

**DEPARTMENT OF
CITY PLANNING**

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May 13, 2022

Applicant/Owner

1169 Palms LLC (A)(O)
SHS Management
1910 Montana Avenue
Santa Monica, CA 90403

RE: Case No. VTT-82077-SL-1A
Address: 1801-1821 South Penmar Avenue &
1169 East Palm Boulevard
Community Plan: Venice
Zone: [Q]RD1.5-1XL
Council District: 1 - Bonin
CEQA No.: ENV-2020-4774-CE

Representative

Nick Leathers and Tony Russo (R)
Crest Real Estate
11150 West Olympic Boulevard #700
Los Angeles, CA 90064

LETTER OF CORRECTION

On November 17, 2021, in accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22-C,27, the West Los Angeles Area Planning Commission approved Vesting Tentative Tract Map No. 82077-SL, located at 1801-1821 South Penmar Avenue & 1169 East Palms Boulevard, for a maximum of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking for the purposes of a Small Lot Subdivision, as shown on map stamp-dated August 13, 2020, in the Venice Community Plan. This unit density is based on the [Q]RD1.5-1XL Zone.

Subsequent to the issuance of the Letter of Determination, the applicant requested a correction of conflicting conditions between the Bureau of Engineering and City Planning concerning the creation of a new lot. Based on a May 4, 2022 letter from the Bureau of Engineering requesting the deletion of Condition No. 6, the condition is corrected as follows (deletions in ~~strikeout~~ and additions in underline):

BUREAU OF ENGINEERING – SPECIFIC CONDITIONS

6. ~~Proposed Lot 8 shall not be a separate lot and the area shall be incorporated as part of the adjoining proposed Lot 1 or Lot 7 and shall be delineated as a common access easement area on the final map on a layout satisfactory to the City Engineer and Department of City Planning.~~

All other conditions remain unchanged.

Oliver Netburn
City Planner



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

*CORRECTED LETTER OF DETERMINATION

Mailing Date: **JAN 20 2022**

CASE NO. VTT-82077-SL-1A
CEQA: ENV-2020-4774-CE
Plan Area: Venice

Council District: 11 – Bonin

Project Site: 1801-1821 South Penmar Avenue and 1169 East Palms Boulevard

Applicant: 1169 Palms LLC, SHS Management
Representative: Nick Leathers and Tony Russo, Crest Real Estate

Appellant: William Wood, East Venice Neighborhood Association

At its meeting of **November 17, 2021**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

Subdivision of one lot into an eight-lot small lot subdivision; seven residential bungalow court lots and one bungalow court lot for parking.

1. Determined, based on the whole of the administrative record, that the project is exempt from the CEQA Guidelines, ^{*1}Section 15301, Class 1 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. Denied the appeal and sustained the Deputy Advisory Agency's determination dated August 31, 2021;
3. Approved pursuant to Sections 17.03, 17.15, and 12.22 C.27 of the Los Angeles Municipal Code, a Vesting Tentative Tract Map No. 82077-SL to permit the subdivision of one lot into seven residential bungalow court lots and one bungalow court lot for parking with a total of seven parking spaces for the purposes of a Small Lot Subdivision, as shown on map stamp-dated August 13, 2020, in the Venice Community Plan;
4. Adopted the attached modified Conditions of Approval; and
5. Adopted the attached Findings.

This action was taken by the following vote:

Moved: Margulies
Second: Yellin
Ayes: Waltz Morocco
Absent: Laing, Newhouse

Vote: 3 – 0

¹ CEQA Guideline Section reflects a correction. Therefore, the appeal period is re-opened for 10 days after the mailing date of this corrected determination letter



James K. Williams, Commission Executive Assistant II
West Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the West Los Angeles Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this determination letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the West Los Angeles Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JAN 31 2022

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable to a City appellate body** and the decision is final.

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.

Attachments: Modified Conditions of Approval, Findings, Interim Appeal Filing Procedures

*c: Heather Bleemers, Senior City Planner
Oliver Netburn, City Planner
Alexander Truong, City Planning Associate

CONDITIONS OF APPROVAL

As modified by the West Los Angeles Area Planning Commission on November 11, 2021.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That the City Planning Department and Department of Building and Safety Zoning verify the legal lot frontages for Lots 6, 7, and 8.
2. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.
 - f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
3. That if this tract map is approved as "small lot subdivision" then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.

4. That all common access easements including the vehicular access and pedestrian access easements be part of the adjoining lots.
5. That common access easements for all lots should extend or intersect with Palms Boulevard or Penmar Avenue and be shown on the final map.
6. Proposed Lot 8 shall not be a separate lot and the area shall be incorporated as part of the adjoining proposed Lot 1 or Lot 7 and shall be delineated as a common access easement area on the final map on a layout satisfactory to the City Engineer and Department of City Planning.
7. The existing structures to remain precludes the required dedication on Penmar Avenue.
8. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by West Los Angeles Engineering District Office.
9. That the subdivier make a request to the West Los Angeles Engineering District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
10. That all pedestrian common access easements be shown on the final map.
11. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - b) Improve Penmar Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway, including the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - c) Repair or replace all broken alley pavement, longitudinal concrete gutter and reconstruct the alley intersection at Penmar Avenue satisfactory to the City Engineer.
 - b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

BUREAU OF SANITATION

12. The Wastewater Collection Systems Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract/area and found no potential problems to their structures or potential maintenance problems, as stated in the memo dated September 17, 2020. 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).).

