

VESTING TENTATIVE TRACT MAP NO. 61482 (stamped map-dated February 29, 2008)

HEARING DATE: Wednesday, July 2, 2008

### PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE NO. 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

#### REQUEST

Vesting Tentative Tract Map No. 61482 for a three-lot industrial subdivision (one ground lot and two air space lots) for a 46-foot high warehouse facility and distribution center with approximately 643,000 square feet and 345 parking spaces and a haul route proposal to export approximately 57,300 cubic yard of dirt off-site. The property is located at 1700-1838 E. Martin Luther King, Jr. Boulevard, 1701-1835 E. 40<sup>th</sup> Place (even and odd), 1701-1843 E. 41<sup>st</sup> Street, 4000-4066 S. Long Beach Avenue, and 4015-4073 S. Alameda Street.

#### RELEVANT CASES

##### ON-SITE:

DIR-2008-841-SPR: a Director's Determination for site plan review of a 46-foot high warehouse facility and distribution center with approximately 643,000 square feet and 345 parking spaces. A concurrent public hearing is being held with the tract map on July 2, 2008.

CPC-2007-3827-ICO: Planning was instructed by City Council to prepare an interim control ordinance on the issuance of all permits related to the establishment of new fast-food restaurants located on commercial and industrial zoned properties located along streets designated Major Highways Class I, Major Highway Class II, and Secondary Highway in the West Adams-Baldwin Hills-Leimert, South Los Angeles, and Southeast Los Angeles Community Plan areas in Council District Nos. 1, 8, 9 and 10.

CPC-1985-464-CU: a conditional use permit to construct an energy recovery facility was approved by the City Planning Commission on December 12, 1985 and denied by City Council on appeal by the Concerned Citizens of South Central Los Angeles on November 13, 1987.

CPC-1983-506-SP: (Ordinance No. 171,681 effective September 14, 1997) a specific plan ordinance for an interim conditional use approval of establishments for the sale of alcohol which are generally located in the South Central Area of the City.

Affidavit No. 31421 – On July 16, 1964 a Covenant and Agreement was recorded with the County of Los Angeles in which the property owner agreed to hold Lots 149 and 150 (1701-1709 East 41<sup>st</sup> Street) as one parcel.

**OFF-SITE:**

CPC-2007-4645-CU-ZV-SPR-ZAA-ZAD-CCR: a change of use from Light Manufacturing of vacant lots located at 1639 -1642 E. 27th Street for the construction of two public charter high schools and site modifications. This case is scheduled to be heard by the City Planning Commission on June 12, 2008.

**PUBLIC RESPONSES**

One letter has been received from the public with requests for the applicant to provide a greater setback and more landscaping along Martin Luther King Jr. Boulevard. Several electronic form letters from various interested parties have been received requesting the Mitigated Negative Declaration not be issued and that "a Full EIR (Environmental Impact Report) with an Environmental Justice Analysis and full public participation and due process" be required. Concerns raised in the emails include property ownership and transfer of title from 1986 on, expediting the project with an Negative Mitigation Plan in lieu of a full CEQA EIR process, social injustice of minority and/or low-income populations which regards to environmental quality and issues of public health, the land was never re-classified as farm/agriculture use, prior removal of 135 different species of medical and consumable plan and two California Black Walnut trees, the farm was a Cultural Resource, the warehouse will interfere with Watershed recharge, change neighborhood chrematistics, no Environmental Justice Analysis was performed, no evaluation of cumulative impacts nor mitigations of all significant impacts as mandated by CEQA, green house gases will be generated, environmental racism, and zero Green/living-wage job creation.

Staff has received telephone calls from the Metropolitan Transit Authority (Metro) and the South Coast Air Quality Management agency (AQMD), both of which stated they will submit comment letters at or prior to the public hearing on July 2<sup>nd</sup>.

**GENERAL COMMENTS**

The subject property is located within the adopted Southeast Los Angeles Community Plan area, and is designated for Light Manufacturing land use with corresponding zones of MR2 and M2. The subject property is located in the South Central Alcohol Sales Specific Plan. The Specific Plan regulates the sale of alcoholic beverages through the conditional use permit process. The subject property is within the Council District 9 Redevelopment Area, and as such is subject to plan review by the Community Redevelopment Agency. The subject property is also within a Los Angeles State Enterprise Zone, the Los Angeles Revitalization Zone, and within the Central City Parking area. Projects within the Enterprise Zone are exempt form Los Angeles Municipal Code (LAMC) Section 12.24-U,14 (Conditional Use Permit for a Major Development Project) and are instead subject to site plan review to permit a development which results in an increase of 250,000 square feet or more of warehouse floor area, pursuant to LAMC Section 16.05.

The subject property is a generally level, rectangular shaped parcel containing approximately 12.56 acres of land (547,032 square feet prior to dedication) in the M2-2

Zone. The property's street frontage extends approximately 958 feet along the south side of Martin Luther King, Jr. Boulevard, approximately 612 feet along the west side of Alameda Street, approximately 997 feet along the north side of 41<sup>st</sup> Street, and approximately 612 feet along the east side of Long Beach Avenue East. It is bisected from east to west by 40<sup>th</sup> Place. The site also contains two unimproved public alleyways, one paralleling 40<sup>th</sup> Place approximately 135 feet to the north, and one paralleling 40<sup>th</sup> Place approximately 135 feet to the south.

The request is to subdivide the subject property into three lots (one ground lot and two airspace lots), and vacate/merge the street and alleys within the subdivision (40<sup>th</sup> Place and the alleys both north and south). The proposal includes the construction of a new two-story, 46-foot structure containing approximately 630,847 square feet of warehouse floor area (including ancillary support uses<sup>1</sup>), and about 12,153 square feet of ancillary office floor area. An estimated 2.6 acre (113,289-square foot) remaining parcel at the northwesterly corner of the subject property, under the same ownership, is to be deeded to the City of Los Angeles, and is not a part of the proposed development site.

The subject property was acquired by the City of Los Angeles through eminent domain proceedings in the mid-1980's with the intent of developing a trash incinerator ("Lancer") facility. The proposed trash to energy project was never constructed due to significant environmental constraints and substantial community opposition. The subject property was subsequently sold to the City's Harbor Department for possible use in development of the Alameda Rail Corridor system. The original property owner sued the City of Los Angeles over the transfer of the property to the Harbor Department, and has recently regained ownership of the land. The subject property was previously developed with approximately 200,000 square feet of industrial uses. The structures were subsequently demolished and the property has been vacant of any structures for more than a decade. The site was used as a community garden. In April, the site was posted with an abatement order from the City of Los Angeles to remove trash and weeds.

The proposed development provides 39 surface parking spaces and 306 subterranean parking spaces, for a total of 345 parking spaces provided for the on-site uses which conforms to (and exceeds) LAMC Section 12.21-A,4.(c) requirements. The LAMC requires 168 parking spaces [one space per 500 square feet of office floor area (12,153 square feet ÷ 500 square feet = 24 parking spaces); one space per 500 square feet of the first 10,000 square feet of warehouse floor area (10,000 square feet ÷ 500 square feet = 20 parking spaces), plus one space per 5,000 square feet of warehouse floor area in excess of the first 10,000 square feet (620,847 square feet ÷ 5,000 square feet = 124 parking spaces)].

