

**PLANNING DEPARTMENT TRANSMITTAL  
TO THE CITY CLERK'S OFFICE**

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
VTT-74064-SL-1A	ENV-2016-1573-MND	2 - Krekorian
PROJECT ADDRESS:		
4531, 4535, 4535 ½ and 4537 North Tujunga Avenue		
APPLICANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Apik Minnassian, Tujunga Village, LLC Representative: Thomas Lacobellis, Lacobellies & Associates, Inc.		
<input type="checkbox"/> New/Changed		
APPELLANT/REPRESENTATIVE:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Doug Ellis and Julie Faubert	818-287-7777 213-494-9691	laboydoug@gmail.com missjzo@mac.com
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
Lilian Rubio	213-978-1840	<a href="mailto:Lilian.rubio@lacity.org">Lilian.rubio@lacity.org</a>
APPROVED PROJECT DESCRIPTION:		
Demolition of two (2) existing triplexes, and the construction, use, and maintenance of eight (8) new 3-story, small lot homes with roof terraces on an approximately 12,794 new square foot site.		

**COMMISSION ACTION(S) / ZONING ADMINISTRATOR ACTION(S): (CEA's PLEASE CONFIRM)**

**The South Valley Area Planning Commission Failed to** failed to arrive at a resolution in conjunction with a project involving a demolition of two (2) existing triplexes on site, and the construction, use, and maintenance of eight (8) new 3-story small lot homes with roof terraces on an approximately 12,794 new square foot site.

The matter before the Commission was an appeal from the Deputy Advisory Agency's determination in approving VTT-74064-SL and adopting Mitigated Negative Declaration ENV-2016-1573-MND as the environmental clearance for the project and related Mitigation Monitoring Program

The appeal to the Commission was filed on November 21, 2016. Pursuant to the Los Angeles Municipal Code Section 17.06 A. 3 the Commission had 30-days after the expiration of the appeal period to act on this matter, which was December 21, 2016. Failure of the Commission to adopt a resolution within the code prescribed time period is therefore deemed a denial of the appeal.

**ENTITLEMENTS FOR CITY COUNCIL CONSIDERATION:**

VTT-74064-SL – Vesting Tentative Tract

**FINAL ENTITLEMENTS NOT ADVANCING:**

N/A

**ITEMS APPEALED:**

VTT-74064-SL – Vesting Tentative Tract

**ATTACHMENTS:****REVISED:****ENVIRONMENTAL CLEARANCE:****REVISED:**

- ☒ Letter of Determination
- ☐ Findings of Fact
- ☒ Staff Recommendation Report
- ☒ Conditions of Approval
- ☐ Ordinance
- ☐ Zone Change Map
- ☐ GPA Resolution
- ☐ Land Use Map
- ☐ Exhibit A - Site Plan
- ☒ Mailing List
- ☐ Land Use
- ☐ Other \_\_\_\_\_

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- ☐ Categorical Exemption
- ☐ Negative Declaration
- ☒ Mitigated Negative Declaration
- ☐ Environmental Impact Report
- ☐ Mitigation Monitoring Program
- ☐ Other \_\_\_\_\_

- ☐
- ☐
- ☐
- ☐
- ☐
- ☐

**NOTES / INSTRUCTION(S):**

<b>FISCAL IMPACT STATEMENT:</b>	
<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	
*If determination states administrative costs are recovered through fees, indicate "Yes".	
<b>PLANNING COMMISSION:</b>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> <b>City Planning Commission (CPC)</b>  <input type="checkbox"/> <b>Cultural Heritage Commission (CHC)</b>  <input type="checkbox"/> <b>Central Area Planning Commission</b>  <input type="checkbox"/> <b>East LA Area Planning Commission</b>  <input type="checkbox"/> <b>Harbor Area Planning Commission</b> </div> <div style="width: 45%;"> <input type="checkbox"/> <b>North Valley Area Planning Commission</b>  <input type="checkbox"/> <b>South LA Area Planning Commission</b>  <input checked="" type="checkbox"/> <b>South Valley Area Planning Commission</b>  <input type="checkbox"/> <b>West LA Area Planning Commission</b> </div> </div>	
<b>PLANNING COMMISSION HEARING DATE:</b>	<b>COMMISSION VOTE:</b>
December 8, 2016	N/A
<b>LAST DAY TO APPEAL:</b>	<b>APPEALED:</b>
February 9, 2017	Yes (February 6, 2017)
<b>TRANSMITTED BY:</b>	<b>TRANSMITTAL DATE:</b>
Rocky Wiles	February 6, 2017



## SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

[www.planning.lacity.org](http://www.planning.lacity.org)

**\*\*CORRECTED LETTER OF DETERMINATION\*\***

**MAILING DATE:** JAN 30 2017

**Case No.:** VTT-74064-SL-1A

Council District: 2 - Krekorian

CEQA: ENV-2016-1573-MND

Plan Area: Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass

**Project Site:** 4531, 4535, 4535 ½ and 4537 North Tujunga Avenue

**Applicant:** Apik Minnassian, Tujunga Village, LLC  
Representative: Thomas Lacobellis, Lacobellies & Associates, Inc.

**Appellant:** Doug Ellis and Julie Faubert

At its meeting of **December 8, 2016**, the South Valley Area Planning Commission failed to arrive at a resolution in conjunction with a project involving a demolition of two (2) existing triplexes on site, and the construction, use, and maintenance of eight (8) new 3-story small lot homes with roof terraces on an approximately 12,794 new square foot site.

The matter before the Commission was an appeal from the Deputy Advisory Agency's determination in approving VTT-74064-SL and adopting Mitigated Negative Declaration ENV-2016-1573-MND as the environmental clearance for the project and related Mitigation Monitoring Program

The appeal to the Commission was filed on November 21, 2016. Pursuant to the Los Angeles Municipal Code Section 17.06 A. 3 the Commission had 30-days after the expiration of the appeal period to act on this matter, which was December 21, 2016. Failure of the Commission to adopt a resolution within the code prescribed time period is therefore deemed a denial of the appeal.

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

Renee Glasco, Commission Executive Assistant I  
South Valley Area Planning Commission

**Effective Date/Appeals:** Inasmuch as the South Valley Area Planning Commission failed to act on this matter, the original action of the Deputy Advisory Agency is appealable to the City Council within 10 days from the mailing date on this determination. The Deputy Advisory Agency's decision will become final unless an appeal is filed within that timeframe. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Third Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at [www.planning.lacity.org](http://www.planning.lacity.org).

**Final Appeal Date:** FEB 09 2017



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.

Attachment:

Deputy Advisory Agency's Determination Letter dated November 10, 2016

c: Lilian Rubio, Planning Assistant  
Henry Chu, Associate Zoning Administrator

DEPARTMENT OF  
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ  
PRESIDENT

RENEE DAKE WILSON  
VICE-PRESIDENT

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CAROLINE CHOE

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SAMANTHA MILLMAN  
VERONICA PADILLA-CAMPOS  
DANA M. PERLMAN

JAMES K. WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ERIC GARCETTI  
MAYOR

EXECUTIVE OFFICES  
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<http://planning.lacity.org>

Decision Date: November 10, 2016

Appeal Period Ends: November 21, 2016

Apik Minassian (A)(O)  
Tujunga Village, LLC  
208 East 6<sup>th</sup> Street, Ste. A-11  
Los Angeles, CA 90014

Thomas Iacobellis (R)(E)  
Iacobellis and Associates  
11145 Tampa Avenue, #15B  
Northridge, CA 91326

RE: Vesting Tentative Tract Map No. VTT-74064-SL  
Addresses: 4531-4537 North Tujunga Avenue  
Planning Area: Sherman Oaks – Studio City –  
Toluca Lake - Cahuenga  
Zone: RD1.5-1-RIO  
D. M.: 168B169, 168B173  
C. D.: 2  
CEQA: ENV-2016-1573-MND

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.15 and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 74064-SL, located at 4531-4535 North Tujunga Avenue for a maximum of eight (8) small lot homes for the purposes of a Small Lot Subdivision as shown on map stamp-dated May 4, 2016 in the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Community Plan. This unit density is based on the RD1.5-1-RIO Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety for legal interpretation of the Zoning Code as it applies to this particular property.) For an appointment with the Development Services Center call (213) 482-7077 or (818) 374-5050. The Advisory Agency's approval is subject to the following conditions:

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

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That a 3-foot wide strip of land be dedicated along Tujunga Avenue adjoining portion of the tract to complete a 43-foot wide half right-of-way in accordance with Avenue II of LA Mobility Plan.
2. That if this tract map is approved as "Small Lot Subdivision" then, and if necessary for street address purposes all the common access to this subdivision be named on the final map satisfactory to the City Engineer.
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. 176354" satisfactory to the City Engineer.
4. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley District Engineering District Office.
5. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
6. That any fee deficit under Work Order No. EXT00683 expediting this project be paid.