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

13. 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 the recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

14. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied:
 - a. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
 - b. Provide and dimension the reciprocal private easement for pedestrian (3 ft. wide open from ground to sky for lots 1-8) and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

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

DEPARTMENT OF TRANSPORTATION

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

DEPARTMENT OF WATER AND POWER

16. 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).)

FIRE DEPARTMENT

17. 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 comply with the following:
 - a. Access for Fire Department apparatus and personnel to and into all structure shall be required.

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 email **lafdhidrants@lacity.org**. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

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

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

19. 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. Parkway tree removals shall be replanted at a 2:1 ratio. 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 at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

BUREAU OF STREET LIGHTING

20. 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.

INFORMATION TECHNOLOGY AGENCY

21. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated

response also provides the email address of 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

22. 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. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82077-SL shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of eight (8) small lots, including seven (7) residential bungalow court lots and one (1) bungalow court lot for parking purposes.
 - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring properties, if no such wall already exists, except in required front yard.
 - d. No vehicular gates shall be permitted within the development.
 - 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. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
 - g. A Covenant and Agreement to run with the land shall be recorded that a Homeowner's Association will be formed and that this Association shall own and maintain Lot 8 and all other common areas. The Homeowner's Association's monthly assessment shall include necessary property taxes for Lot 8.
 - h. 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.

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.

Setbacks shall be permitted as follows:

Setbacks (in feet and inches)				
Lot No.	Front	Side (West)	Side (East)	Rear

1	3.19'	1.8'	2.82'	8.19'
2	3.13'	2.91'	5.00'	4.34'
3	3.15'	4.92'	2.03'	1.93'
4	3.20'	3.86'	2.74'	2.54'
5	7.42'	3.60'	4.49'	5.63'
6	2.56'	5.43'	3.66'	3.63'
7	9.22'	5.24'	4.36'	3.7'
8	5.3'	0' (N)	1.63' (S)	2.77'

23. The small lot subdivision shall conform to the plans stamped Exhibit "A" under Case No. ADM-2020-4773-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract Map No. 82077-SL to be inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency prior to the issuance of a building permit.
24. Existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively. A nonconforming building, structure, or improvements may be maintained or repaired or structurally altered provided it conforms to Section 12.23 A. of this Code.
25. 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.

26. **Indemnification and Reimbursement of Litigation Costs.**

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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- 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 \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- 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. (b)
- e. If the City determines it necessary to protect the City's interests, 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, commission, 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. Prior to recordation of the final map, 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.

2. 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. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. 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.

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.

SL-3 Small Lot Map Standard

1. A **Utility Easement** shall be provided per Department of Water and Power or similar agency requirements.
2. All **Trash Pick-Up** and recycling pick-up shall be conducted on-site. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.

BUREAU OF ENGINEERING – STANDARD CONDITIONS

S-1.

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

- f. That satisfactory street, sewer and drainage plans and profiles as required together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - g. That any required slope easements be dedicated by the final map.
 - h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - k. That no public street grade exceeds 15%.
 - l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- 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 or that the construction be suitably guaranteed.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall 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. Construct new street light: one (1) on Penmar 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 Services.
- 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 2010.
- i. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.

- f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

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 density.

Approval from the Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through the 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 City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains

the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C, 27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court low for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. 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).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- 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 does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- 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. 82077-SL.

FINDINGS

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General

and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C,27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court lot for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. 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).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- 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 does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- 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. 82077-SL.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

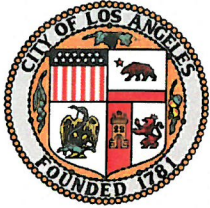
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment



WEST LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

Mailing Date: **DEC 09 2021**

CASE NO. VTT-82077-SL-1A

CEQA: ENV-2020-4774-CE

Plan Area: Venice

Council District: 11 – Bonin

Project Site: 1801-1821 South Penmar Avenue and 1169 East Palms Boulevard

Applicant: 1169 Palms LLC, SHS Management
Representative: Nick Leathers and Tony Russo, Crest Real Estate

Appellant: William Wood, East Venice Neighborhood Association

At its meeting of **November 17, 2021**, the West Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following Project:

Subdivision of one lot into an eight-lot small lot subdivision; seven residential bungalow court lots and one bungalow court lot for parking.

1. Determined, based on the whole of the administrative record, that the project is exempt from the CEQA Guidelines, Section 15332, Class 32 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. Denied the appeal and sustained the Deputy Advisory Agency's determination dated August 31, 2021;
3. Approved pursuant to Sections 17.03, 17.15, and 12.22 C.27 of the Los Angeles Municipal Code, a Vesting Tentative Tract Map No. 82077-SL to permit the subdivision of one lot into seven residential bungalow court lots and one bungalow court lot for parking with a total of seven parking spaces for the purposes of a Small Lot Subdivision, as shown on map stamp-dated August 13, 2020, in the Venice Community Plan;
4. Adopted the attached modified Conditions of Approval; and
5. Adopted the attached Findings.