The property in the surrounding area is developed with an assortment of light, medium, and heavy industrial uses, and classified in the M1-1, M2-2 and M3-2 Zones. To the north of the subject site, across Martin Luther King Jr. Boulevard, are properties developed with a mixture of heavy/medium industrial uses, including warehouse distribution and

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<sup>1</sup> Includes floor area for employee amenities such as restrooms and locker rooms.

manufacturing within the M3-2 Zone. Properties to the west of the subject property, across Long Beach Avenue and across the Metro Rail Blue Transit Line, are within the M1-1 Zone and improved with light manufacturing uses. Beyond those uses fronting Long Beach Avenue are multiple-family homes in the R2-1 Zone. To the south of the subject property, across 41<sup>st</sup> Street, are properties in the M2-2 Zone and improved with a mix of light industrial and warehouse distribution uses. Properties to the east of the subject property, across Alameda Street, are in the City of Vernon, and improved with a mixture of industrial uses.

Martin Luther King, Jr. Boulevard a Local Street dedicated to a width of 50-57 feet adjacent to the subject property. Martin Luther King, Jr. Boulevard is discontinuous to the east. Alameda Street a Major Highway Class II dedicated to a width of 55 feet adjacent to the subject property. 41<sup>st</sup> Street a Major Highway Class II dedicated to a width of 60 feet adjacent to the subject property. Long Beach Avenue East a Major Highway Class II dedicated to a width of 40 feet adjacent to the subject property. All streets surrounding the property are improved with curb, gutter, and sidewalk.

### REPORTS RECEIVED

BUREAU OF ENGINEERING: No comments were available at the writing of the staff report.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: No comments were available at the writing of the staff report.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated April 14, 2008 have been satisfied. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to conditions stated in the memo dated June 23, 2008. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

FIRE DEPARTMENT: Recommends that the project be subject to conditions stated in the memo dated April 14, 2008. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

LOS ANGELES UNIFIED SCHOOL DISTRICT: No comments were available at the writing of the staff report.

DEPARTMENT OF WATER AND POWER: Reports that this tract can be supplied with water from the municipal system subject to LADWP's Water Services Organization's rules and requirements in a memo dated April 1, 2008.

BUREAU OF STREET LIGHTING: No comments were available at the writing of the staff report.

BUREAU OF SANITATION: No comments were available at the writing of the staff report.

#### ENVIRONMENTAL CLEARANCE

The Department of City Planning Staff issued Mitigated Negative Declaration No. ENV-2008-799-MND on July 2, 2008. See **Draft Tentative Tract Report with Conditions**.

#### STAFF RECOMMENDATIONS

The Planning Department staff recommends Vesting Tentative Tract Map No. 61482 been taken under advisement until the following reports have been received by the Planning Department:

- BUREAU OF ENGINEERING
- BUREAU OF STREET LIGHTING

However, in the event the Advisory Agency approves the tract, it will be subject to the standard conditions and the additional conditions in the **Draft Tentative Tract Report with Conditions**.

Prepared by:

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(213) 978-1382

**Note:** Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

**DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS**

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Vesting Tentative Tract Map No. 61482 located at 1700-1838 E. Martin Luther King, Jr. Boulevard, 1701-1835 E. 40<sup>th</sup> Place, 1701-1843 E. 41<sup>st</sup> Street, 4000-4066 S. Long Beach Avenue, and 4015-4073 S. Alameda Street for a maximum **three-lot industrial subdivision (one ground lot and two air space lots)** as shown on map stamp-dated February 29, 2008 in the Southeast Los Angeles Community Plan. (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 Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

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

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That the project be subject to any recommendations from the Bureau of Engineering.

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

2. 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**

3. 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. Provide copy of building permit records, plot plan, and certificate of occupancy to verify the last legal use and the number of parking spaces provided/ required on site.
  - b. Provide a copy of affidavit AFF-31421. Show compliance with all the conditions/requirements of the above affidavit(s) as applicable. Termination of above affidavit(s) may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
  - c. The dimensions as shown on the submitted map do not match ZIMAS. Please clarify the discrepancy if there are pending lot line adjustments or pending subdivision applications.

- d. Provide a copy of the application or resolution for street/alley vacation. The street/alley vacation shall be completed prior to or concurrently with the map recording.
- e. 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.
- f. Parking is required for the existing structures to remain. Show location of all parking spaces and access driveways.
- g. Record a Covenant and Agreement to treat the buildings and structures located in an air space subdivision as if they were within a single lot.

Notes:

Each air space lot shall have access to a street by one or more easements or other entitlements to use in a form satisfactory to the Advisory Agency and the City Engineer.

The existing or proposed building plans have not been checked for and shall comply with Building and Zoning Code requirements. Any vested approvals for parking layouts, open space, required yards or building height, shall be "to the satisfaction of the Department of Building and Safety at the time of Plan Check."

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 Del Reyes at (213) 482-6882 to schedule an appointment.

#### **DEPARTMENT OF TRANSPORTATION**

4. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. On-site turnaround must be provided for all delivery vehicles.
  - b. No vehicles shall back out of or into any of the project driveways.
  - c. Any security gates must remain open during normal business hours.
  - d. All conditions of the attached DOT letter, dated May 8, 2008, shall apply.

- e. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of 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**

5. 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. 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. Exception: Dwelling unit travel distance shall be computed to front door of unit.
  - c. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to nay building construction.
  - d. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
  - e. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.
  - f. Building designs for multi residential buildings shall incorporate at least one access stairwell off the main lobby of the building; but, in no case greater than 150 ft horizontal travel distance form the edge of the public street, private street on Fire Lane.
  - g. Entrance to the main lobby shall be located off the address side of the building.
  - h. The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include calcification, 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) 482-6509. You should advise any consultant representing you of this requirement as well.



**LOS ANGELES UNIFIED SCHOOL DISTRICT (LAUSD)**

6. Prior to the issuance of any demolition or grading permit or any other permit allowing site preparation and/or construction activities on the site, satisfactory arrangements shall be made with the Los Angeles Unified School District, implementing the measures for demolition and construction contained in the LAUSD letter. The project site is located on the pedestrian and bus routes for students attending Nevin Avenue Elementary School. Therefore, the applicant shall make timely contact for coordination to safeguard pedestrians/ motorists with the LAUSD Transportation Branch, phone no. (323) 342-1400, and the principals or designees of Nevin Avenue Elementary School. (This condition may be cleared by a written communication from the LAUSD Transportation Branch attesting to the required coordination and/or the principals of the above referenced schools and to the satisfaction of the Advisory Agency).

**DEPARTMENT OF WATER AND POWER**

7. 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).)
8. Prior to the issuance of a grading or building permit, satisfactory arrangements shall be made with the Department of Water and Power for the following:
  - a. Developer must complete the following financial arrangements prior to tract recordation: Existing Water Mains –537.92-foot water main charge on Alameda Street.
  - b. Financial arrangements are to be made for the following: 1) abandon the existing 6-inch main in the area to be vacated; 2) relocate the existing fire hydrant in 40<sup>th</sup> Place; 3) upgrade the existing 4-inch main to 6-inch in 40<sup>th</sup> Place.
  - c. Existing water mains are located in or adjacent to this tract as follows: 8-inch main on Alameda Street, 12-inch main on Martin Luther King Jr Boulevard, 12-inch main on Long Beach Avenue, 6-inch main on 41<sup>st</sup> Street.
  - d. The following water main may be inadequate to serve this tract and may need to be enlarged at the Developer's expense: existing 4-inch main in 40<sup>th</sup> Place.
  - e. Los Angeles City Fire Department requirements: get permission form LAFD to relocate the existing fire hydrant in 40<sup>th</sup> Place.

- f. See "Declaration of Establishment of Water Supply Easements" and "Note Statement".

