 1930's". While the City of Beverly Hills contended in their June 11, 2014 letter that "100 percent of the buildings located along the east side of North Oakhurst Drive between Alden Drive and West 3rd Street contributed a potential historic district," two properties on that block were conveniently excluded from consideration as were two other properties on the west side of North Oakhurst Drive (and entirely within the City of Beverly Hills) that share characteristics with the 'potentially historic' eastern side of North Oakhurst as identified by HRG.

As stated in the determination letter, the report prepared by HRG provided no analysis as to how the properties met the criteria used to establish historic districts, did not identify important events, did not associate the area with the lives of significant persons, and did not characterize the distinctive characteristics of the structures. Aside from describing that the 'potential district' was originally subdivided in 1922 by the Rodeo Land and Water Company, the report offered little information relative to development of the 1930's residences, any distinctive characteristics, the level of integrity, or its relationship to the history or prehistory of the Beverly Hills. Moreover, the report fails to establish, without substantial evidence in the record, how the potential district would meet the criteria of the California Register of Historic Resources, A Beverly Hills Historic

District, a City of Los Angeles Historic Preservation Overlay Zone, or what methodology was used to reach its conclusion.

Conveniently, the City of Beverly Hills only raised concerns of the historic significance of the property following the public hearing for the project at which area residents expressed opposition to the project.

5. The City of Beverly Hills expected that a third and impartial historic consultant would be retained. Instead, a second report (dated December 2, 2013) was prepared by the applicant's historic consultant serving as the document that the hearing officer relied on for the decision. The applicant had placed the application on hold and both the City of Beverly Hills and the Office of Councilman Paul Koretz were supposed to have been informed when activity on the file resumed.

Staff Response

Planning staff is not aware of an expectation regarding a third and impartial historic consultant and there is nothing in the administrative record to support this. Moreover, there is nothing in the administrative record to support the appellant's claim that the City of Beverly Hills and the Office of Councilman Paul Koretz requested to be informed as to when the applicant requested to remove the hold. The application was placed on hold at the request of the applicant to address the concerns of area residents.

6. The City of Beverly Hills did not receive a copy of the second historic report because the applicant "forgot". The Applicant had conversations with the City of Beverly Hills in October, November, and December and did not mention the consultant's letter or that it had been submitted to the City of Los Angeles.

Staff Response

Planning staff cannot confirm whether Mr. Ryan Gohlich of the City of Beverly Hills was provided a copy of the second historic report prepared by Kaplan Chen Kaplan and is not aware of the nature of the conversations held between the applicant and the City of Beverly Hills.

7. If the applicant's consultant was not acceptable to the City of Beverly Hills due to the City of Los Angeles overlooking applicable regulations and policies, is the determination letter void?

Staff Response

The appellant contends that the applicant's historic consultant (Kaplan Chen Kaplan) is not acceptable to the City of Beverly Hills. However, Kaplan Chen Kaplan is listed on the City of Beverly Hills' Historic Preservation Consultant List. Moreover, the reports prepared by Kaplan Chen Kaplan not only provided information relative to the historic characteristics of the project site, but analyzed the individual properties and the 'potential district' issue against eligibility criteria for the National Register of Historic Places, The California Register of Historical Resources, the City of Beverly hills Historic Preservation Ordinance and that of the City of Los Angeles Historic-Cultural Monuments, something that the report prepared by Historic Resources Group failed to do.

Historical Aspects

8. There are 7 questions under the screening criteria of the LA CEQA thresholds guide under Cultural resources that the City Planner must consider with respect to the project, of which two require consideration: "(6) Does the resource have known associations with an architect, master builder or person or event important in history that the resource may be of exceptional importance?; (7) Is the resource over 50 years old and a substantially intact example of an architectural style significant in Los Angeles?"

Staff Response

In response to the public comment raised at the public hearing for the project, the Deputy Advisory Agency placed the case under advisement pending the submittal of a historic resources report that would address the concerns of the community as well as inform the decision-maker. A total of three reports were submitted from both the applicant and the City of Beverly Hills with information that addressed the aforementioned questions. Based on the totality of the evidence in these reports, there is little substantive information to support how the features of the potential district meet a standard of significance under local and state criteria. Moreover, as described in the determination letter, "none of the existing properties within the City of Beverly Hills on the North Oakhurst Block between Arden Drive and 3rd street have been designated and would not qualify as individual landmarks and have not yet been identified as contributing buildings to a potential historic district by the City of Beverly Hills. No historic events or significant persons have been identified that would characterize the significance of the district as a whole, and only one structure has been found to correspond with the City of Beverly Hills' list of Master Architects (not including the project site). In addition, the architectural styles identified are common to the era in which they were constructed and lack a high level of cohesiveness, diverging from Spanish Colonial Revival to Minimal Traditional/Regency, and no unique or distinctive features have been identified which distinguish these residences from being typical representations of similar structures of the era.

9. That the hearing officer mischaracterized the memo prepared by the Historic Resource Group and submitted by the City of Beverly Hills stating that the applicant's consultant tried to assert that the subject area comprised of three blocks on both sides of Oakhurst from Burton Way to Alden and that it was a clear attempt to deceive; that the document from the Historic Resources group was not two pages; and, that the work of historic resources group identified a number of properties and districts as part of its survey.

Staff Response

The initial report prepared by Kaplan Chen Kaplan clearly defined the study area as the block of North Oakhurst Drive between 3rd Street to the south and Alden Drive to the North. It is unclear by the appellant's statement where in the report the analysis included the area from Burton Way to Alden Drive. The appellant contends that the memo prepared by the Historic Resources Group was more than two pages. The memo prepared by the Historic Resources Group was in fact two pages. The memo was an attachment to a letter provided by the City of Beverly Hills together that included a matrix showing only 9 of the 11 properties that constitute the western frontage of North Oakhurst Drive between 3rd Street and Alden Drive. The matrix was neither attached nor referenced by the Historic Resources Group, but by the City of Beverly Hills in their letter.

Infrastructure (Traffic)

10. Since parking will increase from 17 spaces to 82 spaces, the project will generate more than 43 or more p.m. peak hour trips on the street system. The City of Los Angeles requires some form of a traffic study just as Beverly Hills required on as well.

Staff Response

The appellant provides no methodology to support the conclusion that the project would generate 43 or more p.m. peak hour trips. Planning staff is unaware of any traffic study required by the City of Beverly Hills.