This action was taken by the following vote:

Moved: Margulies
Second: Yellin
Ayes: Waltz Morocco
Absent: Laing, Newhouse

Vote: 3 – 0

James K. Williams, Commission Executive Assistant II
West Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the West Los Angeles Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this determination letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the West Los Angeles Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: DEC 20 2021

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable to a City appellate body** and the decision is final.

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.

Attachments: Modified Conditions of Approval, Findings, Interim Appeal Filing Procedures

c: Juliet Oh, Senior City Planner
Jordann Turner, City Planner
Alexander Truong, City Planning Associate

CONDITIONS OF APPROVAL

As modified by the West Los Angeles Area Planning Commission on November 11, 2021.

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

1. That the City Planning Department and Department of Building and Safety Zoning verify the legal lot frontages for Lots 6, 7, and 8.
2. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.
 - f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
3. That if this tract map is approved as "small lot subdivision" then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.

4. That all common access easements including the vehicular access and pedestrian access easements be part of the adjoining lots.
5. That common access easements for all lots should extend or intersect with Palms Boulevard or Penmar Avenue and be shown on the final map.
6. Proposed Lot 8 shall not be a separate lot and the area shall be incorporated as part of the adjoining proposed Lot 1 or Lot 7 and shall be delineated as a common access easement area on the final map on a layout satisfactory to the City Engineer and Department of City Planning.
7. The existing structures to remain precludes the required dedication on Penmar Avenue.
8. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by West Los Angeles Engineering District Office.
9. That the subdivier make a request to the West Los Angeles Engineering District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
10. That all pedestrian common access easements be shown on the final map.
11. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - b) Improve Penmar Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway, including the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - c) Repair or replace all broken alley pavement, longitudinal concrete gutter and reconstruct the alley intersection at Penmar Avenue satisfactory to the City Engineer.
 - b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

BUREAU OF SANITATION

12. The Wastewater Collection Systems Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract/area and found no potential problems to their structures or potential maintenance problems, as stated in the memo dated September 17, 2020. 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).).

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

13. 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 the recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

14. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied:
 - a. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
 - b. Provide and dimension the reciprocal private easement for pedestrian (3 ft. wide open from ground to sky for lots 1-8) and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

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

DEPARTMENT OF TRANSPORTATION

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

DEPARTMENT OF WATER AND POWER

16. 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).)

FIRE DEPARTMENT

17. 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 comply with the following:
 - a. Access for Fire Department apparatus and personnel to and into all structure shall be required.

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 email **lafdhidrants@lacity.org**. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

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

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

19. 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. Parkway tree removals shall be replanted at a 2:1 ratio. 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 at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

BUREAU OF STREET LIGHTING

20. 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.

INFORMATION TECHNOLOGY AGENCY

21. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated

response also provides the email address of 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

22. 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. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82077-SL shall not be issued until after the final map has been recorded.
 - b. Limit the proposed development to a maximum of eight (8) small lots, including seven (7) residential bungalow court lots and one (1) bungalow court lot for parking purposes.
 - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring properties, if no such wall already exists, except in required front yard.
 - d. No vehicular gates shall be permitted within the development.
 - 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. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
 - g. A Covenant and Agreement to run with the land shall be recorded that a Homeowner's Association will be formed and that this Association shall own and maintain Lot 8 and all other common areas. The Homeowner's Association's monthly assessment shall include necessary property taxes for Lot 8.
 - h. 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.

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.

Setbacks shall be permitted as follows:

Setbacks (in feet and inches)				
Lot No.	Front	Side (West)	Side (East)	Rear

1	3.19'	1.8'	2.82'	8.19'
2	3.13'	2.91'	5.00'	4.34'
3	3.15'	4.92'	2.03'	1.93'
4	3.20'	3.86'	2.74'	2.54'
5	7.42'	3.60'	4.49'	5.63'
6	2.56'	5.43'	3.66'	3.63'
7	9.22'	5.24'	4.36'	3.7'
8	5.3'	0' (N)	1.63' (S)	2.77'

23. The small lot subdivision shall conform to the plans stamped Exhibit "A" under Case No. ADM-2020-4773-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract Map No. 82077-SL to be inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency prior to the issuance of a building permit.
24. Existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively. A nonconforming building, structure, or improvements may be maintained or repaired or structurally altered provided it conforms to Section 12.23 A. of this Code.
25. 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.
26. **Indemnification and Reimbursement of Litigation Costs.**

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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- 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 \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

- 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. (b)
- e. If the City determines it necessary to protect the City's interests, 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, commission, 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. Prior to recordation of the final map, 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.

2. 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. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. 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.

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.

SL-3 Small Lot Map Standard

1. A **Utility Easement** shall be provided per Department of Water and Power or similar agency requirements.
2. All **Trash Pick-Up** and recycling pick-up shall be conducted on-site. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.

BUREAU OF ENGINEERING – STANDARD CONDITIONS

S-1.