### **BUREAU OF STREET LIGHTING**

9. If new street light(s) are required, then 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**

10. 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**

11. 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, 12<sup>th</sup> Floor, Los Angeles, CA 90012, (213) 922-8363.

### **URBAN FORESTRY DIVISION**

12. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards. **Note:** Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675.

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

13. 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 three-lot industrial subdivision (one ground lot and two air space condominium lots) with approximately 643,000 square feet of floor area.

- b. Provide a minimum of 345 off-street parking spaces or one off-street parking space for each 500 square feet of office floor area (office approximately 12,153 square feet), one off-street parking space for each 500 square feet of the first 10,000 square feet of warehouse floor area, and one off-street parking space per 5,000 of warehouse floor area in excess of the first 10,000 square feet (warehouse approximately 630,847 square feet), whichever is greater.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning (200 North Spring Street, Room 750).

- c. The applicant shall install 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.
  - 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.
14. Prior to the clearance of any tract map conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
  15. **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.
  16. Prior to the issuance of the building permit or the recordation of the final map, a copy of the Director's Determination for site plan review (Case No. DIR-2008-841-SPR) shall be submitted to the satisfaction of the Advisory Agency. In the event that DIR-2008-841-SPR is not approved, the subdivider shall submit a tract modification.
  17. Prior to the recordation of the final tract map, the proposed project shall demonstrate

that it fully meets the requirements of the Community Redevelopment Agency as needed to assure consistency with the goals and objectives Council District Nine Corridors Redevelopment Plan. (MM)

18. Prior to the issuance of a grading permit, the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6770), binding the subdivider of exporting of approximately 57,300 cubic yards of soil, a total of \_\_\_\_ trips per day for a duration of \_\_\_\_ days, in addition to the following haul route conditions: (MM)
- a. Streets to be used are limited to: Loaded trucks from staging area exit E. 40<sup>th</sup> Place turn right (north) onto Long Beach Avenue, turn right (east) at E. 16<sup>th</sup> Street, turn right (south) onto Alameda Street, turn right and merge onto Interstate-10 East (Santa Monica Freeway), merge onto CA-60 East (toward Interstate-5 South/Santa Ana/Pomona) Exit 13, turn right onto Crossroads Parkway South and left into Puente Hills Landfill (13130 Crossroads Parkway South, City of Industry, CA 91746). Empty trucks East on Crossroads Parkway South, right at Crossroads Parkway North, merge onto CA-60 West to Exit 12, merge onto Interstate-10 West to Exit 1C (towards Santa Monica), take Exit 15B toward Alameda Street, merge onto E. 14<sup>th</sup> Street, turn left (south) onto S. Alameda Street, turn right (west) onto 40<sup>th</sup> Place to staging area at 40<sup>th</sup> Place (1701-1843 E. 41<sup>st</sup> Street, Los Angeles, CA 91607).
  - b. Hauling hours of operation shall be from 9:00 a.m. to 3:30 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. on Saturdays. **No hauling shall be performed on Sundays.** Trucks are **not** to arrive at the site prior to 9:00 a.m. Monday through Friday or 8:00 a.m. on Saturdays.
  - c. Trucks shall be restricted to semi-trailer bottom and semi-trailer end 18-wheel dump trucks or smaller.
  - d. All haul trucks are to be staged on-site.
  - e. The Traffic Bureau of the Los Angeles Police Department shall be notified prior to the start of hauling (213.485.3106).
  - f. Streets shall be cleaned of spilled materials at the termination of each work day.
  - g. The final approved haul routes and all the conditions of approval shall be available on the job site at all times.
  - h. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - i. Hauling and grading equipment shall be kept in good operating condition and

- muffled as required by law.
- j. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - k. All trucks are to be watered at the job site to prevent excessive blowing dirt.
  - l. All trucks are to be cleaned of loose earth at the job site to prevent spilling. Any material spilled on the public street shall be removed by the contractor.
  - m. The applicant shall be in conformance with the State of California, Department of Transportation policy regarding movements of reducible loads.
  - n. All regulations set forth in the State of California Department of Motor Vehicles pertaining to the hauling of earth shall be complied with.
  - o. "Truck Crossing" warning signs shall be placed 300 feet in advance of the exit in each direction.
  - p. One flag person(s) shall be required at the job and dump sites to assist the trucks in and out of the project area. Flag person(s) and warning signs shall be in compliance with Part II of the 1985 Edition of "Work Area Traffic Control Handbook".
  - q. The City of Los Angeles, Department of Transportation, telephone 213.485.2298, shall be notified 72 hours prior to beginning operations in order to have temporary "No Parking" signs posted along the route.
  - r. Any desire to change the prescribed routes must be approved by the concerned governmental agencies by contacting the Street Use Inspection Division at 213.485.3711 before the change takes place.
  - s. The permittee shall notify the Street Use Inspection Division, 213.485.3711, at least 72 hours prior to the beginning of hauling operations and shall also notify the Division immediately upon completion of hauling operations.
  - t. A surety bond shall be posted in an amount satisfactory to the City Engineer for maintenance of haul route streets. The forms for the bond will be issued by the Central District Engineering Office, 201 N. Figueroa Street, Room 770, Los Angeles, CA 90012. Further information regarding the bond may be obtained by calling 213. 977.6039.

19. 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. 17, 20, and 21 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, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
20. 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. The applicant shall prepare a street tree plan to be reviewed and approved by the Department of Public Works, Urban Forestry Division of Street Services. Tree installation, including number and location of trees, species type, and tree size shall be completed to the satisfaction of the Urban Forestry Division of Street Services. All plantings in the public right-of-way shall be maintained in accordance with the approved street tree plan.
  - MM-2. The applicant shall ensure, through appropriate postings and daily visual inspections, that no graffiti and unauthorized materials are posted on any temporary construction barriers, pedestrian walkways, or other structures, and that any such temporary barriers and walkways shall be maintained in a visually attractive manner throughout the construction period.
  - MM-3. Water or a stabilizing agent shall be applied to exposed surfaces in sufficient quantity to prevent generation of dust plumes.
  - MM-4. Track-out shall not extend 25 feet or more from an active operation and track-out shall be removed at the conclusion of each workday.
  - MM-5. A wheel washing system shall be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site.
  - MM-6. All haul trucks hauling soil, sand, and other loose materials shall maintain at least six inches of freeboard in accordance with California Vehicle Code Section 23114.
  - MM-7. All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

- MM-8. Traffic speeds on unpaved roads shall be limited to 15 miles per hour.
- MM-9. Operations on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.
- MM-10. Heavy equipment operations shall be suspended during first and second stage smog alerts.
- MM-11. On-site stockpiles of debris, dirt, or rusty materials shall be covered or watered at least twice per day.
- MM-12. Heavy-duty equipment shall be equipped with a diesel oxidation catalyst capable of reducing NO<sub>x</sub> emissions by 40 percent.
- MM-13. Contractors shall maintain equipment and vehicle engines in good condition and in proper tune per manufacturers' specifications.
- MM-14. Contractors shall utilize electricity from power poles rather than temporary diesel or gasoline generators, as feasible.
- MM-15. Heavy-duty construction shall be prohibited from idling in excess of five minutes, both on- and off-site, to be consistent with State law.
- MM-16. Construction parking shall be configured to minimize traffic interference.
- MM-17. Construction activity that affects traffic flow on the arterial system shall be limited to off-peak hours, as feasible.
- MM-18. Spray equipment with high transfer efficiency, such as the electrostatic spray gun or manual coatings application (e.g., paint brush and hand roller), shall be used to reduce VOC emissions, to the maximum extent feasible.
- MM-19. Architectural coating shall have a VOC content of 75 grams per liter or less. The coatings shall be purchased from a super-compliant architectural coating manufacturer as identified by the SCAQMD ([http://www.aqmd.gov/prdas/brochures/Super-Compliant\\_AIM.pdf](http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf)).
- MM-20. The proposed landscaping plan shall meet all the general goals of the Landscaping Ordinance, including a tree planting scheme that will provide sufficient shade to reduce heat attenuation around buildings. Drip irrigation will be used wherever appropriate, and highly durable, drought tolerant species will be used to the maximum extent feasible.