11. The character of the block would be destroyed by having a six-story structure abutting one and two story structures with architecture that would be incompatible with the 1930's.

Staff Response

The character of the block is comprised of two-story structures built in the 1920's and 1930's as well as two-, three-, four-, and five-story contemporary structures built at various times from the 1950's through the 1970's. Moreover, the project is proposed as a four- and five-story structure in compliance with the height limitations of both jurisdictions. The proposed development is consistent with the pattern of development in both cities (Exhibit 3 - Aerial View).

12. While the individual properties on the block may or may not be significant, it is one of the last blocks in Beverly Hills where all structures on the east side of the block date to the 1930's.

Staff Response

Not all of the structures on the east side of the block date to the 1930's. Moreover, the principal facades of these structures, those portions that provide primary architectural interest are located within the City of Beverly Hills. If the City of Beverly Hills was so inclined to develop a potential historic district to capture all structures built in the 1930's, the development of the subject site would nevertheless still allow the district to meet the 70 percent minimum threshold of contributing buildings.

There are a total of 12 structures on North Oakhurst Drive, between 3rd Street and Alden Drive that were built in the 1930's. With the development of the subject site, which includes three structures, 75 percent of the contributing structures would remain.

13. There are adequate existing home ownership opportunities for the Western portion of the community plan.

Staff Response

It is unclear what data that applicant used to support this statement as it is well recognized that the City of Los Angeles is currently experiencing a severe housing shortage, resulting in the Mayor's recent initiative to create 100,000 new units by 2021.

14. The applicant fails to provide affordable housing that is a critical element in the City of Beverly Hills (for which the projects must also comply for a density bonus).

Staff Response

Planning staff is unaware of any affordable housing requirement within the City of Beverly Hills. While Density Bonus Incentives are subject to State and Local Law, it is not mandatory that projects seek a density bonus. Moreover, in a letter dated September 15, 2011, planning staff for the City of Beverly Hills reviewed the Conceptual Review application for the originally proposed 37-unit project and listed the entitlement requirements that would be required, and affordable housing was not identified. Nevertheless, the applicant must still satisfy an entitlement process with the City of Beverly Hills.

Ignoring Stakeholders

15. There are numerous examples of the Hearing Officer ignoring the desires of the local owners and residents, as the applicant did not meet with the neighborhood council, one of its committees; that an information meeting held for tenants included non-tenants on the sign-in sheet; and, there is no support from local owners.

Staff Response

Aside from acknowledging the opposition expressed by area residents and property owners, it is unclear in what manner the desires were ignored. All correspondence received relative to the project has been included in the case file for the record.

16. The Reconsideration of the MND is missing from the file; the public cannot review a consultant report that is not in the file; most of the letters from City of Los Angeles Department are over three years old and not updated; and, letters from departments of the City of Beverly Hills were not sought for conformance.

Staff Response

As previously discussed, the Reconsideration of the MND is in the Environmental Case file and attached herein for reference (Exhibit 6).

When the new property owner revised the project and the tract map, the revised application materials were recirculated to City departments, including the Department of Transportation, Building and Safety, Fire, Bureau of Engineering, to name a few, at which point they are able to review the project and revise the proposed conditions as they deem necessary. The improvement and dedication requirements are not likely to differ from a 37-unit project to a reduced 31-unit project. Moreover, the Advisory Agency consists of representatives from these agencies that attend the public hearing at which time they are available to discuss the requested conditions of approval with the applicant and the public.

Because the project is located within two jurisdictions, the applicant is required to seek the necessary approvals in each jurisdiction. The City of Los Angeles is limited to the review of the project insofar as it complies with the applicable zoning and land use regulations of the City of Los Angeles. Moreover, the determination for the subject tract included Condition No. 20, which reads:

20. City of Beverly Hills. Prior to the issuance of a demolition permit by the Department of Building and Safety, the applicant shall provide evidence in the form of a letter from the City of Beverly Hills, that the project has been reviewed for conformance with any and all applicable zoning regulations, and has made suitable arrangements for any necessary improvements relative to the public right-of-way, including sewers, street dedications and improvements, street trees, etc.

As such, review from the departments of the City of Beverly Hills will have an opportunity to review the project against their zone and land use regulations.

Recommended Mitigation Measures

17. That the applicant first satisfy all Beverly Hills Fire Department requirements before approaching the Los Angeles Fire Department as the project site is currently serviced the Beverly Hills Fire Department.

Staff Response

The City of Los Angeles has no authority to condition or otherwise require departments from other jurisdictions to review the project. This condition is better suited for the City of Beverly Hills to impose when the project goes before them for review.

18. That the applicant first satisfy all requirements of the existing water agency before approaching the LADWP.

Staff Response

The City of Los Angeles has no authority to condition or otherwise require departments from other jurisdictions to review the project. This condition is better suited for the City of Beverly Hills to impose when the project goes before them for review.

19. Because telecommunications can be served by multiple platforms and providers, that CCR's be included prohibiting exterior wiring for telecommunications, that receivers only be placed on the roof shielded from public view, and that the Homeowners Association create its own provider that will be provided as an option to all residents.

Staff Response

The Subdivision Map Act, does provide for architectural or aesthetic review. Moreover, the project site is not subject to a design overlay within the City of Los Angeles. As such, The City of Los Angeles does not have the authority to mandate the manner by which telecommunications service be provided, only that the infrastructure be provided to support it. Nevertheless, the project is subject to architectural review by the City of Beverly Hills, where provisions relative to aesthetic concerns of wiring or placement of these facilities may be considered at that time.

20. The applicant is in violation of MM-1 which requires that the property be maintained in a safe and sanitary condition and good repair. The property is in disrepair and the front yard is dead. A mitigation should be included which assesses a $1,000 fine for the first violation and increases the fine by $1,000 for subsequent violations

Staff Response

As the project has been appealed, the conditions in the determination are not yet in effect until such time the project has attained final approval. Nevertheless, as was previously mentioned, the Los Angeles Housing and Community Investment Department (LAHCID) visited the site as recently as January 27, 2015 and there are no outstanding code enforcement violations.