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

- f. That satisfactory street, sewer and drainage plans and profiles as required together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
 - g. That any required slope easements be dedicated by the final map.
 - h. That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
 - i. That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
 - j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - k. That no public street grade exceeds 15%.
 - l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- 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 or that the construction be suitably guaranteed.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall 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. Construct new street light: one (1) on Penmar 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 Services.
- 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 2010.
- i. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.

- f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

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 density.

Approval from the Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through the 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 City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains

the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C, 27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court lot for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. 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).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- 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 does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- 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. 82077-SL.

FINDINGS

FINDINGS OF FACT (CEQA)

The City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General

and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C,27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court lot for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. 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).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

- 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 does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

- 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. 82077-SL.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

HELEN LEUNG
KAREN MACK

DANA M. PERLMAN
YVETTE LOPEZ-LEDESMA
JENNA HORNSTOCK
RENEE DAKE WILSON
VACANT

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

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ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

Decision Date: August 31, 2021

Appeal Period Ends: September 10, 2021

1169 Palms LLC (A)(O)
SHS Management
1910 Montana Avenue
Santa Monica, CA 90403

Nick Leathers and Tony Russo (R)
Crest Real Estate
11150 West Olympic Boulevard #700
Los Angeles, CA 90064

RE: Case No. VTT-82077-SL
Address: 1801-1821 South Penmar Avenue
& 1169 East Palms Boulevard
Community Plan: Venice
Existing Zone: [Q]RD1.5-1XL
Council District: 11 – Bonin
CEQA No.: ENV-2020-4774-CE

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.03, 17.15, and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 82077-SL, located at 1801-1821 South Penmar Avenue & 1169 East Palms Boulevard, for a maximum of **seven (7) residential bungalow court lots and one (1) bungalow court lot for parking** for the purposes of a Small Lot Subdivision, as shown on map stamp-dated August 13, 2020, in the Venice Community Plan. This unit density is based on the [Q]RD1.5-1XL Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety, which will legally interpret the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center, call (213) 482-7077 or (818) 374-5050 or (310) 231-2598. 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 City Planning Department and Department of Building and Safety Zoning verify the legal lot frontages for Lots 6, 7, and 8.
2. That a 3-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard to complete 33-foot wide half right-of-way dedication in accordance with Collector Street standards of Mobility Plan 2035.

3. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.
 - f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.
4. That if this tract map is approved as "small lot subdivision" then the final map be labeled as "Small Lot Subdivision per Ordinance No. 185462" satisfactory to the City Engineer.
5. That all common access easements including the vehicular access and pedestrian access easements be part of the adjoining lots.
6. That common access easements for all lots should extend or intersect with Palms Boulevard or Penmar Avenue and be shown on the final map.
7. Proposed Lot 8 shall not be a separate lot and the area shall be incorporated as part of the adjoining proposed Lot 1 or Lot 7 and shall be delineated as a common access

easement area on the final map on a layout satisfactory to the City Engineer and Department of City Planning.

8. The existing structures to remain precludes the required dedication on Penmar Avenue.
9. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by West Los Angeles Engineering District Office.
10. That the subdivier make a request to the West Los Angeles Engineering District Office of the Bureau of Engineering to determine the capacity of the existing sewers in this area.
11. That all pedestrian common access easements be shown on the final map.
12. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a) Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - b) Improve Penmar Avenue adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway, including the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - c) Repair or replace all broken alley pavement, longitudinal concrete gutter and reconstruct the alley intersection at Penmar Avenue satisfactory to the City Engineer.
 - b) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

BUREAU OF SANITATION

12. The Wastewater Collection Systems Division of the Bureau of Sanitation has reviewed the sewer/storm drain lines serving the subject tract/area and found no potential problems to their structures or potential maintenance problems, as stated in the memo dated September 17, 2020. 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).).

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

13. 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 the recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

14. Prior to recordation of the final map, a clearance letter will be issued by the Department of Building and Safety, Zoning Division stating that no Building or Zoning Code violations exist relating to the subdivision on the subject site once the following items have been satisfied:
- a. Show all street/alley dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedication. Front and side yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
 - b. Provide and dimension the reciprocal private easement for pedestrian (3 ft. wide open from ground to sky for lots 1-8) and driveway egress and ingress in the final map.

Notes:

This property is located in a Liquefaction Zone.

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

DEPARTMENT OF TRANSPORTATION

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

DEPARTMENT OF WATER AND POWER

16. 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).)

FIRE DEPARTMENT

17. 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 comply with the following:

- a. Access for Fire Department apparatus and personnel to and into all structure shall be required.

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 email **lafdhhydrants@lacity.org**. You should advise any consultant representing you of this requirement as well.

DEPARTMENT OF RECREATION AND PARKS

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

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

19. 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. Parkway tree removals shall be replanted at a 2:1 ratio. 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 at: (213) 847-3077 upon completion of construction to expedite tree planting.

Note: Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

BUREAU OF STREET LIGHTING

20. 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.

INFORMATION TECHNOLOGY AGENCY

21. To assure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of 3 people in case the applicant/owner has any additional questions.