- MM-21. A qualified archaeologist shall monitor all project-related ground disturbing construction activities (including geotechnical trenching). Construction activity within stockpile material does not require monitoring. In the event that cultural resources are exposed during construction activities, all work in that area shall cease and be diverted while it is evaluated for significance (CRHR-eligibility). If the discovery proves to be significant, additional work such as data recovery excavation may be warranted.
- MM-22. The applicant shall sign a covenant and agreement with the City to allow suspension of construction activities for the recovery or recordation of all archaeological resources prior to the issuance of a building permit.
- MM-23. All project-related ground disturbances exceeding five feet in depth shall be monitored by a qualified paleontological monitor on a part-time basis, as these geologic sediments are determined to have a paleontological sensitivity rating that increases from low to high with depth. Project-related excavations that occur in surficial younger alluvial deposits and/or topsoil (less than or equal to five feet in depth) will be spot-checked by the paleontological monitor to ensure that underlying paleontologically sensitive sediments are not impacted.
- MM-24. A Qualified Paleontologist shall be retained to supervise monitoring of construction excavations and to produce a Paleontological Monitoring and Mitigation Plan for the proposed project. Paleontological resource monitoring will include inspection of exposed rock units during active excavations within sensitive geologic sediments. The monitor will have authority to temporarily divert grading away from exposed fossils in order to professionally and efficiently recover the fossil specimens and collect associated data. The Qualified Paleontologist will prepare monthly progress reports to be filed with the client and the lead agency.
- MM-25. At each fossil locality, field data forms shall be used to record pertinent geologic data, stratigraphic sections will be measured, and appropriate sediment samples will be collected and submitted for analysis.
- MM-26. Recovered fossils shall be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and repositied in a designated paleontological curation facility. The most likely repository is the Natural History Museum of Los Angeles County.
- MM-27. The Qualified Paleontologist shall prepare a final monitoring and mitigation report to be filed with the client, the lead agency, and the repository.
- MM-28. If human remains are discovered within either development parcel, work at the specific construction site shall be suspended, and the City Department of Building and Safety and County Coroner shall be notified. If the remains



are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours and the guidelines of the NAHC shall be implemented in the treatment and disposition of the remains.

- MM-29. The applicant shall sign a covenant and agreement with the City to allow suspension of construction activities for the recovery of all human remains prior to the issuance of a building permit.
- MM-30. Unless otherwise specified by the City of Los Angeles, the proposed project shall demonstrate compliance with specific recommendations of the preliminary geotechnical engineering report prepared by GeoSystems, Inc. dated May 18, 2007, and contained herein as Appendix D and any subsequent investigations as part of grading and building permit requirements, to the satisfaction of the City of Los Angeles Department of Building and Safety, as conditions to issuance of any grading and building permits.
- MM-31. The project shall conform to applicable criteria set forth in the Recommended Lateral Force Requirements and Commentary by the Structural Engineers Association of California.
- MM-32. Seismic design for structures and foundations shall comply with the parameters outlined in the 2008 California Building Code as designated for site-specific soil conditions.
- MM-33. The project shall be designed to conform to the City of Los Angeles Seismic Safety Plan and additional seismic safety requirements not encompassed by compliance with the Building Code and Grading Ordinance as may be identified by the Department of Building and Safety prior to Plan Check approval.
- MM-34. The structural design of the project shall comply with the seismic standards of the 2008 California Building Code according to the seismic zone and construction type.
- MM-35. During inclement periods of the year, when rain is threatening (between November 1 and April 15 per the Los Angeles Building Code, Sec. 7002.), an erosion control plan that identifies BMPs shall be implemented to the satisfaction of the City of Los Angeles Department of Building and Safety to minimize potential erosion during construction. The erosion control plan shall be a condition to issuance of any grading permit.
- MM-36. To the extent feasible, grading shall be scheduled for completion prior to the start of the rainy season (between November 1 and April 15 per the Los Angeles Building Code, Sec. 7002) or detailed temporary erosion control

plans shall be implemented in a manner satisfactory to the City of Los Angeles Department of Public Works.

- MM-37. Appropriate erosion control and drainage devices shall be incorporated to the satisfaction of the Department of Building and Safety. Such measures include interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, as well as planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These will shield and bind the soil.
- MM-38. If temporary excavation slopes are to be maintained during the rainy season, it will be necessary to direct all drainage away from the top of the slope. No water shall be allowed to flow uncontrolled over the face of any temporary or permanent slope.
- MM-39. Provisions shall be made for adequate surface drainage away from the areas of excavation as well as protection of excavated areas from flooding. The grading contractor shall control surface water and the transportation of silt and sediment.
- MM-40. The project shall comply with the following Department of Building and Safety requirements (if not already covered by Mitigation Measure 35), prior to issuance of a grading permit for the project:
- Prior to the issuance of a grading permit by the Department of Building and Safety, the consulting geologist and soils engineer shall review and approve project grading plans. This approval shall be conferred by signature on the plans which clearly indicate the geologist and/or soils engineer have reviewed the plans prepared by the design engineer and that the plans include the recommendations contained in the report.
  - Prior to the commencement of grading activities, a qualified geotechnical engineer and engineering geologist shall be employed for the purpose of observing earthwork procedures and testing fills for conformance to the recommendations of the City Engineer, approved grading plans, applicable grading codes, and the geotechnical report approved to the satisfaction of the Department of Building and Safety.
  - During construction, all grading shall be carefully observed, mapped and tested by the project engineer. All grading shall be performed under the supervision of a licensed engineering geologist and/or soils engineer in accordance with applicable provisions of the Building Code and to the satisfaction of the City Engineer and the Superintendent of Building and Safety.

- Any recommendations prepared by the consulting geologist and/or soils engineer for correction of geologic hazards, if any, encountered during grading shall be submitted to the Department of Building and Safety for approval prior to issuance of a Certificate of Occupancy for the project.
- Grading and excavation activities shall be undertaken in compliance with all relevant requirements of the California Division of Industrial safety, the Occupational Safety and Health Act of 1970 and the Construction Safety Act.

MM-41. Prior to the initiation of grading/construction, the Contractor shall develop an approved Health and Safety Contingency Plan in the event that unanticipated or unknown environmental contaminants are encountered during construction. The plan shall be developed to safeguard the environment, protect workers, and meet the requirements of the CCR, Title 8, General Industry Safety Orders Control of Hazardous Substances.