Staff Conclusion

The approved tract map is consistent with the intent and purpose of the General Plan, the Wilshire Community Plan, and is in conformance with the regulations of the Los Angeles Municipal Code, the underlying zone, as well as the provisions of the 'Q' condition. The project is well below the maximum permitted density provided for in the zone, is a well-designed example of residential infill development, and was determined by the Advisory Agency to be appropriate given the project site's R4 zoning and High Medium Residential land use designation.

While the appellant raised various points of opposition to the project, the appellant failed to substantiate how the Deputy Advisory Agency erred in its authority to approve the project against the governing land use designation and zoning regulations. Therefore, in consideration of all the facts and applicable codes, policies, ordinances, the Subdivision Map Act, and the administrative record, the Deputy Advisory Agency acted reasonably in approving Vesting Tentative Tract Map No. 70499-CN, and Planning staff recommends that the decision of the Deputy Advisory Agency be sustained and that the appeal be denied.

ATTACHMENT G

LOS ANGELES CITY COUNCIL ACTION DENYING APPEAL

HOLLY L. WOLCOTT
CITY CLERK

GREGORY R. ALLISON
EXECUTIVE OFFICER

When making inquiries relative to this matter, please refer to the Council File No.: 15-0382

City of Los Angeles
CALIFORNIA

ERIC GARCETTI
MAYOR

OFFICE OF THE CITY CLERK

Council and Public Services Division
200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213) 978-1040

SHANNON HOPPES
DIVISION MANAGER

CLERK.LACITY.ORG

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

April 23, 2015

Council File No.: 15-0382

Council Meeting Date: April 22, 2015

Agenda Item No.: 29

Agenda Description: MITIGATED NEGATIVE DECLARATION and COMMUNICATION FROM THE CENTRAL LOS ANGELES AREA PLANNING COMMISSION (CLAAPC) relative to an appeal filed by Steve Mayer from the entire determination of the CLAAPC in its failure to act, which resulted in the automatic denial of an appeal and the reaffirmation of the Deputy Advisory Agency's decision to approve Vesting Tentative Tract No. 70499-CN and adopt MND No. ENV-2011-3325-MND-REC, for the proposed construction

Council Action: PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT - ADOPTED FORTHWITH

Council Vote:

YES	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
ABSENT	GILBERT A. CEDILLO
YES	MITCHELL ENGLANDER
YES	FELIPE FUENTES
ABSENT	JOSE HUIZAR
YES	PAUL KORETZ
YES	PAUL KREKORIAN
ABSENT	TOM LABONGE
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	BERNARD C PARKS
ABSENT	CURREN D. PRICE
YES	HERB WESSON

HOLLY L. WOLCOTT
CITY CLERK

ATTACHMENT H

MITIGATED NEGATIVE DECLARATION

(PREPARED AND ADOPTED BY CITY OF LOS ANGELES)

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

CITY PLANNING COMMISSION
RENEE DAKE WILSON
PRESIDENT
DANA M. PERLMAN
VICE-PRESIDENT
ROBERT L. AHN
DAVID H. J. AMBROZ
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
MARTA SEGURA
JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA

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MAYOR

EXECUTIVE OFFICES
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INFORMATION
www.planning.lacity.org

February 7, 2014

Oakhurst 90210, LLC (A) (O)
Attn: Terry Moore
248 N. Glenroy Avenue
Los Angeles, CA 90049

TALA Associates (R)
1916 Colby Avenue
Los Angeles, CA 90025

CEQA: ENV-2011-3325-MND(REC) RECONSIDERATION
Related Case: VTT-70499-CN
Address: 332-336 North Oakhurst Drive
Community Plan: Wilshire

RE: **Reconsideration of Mitigated Negative Declaration No. ENV-2011-3325-MND-REC**

On March 28, 2012, the Department of City Planning issued environmental clearance, ENV-2011-3325-MND, for a project that included the demolition of three multi-family structures and a total of 17 rental units and proposed a one lot subdivision and the construction of a new six-story, 37-unit residential condominium with 99 on-site parking spaces on a 24,711 square-foot site (including half of the abutting alley) in the [Q]R4-1 Zone.

On March 23, 2012, the Applicant (Pinnacle North, LLC) submitted a letter requesting that the project be placed on hold and that the previously scheduled public hearing of April 4, 2012 be postponed while the project was reassessed. On December 13, 2013, the new owner, Oakhust 90210, LLC, filed a new tract map and updated materials for a reduced project under Vesting Tentative Tract Map No. 70499-CN.

Therefore, the project description will be modified to read as follows:

> Demolition of three apartment buildings totaling 17 units and the construction and maintenance of a 4- and 5-story condominium with 31 units.
>
> The applicant is requesting a Vesting Tentative Tract Map to permit a 1-lot subdivision and the construction of 31 residential condominium units with 82 on-site parking spaces in a 4- and 5-story structure on a 23,175 square-foot (0.53 net acres) site. Also, an adjustment request to permit a 10% increase in the

allowable floor area ratio (FAR) from 3:1 to a maximum FAR of 3.1:1 for a property located at 332-336 Oakhurst Street (aka Oakhurst Drive, City of Beverly Hills) in the Wilshire Community Plan area. The lot area including half the abutting alley results in 24,711 square feet (0.57 Acres).

In light of the fact that the revised tract map will not increase the height, building area, density, lot area, or the overall scope and scale of the project, the request will not create any new substantial impacts beyond what has been previously analyzed in the original environmental clearance and does not represent any increase or substantial change to the originally proposed project. Therefore, pursuant to section 15073.5, of the California Environmental Quality Act (CEQA Guidelines), recirculation of the MND is not required.

Sincerely,

Jae H. Kim
Senior City Planner

JHK:LI:jjq

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY	**COUNCIL DISTRICT**
City of Los Angeles	5
PROJECT TITLE	**CASE NO.**
ENV-2011-3325-MND	VTT-70499-CN

PROJECT LOCATION
332-336 Oakhurst Street (aka Oakhurst Drive, City of Beverly Hills)

PROJECT DESCRIPTION
Demolition of three apartment buildings totaling 17 units and the construction and maintenance of a 6-story condominium building with 37 units.

The Applicant is requesting a Vesting Tentative Tract Map to permit a 1-lot subdivision for 37 residential condominium units with 99 on-site parking spaces on a 23,175 net square-foot (0.53 net acres) site. The lot area including half the abutting alley results in 24,711 square feet (0.57 acres).