DEPARTMENT OF CITY PLANNING – SITE SPECIFIC CONDITIONS

22. 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. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract No. 82077-SL shall not be issued until after the final map has been recorded.
- b. Limit the proposed development to a maximum of eight (8) small lots, including seven (7) residential bungalow court lots and one (1) bungalow court lot for parking purposes.
- c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high fence or wall made of slumpstone, decorative masonry, or other comparable-quality material shall be constructed adjacent to neighboring properties, if no such wall already exists, except in required front yard.
- d. No vehicular gates shall be permitted within the development.
- 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. The applicant shall install shielded lighting to reduce any potential illumination affecting adjacent properties.
- g. A Covenant and Agreement to run with the land shall be recorded that a Homeowner's Association will be formed and that this Association shall own and maintain Lot 8 and all other common areas. The Homeowner's Association's monthly assessment shall include necessary property taxes for Lot 8.
- h. 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.

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.

Setbacks shall be permitted as follows:

Setbacks (in feet and inches)				
Lot No.	Front	Side (West)	Side (East)	Rear
1	3.19'	1.8'	2.82'	8.19'
2	3.13'	2.91'	5.00'	4.34'
3	3.15'	4.92'	2.03'	1.93'
4	3.20'	3.86'	2.74'	2.54'
5	7.42'	3.60'	4.49'	5.63'
6	2.56'	5.43'	3.66'	3.63'
7	9.22'	5.24'	4.36'	3.7'
8	5.3'	0' (N)	1.63' (S)	2.77'

23. The small lot subdivision shall conform to the plans stamped Exhibit "A" under Case No. ADM-2020-4773-SLD. In the event the Advisory Agency modifies Vesting Tentative Tract Map No. 82077-SL to be inconsistent with the stamped plans, the subdivider shall submit revised plans in substantial conformance with the approved map to the satisfaction of the Advisory Agency prior to the issuance of a building permit.
24. Existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively. A nonconforming building, structure, or improvements may be maintained or repaired or structurally altered provided it conforms to Section 12.23 A. of this Code.
25. 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.
26. **Indemnification and Reimbursement of Litigation Costs.**

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, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.
- b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.
- 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 \$50,000. The City's failure to notice or collect the deposit does not relieve the applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).
- 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. (b)
- e. If the City determines it necessary to protect the City's interests, 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, commission, 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. Prior to recordation of the final map, 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.
2. 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. That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency following the instructions of Form CP-6730 prior to obtaining any grading or building permits before the recordation of the final map. 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.

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.

SL-3 Small Lot Map Standard

1. A **Utility Easement** shall be provided per Department of Water and Power or similar agency requirements.
2. All **Trash Pick-Up** and recycling pick-up shall be conducted on-site. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material, unless individual receptacles are provided in each home.

BUREAU OF ENGINEERING – STANDARD CONDITIONS

S-1.

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

property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.

- j. That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
 - k. That no public street grade exceeds 15%.
 - l. That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.
- 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 or that the construction be suitably guaranteed.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction shall 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. Construct new street light: one (1) on Penmar 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 Services.
 - 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 2010.
- i. That a 0.25-foot wide strip of land be dedicated along Palms Boulevard adjoining the subdivision and a suitable radius property line return at the intersection of Penmar Boulevard.
 - a. That a 2.75-foot public sidewalk easement be provided along Palms Boulevard adjoining the subdivision including suitable radius easement line returns at the intersection with Penmar Avenue.
 - b. Construct and maintain a new 2.75-foot-wide concrete sidewalk within the property along the Palms Boulevard property line in conformance with Exhibit A. The sidewalk shall be designed and maintained in conformance with the Americans with Disabilities Act (ADA). No change to the sidewalk design will be made without prior review by the Department of City Planning, Expedited Processing Section, and written approval by the Director of Planning.
 - c. Improve Palms Boulevard adjoining the subdivision by the removal of the existing sidewalk and construction of a new 5-foot wide concrete sidewalk and landscaping of the parkway or a new full width concrete sidewalk (including in the easement areas) with tree wells; the construction of new concrete curb and gutter and any necessary removal and reconstruction of existing improvements.
 - d. Prior to the issuance of any permits relative to this matter, the applicant shall record a Covenant and Agreement with the Los Angeles County Registrar-Recorder for a 2.75-foot wide public sidewalk easement along Palms Boulevard for the entire length of the Palms Boulevard frontage for public sidewalk purposes. The easement shall be open and accessible to the public at all times. The Agreement shall to waive any right of the applicant or future owner to make or prosecute any claims or demands against the City for any damage or injury which may occur within the sidewalk easement.
 - e. Should the Bureau of Engineering or other city agency seek the installation of public infrastructure, or street furniture or amenities, they may consider the easement as public sidewalk for the purposes of providing required clearances.
 - f. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

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 density.

Approval from the Board of Public Works may be necessary before removal of any street trees in conjunction with the improvements in this tract map through the 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 City of Los Angeles determined based on the whole of the administrative record that the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. 82077-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.

Section 66411 of the Subdivision Map Act (Map Act) establishes that local agencies regulate and control the design of subdivisions. Chapter 2, Article I, of the Map Act establishes the general provisions for tentative, final, and parcel maps. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the Los Angeles Municipal Code ("LAMC").