MM-42. Trained maintenance personnel shall be responsible for the following activities in areas where soil is suspected of being impacted with arsenic:

- Planting, landscaping or future activities that require excavation or soil disturbance where soils impacted with arsenic are suspected. Appropriate cover must be maintained in areas where arsenic in soils are suspected to minimize exposure to dust, ingestion, or personal contact.
- A record of soil disturbance activity in arsenic impacted areas shall be maintained. These records should be maintained at a central location and shall be available to management personnel at all times.
- Subsurface utility line repair in areas where soils are suspected to be impacted with arsenic shall be conducted by trained personnel or an approved subcontractor. Soil disturbance in areas suspected of containing arsenic impacted soils shall be limited to the area of repair. The exposed soil in these areas shall be covered with plastic until the utility line is repaired. Appropriate measures shall be taken upon backfilling to prevent exposure to the soils suspected of being impacted with arsenic. Appropriate measures may include, but not be limited to, placing a layer of clean soil, a minimum of 6 inches, in the upper portion of the trench and then planting ground cover; or paving the surface of the trench. The thickness of the clean soil layer is dependent upon site conditions and scheduled use with the purpose to prevent dust migration of the impacted soil and to minimize exposures to tenants, visitors, and workers. Greater thickness of the "clean" soil layer may be warranted in areas where unauthorized penetration of this layer is increased such as in landscaped areas.

- All work areas or areas under repair that require disturbing soils suspected to be impacted with arsenic shall be secured in such a manner to keep tenants and children from entering the work area.
- No eating, drinking, or smoking shall occur within immediate work areas containing soils suspect of being impacted with arsenic to prevent ingesting contaminated material. To minimize transference of soils impacted with arsenic into the subject property and different locations, maintenance personnel will take care not to enter areas that are not required by their job duties. Maintenance personnel shall wash their hand before leaving work areas suspected of containing soils impacted with arsenic to minimize dermal contact and ingestion.
- Disposable suits or coveralls shall be used when digging or contacting soils suspected of being impacted with arsenic to prevent transferring the pesticide impacted soils from the work area on worker clothing. Soiled coveralls used when working in these areas shall be deposited on site for either disposal or commercial cleaning to minimize transport of impacted clothing to worker homes.
- Monthly visual inspections shall be conducted to monitor for areas of exposed soils in areas suspected of containing soils impacted with arsenic. Appropriate measures shall be implemented to prevent exposure to these soils.

MM-43. Where tenants, contractors, and visitors may contact soils impacted with arsenic through routine and acceptable activities, notifications by the Property Manager shall be made to these groups about the presence of arsenic.

MM-44. A training program is essential for the proper implementation and maintenance of the Soils Management Plan (SMP). The training program shall include as a minimum initial training and annual refreshers as specified in 29 CFR 1910.1200. Additionally, the training program shall inform maintenance personnel responsible for implementing activities identified in the SMP of the components and goals of the plan. The Maintenance Manager is responsible for insuring that its personnel are adequately trained and capable of carrying out their work with arsenic impacted soil in a manner that minimizes their exposure and the exposures of tenants, visitors and employees of the site to arsenic impacted soil. The training program shall address topics such as minimizing soil disturbance and dust control and good housekeeping and material management practices. The Maintenance Manager shall implement periodic training, such that all appropriate facility personnel are familiar with the SMP.

- MM-45. Protective clothing must be worn whenever the wearer may come into contact with soils impacted by arsenic. One example of protective clothing may be the use of coveralls (disposable are acceptable) and gloves. Soiled coveralls used while working in impacted areas shall be deposited on site for disposal or commercial cleaning to minimize transport of the impacted clothing to worker homes. Some examples of work that may occur in an area suspect of containing arsenic include:
- Soil disturbance beneath protective ground cover and protective clean soil cover (i.e., digging or trenching).
  - Subsurface utility repair.
  - Construction or demolition activities around foundations of existing residences.
- MM-46. Annual site evaluations shall be conducted by trained maintenance personnel responsible for the management and maintenance of the SMP to ensure a safe working environment. These evaluations shall include the following:
- Annual inspections shall be conducted by appropriate personnel and will evaluate the overall effectiveness of the SMP.
  - Research record keeping.
  - Submit summary report of findings to Facility Manager including any corrective actions that are necessary and suggestions for improvement to the SMP.
- MM-47. The SMP including records of all incidents and modifications to the SMP shall be maintained at a central location on site and shall be available to management personnel at all times. Soil disturbances, including excavations, utility repairs, street repair or maintenance in areas where soils are suspected of being impacted with arsenic shall be documented and maintained with the SMP at the central location. All incidents of noncompliance with the plan must be documented in the annual inspection report and be addressed immediately.
- MM-48. The applicant shall develop and implement an Emergency Procedures Plan, which includes notification to the City of Los Angeles EOO, the Central Division of the Los Angeles Police Department, Los Angeles Fire Department Central Division Headquarters, and Fire Station No. 14 (first call station) of any full or partial lane closures, movement of heavy construction equipment, construction within the Alameda Street, 41<sup>st</sup> Street,

Long Beach Boulevard, and Martin Luther King Jr. Boulevard right-of-ways, or any use of the adjacent right-of-ways.

- MM-49. The Emergency Procedures Plan shall specify a process by which any activities in the adjacent right-of-ways shall be coordinated with the emergency requirements of the EOO and the Police and Fire Departments.
- MM-50. The project shall comply with the requirements of the NPDES permit for stormwater discharge and with all applicable requirements of the RWQCB, USEPA and local agencies regarding water quality.
- MM-51. The project shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 0.75 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 licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be provided.
- MM-52. Loading dock areas shall be covered or designed drainage to minimize run-on and run-off of stormwater.
- MM-53. Direct connections to storm drains from depressed loading docks (truck wells) shall be prohibited.
- MM-54. Any repair/maintenance bays shall be located indoors or designed in such a way that doesn't allow storm water run-on or contact with storm water runoff.
- MM-55. Repair/maintenance bay drainage systems shall be designed to capture all washwater, leaks and spills. Drains shall be connected to a standard sump for collection and disposal. Direct connection of the repair/maintenance bays to the storm drain system will be prohibited. If required, the applicant/owner shall obtain an Industrial Waste Discharge Permit.
- MM-56. Vehicle/equipment wash areas shall be self-contained and/or covered, equipped with a clarifier, or other pretreatment facility, and properly connected to the sanitary sewer.
- MM-57. All storm drain inlets and catch basins within the project area shall be stenciled with prohibitive language (such as "NO DUMPING—DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- MM-58. The legibility of signs and stencils discouraging illegal dumping shall be maintained.

- MM-59. Materials used on-site with the potential to contaminate stormwater shall 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. The storage area must be paved and sufficiently impervious to contain leaks and spills and must have a roof awning to minimize collection of stormwater within the secondary containment area.
- MM-60. The construction contractor shall construct a temporary six-foot solid wall (e.g., wood) along the western border of the project site such that the line-of-sight is blocked from the project site to the residential receptors on Long Beach Avenue.
- MM-61. All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices.
- MM-62. Grading and construction contractors shall use quieter equipment as opposed to noisier equipment (such as rubber-tired equipment rather than track equipment).
- MM-63. All residential units located within 500 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints.
- MM-64. A “noise disturbance coordinator” shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within 500 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.
- MM-65. The owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General Form CP-6770) satisfactory to the Planning Department, binding to the owners to post construction maintenance on the structural BMPs in accordance with the SUSMP and or per manufacturers instructions.
- MM-66. Project building plans shall include the submittal of a plot plan for approval by the Los Angeles Fire Department either prior to the recordation of the

final map or the approval of a building permit. All structures shall be within 300 feet of an approved fire hydrant.