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
Reynaldo De Rama (Rep)
TALA Associates
1916 Colby Avenue
Los Angeles, CA 90025

FINDING:
The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt the mitigated negative declariation, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	**TITLE**	**TELEPHONE NUMBER**
JAE KIM	City Planner	(213) 978-1383

ADDRESS	**SIGNATURE (Official)**	**DATE**
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012		03/28/2012

I-90. Aesthetics (Vandalism)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a less than significant level by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a street or alley, pursuant to Municipal Code Section 91.8104.15.

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

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

-
- All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.
- Trucks having no current hauling activity shall not idle but be turned off.

III-50. Air Pollution (Stationary)

- Adverse impacts upon future occupants may result from the project implementation due to existing diminished ambient air pollution levels in the project vicinity. However, this impact can be mitigated to a less than significant level by the following measure:
- An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 11, to the satisfaction of the Department of Building and Safety.

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

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

VI-10. Seismic

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

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

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

VI-70. Liquefaction Area

- Environmental impacts may result due to the proposed project's location in an area with liquefaction potential. However, these potential impacts will be mitigated to a less than significant level by the following measures:
- Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The project shall comply with the Uniform Building Code Chapter 18. Division1 Section1804.5 Liquefaction Potential and Soil Strength Loss. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

VI-90. Expansive Soils Area

- Environmental impacts may result from project implementation due to the location of the project in an area with expansive soils. However, these impacts can be mitigated to a less than significant level by the following measure:
- Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil expansion and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.

VII-10. Green House Gas Emissions

- The project will result in impacts resulting in increased green house gas emissions. However, the impact can be reduced to a less than significant level though compliance with the following measure(s):
- Only low- and non-VOC-containing paints, sealants, adhesives, and solvents shall be utilized in the construction of the project.

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

- Due to the age of the building(s) being demolished, toxic and/or hazardous construction materials may be located in the structure(s). Exposure to such materials during demolition or construction activities could be hazardous to the health of the demolition workers, as well as area residents, employees, and future occupants. However, these impacts can be mitigated to a less than significant level by the following measure:
- **(Asbestos)** Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.

- **(Lead Paint)** Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- **(Polychlorinated Biphenyl – Commercial and Industrial Buildings)** Prior to issuance of a demolition permit, a polychlorinated biphenyl (PCB) abatement contractor shall conduct a survey of the project site to identify and assist with compliance with applicable state and federal rules and regulation governing PCB removal and disposal.

VIII-20. Explosion/Release (Methane Gas)

- Environmental impacts may result from project implementation due to its location in an area of potential methane gas zone. However, this potential impact will be mitigated to a less than significant level by the following measures:
- All commercial, industrial, and institutional buildings shall be provided with an approved Methane Control System, which shall include these minimum requirements; a vent system and gas-detection system which shall be installed in the basements or the lowest floor level on grade, and within underfloor space of buildings with raised foundations. The gas-detection system shall be designed to automatically activate the vent system when an action level equal to 25% of the Lower Explosive Limit (LEL) methane concentration is detected within those areas.
- All commercial, industrial, institutional and multiple residential buildings covering over 50,000 square feet of lot area or with more than one level of basement shall be independently analyzed by a qualified engineer, as defined in Section 91.7102 of the Municipal Code, hired by the building owner. The engineer shall investigate and recommend mitigation measures which will prevent or retard potential methane gas seepage into the building. In addition to the other items listed in this section, the owner shall implement the engineer's design recommendations subject to Department of Building and Safety and Fire Department approval.
- All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- All single-family dwellings with basements shall have a gas detection system which is periodically calibrated and maintained in proper operating condition in accordance with manufacturer's installation and maintenance specifications.

VIII-70. Emergency Evacuation Plan

- Environmental impacts may result from project implementation due to possible interference with an emergency response plan. However, these potential impacts will be mitigated to a less than significant level by the following measure:
- Prior to the issuance of a building permit, the applicant shall develop an emergency response plan in consultation with the Fire Department. The emergency response plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.

IX-40. Standard Urban Stormwater Mitigation Plan (Hillside Residential and All 10-or-more-unit Subdivisions and Multi-Family Dwellings)

- Environmental impacts may result from erosion carrying sediments and/or the release of toxins into the stormwater drainage channels. However, the potential impacts will be mitigated to a less than significant level by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following (a copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/):
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants.
- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.
- Legibility of stencils and signs must be maintained.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevent contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- **(Multiple Residential Dwellings of 10+ Units of Single- or Multi-Family, incl. Subdivisions)**:
- Reduce impervious surface area by using permeable pavement materials where appropriate, including: pervious concrete/asphalt; unit pavers, i.e. turf block; and granular materials, i.e. crushed aggregates, cobbles.
- Install Roof runoff systems where site is suitable for installation. Runoff from rooftops is relatively clean, can provide groundwater recharge and reduce excess runoff into storm drains.
- Paint messages that prohibit the dumping of improper materials into the storm drain system adjacent to storm drain inlets. Prefabricated stencils can be obtained from the Dept. of Public Works, Stormwater Management Division.
- Design an efficient irrigation system to minimize runoff including: drip irrigation for shrubs to limit excessive spray; shutoff devices to prevent irrigation after significant precipitation; and flow reducers.

X-60. Land Use/Planning

- The project will result in land use and/or planning impact(s). However, the impact(s) can be reduced to a less than significant level through compliance with the following measure(s):

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

-
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

XIII-30. Tenant Displacement

- Impacts to the existing tenant population will result from project implementation due to the displacement of families. However, these potential impacts will be mitigated to a less than significant level through the following:
- *(Apartment Demolition)* Prior to the issuance of a demolition permit, and pursuant to the provisions of Section 47.07 of the Los Angeles Municipal Code, a tenant relocation plan shall be submitted to the Los Angeles Housing Department for review and approval.

XIV-60. Public Services (Schools)

- Environmental impacts may result from project implementation due to the location of the project in an area with insufficient school capacity. However, the potential impact will be mitigated to a less than significant level by the following measure:
- The applicant shall pay school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

XV-10. Recreation (Increased Demand For Parks Or Recreational Facilities)

- Environmental impacts may result from project implementation due to insufficient parks and/or recreational facilities. However, the potential impact will be mitigated to a less than significant level by the following measure:

- **(Subdivision)** Pursuant to Section 17.12-A or 17.58 of the Los Angeles Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of dwelling units.

