#### **DEPARTMENT OF** CITY PLANNING

COMMISSION OFFICE (213) 978-1300

CITY PLANNING COMMISSION

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# CITY OF LOS ANGELES

CALIFORNIA



**ERIC GARCETTI** 

**EXECUTIVE OFFICES** 

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> TRICIA KEANE DEPUTY DIRECTOR

ARTHI L. VARMA, AICP

LISA M. WEBBER, AICP DEPUTY DIRECTOR

March 16, 2020

**Property Owner** 

Yaron Levy LLI Investments, LLC 7463 Varna Avenue

Los Angeles, CA 91605

**Applicant** 

Amnon Ambar Sapphire Development V, LLC 14617 Keswick Street Los Angeles, CA 91405

Representative

Aaron Belliston **BMR** Enterprises 5250 Lankershim Boulevard #500 Los Angeles, CA 90601

**RE**: VTT-74662-SL

Address: 3230 and 3238 South Barrington Avenue

Community Plan: Palms - Mar Vista

**Council District:** 11 Existing Zone: R3-1

# **EXTENSION OF TIME**

On March 3, 2017, the Deputy Advisory Agency conditionally approved Vesting Tentative Tract Map No. VTT-74662-SL, for a maximum of ten (10) small lots for the purposes of a Small Lot Subdivision as shown on map stamp-dated October 19, 2016, in the Palms – Mar Vista Community Plan area. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and Los Angeles Municipal Code Sections 17.07 or 17.56 A, the Deputy Advisory Agency hereby grants a 6 year extension for the recording of the final map for Vesting Tentative Tract Map No. VTT-74662-SL, located at 3230 and 3238 South Barrington Avenue in the Palms – Mar Vista Community Plan area.

Therefore, the new expiration date for the subject map is March 13, 2026, and no further extension time to record a final map can be granted.

Vincent P. Bertoni **Director of Planning** 

Robert Duenas **Deputy Advisory Agency** 

KA:JL

#### **DEPARTMENT OF CITY PLANNING**

# CITY OF LOS ANGELES

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ

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DEPUTY DIRECTOR

(213) 978-1273 http://planning.lacity.org

Decision Date: March 3, 2017

Appeal Period Ends: March 13, 2017

Raffi Cohen (A) (O) Sapphire Development V, LLC 8906 West Olympic Boulevard, Suite 200 Beverly Hills, CA 90211

Aaron Belliston (R) 5405 Wilshire Boulevard, Suite 300 Los Angeles, CA 90036

Anacal Engineering Co. (E) 1900 East La Palma Avenue, #202 Anaheim, CA 92805

RE: Vesting Tentative Tract Map No.: 74662-SL

Related Cases: N/A

Address: 3230 and 3238 South Barrington

Avenue

Community Plan: Palms-Mar Vista-Del Rey

Zone: R3-1

Council District: 11 - Bonin CEQA No.: ENV-2016-3974-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.15 and Section 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 74662-SL, located at 3230 and 3238 South Barrington Avenue, for a maximum of ten (10) small lots for the purposes of a Small Lot Subdivision as shown on map stamp-dated October 19, 2016 in the Palms-Mar Vista-Del Rey Community Plan. This unit density is based on the R3-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, for legal interpretation of the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. 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**

- That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
- 2. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
- 3. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the West Los Angeles Engineering District Office.
- 4. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
- 5. That any fee deficit under Work Order No. EXT00719 expediting this project be paid.

#### Note:

Any questions regarding these conditions should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

# DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

6. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

#### Note:

Grading Division approvals are conducted at 201 N. Figueroa Street, 3<sup>rd</sup> Floor, Counter 24. The approval of this Tract Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

## DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

- 7. <u>Prior to recordation of the final map</u>, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Obtain a grading permit for the removal of the swimming pool and backfill of pool area. Provide a copy of the final grading permit to show completion of the work.
  - c. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and side rear yard

requirements shall be required to comply with current code as measured from new property lines after dedication(s).

- d. Revise proposed lot matrix to reflect the setback and orientation of Lots 1-10 and dimension all proposed yards on the map.
- e. Resubmit the map to provide and maintain a minimum 20 ft. common access strip open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot". No projections are allowed into the 20 ft. minimum common access strip. Provide the 20 ft. wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for a reduced and/or projection into the common access strip all the way to the public street.
- f. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress in the final map.