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

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

7. Comply with any requirements with the Department of Building and Safety, Grading Division (Log # 93092) before recordation of the final map and the issuance of any permit.

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

8. Prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
  - b. Show all street dedication 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 dedication. Front yard requirements shall be required to comply with current code as measured from new property lines after dedication.



- c. Resubmit the map to provide and maintain a minimum 20 ft. common access strip open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot". The proposed Trash Collection area are not allowed into the 20 ft. minimum common access strip. Provide the 20 ft. wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for the Trash Collection area into the common access strip all the way to the public street.
- d. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress, drainage, utilities and sewer in the final map.

**Notes:**

There is a 25 ft. Building Line along Tujunga Avenue on this Subdivision.

This property is located in the ZI-2427 Freeway Adjacent Advisory Notice for Sensitive Uses.

This property is located in the Zi-2358 River Improvement Overlay District.

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.

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

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John Francia at (213) 482-0010 to schedule an appointment.

**DEPARTMENT OF TRANSPORTATION**

9. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A minimum of 20-foot reservoir space be provided between any security gate and the property line, to the satisfaction of the DOT.



- b. A two-way driveway width of W=28 feet is required for residential sites between 5 and 25 parking spaces, to the satisfaction of DOT.
- c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
- d. That the condition clearance fee be paid to the Department of Transportation as required per Ordinance No.183270 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

#### **FIRE DEPARTMENT**

- 10. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:
  - a. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.

#### **DEPARTMENT OF WATER AND POWER**

- 11. 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).)

Questions should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-5700 or (213) 367-1120.

#### **BUREAU OF STREET LIGHTING**

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

#### **BUREAU OF SANITATION**

- 13. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements,

the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

#### **INFORMATION TECHNOLOGY AGENCY**

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

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

15. That the Quimby fee be based on the RD1.5-1-RIO Zone.

#### **URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

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

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

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

17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of eight (8) small lots.
  - b. A Certificate of Occupancy (temporary or final) for the building(s) in Vesting Tentative Tract Map No. 74064-SL shall not be issued until after the final map has been recorded.
  - c. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.
  - d. Prior to issuance of a certificate of occupancy, hedges shall be added along the western property line adjacent to the neighboring residences and be in conformance with LAMC Section 12.22-C, 20(f).
  - e. Extend the west facing parapet of western rear dwelling units a minimum of five feet above the subject building height.



- f. Remove all exterior columns and beams that surround the stairwell enclosures from all the dwelling units.
- g. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- h. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- i. 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.
- j. That the use of a common trash area and pick up of the joint trash by a commercial trash hauler be provided except in the event that the City of Los Angeles Bureau of Sanitation will agree to enter the development and pick up the individual units' trash in the common area driveway of the development.

Note: In such event, the residents of the dwelling units will be required to leave their trash containers outside of their units in the common area driveway but not on the street (North Tujunga Avenue).

- k. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material.
- l. Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.
- m. A Maintenance Agreement shall be formed, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance. The Maintenance Agreement on shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded to the Planning Department for placement in the tract file.
- n. 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.
- o. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site. Approved Variations as follows:

- 1) Setbacks shall be permitted as follows:

Lot No.	Setbacks			
	Front (E)	Side (N)	Rear (W)	Side (S)
1	22'-0"	5'-0"	0'-3"	8'-0"
2	22'-0"	8'-0"	0'-3"	5'-0"
3	0'-3"	5'-0"	3'-0"	8'-0"
4	0'-3"	8'-0"	3'-0"	5'-0"
5	3'-0"	5'-0"	0'-3"	8'-0"
6	3'-0"	8'-0"	0'-3"	5'-0"
7	0'-3"	5'-0"	6'-4"	8'-0"
8	0'-3"	8'-0"	6'-4"	5'-0"

- 2) The common access driveway may maintain a width of 16 feet, clear to sky, as shown on the map stamp dated May 4, 2016.
18. **Tenant Relocation.** That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with LAMC Section 47.07 relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
19. **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.
20. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**
- Applicant shall do all of the following:
- 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.
  - 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 \$25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (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.

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

MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.

MM-2. Prior to the issuance of any permit, a plot plan shall be prepared indicating the location, size, type, and general condition of all existing trees on the site and within the adjacent public right(s)-of-way.

