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CITY PLANNING

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Decision Date: November 9, 2022

Appeal End Date: November 21, 2022

Mullen Wilshire Blvd. (LA) Owner, LLC (O)(A)
4700 Wilshire Boulevard
Los Angeles, CA 90010

Michael Gonzales (R)
Gonzales La Group APC
707 Wilshire Boulevard, Suite 4350
Los Angeles, CA 90017

Case No.: VTT-73895
Related Case: ZA-2019-2192-ZAD-DRB-SPP
4652-4680 W. Wilshire Boulevard (706 & 720 S. Rimpau Avenue and 715, 717, 723 & 727 Mullen Avenue)
Community Plan: Wilshire Planning Area
Specific Plan: Park Mile
Zone : CR(PkM)-1 and RD3-1
D. M. : MB 42-73/75, MB132B185
C. D. : 5 - Koretz
CEQA : ENV-2019-2193-CE
Related case: VTT-73895
Legal Description: Lots 1 and 2 of Tract No. 4573, Block None; Lots 3, 4, 5 and 6 of Tract No. 4573, Block 1; Lots 1 and 2 of Tract No. 3912

The Advisory Agency determined, based on the whole administrative record, Case No. ENV-2019-2193-CE, that the project is exempt from CEQA pursuant to State CEQA Guidelines Article 19, **Section 15332, Class 32 (Infill Development)** and there is no substantial evidence demonstrating that an exception to a categorical exemption, pursuant to Section 15300.2, applies. The Advisory Agency also **approves** Vesting Tentative Tract Map No. VTT-73895 composed of eight (8) lots, located at 4652, 4656, 4662 & 4680 West Wilshire Boulevard, 706 & 720 Rimpau Avenue and 715, 717,723 & 727 Mullen Avenue, for a maximum of **65 residential condominium units** and **one (1) commercial condominium unit**, as shown on **map stamp-dated September 12, 2022.** This unit density is based on the CR(PKM) Zone, RD3 Zone, and the Density Incentives permitted under LAMC Section 12.22.A.26(h)(2). (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) The Advisory Agency's approval is subject to the following 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

Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 290. Any questions regarding these conditions should be directed to Quyen Phan by calling (213) 808-8604.

1. That a 3.045-foot wide for Parcel 3 and a 3-foot strip of land be dedicated for Parcel 4 along 8th Street to complete a 33-foot wide half public right-of-way in accordance with Collector Street Standards of LA Mobility Plan including a 20-foot radius property line return at the intersection with Rimpau Boulevard after future street merger area of 8th Street satisfactory to the City Engineer.

2. That a 15-foot radius property line return at the intersection of 8th Street and Mullen Avenue be dedicated after merger area satisfactory to the City Engineer.

3. That 20-foot radius property line return at the intersection of Wilshire Boulevard and Rimpau Boulevard be dedicated satisfactory to the City Engineer.

4. That a 20-foot radius property line return at the intersection of Wilshire Boulevard and Mullen Avenue be dedicated satisfactory to the City Engineer.

5. That the existing future street easement along **8th Street** along the southerly tract boundary be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code and in addition the following conditions be executed by the applicant and administered by the City Engineer:

    a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.

    b. That satisfactory arrangements be made with all utility agencies, cable companies and franchises maintaining existing facilities within the area being merged.

Note: The Advisory Agency hereby finds that the public future street areas to be merged are unnecessary for the present or prospective public purposes and all owners of interest in the real property within the subdivision have or will have consented to the merger prior to recordation of the final map.

6. That any surcharge fee in conjunction with the street merger request be paid.

7. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

8. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central Engineering District Office.

9. That all the proposed tract map boundary lines be properly established in accordance with Section 17.07.D of the Los Angeles Municipal Code prior to the recordation of the final map satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Tract Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such

building permits.

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

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION
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.