XVI-50. Inadequate Emergency Access

- Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a less than significant level by the following measure:
- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

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

- Environmental impacts may result from project implementation due to the cumulative increase in demand on the City's water supplies. However, this potential impact will be mitigated to a less than significant level by the following measures:
- The project shall comply with Ordinance No. 170,978 (Water Management Ordinance), which imposes numerous water conservation measures in landscape, installation, and maintenance (e.g, use drip irrigation and soak hoses in lieu of sprinklers to lower the amount of water lost to evaporation and overspray, set automatic sprinkler systems to irrigate during the early morning or evening hours to minimize water loss due to evaporation, and water less in the cooler months and during the rainy season).
- In addition to the requirements of the Landscape Ordinance, the landscape plan shall incorporate the following:
- Weather-based irrigation controller with rain shutoff
- Matched precipitation (flow) rates for sprinkler heads
- Drip/microspray/subsurface irrigation where appropriate
- Minimum irrigation system distribution uniformity of 75 percent
- Proper hydro-zoning, turf minimization and use of native/drought tolerant plan materials
- Use of landscape contouring to minimize precipitation runoff
- A separate water meter (or submeter), flow sensor, and master valve shutoff shall be installed for existing and expanded irrigated landscape areas totaling 5,000 sf. and greater.

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

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

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

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

XVII-90. Utilities (Solid Waste Recycling)

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

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY and CHECKLIST

(CEQA Guidelines Section 15063)

LEAD CITY AGENCY:	COUNCIL DISTRICT:	DATE:
City of Los Angeles	CD 5 - PAUL KORETZ	01/09/2012

RESPONSIBLE AGENCIES: Department of City Planning

ENVIRONMENTAL CASE:	RELATED CASES:
ENV-2011-3325-MND	VTT-70499-CN
PREVIOUS ACTIONS CASE NO.:	☐ Does have significant changes from previous actions. ✔ Does NOT have significant changes from previous actions.

PROJECT DESCRIPTION:
VESTING TENTATIVE TRACT MAP

ENV PROJECT DESCRIPTION:
Demolition of three apartment buildings totaling 17 units and the construction and maintenance of a 6-story condominium building with 37 units.

The Applicant is requesting a Vesting Tentative Tract Map to permit a 1-lot subdivision for 37 residential condominium units with 99 on-site parking spaces on a 23,175 net square-foot (0.53 net acres) site. The lot area including half the abutting alley results in 24,711 square feet (0.57 acres).

ENVIRONMENTAL SETTINGS:
The project site is a level, rectangular-shaped lot consisting of three contiguous parcels that totals 23.175 net square feet (0.53 acreas), located on the east side of Oakhurst Street just north of 3rd Street. The easterly two-thirds of the site is located in the City of Los Angeles, while the westerly one-third is within the boundary of the City of Beverly Hills. As such, the City of Beverly Hills designates the street as Oakhurst Drive. For the purpose of calculating the density, the entire lot area shall be utilized. Properties to the north, east and south are all developed with multi-family residential buildings, with the exception two single-family homes, all in the [Q]R4-1 Zone. Properties to the west, across Oakhurst Drive within Beverly Hills, are developed with multi-family residential buildings. Hence, zoning information is not provided.

Oakhurst Street is a Local Street dedicated to a width of 67 feet at the project's street frontage.
The alley is dedicated to a width of 20 feet at the project's street frontage.

PROJECT LOCATION:
332-336 Oakhurst Street (aka Oakhurst Drive, City of Beverly Hills)

COMMUNITY PLAN AREA:	AREA PLANNING COMMISSION:	CERTIFIED NEIGHBORHOOD COUNCIL:
WILSHIRE **STATUS:** ✔ Does Conform to Plan ☐ Does NOT Conform to Plan	CENTRAL	MID CITY WEST
EXISTING ZONING: [Q]R4-1	**MAX. DENSITY/INTENSITY ALLOWED BY ZONING:** 3:1 FAR / 61 units	
GENERAL PLAN LAND USE: High Medium Residential	**MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:** 3:1 FAR / 61 units	**LA River Adjacent:** NO

	PROPOSED PROJECT DENSITY: 3.6:1 FAR / 37 units	

Determination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ✔ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	City Planner	**(213) 978-1383**
Signature	Title	Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
   a. Earlier Analysis Used. Identify and state where they are available for review.
   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
   a. The significance criteria or threshold, if any, used to evaluate each question; and
   b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

✔ AESTHETICS	✔ GREEN HOUSE GAS EMISSIONS	✔ POPULATION AND HOUSING
☐ AGRICULTURE AND FOREST RESOURCES	✔ HAZARDS AND HAZARDOUS MATERIALS	✔ PUBLIC SERVICES
✔ AIR QUALITY	✔ HYDROLOGY AND WATER QUALITY	✔ RECREATION
✔ BIOLOGICAL RESOURCES	✔ LAND USE AND PLANNING	✔ TRANSPORTATION/TRAFFIC
☐ CULTURAL RESOURCES	☐ MINERAL RESOURCES	✔ UTILITIES AND SERVICE SYSTEMS
✔ GEOLOGY AND SOILS	✔ NOISE	☐ MANDATORY FINDINGS OF SIGNIFICANCE

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

Background

PROPONENT NAME:
Reynaldo De Rama (Rep)

PHONE NUMBER:
(424) 473-5968

APPLICANT ADDRESS:
TALA Associates
1916 Colby Avenue
Los Angeles, CA 90025

AGENCY REQUIRING CHECKLIST:
Department of City Planning

DATE SUBMITTED:
12/29/2011

PROPOSAL NAME (if Applicable):
Oakhurst Condo

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
I. AESTHETICS					
a.	Have a substantial adverse effect on a scenic vista?				✓
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓	
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?		✓		
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		✓		
II. AGRICULTURE AND FOREST RESOURCES					
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				✓
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e.	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓
III. AIR QUALITY					
a.	Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		✓		
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			✓	
d.	Expose sensitive receptors to substantial pollutant concentrations?		✓		
e.	Create objectionable odors affecting a substantial number of people?			✓	
IV. BIOLOGICAL RESOURCES					
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				✓
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				✓
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				✓
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
V. CULTURAL RESOURCES					