The Los Angeles Municipal Code (LAMC) implements the goals, objectives, and policies of the Community Plan through adopted zoning regulations. The Zoning Code regulates, but is not limited to, the maximum permitted density, height, and the subdivision of land. The Venice Community Plan does not address subdivision explicitly, however, the plan does provide for land designations with the corresponding zones.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The site is located within the Venice Community Plan area, in the City of Los Angeles, which designates the property for Low Medium II Residential land uses, with corresponding zones of R1.5, RD2, RW2, and RZ2.5. The property zoned [Q]RD1.5-1XL. Residential uses are permitted in [Q]RD1.5-1XL zoned lots with a development density of 1,500 square feet per dwelling unit. Thus, the project would allow for seven (7) dwelling units. The proposed project would be comprised of seven (7) residential bungalow court units.

The Vesting Tentative Tract Map describes and illustrates a land use consistent with the proposed zoning and General Plan land use designation. Multi-family and single-family uses are permitted in the [Q]RD1.5-1XL Zone and Low Medium II Residential land use designation. Therefore, the Vesting Tentative Tract Map for the subdivision of seven (7) residential bungalow court lots and one (1) bungalow court lot for parking allowable under the proposed zone and the land use designation, and will be consistent with the General and Community Plans and the request is consistent with Article 7 (Division of Land Regulations) of the Los Angeles Municipal Code. The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

b. The design and improvement of the proposed subdivision are consistent with applicable general and specific plans.

Pursuant to Section 66418 of the Subdivision Map Act, "design" of a map refers to street alignments, grades and widths; drainage and sanitary facilities and utilities, including alignments and grades thereof; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for park or recreational purposes; and other such specific physical requirements in the plan and configuration of the entire subdivision as may be necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan. In addition, Section 66427 of the Subdivision Map Act expressly states that the "design and location of buildings are not part of the map review process for condominium, community apartment or stock cooperative projects."

Section 17.05-C of the LAMC 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"). LAMC Section 17.06-B lists the map requirements for a tentative tract map. The Vesting Tentative Tract Map was prepared by a Registered Professional Engineer and contains the required components, dimensions, areas, notes, legal description, ownership, applicant, and site address information as required by the LAMC. In addition, Section 12.22-C,27 of the LAMC (as amended by Ordinance No. 185,462, which became effective on April 18, 2018) details requirements for small lot subdivisions. For the request herein, the LAMC requires that the proposed small lot subdivision with regard to bungalow courts

and existing structures that are nonconforming as to use, density, yards, or parking may be subdivided provided that the subdivision does not further increase the density nor reduce the yards, and that existing required parking be maintained, respectively.

The proposed project complies with the requirements of both the tentative tract map and a small lot subdivision.

In addition, the amended ordinance requires all small lot subdivision maps to comply with the established Small Lot Map Standards, as well as compliance with established design standards. The conditions incorporated herein will ensure that the project adhere to the standards set forth by the ordinance and requires the development to include, among other things, a pedestrian pathway and common access driveway.

The design and layout of the vesting tentative tract map are consistent with the design standards established by the Subdivision Map Act and Division of Land Regulations of the Los Angeles Municipal Code. Several public agencies (including Bureau of Engineering, Building and Safety, Department of Recreation and Parks, Fire Department, and Bureau of Street Lighting) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval.

The project site is governed by the Los Angeles Coastal Transportation Corridor Specific Plan; however, the subdivision is not considered a project and thus subject to the Specific Plan's provisions according to the signed Geographic Planning Referral Form dated April 18, 2018.

Therefore, the design and improvement of the proposed subdivision is consistent with the intent and purpose of the applicable General and Specific Plans.

c. The site is physically suitable for the proposed type of development.

The subject project is a flat, irregular-shaped, 11,104 square-foot corner lot with approximately 160-foot frontage along Penmar Avenue and 40 feet along Palms Boulevard. The site is currently improved with a 7-unit bungalow court and associated parking.

The project involves the subdivision of one (1) lot into an eight-lot small lot small lot subdivision; seven (7) residential bungalow court lots and one (1) bungalow court lot for parking with a total of seven (7) parking spaces. All parking is provided within a covered garage accessed along the alley to the west.

The [Q]RD1.5-1XL Zone permits a density of one (1) unit per 1,500 square feet of lot area. As such, the applicant would be permitted to construct a maximum of seven (7) dwelling units on the subject property, based on the lot area of 11,104 square feet. With seven (7) residential bungalow court lots proposed, the project's density is below the maximum allowable for the [Q]RD1.5-1XL Zone.

The property is located within the Urban Agriculture Incentive Zone. The property is located within 4.3km of the Santa Monica Fault, and within a liquefaction zone. The site is not located in a flood zone, or the Alquist-Priolo Fault Zone. The Department of Building and Safety, Grading Division, will require that the project satisfy the requirement of the City's Grading Regulations as enumerated in Section 91.3000 of the Los Angeles

Municipal Code. Removal of trees on-site and street trees through the development of the proposed project will be replaced as per the requirements of the Bureau of Street Services, Urban Forestry Division.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots is an allowed use on the site under the [Q]RD1.5-1XL Zone and would be a compatible use with the existing mixed use density of the neighborhood. Therefore, the project site is physically suitable for the proposed type of development.

d. The site is physically suitable for the proposed density of development.