11. That prior to the recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:

    a. Provide a copy of ZA case ZA-2019-2192-ZAD-DRB-SPP. Show compliance with all the conditions/requirements of the ZA case as applicable.

    b. Provide a copy of affidavit AF-91-554949-MB and PKG-3238. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after the Map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.

    c. Specify the lot area for the RD3-1 Zone portion of the lot and lot area for the CR(PKM)-1 Zone portion of the lot to determine the allowable density for the map.

    d. Justify the proposed allowable number of residential condominium units within this map. Density within the RD3-1 Zone portion of the map shall comply fully with the 3000 SF of lot area per dwelling requirement and the density within the CR(PKM) Zone portion of the map shall comply fully with the 1000 SF of lot area per dwelling requirement.

    e. Obtain Street Merger approval from the Bureau of Engineering.

    f. Show all street dedications as required by Bureau of Engineering and provide net lot area after all dedications. “Area” requirements shall be rechecked as per net lot area after street dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication.

       Notes:

       The project site is within the Park Mile Specific Plan Area.

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

DEPARTMENT OF TRANSPORTATION
If you have any questions, you may contact Pete Eyre at (213) 482-7024.

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

FIRE DEPARTMENT

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6807. You should advise any consultant representing you of this requirement as well.

13. That prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

    a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

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

    c. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

    d. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

    e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

    f. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

    g. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

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

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

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

    k. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.

    l. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

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

n. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

o. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.

p. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

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

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

DEPARTMENT OF WATER AND POWER

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

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

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

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

BUREAU OF SANITATION

16. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structure or potential maintenance problem, as stated in the memo dated May 18, 2021. 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

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

DEPARTMENT OF RECREATION AND PARKS

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

Park fees are paid at 221 North Figueroa Street. Suite 400, Los Angeles. Please contact Park Fees staff at (213) 202-2657 for any questions or comments, at your convenience.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

19. Project shall preserve all healthy mature street trees whenever possible. All feasible alternatives in project design should be considered and implemented to retain healthy mature street trees. A pennit is required for the removal of any street tree and shall be replaced 2: 1 as approved by the Board of Public Works and Urban Forestry Division.

20. Plant street trees at all feasible planting locations within dedicated streets as directed and required by the Bureau of Street Services, Urban Forestry Division. All tree plantings shall be installed to current tree planting standards when the City has previously been paid for tree plantings. The sub divider or contractor shall notify the Urban Forestry Division at: (213) 847- 3077 upon completion of construction for tree planting direction and instructions.

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

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS
Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

21. 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 65 residential condominium units and one (1) commercial condominium unit of a maximum of 62,152 square feet.

b. Commercial parking shall be provided at a minimum 22 automobile spaces for the proposed office uses.

Residential parking shall be provided at a minimum of 128 residential automobile parking spaces for the proposed condominium units, of which 33 are required to be reserved and accessible to visitors and guests on-site. All guest spaces shall be readily accessible, conveniently located, specifically reserved for guest parking, posted and maintained satisfactory to the Department of Building and Safety.

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

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

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

d. 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.

e. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

Applicant shall do all of the following:

(i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

(ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

(iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, of if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City

retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Action includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

22. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Case No. ZA-2019-2192-ZAD-DRB-SPP shall be submitted to the satisfaction of the Advisory Agency. In the event that Case No. ZA-2019-2192-ZAD-DRB-SPP is not approved, the subdivider shall submit a tract modification.

DEPARTMENT OF CITY PLANNING - STANDARD CONDOMINIUM CONDITIONS

C-1 That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. Where the existing zoning is (T) or (Q) for multiple residential use, no construction or use shall be permitted until the final map has recorded or the proper zone has been effectuated. If models are constructed under this tract approval, the following conditions shall apply:

1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22.A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

C-2 Prior to the recordation of the final map, the subdivider shall pay or guarantee the payment of a park and recreation fee based on the latest fee rate schedule applicable. The amount of said fee to be established by the Advisory Agency in accordance with Section 17.12 of the Los Angeles Municipal Code and to be paid and deposited in the trust accounts of the Park and Recreation Fund.

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

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.

BUREAU OF ENGINEERING - STANDARD CONDITIONS
As modified by the Advisory Agency.

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

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

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

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

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

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

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

(h) That each lot in the tract 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 Traffic with respect to street name, warning, regulatory and guide signs.

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

(d) All improvements within public streets, private streets, 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 are either constructed prior to recordation of the final map or that the construction is 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.