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?			✓	
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				✓
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d.	Disturb any human remains, including those interred outside of formal cemeteries?				✓
VI. GEOLOGY AND SOILS					
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓	
b.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking?		✓		
c.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction?		✓		
d.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides?				✓
e.	Result in substantial soil erosion or the loss of topsoil?		✓		
f.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
g.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		✓		
h.	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				✓
VII. GREEN HOUSE GAS EMISSIONS					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓		
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
VIII. HAZARDS AND HAZARDOUS MATERIALS					
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		✓		
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		✓		
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		✓		

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
IX. HYDROLOGY AND WATER QUALITY					
a.	Violate any water quality standards or waste discharge requirements?			✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			✓	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				✓
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				✓
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		✓		
f.	Otherwise substantially degrade water quality?			✓	
g.	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			✓	
h.	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			✓	
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			✓	
j.	Inundation by seiche, tsunami, or mudflow?			✓	
X. LAND USE AND PLANNING					
a.	Physically divide an established community?				✓
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		✓		
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓
XI. MINERAL RESOURCES					
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓
XII. NOISE					
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		✓		

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓
XIII. POPULATION AND HOUSING					
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?		✓		
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
XIV. PUBLIC SERVICES					
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			✓	
b.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Police protection?			✓	
c.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools?		✓		
d.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Parks?		✓		
e.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Other public facilites?			✓	
XV. RECREATION					
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?		✓		
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	
XVI. TRANSPORTATION/TRAFFIC					
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			✓	
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e.	Result in inadequate emergency access?		✓		
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	
XVII. UTILITIES AND SERVICE SYSTEMS					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			✓	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		✓		
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		✓		
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g.	Comply with federal, state, and local statutes and regulations related to solid waste?		✓		
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE					
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			✓	
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

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

DISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference materials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State of California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify potential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant information provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on stated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, and any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed through the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in conjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable conclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. Therefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all potential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in this document; the environmental case file known as **ENV-2011-3325-MND** and the associated case(s), **VTT-70499-CN** . Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, and based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality Act, section 15065, the overall project impact(s) on the environment (after mitigation) **will not:**

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ADDITIONAL INFORMATION:

All supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the EIR Unit, Room 763, City Hall.

For City information, addresses and phone numbers: visit the City's website at http://www.lacity.org ; City Planning - and Zoning Information Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. Seismic Hazard Maps - http://gmw.consrv.ca.gov/shmp/
Engineering/Infrastructure/Topographic Maps/Parcel Information - http://boemaps.eng.ci.la.ca.us/index01.htm or
City's main website under the heading "Navigate LA".

PREPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
JAE KIM	City Planner	(213) 978-1383	03/01/2012

	Impact?	Explanation	Mitigation Measures

APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

I. AESTHETICS			
a.	NO IMPACT	The project is located in a developed residential area. Relative to potential effects on a scenic vista, the proposed mixed-use, medical clinic/senior housing units would not cause significant effects on any focal or panoramic views from a publicly recognized scenic vista. There are no new building construction proposed as part of the project. Further, existing views observed from the public street do not include any significant or recognized scenic resources.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed project would not damage any scenic resouces, as the buildings are existing. Further, the site is not located within a city-designated scenic highway, while baseline or background conditions would be relatively the same. Therefore, the proposed project would not cause any impacts to any scenic resources within a city-designated scenic highway.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The proposed project involves the construction of 37 condo units. The visual impacts to the surroundings will be mitigated to less than significant with the implementation of graffiti and debris removal mitigation measures.**	**I-90**
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The proposed condo building will be required to shield lighting away from neighboring properties to reduce the impact on night time views to a less than significant level.**	**I-120**
II. AGRICULTURE AND FOREST RESOURCES			
a.	NO IMPACT	The project site is not utilized for agricultural land uses and is zoned R4. The site is currently improved with older, apartment buildings. There will be no impact.	
b.	NO IMPACT	The project site is zoned R4 and does not contain any farmland.	
c.	NO IMPACT	The project site is not located on farmland and is not adjacent to any farmland. Therefore, the proposed condo building would not result in any conversion of farmland or cause changes to a farmland.	

	Impact?	Explanation	Mitigation Measures
d.	NO IMPACT	The project site is not located on farmland and is not adjacent to any farmland. Therefore, the proposed condo building would not result in any conversion of farmland or cause changes to a farmland.	
e.	NO IMPACT	The project site is not located on farmland and is not adjacent to any farmland. Therefore, the proposed condo building would not result in any conversion of farmland or cause changes to a farmland.	
III. AIR QUALITY			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed project with a net increase of 20 units would not conflict with or obstruct the implementation of the SCAQMD or congestion management plan, as the change of use would not involve emissions of particulate matter, volatile organic compounds, carbon monoxide or other substantial air emissions at a significant level.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**Air pollutant emissions would be highly generated during the construction phase of the project development and minimally generated when the project is completed and operational. The emissions generated during each phase, however, would not exceed threshold of significance recommended by the SCAQMD. Construction mitigation measures have been incorporated.**	**III-10**
c.	LESS THAN SIGNIFICANT IMPACT	The project is anticipated to result in minimal direct emissions of greenhouse gases due to fuel combustion from construction equipment, motor vehicles, and building and heating systems associated with the prioject. The proposed project is a residential development.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**Air filtration system must be installed to reduce any pollution related impacts to a less than significant level.**	**III-50**
e.	LESS THAN SIGNIFICANT IMPACT	No objectionable odors are anticipated to result from this project. Any medical supply would be utilized on a minimal level within an enclosed medical office.	
IV. BIOLOGICAL RESOURCES			
a.	NO IMPACT	The site is located within a developed residential area. No sensitive species are expected to be located on the site. No impact will result.	
b.	NO IMPACT	The site does not contain any riparian habitat or sensitve natural communities. No impact will result.	