- MM-67. The applicant shall consult with the Fire Department and incorporate fire prevention and suppression features appropriate to the design of the project.
- MM-68. Definitive plans and specifications shall be submitted to the Fire Department and requirements for necessary permits satisfied prior to commencement of any portion of the project.
- MM-69. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- MM-70. Plot plans indicating access driveways and roads and turning areas shall be reviewed and approved by the Fire Department, prior to the issuance of a building permit.
- MM-71. During the construction phase, emergency access shall remain clear and unobstructed.
- MM-72. The proposed project shall comply with all applicable State and local codes and ordinances, and the guidelines found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles (C.P.C. 19708).
- MM-73. All access roads, including fire lanes, shall be maintained in an unobstructed manner, removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
- MM-74. Where fire apparatus will be driven onto the road level surface of the subterranean parking structure, that structure shall be engineered to withstand a bearing pressure of 8,600 pounds per square foot, unless otherwise approved.
- MM-75. The project shall comply with all applicable State and local Codes and Ordinances found in the Fire Protection and Fire Prevention Plan, as well as the Safety Plan, both of which are elements of the General Plan of the City of Los Angeles.
- MM-76. During the project's construction phase, the applicant shall ensure adequate through access and emergency access to adjacent uses.
- MM-77. The applicant shall consult with the Police Department and comply with recommended security features for the construction site(s), including



security fencing, locked entrances, lighting, and the use of a seven-day, 24-hour security patrol.

- MM-78. Upon completion of the project, the applicant shall provide the Newton Division Commanding Officer with a diagram of each portion of the property, including access routes and other information that might facilitate police response, as requested by the LAPD.
- MM-79. The applicant shall provide project plans to the LAPD Crime Prevention Unit to determine any additional crime prevention and security features appropriate to the design of the project. Any additional design features identified by the LAPD Crime Prevention Unit shall be incorporated into the project's final design and to the satisfaction of LAPD, prior to issuance of a Certificate of Occupancy for the project.
- MM-80. The project shall incorporate design guidelines relative to security, semi-public and private spaces, which may include, but not be limited to, access control to buildings, secured parking facilities, walls/fences with key systems, well illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas and provision of security guard patrol throughout the project site if needed. The applicant is referred to Design Out Crime Guidelines: Crime Prevention Through Environmental Design (CPTED) published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 North Los Angeles Street, Room 818, Los Angeles, (213) 485-3134. The CPTED operates on three key concepts:<sup>2</sup>
- Natural surveillance: The placement of physical features, activities, and people in a way that maximizes visibility.
  - Natural access control: Restricting or encouraging people to come into a space through the placement of entrances, exits, fencing, landscaping, and lighting.
  - Territorial reinforcement: The use of physical attributes to define ownership and separate public and private space.
- MM-81. The applicant shall pay fees related to capital acquisitions and improvements in effect at the time of building permit issuance in accordance with California Government Code Section 65995.
- MM-82. Newton Street and Alameda Street – The applicant shall remove the two-way stop-sign control and install a new traffic signal at the Newton Street

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2 Source: Los Angeles Police Department, Crime Prevention Tips – Design Out Crime – City of Los Angeles, website, [http://www.lapdonline.org/bldg\\_safer\\_comms/design\\_out\\_crime.htm](http://www.lapdonline.org/bldg_safer_comms/design_out_crime.htm).

and Alameda Street intersection. Signal phasing shall be coordinated with the adjacent intersection of 14th Street/I-10 Freeway Westbound Off-Ramp and Alameda Street, and a northbound left-turn phase shall be added.

- MM-83. The applicant shall comply with City ordinances limiting connections to the City sewer system, in accordance with City Bureau of Sanitation procedures.
- MM-84. The applicant shall install low-flow water fixtures and further encourage reduction of water consumption to minimize wastewater flow to the sewer system, in accordance with City water conservation requirements.
- MM-85. Prior to the issuance of a building permit, the applicant shall consult with LADWP to identify feasible and reasonable measures that reduce water consumption, including, but not limited to, systems to use reclaimed water for landscaping (should reclaimed water become available to the City), drip irrigation, re-circulating hot water systems, water conserving landscape techniques (such as mulching, installation of drip irrigation systems, landscape design to group plants of similar water demand, soil moisture sensors, automatic irrigation systems, clustered landscaped areas to maximize the efficiency of the irrigation system), water conserving kitchen and bathroom fixtures and appliances, thermostatically controlled mixing valves for baths and showers, and insulated hot water lines, as per City adopted 2008 California Building Code requirements.
- MM-86. Any required connections or mains shall be designed by a registered civil engineer and approved by the Los Angeles Department of Public Works, Bureau of Engineering. Any construction within the public right-of-way shall be approved by the LADOT.
- MM-87. Water reduction mitigation measures described by Mitigation Measure 78 shall be implemented.
- MM-88. The project shall incorporate Phase I of the City of Los Angeles Emergency Water Conservation Plan. The Plan prohibits hose watering of driveways and associated walkways, mandates decorative fountains to use recycled water, and provides that water leaks are repaired in a timely manner.
- MM-89. The project shall comply with any additional mandatory water use restrictions imposed as a result of drought conditions.
- MM-90. Automatic sprinkler systems shall be installed to irrigate landscaping during morning hours or during the evening to reduce water losses from evaporation. Sprinklers shall be reset to water less often in cooler months and during the rainfall season, so that water is not wasted in excessive landscape irrigation.

- MM-91. Prior to issuance of building permits, the applicant shall pay any appropriate fees imposed by the Building and Safety Department. A percentage of building permit fees is contributed to the fire hydrant fund, which provides for citywide fire protection improvements.
- MM-92. The applicant shall implement a demolition and construction debris recycling plan, with the explicit intent of requiring recycling during all phases of site preparation and building construction.
- MM-93. If exported soil is found to be contaminated, the contaminated soil shall be transferred and disposed of in a California Class I hazardous waste landfill, or at an out-of-state facility that has specific permits to accept these wastes in accordance with the Department of Toxic Substances Control (DTSC) permitting requirements.
- MM-94. If exported soil is found NOT to be contaminated, the grading contractor shall identify suitable private sites that accept all fill and soil materials for re-use in order to reduce the deposition of construction materials at solid waste landfills serving the City of Los Angeles,. Sites in the City currently accepting construction/demolition debris include, but are not limited to California Waste Services, Inc. and Downtown Diversion, Inc.<sup>3</sup> In the event a suitable private site has not been located by the contractor, the contractor shall consult with the Bureau of Engineering to identify an acceptable site, or demonstrate to the satisfaction of the Bureau of Engineering that an acceptable site could not be located. Documentation of which site(s) is used shall be provided to the Bureau of Engineering, prior to the issuance of haul route permits.
- MM-95. A Source Reduction and Recycling Plan (SRRP) shall be developed by the project applicant to the satisfaction of the Bureau of Engineering and Department of Sanitation. This plan shall identify methods to promote recycling and re-use of materials, as well as safe disposal consistent with the policies and programs contained in the City's Source Reduction and Recycling Element and the City's Solid Waste Management Policy Plan. The SRRP shall provide tenants, or owner/operators, and occupants with the means to recycle and compost materials in a manner that is practical and accessible. Specifically, the SRRP shall include a statement describing the methods by which the designated recyclables shall be separated from the waste stream, collected, and stored to facilitate transportation of these materials to a recycler or hauler providing such services. The SRRP shall identify an adequate storage area for collection and removal of recyclable materials within the project and establish

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<sup>3</sup> Los Angeles Department of Public Works, Bureau of Sanitation, Construction and Demolition Recycling Guide, dated October 5, 2006, website: [http://www.lacity.org/san/solid\\_resources/pdfs/C&D\\_guide.pdf](http://www.lacity.org/san/solid_resources/pdfs/C&D_guide.pdf), accessed June 25, 2005.

standards for collection/storage of recyclable, and green waste (if applicable), materials.