(1) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights: two (2) on Rimpau Bl., one (1) on 8th St., three (3) on Wilshire Bl., and two (2) on Mullen Ave.

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

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

(d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree 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) 847-3077) upon completion of construction to expedite tree planting.

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

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

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

(h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.

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

a) Improve Wilshire Boulevard adjoining the subdivision with the repair and or replacement of any broken, damaged, cracked and off-grade concrete curb, sidewalk, and roadway pavement including any necessary removal and reconstruction of existing improvements including curb ramps per BOE standards and Special Order 01-1020 all satisfactory to the City Engineer. Improvements shall be consistent with the Metro Transit Division Purple Line Extension project.

b) Improve 8th Street being dedicated and adjoining the subdivision by the construction of the following:

(1) Construct a new, minimum 5-foot-wide concrete sidewalk adjoining the property line and landscaping of the parkway.

(2) Repair and replace any broken off-grade curb, gutter, and roadway pavement at existing location.

(3) Any necessary removal and reconstruction of existing improvements including the curb ramp at the intersection with Mullen Avenue per BOE standards and Special Order 01-1020 all satisfactory to the City Engineer.

(4) The necessary transitions to join the existing improvements.

(5) Remove any encroachment in the public right-of-way Satisfactory to the City Engineer.

c) Improve Mullen Avenue adjoining the subdivision by the construction of the following:

(1) Construct a new, minimum 5-foot-wide concrete sidewalk adjoining the property line and landscaping of the parkway.

(2) Repair and replace any broken off-grade curb, gutter, and roadway pavement at existing location.

(3) Any necessary removal and reconstruction of existing improvements including reconstruction of curb ramps at the intersections with Wilshire Boulevard and Mullen Avenue per BOE standards and Special Order 01-1020 all satisfactory to the City Engineer.

(4) The necessary transitions to join the existing improvement.

Note: Should the Board of Public Works deny the removal of street trees, then improve the Mullen Avenue adjoining the subdivision with the following:

(i) Removal and replacement of existing concrete curb, gutter at existing location and a minimum 5-foot concrete sidewalk along Mullen Avenue

adjacent to the property line including any necessary repair of roadway pavement, removal and reconstruction of the existing improvements including curb ramps per BOE standards and Special Order 01-1020 all satisfactory to the City Engineer.

d) Improve Rimpau Boulevard adjoining the subdivision with the construction of a concrete curb, 2-foot gutter and a minimum 5-foot concrete sidewalk and replacement of any broken, damaged, cracked and off-grade roadway pavement including any necessary removal and reconstruction of existing improvements including curb ramps per BOE standards and Special Order 01-1020 all satisfactory to the City Engineer.

e) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

f) That Board of Public Works approval be obtained, prior to the recordation of the final map, the removal of any tree in the existing or proposed right-of-way area associated with improvements requirements outlined herein. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for removal of such trees.

Note: This project is located near the Metro Right-of-way Project Area. Consultation with the Los Angeles County Metropolitan Transportation Authority (Metro) may be required prior to the issuance of any building permit for projects within 100 feet of Metro-owned Rail or Bus Rapid Transit (BRT) right-of-way (ROW) to ensure safe access to, and operations of, transportation services and facilities (213) 922-2785 or https://www.metro.net/devreview/.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract map action. However, the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved specifically for this project under separate conditions.

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

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

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

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

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

FINDINGS OF FACT (CEQA)

The Advisory Agency determines that based on the whole of the administrative record as supported

by the justification prepared and found in the environmental case file, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15332, Class 32, and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of (Vesting) Tentative Tract Map No. VTT-73895 the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

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

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Wilshire Community Plan, which designates the site with a General Commercial and Low Medium II Residential land use designations. The land use designation lists the C1.5, C2, C4, CR, RAS3, RAS4, and P and RD1.5, RD2, RW2, and RZ2.5 Zones as the corresponding zones. The Project Site is CR(PkM)-1 and RD3-1, which is consistent with the corresponding land use designation of General Commercial and Low Medium II Residential. The proposed Project conforms to the intent and purposes of the Park Mile Specific Plan. The proposed subdivision would merge and resubdivide eight (8) lots to create a (1) one-lot subdivision containing 65 residential condominium dwelling units and one (1) commercial condominium unit of approximately 62,152 square feet located within an existing eight-story office building known as the Farmers Building.