	Impact?	Explanation	Mitigation Measures
c.	NO IMPACT	The site does not contain wetlands. No impact will result.	
d.	NO IMPACT	The project area is fully developed with residential uses with some commercial buildings. The site does not contain wildlife corridors. There will be no impact.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**There are no protected species on the site; however, there 1 non-protected tree greater than 8 inches in diameter. All trees must be replaced on a 1:1 basis with the implementation of the project. Mitigation measures have been incorporation to reduce the tree impacts.**	**IV-70**
f.	NO IMPACT	The project site is not loacted in a conservation plan area or subject ot any habitat conservation plans.	
V. CULTURAL RESOURCES			
a.	LESS THAN SIGNIFICANT IMPACT	The project involves the demolition of three older, apartment buildings built in the 1930's. However, the project site is not designated a historic monument nor listed as a significant historic resource. Impacts would be less than significant.	
b.	NO IMPACT	The project is not located in an area of known archaeological resources. The site is currently improved with residential buildings. No impact would result.	
c.	NO IMPACT	The project is not located in an area of known paleontological resources. The site is currently improved with residential buildings. No impact would result.	
d.	NO IMPACT	No human remains are anticipated to be located at the project site. The site is currently improved with residential buildings. No impact would result.	
VI. GEOLOGY AND SOILS			
a.	LESS THAN SIGNIFICANT IMPACT	The site is not located in an Alquist Priolo Zone. There will be no impact.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The subject property is subject to strong seismic shaking as is the whole of Southern California. Mitigation measures have been incorporated to reduce any impacts.**	**VI-10**
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The subject site is located in a liquefaction area. Mitigation measures have been incorporated to reduce any to a less than significant level.**	**VI-70**
d.	NO IMPACT	The subject site is relatively level. It is not located in a hillside zone.	

	Impact?	Explanation	Mitigation Measures
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**Although there will be minimal loss of topsoil as it is currently improved with apartment buildings, construction activities will cause air, noise and grading impacts. Mitigation measures will be incorporated to reduce the impacts to a less than significant level.**	**VI-20**
f.	LESS THAN SIGNIFICANT IMPACT	The subject site is located in a liquefaction area. Mitigation measures have been incorporated to reduce any impacts to a less than significant level.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The subject site is located in a liquefaction area. Mitigation measures have been incorporated to reduce any to a less than significant level.**	**VI-90**
h.	NO IMPACT	No septic tanks are proposed as part of this project. No impact would result.	
VII. GREEN HOUSE GAS EMISSIONS			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The proposed 37-unit condo building is anticipated to increase the emission of green house gases (GHG) during the demolition, construction and operation phases of the project. However, mitigation measures have been incorporated to reduce the pollution impacts to a less than significant level. In addition to these measures, other measures have been incorporated throughout the document to enhance building efficiencies, improve waste recycling, improve water conservation, among others. A project's consistency with the implementing programs and regulations to achieve the statewide greenhouse gas emission reduction goals established under AB 32 cannot be evaluated explicitly because they are still under development. However, the State of California has required that GHG emissions must be reduced to 1990 levels by 2020. .**	**VII-10** **See also Air Quaility, Biology, Geology and Soils, Hazards, Noise, and Utilities.**
b.	LESS THAN SIGNIFICANT IMPACT	Presently, the State, regional agencies, and local governments, including the City of Los Angeles, are developing methodologies and inventories for quantirying GHG emissions and evaluating various strategies and mitigation measures to determine the most effective course of action to meet the State goals as set forth under AB32. However, at this time, no thresholds have been adopted.	
VIII. HAZARDS AND HAZARDOUS MATERIALS			

	Impact?	Explanation	Mitigation Measures
a.	NO IMPACT	No significant amount of hazardous materials are proposed to be routinely transported, used or disposed of as part of this project. The existing apartment buildings will be replaced with the proposed project. No impact would occur.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project site is developed with older apt buildings, which are proposed to be demolished. The structure may contain asbestos materials. Mitigation measures have been incorporated to reduce impacts to a less than signficant level.**	**VIII-10**
c.	NO IMPACT	The project site is not located within the 500 foot school zone. No impacts are anticipated.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project site has been identified to be located in a Methane Buffer Zone. Mitigation measures have been incorporated to reduce the impacts to a less than significant level.**	**VIII-20**
e.	NO IMPACT	The site is not located within an airport land use plan.	
f.	NO IMPACT	The site is not located within a private airstrip. The project would not result in a safety hazard for people residing or working in the area.	
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The subject project would not interfere with any emergency response or evacuation plan. However, the Fire Department will review the submitted plans to ensure the project will not interfere with any emergency response or evacuation plan. Impacts will be less than significant.**	**VIII-70**
h.	NO IMPACT	The project site is not in an area of wildland fires. The project site is located in a highly urbanized area.	
IX. HYDROLOGY AND WATER QUALITY			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed project should not cause the depletion of groundwater supplies or the interference of groundwater recharge. The project will continue to be supplied with water by DWP.	
b.	LESS THAN SIGNIFICANT IMPACT	The proposed project is not anticipated to deplete groundwater supplies or interfere with groundwater recharge. The proposed project will continue to be supplied with water by LADWP. The impact will be less than significant.	
c.	NO IMPACT	The project site does not contain a stream or river. However, the site currently drains into the sewer as will the proposed project. No impact will result.	

	Impact?	Explanation	Mitigation Measures
d.	NO IMPACT	The site is currently surrounded by residential uses. The proposed buildings will not alter existing drainage of the site. There will be no impact.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project will replace the existing apartment buildings, which does not significantly increase stormwater runoff. The project will be required to control runoff using stormwater best management practices and a retention basin. However, mitigation measures have been incorporated to reduce the runoff impact to a less than significant level.**	**IX-40**
f.	LESS THAN SIGNIFICANT IMPACT	No new construction is involved as part of project implementation with the exception of the parking lots. Tenant improvement for ground floor medical offices and senior housing units may not degrade water quality compared to previous use as the Linda Vista Community Hospital. As such, water quality is not otherwise anticipated to further degrade.	
g.	LESS THAN SIGNIFICANT IMPACT	The subject site is not located within a flood zone. No impact will result.	
h.	LESS THAN SIGNIFICANT IMPACT	The subject site is not located within a flood zone. No impact will result.	
i.	LESS THAN SIGNIFICANT IMPACT	The property is not located in a potential dam inundation zone. No impact will result.	
j.	LESS THAN SIGNIFICANT IMPACT	The subject property is located within an inundation zone for seiches, tsunamis or mudflow. Impacts are anticipated to be less significant as it is located in a highly urbanized area.	
X. LAND USE AND PLANNING			
a.	NO IMPACT	The project will not divide the community as the residential building will be similar to other buildings in an area planned for residential uses. The project will also replace older apartment buildings.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**37 residential units are allowed by-right in the [Q]R4-1 zone. The applicant is requesting a Vesting Tract map for the subdivision for condominium purposes, and concurrently, an increase in FAR by 20% to 3.6:1 FAR in lieu of maximum 3:1 FAR. Appropriate findings will be required to grant this request. The project will otherwise comply with all applicable regulations and meet the requirements of the LAMC. The impact will be less than significant by**	**X-60**