MM-3. All significant (8-inch or greater trunk diameter; or cumulative trunk diameter if multi-trunked, as measured 54 inches above the ground) non-protected trees on the site proposed for removal shall be replaced at a 1:1 ratio with a minimum 24-inch box tree. Net, new trees, located within the parkway of the adjacent public right(s)-of-way, may be counted toward replacement tree requirements.

MM-4. Removal or planting of any tree in the public right-of-way requires approval of the Board of Public Works. Contact Urban Forestry Division at: 213-847-3077. All trees in the public right-of-way shall be provided per the current standards of the Urban Forestry Division, Bureau of Street Services, Department of Public Works.

MM-5. An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standard 52.2 Minimum Efficiency Reporting Value (MERV) of 12, to the satisfaction of the Department of Building and Safety.

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

MM-7. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

MM-8. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

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

- CM-1. Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-2. Fences shall be constructed around the site to minimize trespassing, vandalism, short-cut attractions and attractive nuisances.
- CM-3. The developer shall install appropriate traffic signs around the site to ensure pedestrian and vehicle safety.
- CM-4. To the maximum extent practical, demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-5. The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-6. Prior to the issuance of any demolition or construction permit, the applicant shall provide a copy of the receipt or contract from a waste disposal company providing services to the project, specifying recycled waste service(s), to the satisfaction of the Department of Building and Safety. The demolition and construction contractor(s) shall only contract for waste disposal services with a company that recycles demolition and/or construction-related wastes.
- CM-7. To facilitate on-site separation and recycling of demolition- and construction-related wastes, the contractor(s) shall provide temporary waste separation bins on-site during demolition and construction. These bins shall be emptied and the contents recycled accordingly as a part of the project's regular solid waste disposal program.

#### **DEPARTMENT OF CITY PLANNING-STANDARD SMALL LOT HOME 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. Prior to obtaining any grading or building permits before the recordation of the final map, a landscape plan shall be prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730. The landscape plan shall identify tree replacement on a 1:1 basis by a minimum



of 24-inch box trees for the unavoidable loss of desirable trees on the site and shall include the following features.

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

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

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



- (k) That no public street grade exceeds 15%.
  - (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 1990.
- S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:
- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
  - (b) Make satisfactory arrangements with the Department of Transportation with respect to street name, warning, regulatory and guide signs.
  - (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
  - (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
  - (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.
- S-3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
  - (b) Construct any necessary drainage facilities.
  - (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.
    - i. No street lighting improvements if no street widening per BOE improvement conditions. Otherwise, remove and reinstall existing conduit behind new curb and gutter on Tujunga Avenue.
  - (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division (213-485-5675) upon completion of construction to expedite tree planting.

- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the Americans with Disabilities Act (ADA) of 1990.
- (i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Tujunga Avenue being dedicated and adjoining the subdivision by the construction of a 15-foot wide full-width concrete sidewalks with tree wells including any necessary removal and reconstruction of existing improvements.
  - b. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

**NOTES:**

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

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

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

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

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

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

**FINDINGS OF FACT (CEQA)**

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2016-1573-MND on August 22, 2016. The Department found that potential negative impact could occur from the project's implementation due to:

Aesthetics (Landscape Plan)  
Biological Resources (Non-Protected Trees)  
Land Use and Planning (Air Filtration System)  
Noise (Demolition, Grading, and Construction Activities)

The Deputy Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2016-1573-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 21 and 22 of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

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

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by adopting the attached Mitigation Monitoring Program of ENV-2016-1573-MND.

**FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Vesting Tentative Tract Map No. 74064-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The requested Small Lot Subdivision allows for the subdivision of underutilized land in multi-family and commercial areas into fee-simple homes. Intended as an infill development and a smart-growth alternative to traditional, suburban style single-family subdivisions, small lot homes have smaller lot areas with compact building footprints and reduced yard setbacks, street frontages, passageways between buildings, and open space. As such, small lot subdivisions oftentimes create parcels with a unique set of design and spatial complexities.

The Tentative Tract Map was prepared by Iacobellis & Associates Inc. 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 site is located in the RD1.5-1-RIO Zone, within the Sherman Oaks – Studio City – Toluca Lake - Cahuenga Community Plan and is designated for Low Medium Residential land uses. The site is located within the Freeway Adjacent Advisory Notice for Sensitive Uses and the River Improvement Overlay District. The subject site's 1 Height District limits the height of any proposed structure to 45 feet. The Hollywood Fault is located within 2.34 kilometers of the property but the site is not identified as being subject to flooding or landslides. The site is identified as being subject to liquefaction. The property is not identified as having hazardous waste or past remediation. The site is not located within a Bureau of Engineering identified special grading area.