#### Notes:

The submitted Map may not comply with the number of guest parking spaces required by the Advisory Agency.

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

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS 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.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Eric Wong at (213) 482-6876 to schedule an appointment.

#### DEPARTMENT OF TRANSPORTATION

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

Note:

Please contact DOT at (213)482-7023 for any questions regarding the following.

#### FIRE DEPARTMENT

- Access for Fire Department apparatus and personnel to and into all structures shall be required.
- 10. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- 11. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- 12. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

#### Note:

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

#### DEPARTMENT OF WATER AND POWER

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

## **BUREAU OF STREET LIGHTING**

14. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Barrington Avenue.

# **BUREAU OF SANITATION**

15. Satisfactory arrangements shall be made with the Department of Public Works and 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

16. To assure that cable television facilities will be installed in the same manner as other

required improvements, please email <u>cabletv.ita@lacity.org</u> that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

#### **DEPARTMENT OF RECREATION AND PARKS**

17. That the Quimby fee be based on the R3-1 Zone.

### **BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION**

18. Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

Note:

All protected tree removals must be approved by the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077

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

- 19. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of ten (10) small lot homes.
  - b. Provide a minimum of two (2) covered off-street parking spaces per dwelling unit. (Note: One space may be a compact space. Tandem parking is allowable.)
  - c. Guest parking shall be provided at the following ratios:
    - i. One guarter (0.25) spaces per unit.
  - d. <u>Prior to the recording of the final map</u>, a revised map shall be submitted reflecting the setbacks approved by the Advisory Agency.
  - e. <u>Prior to issuance of a certificate of occupancy</u>, a minimum six-foot-high slumpstone or decorative masonry wall, or wood fence shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
  - f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
  - g. 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.
  - h. Recycling bins shall be provided at appropriate locations to promote recycling of

paper, metal, glass, and other recyclable material.

- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-ofway.
- j. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.
- k. Copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
- I. Note to City Zoning Engineer and Plan Check. The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map's setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies. In no event shall the setback from the perimeter boundary of the subdivision measure less than five (5) feet in width, pursuant to LAMC Section 12.22-C,27:
  - 1) Setbacks shall be permitted as follows:

Setbacks				
Lot No.	Front	Rear	Side	Side
1	5'-0" (N)	10'-0" (S)	5'-0" (E)	0'-0" (W)
2	5'-0" (N)	10'-0" (S)	0'-0" (E)	0'-0" (W)
3	5'-0" (N)	10'-0" (S)	0'-0" (E)	0'-0" (W)
4	5'-0" (N)	10'-0" (S)	0'-0" (E)	0'-0" (W)
5	15'-0" (W)	0'-0" (E)	5'-0" (N)	0'-0" (S)
6	15'-0" (W)	0'-0" (E)	0'-0" (N)	5'-0" (S)
7	5'-0" (S)	10'-0" (N)	0'-0" (E)	0'-0" (W)
8	5'-0" (S)	10'-0" (N)	0'-0" (E)	0'-0" (W)
9	5'-0" (S)	10'-0" (N)	0'-0" (E)	0'-0" (W)
10	5'-0" (S)	10'-0" (N)	5'-0" (E)	0'-0" (W)

- 2) The common access driveways may maintain a minimum width of 16 feet, clear-to-the-sky, as shown on the map stamp dated October 19, 2016.
- 20. <u>Prior to the clearance of any tract map conditions</u>, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
- 21. Indemnification and reimbursement of litigation costs. The applicant shall do all of the following:
  - a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this

entitlement, including but not limited to in whole or in part, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.
- c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).
- e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City. The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation. For purposes of this condition, the following definitions apply:

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

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

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

#### DEPARTMENT OF CITY PLANNING-STANDARD SMALL LOT CONDITIONS

- SL-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
  - 1. <u>Prior to recordation of the final map</u>, the subdivider shall submit a plot plan for approval by the Division of Land Section of the Department of City Planning showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.
  - All other conditions applying to Model Dwellings under Section 12.22-A,10 and 11 and Section 17.05-O of the LAMC shall be fully complied with satisfactory to the Department of Building and Safety.
- SL-2. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site and shall include the following features. The landscape plan shall identify tree replacement on a 4:1 basis by a minimum of 24-inch box, or as required by the Board of Public Works.