	Impact?	Explanation	Mitigation Measures
		obtaining approvals of these entitlements. In the case they are not approved, the project must be modified.	
c.	NO IMPACT	The proposed redevelopment project will not conflict with any applicable conservation or natural community consevation plans due to its location in a developed, urban area.	
XI. MINERAL RESOURCES			
a.	NO IMPACT	The site is not located in a known area of mineral resources. No impact is expected to result.	
b.	NO IMPACT	The site is not located in a known area of mineral resources. No impact is expected to result.	
XII. NOISE			
a.	LESS THAN SIGNIFICANT IMPACT	During construction of the project, the applicant will be required to comply with the city's noise ordinance, which would reduce the noise impact to a less than significant level.	
b.	LESS THAN SIGNIFICANT IMPACT	Noise will not exceed applicable standards. During construction of the project, the applicant will be required to comply with the city's noise ordinance, which would reduce the noise impact to a less than significant level.	
c.	LESS THAN SIGNIFICANT IMPACT	No substantial ambient noise is anticipated from the implementation of the residential building in a developed neighborhood.	
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**Noise would be highly generated during the construction phase of the project development and minimally generated when the project is completed and operational. The project would be required to comply with the city's noise ordinance. In addition, mitigation measures have been incorporated to reduce the impacts to a less than significant level.**	**XII-20**
e.	NO IMPACT	The subject site is not within an airport plan. No impact will result.	
f.	NO IMPACT	The project is not located within a flight plan, as such it is not anticipated to have a noise impact.	
XIII. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed 37 condo units will not substantially induce population, as it will replace existing 17 rental units.	

	Impact?	Explanation	Mitigation Measures
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project will be replacing 17 existing rental units. A relocation plan must be provided to reduce any displacement impacts.**	**XIII-30**
c.	NO IMPACT	No residents will be displaced since the historic Linda Vista Hospital is currently vacant. There will be no impact.	
XIV. PUBLIC SERVICES			
a.	LESS THAN SIGNIFICANT IMPACT	The project is located in an area with adequate fire response times. Furthermore, the project will be reviewed by the LA Fire Department to ensure adequate response times are maintained. Impacts would be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	The project site is located in an urbanized area and is located within the response time of the Wilshire Division of the LAPD. Impacts should be less than significant.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The school impact will be reduced to a less than significant level by the payment of school fees to LAUSD.**	**XIV-60**
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The recreation impacts will be reduced to a less than significant level with the payment Quimby fees.**	**See XV**
e.	LESS THAN SIGNIFICANT IMPACT	The buildings and street improvements are existing. No new construction or expansion (other than parking lots across the street) is proposed. This impact will be less than significant.	
XV. RECREATION			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The recreation impacts will be reduced to a less than significant level with the payment of Quimby fees.**	**XV-10**
b.	LESS THAN SIGNIFICANT IMPACT	The minimal amount of recreational facilities onsite would not create an adverse impact on the envirnonment, as the spaces will be internal to the site.	
XVI. TRANSPORTATION/TRAFFIC			
a.	LESS THAN SIGNIFICANT IMPACT	The proposed 37 units will replace existing 17 rental units. The net increase of 20 residential units should be generate a substantial amount of new traffic. Further, it does not exceed the threshold for a traffic study. Impacts should be less than significant.	
b.	LESS THAN SIGNIFICANT IMPACT	As mentioned above, the increase of net 20 units is not anticipated to significantly increase the level of service in the project area.	
c.	NO IMPACT	No change in air traffic patterns will result from the proposed project.	

	Impact?	Explanation	Mitigation Measures
d.	NO IMPACT	Substantial increase in hazard is not anticipated by the implementation of this residential project. The project will be required to meet the safety features and setbacks of the code.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project's emergency access will be reviewed by the BOE and LADOT prior to recordation of the final map. With mitigation, there will be a less than significant emergency access impact.**	**XVI-50**
f.	LESS THAN SIGNIFICANT IMPACT	The proposed project will not conflict with any alternative transportation policy. Impacts will be less than significant.	
XVII. UTILITIES AND SERVICE SYSTEMS			
a.	LESS THAN SIGNIFICANT IMPACT	Existing sewer lines and treatment facilities have sufficient capacity to accommodate an increase in water flows, and meet the wastewater treatment requirements of the Los Angeles Regional Water Qualtiy Control Board.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The proposed project will not require the construction of new water or wastewater treatment facilities or the expansion of existing facilities. However, mitigation measures have been incorporated to reduce water conservation impacts for landscaping to a less than significant level.**	**XVII-10, XVII-20**
c.	LESS THAN SIGNIFICANT IMPACT	This project will not require the construction of new stormwater drainage facilities since the site is presently served by existing facilities. There will be no impact.	
d.	LESS THAN SIGNIFICANT IMPACT	DWP's most recent urban water management plan indicates that a sufficient water supply is expected to be available to serve projects. Therefore, sufficient water supplies would be available to serve the proposed project from existing entitlements and resources.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The increase in wastewater can be accomodated by the Hyperion Wastewater Treatment provider. However, mitigation measures have been incorporated to reduce any water conservation impacts.**	**XVII-40**
f.	LESS THAN SIGNIFICANT IMPACT	The local landfills have sufficient capacity to serve the project. The net increase in trash is expected to be less than significant.	

	Impact?	Explanation	Mitigation Measures
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**The project will be required to provide on-site recycling to reduce the amount of trash going to landfills. This will reduce the solid waste impact to a less than significant level.**	**XVII-90**
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE			
a.	LESS THAN SIGNIFICANT IMPACT	the proposed project would not result in any impacts that would cause the above.	
b.	LESS THAN SIGNIFICANT IMPACT	The project will result in environmental effects to a less than significant level, as there are no significant amount of construction nearby. Impacts should be less than significant.	
c.	LESS THAN SIGNIFICANT IMPACT	The project may result in environmental effects that will cause substantial adverse effects on human beings as the condo project will replace existing rental units. However, no significants impacts are anticipated with the implementation of this MND.	

ATTACHMENT I

ARCHITECTURAL PLANS

(PROVIDED AS A SEPARATE ATTACHMENT)