The General Plan identifies geographic locations where planned and anticipated densities are permitted through its Community Plans and Specific Plans. Zoning relating to the sites throughout the city, are allocated based on the type of land use, physical suitability and where future population growth is expected to occur.

The proposed project includes a subdivision of one (1) lot to create eight (8) small lots for seven residential (7) bungalow court lots and one (1) bungalow court lot for parking. Each home will be two-stories tall with a maximum height of 27 feet and 1 inch. Provided on-site parking will include seven (7) covered spaces within an existing garage.

The site is not located within a Hillside Area, a Very High Fire Hazard Severity Zone, a Special Grading Area, or on land prone to landslide.

The RD1.5-1 Zone would permit a density of one (1) dwelling unit per 1,500 square feet of lot area. The property provides a net lot area of 11,104 square feet which would allow for the development of seven (7) Small Lot homes. The project has been conditioned for a maximum of seven (7) Small Lot homes.

Multi-family and single-family land uses in the [Q]RD1.5-1XL, [Q]R2-1XL, [Q]RD3-1XL, and R1V2 Zones make up the general character of the surrounding neighborhood. The subdivision of one (1) lot into eight (8) Small Lots for seven (7) residential bungalow court lots and one (1) bungalow court lot for parking is an allowed use on the site under the [Q]RD1.5-1XL Zone and, as such, the site 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 and the surrounding area are urbanized, have been developed and improved with structures for many decades, and do not provide a natural habitat for either fish or wildlife. Therefore, the proposed project would not have any effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Services, and no impacts would occur. 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).

The project is not located on a hazardous materials site, flood hazard area, nor is it located on a site having unsuitable soil conditions. The project would not place any occupants or residents near a hazardous materials site or involve the use or transport of hazardous materials or substances.

The area surrounding the property is fully developed with similar uses indicating that sewers and other services are available. Therefore, the design of the subdivision and the proposed improvements are not likely to cause serious public health problems.

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 does not adjoin or provide access to a public resource, natural habitat, public park, or any other officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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.



HEATHER BLEEMERS
Deputy Advisory Agency

HB:ON:AT:bk

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 North Valley 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:

Downtown
Figueroa Plaza
201 North Figueroa Street, 4th Floor
Los Angeles, CA 90012
(213) 482-7077

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

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
(310) 231-2598

Forms are also available on-line at <http://planning.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, (818) 374-5050, or (310) 231-2598.

VESTING TENTATIVE TRACT NO. 82077

IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A PROPOSED SUBDIVISION OF LOT 46, TRACT NO. 6250,
AS PER MAP RECORDED IN BOOK 65, PAGE 68 OF MAPS,
RECORDS OF LOS ANGELES COUNTY,

FOR SMALL LOT SUBDIVISION PURPOSES AS A BUNGALOW COURT

LOT NO.	AREA SF	FY	(W) SY	(E) SY	RY	LOT COV. %
1	1280	3.19	1.8	2.82	8.19	41.7
2	1322	3.13	2.91	5.00	4.34	42.2
3	1188	3.15	4.92	2.03	1.93	47.0
4	1037	3.20	3.86	2.74	2.54	53.9
5	1720	7.42	3.6	4.49	5.63	32.6
6	1048	2.56	5.43	3.66	3.63	53.4
7	1451	9.22	5.24	4.36	3.7	38.5
8	2058	5.3	(N) 0	(S) 1.63	2.77	62.0

OWNER AND SUBDIVIDER
STEVEN H. SCHWARTZ, GREGORY D. SCHWARTZ,
SHIRLEY WOLFENDEN, TRUSTEE OF THE
ROBERT H. SCHWARTZ TRUST, PENMAR/PALMS LLC,
C/O SHS MANAGEMENT
1910 MONTANA AVENUE
SANTA MONICA CA 90403-1912
TEL: (310) 453-4255