- MM-96. The proposed buildings shall be designed to be permanently equipped with clearly marked, durable, source sorted recyclables bins to facilitate the separation and deposit of recyclable materials.
- MM-97. Primary collection bins shall be designed to facilitate mechanized collection of recyclable wastes for transport to on- or off-site recycling facilities.
- MM-98. The applicant shall coordinate with the City of Los Angeles to continuously maintain in good order for the convenience of residents clearly marked, durable and separate bins in the same location to facilitate the commingled recyclables and deposit of recyclable or commingled waste metal, cardboard, paper, glass, and plastic; to maintain accessibility to such bins at all times; and to require waste haulers to utilize local or regional material recovery facilities as feasible and appropriate.
- MM-99. The applicant shall comply with the provisions of City of Los Angeles Ordinance No. 171,687 with regard to all new structures constructed as part of the proposed project.
21. **Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or the recordation of the final map,** the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- CM-1. All imported soils shall be certified “clean” from hazardous substances by the supplier including, but not limited to, arsenic and heavy metals. An alternative to this certification is the representative sampling and testing of source materials prior to transporting to the proposed development.
- CM-2. Personal Protective Equipment (PPE) shall be selected which will protect construction personnel from the hazards and potential hazards they are likely to encounter during site demolition and reconstruction. The demolition and grading contractors must also designate an onsite Health and Safety Representative from their onsite work force to monitor personnel. In general terms, levels of protection associated with hazardous materials are divided into one of four levels, A-D. Levels A and B are normally associated with hazardous waste remediation and require the use of various levels of respiratory protection and specialized suits and gloves and boots. Level C requires the use of protective clothing, without respirators and Level D has no specific requirements for protective clothing other than normal construction clothing. Based on the task hazard analysis, initial PPE in areas where soils are suspected to be impacted with arsenic should be:

- A modified level D PPE including long sleeve shirts, long pants, gloves and hard hats and safety vests are required at the site at all times during demolition, grading, excavation, plumbing, electrical, backfilling and other outdoor construction activities where contact with soils occurs.
  - If air monitoring and real-time respirable dust monitoring indicates airborne concentrations of dust above 3 milligrams per cubic meter (mg/m<sup>3</sup>), PPE should be upgraded to the Level C as described below. If a previously unidentified material is discovered during work operations, PPE should be modified as necessary and at the determination of the Certified Industrial Hygienist (CIH). The contractor is responsible for air monitoring on behalf of its worker safety program.
  - The level of protection provided by PPE selection should be increased when additional information on site conditions shows that increased protection is necessary to reduce workers and off-site tenant exposures below established OSHA Permissible Exposure Limits (PELs) and published exposures levels for hazardous substances and health hazards.
  - If the PPE is upgraded to Level C, a new disposable coverall is required each time a designated work area is entered. Require all workers to remove coveralls and disposable footwear covers or boots when exiting the work area. The contractor should require that workers NOT eat, drink, smoke, chew tobacco or gum, or apply cosmetics in the Work Area. To eat, chew, drink or smoke, workers should follow the procedure described above, and then dress in street clothes before entering the non-work areas.
  - No eating or smoking should be conducted on the project sites. Hand wash (i.e. hygiene) stations should be present at exits to the construction area and adjacent to portable toilets to minimize dermal contact and ingestion.
- CM-3. Dust control measures shall include perimeter non-permeable fencing along the perimeter of the construction area.
- CM-4. Water or dust suppressant material shall be applied regularly and frequently to exposed soils to minimize dust. Plastic sheeting of appropriate thickness may be used as an alternative for dust control.
- CM-5. Trucks transporting soil on-site shall be covered or tarped to minimize dust generation.

- CM-6. Vehicular traffic and speeds shall be kept to a minimum to minimize dust generation.
- CM-7. Dust control measures shall prevent visible fugitive dust from spreading beyond the property line bordering the source of the fugitive dust.
- CM-8. Dust control measures shall reduce dust levels to no visible emissions beyond the construction site.
- CM-9. All stockpile locations shall be secured behind locked fencing. The stockpile areas shall be properly identified with appropriate signage. The stockpile areas should be covered with 6 mil polyethylene sheeting and appropriate runoff preventative measures implemented.
- CM-10. The Contractor shall ensure that all appropriate procedures are implemented to prevent storm and other runoff from the construction area. The construction project should comply with applicable laws and their site specific Stormwater Management Plan and specific permit requirements on this matter.

#### **DEPARTMENT OF CITY PLANNING - STANDARD COMMERCIAL CONDOMINIUM CONDITIONS**

- CC-1. 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, covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

- CC-2. In order to expedite the development, the applicant may apply for a building permit for a commercial/industrial building. However, prior to issuance of a building permit for a commercial/industrial building, 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 a commercial/industrial building 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 a commercial/industrial building 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 LAMC Section 64.11.2.
- (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.
    - a.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree planting's shall be brought up to



current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree 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.

#### 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 17.05-N.

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.

**FINDINGS OF FACT (CEQA)**

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2008-799-MND on July 2, 2008. The Department found that potential negative impact could occur from the project's implementation due to:

- Aesthetics (visual character);
- Air Quality (construction);
- Biological Resources (landscaping);
- Cultural Resources (archaeological, paleontological);
- Geology and Soils (construction, seismic);
- Hazards and Hazardous Materials (Contingency Plan, dust inhalation);
- Hydrology and Water Quality (stormwater);
- Land Use and Planning (redevelopment plan);
- Noise (construction);
- Public Services (fire, police, schools);
- Transportation/Circulation (traffic); and
- Utilities (wastewater treatment, water supply, solid waste).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2008-799-MND 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. 17, 20, and 21 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (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. 20.

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. 61482, 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 Southeast Los Angeles Community Plan designates the subject property for Light Manufacturing land use with the corresponding zones of MR2 and M2. The property contains approximately 10.04 net acres (473,196 net square feet after required dedication and vacation of 40<sup>th</sup> Place and both alleyways) and is presently zoned M2-2. The proposed development of approximately 643,000 square feet industrial structure is allowable under the current adopted zone and the land use designation. The proposed development complies with all provisions of the Code and no variances are sought.

The property is also located in the Council District Nine Redevelopment Project area and is conditioned to assure consistency with the goals and objectives of the redevelopment plan. "The Recovery Redevelopment Plan for the Council District Nine Corridors South of the Santa Monica Freeway was adopted by the City Council on December 13, 1995. The Project Area covers 2,817 acres and covers commercial and industrial corridors within its boundaries. All residentially designated neighborhoods are excluded. A high priority is to develop job-producing programs and to revitalize the major commercial and industrial corridors in the area. Project objectives include job retention and attracting new businesses to the area; industrial area expansion and stabilization; providing consumer retail, shopping and entertainment facilities; providing affordable housing; expanding job training programs; and providing improved transportation and city services." Although the proposed project does not involve a Community Redevelopment Agency (CRA) work program, the proposed project is consistent with the CRA's objective of "revitalizing industrial corridors in the area."

The subject property is within the South Los Angeles Alcohol Sales Specific Plan Area. However, the sale of alcoholic beverages is not part of the proposed project, and as such the South Los Angeles Alcohol Sales Specific Plan is not applicable. 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 adopted Southeast Los Angeles Community Plan, which is part of the Land Use Element of the General Plan, states “The existing industrial base is in poor condition. A significant out-migration of and divestment in manufacturing plants [has occurred] in recent years” (page I-7). The Community Plan, as an overview to Industrial Community Issues and Opportunities, also states, “The industrial base is a major economic asset that should be preserved and/or redeveloped to accommodate emerging technologies, thus providing an enhanced job base for the Community’s population.” The proposed project’s use, as an industrial warehouse facility, will aid in preserving existing industrial uses and enabling emerging industrial uses.