The Park Mile Specific Plan regulates density for Block A's CR(PKM) portion, allowing one dwelling unit for every 2,000 square feet of lot area. The project site's CR(PKM) portion contains a lot area of approximately 61,063 square feet (after dedications), which would permit a maximum of residential density of 30 dwelling units. The Specific Plan does not regulate density for the RD3 portion and defers to the LAMC. The RD3-1 portion of the site totals approximately 31,106 square feet in size and would therefore permit a maximum density of 9 dwelling units. In total, the site would permit a maximum residential density of 39 dwelling units.

The Park Mile Specific Plan does not regulate the merger and division of land. The applicant is requesting for project to utilize the City's Adaptive Reuse Ordinance ("ARO") under incidental Case No. ZA-2019-2192-ZAD-DRB-SPP for the existing office building to be

adaptively reused to accommodate 65 dwelling units within the residential portion of the building. Pursuant to LAMC 12.22.A.26(h)(2), qualifying Adaptive Reuse projects are allowed unlimited density as dwelling units are not subject to the lot area requirements of the zone or height district. Therefore, the project supports a by-right density of 65 dwelling units pursuant to applicable LAMC density regulations.

Pursuant to LAMC Section 17.06 B. A, a Vesting Tentative Tract Map must be prepared by or under the direction of a licensed land surveyor or registered civil engineer. The tract map was prepared by Lawrence Wilson, Licensed Land Surveyor State of California No. 6712 and it contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way, location of existing buildings, existing and proposed dedication, and improvements of the tract map. The Vesting Tentative Tract Map indicates the map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and is consistent with the applicable General Plan and Specific Plan.

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

For purposes of a subdivision, design, and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and “improvements” refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the tract map be designed in conformance with the zoning regulations of the project site. As the project site is dual zoned CR(PkM)-1 and RD3-1, the CR(PkM)-1 zone would permit a maximum of 30 units on approximately 61,063 square feet of lot area and the RD3-1 zone would permit a maximum of 9 units on the approximately 29,399 square feet of lot area. The tract map proposes a merger and creation one (1) new subdivision in conjunction with 65 residential condominium units and one commercial office condomimum unit of approximately 62,152 square feet.

The project is subject to the Park Mile Specific Plan. The Park Mile Specific Plan regulates density for the site’s CR(PKM) portion, and the (PkM) modifier indicates that property within the zone is subject to the Specific Plan, which sets forth use, area and design regulations superseding those of the underlying zones. Multi-family residential uses are permitted in the CR(PkM) zone and the CR(PKM) zone allows for one dwelling unit for every 2,000 square feet of lot area. The project site’s CR(PKM) portion contains a lot area of approximately 61,063 square feet, which would permit a maximum of residential density of 30 dwelling units. The CR(PkM) Zone permits a maximum FAR of 3:1 and a maximum height of 45 feet. The dividing line between the two zones – approximately 100 feet north of 8th Street – was established by Ordinance 152,826 (effective October 6, 1979).

The Specific Plan does not regulate density for the RD3 portion and defers to the LAMC. Properties zoned RD3 and within Height District 1 are permitted a maximum FAR of 3:1 and a maximum height of 45 feet. The RD3 zone permits multi-family residential dwelling units at a maximum density of one dwelling unit for every 3,000 square feet of lot area. The RD3-1 portion of the site totals approximately 29,399 square feet in size post-dedication and would therefore permit a maximum density of 9 dwelling units. In total, the entire site would permit

a maximum residential density of 39 dwelling units.

Vehicular access to the project will be provided via the three (3) existing driveways: one on Mullen Avenue, approximately 60 feet south of Wilshire that provides parking lot access; and two on 8th Street (east and west cuts) that provides parking lot access and loading dock access to the Farmers Building. All three curb cuts would remain. The Mullen driveway would provide access to the residential surface parking lot. The West 8th Street driveway would provide access to the basement parking in the Farmers Building. The east 8th Street driveway would provide access to the office surface parking lot.