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

### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the LAMC.
  - (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
  - (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
  - (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
  - (e) That drainage matters be taken care of satisfactory to the City Engineer.
  - (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
  - (g) That any required slope easements be dedicated by the final map.

- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That one-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 one-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 one-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 percent.
- (I) 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 <u>prior to recordation of the final map</u>.
- S-3. That the following improvements be either constructed <u>prior to recordation of the final map</u> 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) No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Barrington Avenue.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to

current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - Improve Barrington Avenue adjoining the subdivision by the construction
    of a new concrete curb, a 2-foot wide concrete gutter, and a new 5-foot
    concrete sidewalk adjacent to the property line and landscaping of the
    parkway including any necessary removal and reconstruction of existing
    improvements.
  - ii. Improve the alley adjoining the subdivision by the reconstruction of the existing improvements to provide a suitable surfacing to complete a 9-foot and variable width half-alley including a 2-foot longitudinal gutter, together with any necessary removal and reconstruction of existing improvements.
  - iii. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

## NOTES:

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

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

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

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

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

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As

part of the Total Energy Management Program of the Department of Water and Power, this nocost consultation service will be provided to the subdivider upon his request.

## FINDINGS OF FACT (CEQA)

The Department of City Planning, on December 14, 2016, issued ENV-2016-3974-CE, and determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section 1, Class 32.

# FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Tentative Tract Map No. 74662-SL, 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 subdivision of land is regulated pursuant to Article 7 of the Los Angeles Municipal Code ("LAMC"). Specifically, Section 17.06-B requires that the vesting tentative tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The Vesting Tentative Tract Map was prepared by Anacal Engineering Company and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, site address, and other pertinent information as required by the LAMC Section 17.06-B.

The project site consists of two (2) contiguous lots that, when combined, are approximately 17,409 square feet. The project site is located within the Palms-Mar Vista-Del Rey Community Plan, one of 35 Community Plans that make up the Land Use Element of the General Plan. The Community Plan designates the site with a Medium Residential land use designation, which lists the R3 zone as a corresponding zone. The project site is zoned R3-1, which is consistent with the land use designation. The Zoning Code implements the goals, objectives, and policies of the Community Plan through zoning regulations which regulates, but is not limited to the maximum permitted density, height, parking, and the subdivision of land. The project site is zoned R3-1, which would permit a maximum of ten (10) dwelling units with a maximum height of 45 feet. As proposed, the project would demolish the two (2) existing single family dwellings and construct ten (10) new small lot homes. Each small lot home will have two covered parking spaces, as required pursuant to LAMC Section 12.21-A,4.

The proposed tentative tract map is in compliance with the zoning applying to the property and is subject to comply with such zoning prior to the recordation of the final map pursuant to LAMC 17.05-C. Additionally, LAMC Section 17.05 requires that the vesting tentative tract map complies with the design requirements of the General Plan. As defined by the Subdivision Map Act and LAMC Section 17.02, design includes, but is not limited to, street alignments (grades and widths), utilities, location of easements, lot size and configuration. The map indicates the location of utilities, public right-of-ways, common access easements for vehicular access, and frontage for each of the small lots. The map also meets the minimum lot size and width requirements of LAMC Section 12.22-C,27.

Moreover, the site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, or on land prone to liquefaction or landslide. The site is located within a Special Grading Area, however according to the Department of Building and Safety, Grading

Division, the site does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. As such, the Advisory Agency concludes that the proposed tract map is consistent with the intent and purpose of the General Plan.

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

The design and improvement of the proposed subdivision are consistent with the Palms – Mar Vista-Del Rey Community Plan and are not subject to any Specific Plan requirements. The project has 140 feet of frontage along Barrington Avenue, which is a designated Collector Street. At the project's street frontage, Barrington Avenue is dedicated to an approximate width of 100 feet. Additionally, the project adjoins an alley to the rear of the site. The alley is presently dedicated to a width of 20 feet. Per the Bureau of Engineering, no dedication are required but improvements on Barrington Avenue and the alley are required.