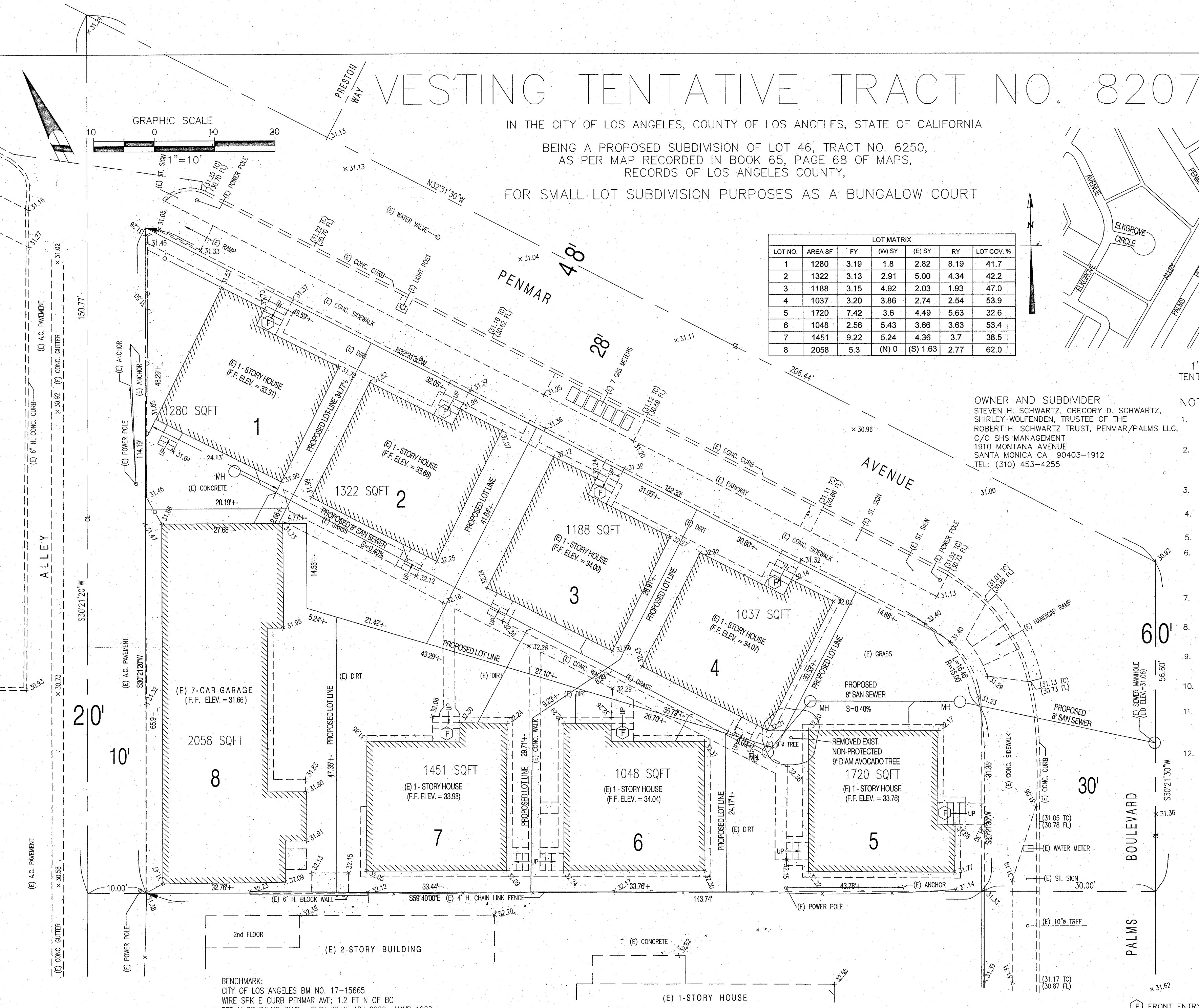
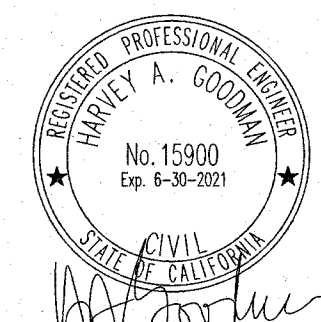
NOTES:

- PROJECT ADDRESS: 1169 E. PALMS BLVD
1801-1821 S. PENMAR AVE
LOS ANGELES, CA 90291
- PROPOSED PROJECT:
8 LOT SMALL LOT SUBDIVISION CONSISTING OF 7 EXISTING
DWELLING UNITS AND 1 LOT WITH 7 COMMUNITY PARKING
SPACES IN RECONSTRUCTED GARAGE
- THIS SUBDIVISION IS DEVELOPED UNDER ORDINANCE
NO. 185462 FOR AN EXISTING BUNGALOW COURT
- EXISTING ZONE: [Q]RD1.5-1XL
PROPOSED ZONE: NO PROPOSED ZONE CHANGE
- PROPOSED DRAINAGE TO PENMAR AVE & PALMS BLVD
- REFERENCES:
DISTRICT MAP 111B149
THOMAS GUIDE 671-J4
APN: 4243-002-065
- SANITARY SEWER AND ALL UTILITIES ARE EXISTING
AND AVAILABLE
- NO OAK TREE, WESTERN SYCAMORE, CALIFORNIA BAY,
AND/OR CALIFORNIA BLACK WALNUT ON SITE.
- HAZARDS
A. SITE IS IN A LIQUIFICATION AREA
- PROJECT IS LOCATED IN THE VENICE COMMUNITY
PLAN AREA.
- AREA SUMMARY:

	ACRES	SQUARE FEET
GROSS	0.437	19045
NET	0.254	11104
- REQUEST INCLUDES WAIVERS OF DEDICATION
ALONG PENMAR AVENUE AND PALMS BOULEVARD

MAP PREPARED BY:
DIRECT ALL CORRESPONDENCE
TO:

CIVIL ENGINEER:
HARVEY A. GOODMAN
CIVIL ENGINEER
834-17TH STREET, SUITE 5
SANTA MONICA CA 90403
TEL: (310) 829-1037
harvey@harveygoodman.com



BENCHMARK:
CITY OF LOS ANGELES BM NO. 17-15665
WIRE SPK E CURB PENMAR AVE; 1.2 FT N OF BC
RET N OF PALMS BLVD. ELEV 30.75 ADJ 2000 NAVD 1983

MAP PREPARED JUNE 24, 2020