The Community Plan cites, as an Economic Development Opportunity, “large, contiguous parcels, e.g. in older industrial areas, have the potential to create significant development” (page I-10). The proposed project represents a large contiguous parcel in an older industrial area where there is the potential to create significant development, thereby offering economic development opportunities to the revitalization and growth of the Community.

Community Plan Industrial Goal 3 is to have, “Sufficient land for a variety of industrial uses with maximum employment opportunities which are safe for the environment and the work force, and which have minimal adverse impact on adjacent uses.” In support of this Goal is Community Plan Objective 3-1, “To provide for existing and future industrial uses which contribute job opportunities for residents and which minimize environmental and visual impacts to the community.” The proposed project’s warehouse use contributes job opportunities and is not an environmentally unfriendly manufacturing use.

Also in support of Industrial Goal 3 is Community Plan Objective 3-2, “To retain industrial plan designations to maintain the industrial employment base for community residents and to increase it whenever possible.” The proposed project retains the industrial plan designation and corresponding zoning, and provides a use that will increase the industrial employment base for community residents.

In support of Community Plan Objective 3-2 is Community Plan Policy 3-2.1, “The significant, large industrially planned parcels located in predominately industrial areas associated with the railroad transportation facilities along Alameda and the Slauson area should be protected from development by other uses which do not support the industrial base of the community, and the City.” The proposed project is consistent with the intent of this Policy.

Martin Luther King, Jr. Boulevard a Local Street dedicated to a width of 50-57 feet adjacent to the subject property. Martin Luther King, Jr. Boulevard is discontinuous just to the east and two blocks to the west of the project site. Alameda Street a Major Highway Class II dedicated to a width of 55 feet adjacent to the subject property. 41<sup>st</sup> Street a Major Highway Class II dedicated to a width of 60 feet adjacent to the subject property. Long Beach Avenue East a Major Highway Class II dedicated to a width of 40 feet adjacent to the subject property. All streets

surrounding the property are improved with curb, gutter, and sidewalk. The project has been conditioned to conform to any recommendation from Bureau of Engineering with regards to street dedication and improvement.

This project is not subject to any Specific Plan requirements and has been conditioned to comply with the Redevelopment Plan prior to issuance of the final map. As stated and conditioned herewith the design and improvements of the proposed project are consistent with the applicable elements of the City's General and Specific Plans.

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

The site is a vacant lot. It is one of the few unimproved properties in the vicinity. The area is developed almost exclusively with light and heavy industrial uses immediately to the north, northwest, and east. Property immediately to the south is developed with light industrial/warehouse uses, intermixed with limited small lot single-family residential use further to the south. The Alameda Corridor freight rail right-of-way is located below grade immediately to the east of the subject property. Directly to the west of the subject property is the north/south commuter light rail Metro Blue Line. The Blue Line's four sets of rails, security fence, and limited east/west access create a physical boundary between the industrial zone of the project area and the small lot single-family homes and commercial/light industrial uses west of Long Beach Avenue. Given the nature of the project area and the proposed improvements, the proposed project will be compatible with existing and future development on the neighboring properties.

The project is designed with two primary structures, divided by a 50-foot by 480-foot central courtyard that runs east to west from one end of the project to the other. The maximum proposed height is 46 feet. The bulk of the design building is similar in height and mass to several existing buildings in the immediate vicinity of the project.

The massing of the project is further broken up by the building's access stairwells along Martin Luther King, Jr. Boulevard and 41<sup>st</sup> Street, which create articulations in the structure's façade.

The proposed project's yards and setbacks conform to City regulations, and the perimeter will be landscaped. The proposed structures are setback from the project's Alameda Street façade, forming an arc that is set back from approximately 12 feet at either corner to approximately 150 feet at the midpoint between Martin Luther King, Jr. Boulevard and 41<sup>st</sup> Street. This front setback is landscaped, and includes area for parking and access driveways. The Alameda Street façade also features accenting colors and building materials.

The proposed development provides 39 surface parking spaces and 306 subterranean parking spaces, for a total of 345 parking spaces provided for the on-site uses exceeds LAMC Section 12.21-A,4.(c) requirements.

The site is proximate to public transit for employees of the proposed project. The Metro Blue Line's Vernon Station is located south of the intersection of Long Beach Avenue and Vernon Avenue, approximately 1,600 feet from the proposed project. The LADOT Dash Southeast Clockwise Route stops at 41<sup>st</sup> Street and Long Beach Avenue West, approximately 200 feet west of the proposed project. Also, the LADOT Dash Pueblo del Rio Route stops next to the Metro Blue Line's Vernon Station.

The proposed project will include landscaping for aesthetic treatment and shading to the satisfaction of the City, per conditions imposed through the landscape plan approval process. Landscaping will likely consist of non-native ornamental trees, shrubs, and other plant materials, including some drought tolerant species. The project entrance and the associated Alameda Street frontage will be suitably landscaped.

The project's design calls for the proposed buildings to be permanently equipped with clearly marked, durable recyclable bins designed to facilitate the mechanized collection of recyclable wastes for transport to appropriate facilities. Solid waste collection for the proposed project is sited adjacent to the truck arena located at the southwesterly corner of the project, and screened from public view by a screen wall.

The project includes a 50-foot by 480-foot landscaped courtyard, open to the sky that runs east to west through the center of the development. Employee amenities include a cafeteria, kitchen, showers, and lounge.

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.**

The property in the surrounding area is developed with an assortment of light, medium, and heavy industrial uses, and classified in the M1-1, M2-2 and M3-2 Zones. To the north of the subject site, across Martin Luther King Jr. Boulevard, are properties developed with a mixture of heavy/medium industrial uses, including warehouse distribution and manufacturing within the M3-2 Zone. Properties to the west of the subject property, across Long Beach Avenue and across the Metro Rail Blue Transit Line, are within the M1-1 Zone and improved with light manufacturing uses. Beyond those uses fronting Long Beach Avenue are multiple-family homes in the R2-1 Zone. To the south of the subject property, across 41<sup>st</sup> Street, are properties in the M2-2 Zone and improved with a mix of light industrial and warehouse distribution uses. Properties to the east of the subject property, across Alameda Street, are in the City of Vernon, and improved with a mixture of industrial uses.

The proposal includes the construction of a new two-story, 46-foot structure containing approximately 630,847 square feet of warehouse floor area (including ancillary support uses), and about 12,153 square feet of ancillary office floor area. The proposed project would provide appropriate development in conformance with the existing zoning and has been designed with a lower floor area ratio (FAR) which relates better to the surrounding uses. The proposed project will comply with all LAMC requirements for parking, floor area, height, setbacks, landscaping, 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 was previously developed with an approximate 200,000 square foot industrial building prior to being acquired by the City of Los Angeles through eminent domain proceedings in the mid-1980's with the intent to develop a trash incinerator facility. The surrounding area is presently developed with many industrial structures and railways which do not provide a natural habitat for either fish or wildlife.

- (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. 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.

- (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.

There is a proposed 10-foot sewer easement shown on the map in the center of the parcel (along the current centerline of the 40<sup>th</sup> Place proposed for vacation with the final map). Other 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.

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. 61482.

S. Gail Goldberg, AICP  
Advisory Agency

MAYA ZAITZEVSKY  
Deputy Advisory Agency

MZ:SR:jq

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

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> 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](http://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 Subdivision staff at (213) 978-1362.