For the purposes of approving a tentative map, LAMC Section 17.05-C enumerates design standards for Subdivisions and requires that each subdivision map be designed in conformance with the Street Design Standards and in conformance to the General Plan. Section 17.05-C, third paragraph, further establishes that density calculations include the areas for residential use and areas designated for public uses, except for land set aside for street purposes ("net area"). The proposed subdivision is in conformance with the density allowed per the R3-1 Zone, therefore, the requested map meets the required components of a tentative map pursuant to LAMC Section 17.05-C.

For the purposes of approving a small lot subdivision, as defined by Section 66418 of the Subdivision Map Act and LAMC Section 17.02, "design" of a tract or parcel map refers to, but it is not limited to, street alignments (grades and widths), utilities, location of easements, and lot size and configurations. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. The project was reviewed by various City Agencies that have the authority to make improvement recommendations. As proposed, the tract map indicates a common access easement which would provide vehicular access to the ten (10) small lots. The Bureau of Engineering has recommended improvement requirements for Barrington Avenue and the alley. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

The project site consists of two (2) contiguous lots that, when combined, are approximately 17,409 square feet. The project is currently improved with two single-family dwellings. The existing dwellings will be removed for the construction of the ten (10) small lot homes. The project site is located 3.32 km of the Santa Monica Fault and it is not located within the Alquist-Priolo Fault Zone. The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, or on land prone to liquefaction or landslide. However, the site is located within a Special Grading Area, but according to the Department of Building and Safety, Grading Division, the site does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. The site is not located within a Methane Buffer Zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety, the Department of Transportation, and the Fire Department. The site is not identified as

having hazardous waste or past remediation. The site is within Flood Zone Type X, which denotes areas determined to be outside the 0.2% annual chance floodplain.

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. Therefore, the site will be physically suitable for the proposed type of development.

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

A mix of low-density residential uses, including single-family and multi-family residential structures, makes up the general character of the surrounding neighborhood. The properties surrounding the project site are zoned R3-1 and R1-1. All the adjacent homes are single-family dwellings, except the one located adjacently to the north and northwest across Barrington Avenue, which are multi-family apartment buildings. Tivoli Rainbow Garden Preschool is approximately 1,584 feet (0.3 miles) southwest of the project site and Mar Vista Elementary School is approximately 1,584 feet (0.3 miles) southeast of the property.

The project site consists of two (2) contiguous lots that, when combined, are approximately 17,409 square feet. The site is located in the R3 Zone, which permits a density at one dwelling unit per 800 square feet of land. As such, the 17,409 square-foot site can accommodate twenty-one (21) units. The project site is also within the Height District 1. Properties which are located in the Height District 1 are permitted a maximum building height of 45 feet. The project proposes to construct ten (10) small lot homes, which would be three-stories and would feature roof decks for all homes except the two fronting on Barrington Avenue which would feature a deck on the third-floor. The maximum height will not exceed the allowed height of 45 feet. As proposed, the density and height is consistent with the zone and land use designation. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed tract map is physically suitable for the proposed type of 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 subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat.

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

The proposed subdivision, and subsequent improvements, are subject to the provisions of the Los Angeles Municipal Code (e.g., the Fire Code, Planning and Zoning Code, Health and Safety Code) and the Building Code. Other health and safety related requirements, as mandated by law, would apply where applicable to ensure the public health and welfare (e.g., asbestos abatement, seismic safety, flood hazard management).

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet statewide ocean discharge standards.

The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system.

(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.

The project site contains a legally recorded lot as identified by the Assessor Parcel Record and Assessor Parcel Maps – Map Nos. 4250010006 and 4250010007.

The design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision since no such easements are known to exist. Needed public access for roads and utilities will be acquired by the City prior to the 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 parcels to be subdivided and other design and improvement requirements.

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

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74662-SL.

Vincent P. Bertoni, AICP Advisory Agency

NICHOLAS HENDRICKS Deputy Advisory Agency

NH:JT:LR

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Vincent P. Bertoni, AICP

Advisory Agency

NICHOLAS HENDRICKS Deputy Advisory Agency

NH:JT:LR

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 East Los Angeles Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza 201 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 http://cityplanning.lacity.org/.

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

If you have any questions, please call Development Services Center staff at (213) 482-7077 or (818) 374-5050.

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