During the public hearing, the representative requested the deletion or clarification of Condition No. S-3 (i)(b) and No. S-3 (i)(c) under the Bureau of Engineering - Standard Conditions. BOE Condition No. S-3 (i)(b) requires sidewalk widening along the northern portion of West 8th Street, to provide surfacing to join the existing pavement, and to complete a 20-foot-wide half roadway. As explained by the representative, the community does not wish to see 8th Street widened in the area because it would move and impact existing mature trees lining the property. A letter, dated May 4, 2022, was submitted by the Brookside Homeowners Association and Windsor Square Association recommending not to widen 8th Street for present and future purposes. Furthermore, the Park Mile Design Review Board supports the applicant's request to waive the street widening requirement along 8th Street. The representative also explained that 8th Street would be inconsistently widened as two recently approved projects to the west of the site were approved without widening requirements. The representative also requested for the deletion of BOE Standard Conditions No. S-3 (i)(c) which requires the widening of the width of sidewalk to 12 feet along Mullen Avenue. As explained by the representative, the widening of the sidewalk would move and impact existing trees lining the property along Mullen Avenue. At the close of the public hearing, the Advisory Agency held the case under advisement to investigate the representative's request related to the conditions pertaining to the improvements along 8th Street and Mullen Avenue.

The Advisory Agency has determined that the existing sidewalk and roadway widths along 8th Street shall remain consistent with the existing roadway widths observed by neighboring properties to the west of the site. The Advisory Agency therefore modifies Condition S-3 (i)(b) to maintain the existing roadway width and to retain the existing mature street trees. The Advisory Agency also determined that the existing street trees along Mullen Avenue shall also be retained and has therefore modified the originally recommended conditions found under No. S-3 (i)(c) to maintain a 5-foot-wide sidewalk.

The tract map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make the dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along Wilshire Boulevard, Mullen Avenue and 8th Street, consistent with the standards of the Mobility Element. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 2010. The Bureau of Street Lighting recommended the construction of one (1) new streetlight on Rimpau Boulevard. If street widening per BOE improvement conditions, relocate and upgrade streetlights; two (2) on Rimpau Boulevard, one (1) on 8th Street, three (3) on Wilshire Boulevard, and two (2) on Mullen Ave. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan and Specific Plan.

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

The project site consists of eight (8) irregular-shaped lots totaling approximately 91,712 square feet of lot area before the dedication. The site is bounded by Wilshire Boulevard to the north, 8th Street to the south, Mullen Avenue to the east, and Rimpau Boulevard to the west. The subject property is legally described as Lots 1, 2, 3, 4, 5 and 6 of Tract No. 4573 and Lots 1 and 2 or Tract No. 3912. The subject site is improved with an existing eight-story office building and one subterranean basement level on Lots 1 and 2 of Tract No. 3912 and a surface parking lot located on Lots 1, 2, 3, 4, 5 and 6 of Tract No. 4573. The project proposes to merge and re-subdivide the property pursuant to Vesting Tentative Tract Map No 73895. The Tract Map will create one (1) new lot with a maximum of 65 residential condominium units and one (1) commercial condominium unit of approximately 62,152 square feet located within the existing approximately 211,508 square-foot office building. The applicant is also requesting for the Adaptive Reuse of the northern two-thirds Farmers Building under incidental Case No. ZA-2019-2192-ZAD-DRB-SPP. The legal, nonconforming use of the approximately southern one-third of the Farmers Building, zoned both commercial and residential, will be maintained as commercial office space as one commercial condominium. The project will convert and adaptively reuse approximately 130,015 square feet as 65 residential condominiums located entirely within the CR(PKM) zone. Approximately 62,152 square feet of floor area will continue to be used for office purposes as an existing non-conforming use located mostly in the RD3 zone, with a small part located within the CR(PKM) zone. The project will not alter the Farmers Building footprint or height, which will be maintained, and the Farmers Building will have approximately 192,617 square feet of floor area. The project proposes to provide a total of 150 automobile parking spaces (128 residential and 22 commercial) on-site, with an additional 66 off-street parking spaces provided at an off-site location, for a total of 216 spaces. A total of 83 bicycle parking spaces (60 residential and 23 commercial) would be provided.

The project site is located within 2.8 km from the Puente Hills Blind Thrust Fault, but is not located within the Alquist-Priolo Fault Zone. The site is not located within a designated hillside area or within the BOE Special Grading Area. The site is not located within a high fire hazard severity zone, flood zone, landslide, liquefaction, or tsunami inundation zone. The site is located within a methane buffer zone and will be required to comply with all applicable regulations as it pertains to development within a methane zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation. The site is within Flood Zone Type C, which outside of any Food Zone. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The project conforms to both the specific provisions and the intent of the Specific Plan for the Management of Flood Hazards (Section 5 of Ordinance 172,081).

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

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

The adjacent properties to the north across Wilshire Boulevard are zoned CR(PkM)-1, have a land use designation of General Commercial, and are developed with multi-story residential condominium development. The adjacent property to the west across Rimpau

Boulevard has a land use designation of General Commercial and Low Medium II Residential, is zoned CR(PkM)-1 and RD3-1 and is developed with multi-story commercial-office building and surface parking lot. Adjacent properties to the south across 8th Street are zoned R1V3-RG and are developed with single-family dwellings. Adjacent properties to the west across Mullen Avenue are zoned CR(PkM)-1 and RD3-1, have a land use designation of General Commercial and Low Medium II Residential, and are improved with surface parking and vacant lots.

The project site, which is comprised of eight (8) adjoining lots, consists of approximately 91,712 square feet of area (prior to dedications) and is developed with an eight-story office building with a subterranean basement and surface parking. The proposed subdivision involves the merger of eight (8) lots and resubdivision into one (1) new lot with a maximum of 65 residential condominium units and one (1) commercial condominium unit of approximately 62,152 square feet located within the existing approximately 211,508 square-foot office building. The applicant is requesting to utilize the City's Adaptive Reuse Ordinance under incidental Case No. ZA-2019-2192-ZAD-DRB-SPP for the existing office building to be adaptively reused to accommodate 65 dwelling units within the northern two-thirds Farmers Building. The legal, nonconforming use of the approximately southern one-third of the Farmers Building, zoned both commercial and residential, will be maintained as commercial office space as one commercial condominium. The project will convert and adaptively reuse approximately 130,015 square feet as 65 residential condominiums located entirely within the CR(PKM) zone. Approximately 62,152 square feet of floor area will continue to be used for office purposes as an existing non-conforming use located mostly in the RD3 zone, with a small part located within the CR(PKM) zone. The project will not alter the Farmers Building footprint or height, which will be maintained, and the Farmers Building will have approximately 192,617 square feet of floor area. Pursuant to LAMC 12.22.A.26 (h)(2), qualifying Adaptive Reuse projects are granted unlimited density as dwelling units are not subject to the lot area requirements of the zone or height district. Therefore, the project is physically suitable for a density of 65 dwelling units pursuant to applicable LAMC density regulations.

The tract map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed density of the development.

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

The project site is currently developed with an eight-story office building and surface parking. The project proposes the removal of 15 non-protected on-site trees and proposes to provide a total of 65 trees on site. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

(f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appear to be no potential public health problems caused by the design or

improvement of the proposed subdivision.

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

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

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Wilshire Boulevard, 8th Street and Rimpau Boulevard, which are public streets. The project site consists of Lots 1, 2, 3, 4, 5 and 6 of Tract No. 4573 and Lots 1 and 2 or Tract No. 3912 and are identified by Assessor Parcel Nos. 5090-090-005, 006, 007 and 020. There are four public utility easements proposed for merger as identified on the tract map. The public utility easements are bisecting the property, are not under the City Engineer's jurisdiction and are for access through or use of the property within the proposed subdivision. The applicant is required to contact each responsible utility easement holder for their merger requests prior to the recordation of the Final Map. All other necessary easements for utilities will be acquired by the City prior to the recordation of the proposed tract map. Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

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

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 No. 73895.

VINCENT P. BERTONI, AICP
Advisory Agency

Deborah Kahen
Deborah Kahen, AICP
Deputy Advisory Agency

DK:CD:ms

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

Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2912

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

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.