The applicant is proposing a Vesting Tentative Tract Map for the demolition of two existing triplexes and the construction, use, and maintenance of eight (8) small lot homes, per the Small Lot Ordinance and the Subdivision Map Act. Two (2) parking spaces will be provided for each new small lot home and will be located in private garages for a total overall parking count of 16 parking spaces for the project.

The Sherman Oaks – Studio City – Toluca Lake - Cahuenga Community Plan, a part of the Land Use Element of the City's General Plan, states the following goal and policies relevant to the current project:

Goal 1: To promote and insure the provision of adequate housing for all persons regardless of income, age or ethnic background.

Policy: 1-4.1 Promote greater individual choice in type, quality, price and location of housing.

Policy: 1-4.4 Provide for development of townhouses and other similar condominium type of housing units to increase home ownership options.

The proposed small lot project will meet the intent of the aforementioned Community Plan's Goals and Objectives and will provide much needed new home ownership opportunities for the Sherman Oaks – Studio City – Toluca Lake - Cahuenga Community Plan area in the form of fee-simple housing as part of an infill development.

The Tentative Tract Map describes and illustrates a land use consistent with the General Plan Land Use Designation of Low Medium Residential land uses with the corresponding zones of RZ, RD6, RD5, RD4, RD3, RD2, and RD1.5. The property is not located within a Specific Plan. The property contains approximately 0.29 net acres (12,794 square feet) after the required dedications. The applicant is proposing to develop eight (8) small lot homes on a site consisting of eight (8) small lots, per the Small Lot Ordinance and the Subdivision Map Act.

Small Lot Subdivision maps are required to have the plan of the building envelope showing the height, size, number of units, and approximate location of buildings, and driveways. The project's density is consistent with the site's existing zoning regulations. In accordance with LAMC Section 12.22-C,27, the requested small lot



subdivision complies with the required minimum lot width of 16 feet; lot area of 600 square feet; lot coverage limitation of 80%; and setback requirements. Height is limited to 45 feet in Height District, the map provides the required components of both a tentative tract map and a small lot subdivision.

Therefore, the proposed map is substantially consistent with the applicable General Plan affecting the project site and demonstrates compliance with Sections 17.01, 17.05(C) and 12.22-C,27 of the Los Angeles Municipal Code.

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

The adopted Sherman Oaks – Studio City – Toluca Lake – Cahuenga Community Plan designates the subject property for Low Medium Residential land uses with the corresponding zones of RZ, RD6, RD5, RD4, RD3, RD2, and RD1.5. The property is not located within a Specific Plan. The Low Medium Residential land use designation and the RD1.5 Zone permit the small lot development subject to lot areas comprised of a minimum of 1,500 square feet (Sections 12.09.1 and 12.22-C,27 of the Los Angeles Municipal Code). The property contains approximately 0.29 net acres (12,794 square feet) after the required dedications. The applicant is permitted to construct 8 residential condominiums or apartment unit's by-right per the RD1.5 Zone. The applicant is proposing to develop eight (8) small lot homes on a site consisting of eight (8) small lots, consistent with the RD1.5 Zone and in accordance with the Small Lot Ordinance and the Subdivision Map Act.

Section 66418 of the Subdivision Map Act defines the term "design" as follows: "Design" means: (1) street alignments, grades and widths; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other 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 Los Angeles Municipal Code 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"). In addition, Section 12.22-C,27 of the Municipal Code requires that requested small lot subdivisions comply with the required minimum lot width of 16 feet; lot area of 600 square feet; lot coverage limitation of 80%; and five-foot setback requirements for the boundary of the subdivision. The map provides the required components of, both, a tentative tract map and a small lot subdivision.

The design and layout of the vesting map is 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 Fire Department, Department of Building and Safety, Bureau of Engineering, and Bureau of Sanitation) have reviewed the map and found the subdivision design satisfactory. These agencies have imposed improvement requirements and/or conditions of approval. Sewers are available and have been inspected and deemed adequate in accommodating the proposed project's sewerage needs. The subdivision will be required to comply with all regulations pertaining to grading, building permits, and street improvement permit requirements. Conditions of Approval for the design and improvement of the subdivision are required to be performed prior to the recordation of the vesting map, building permit, grading permit, or certificate of occupancy.

Furthermore, the design and improvement of the proposed subdivision are consistent with the Sherman Oaks – Studio City – Toluca Lake – Cahuenga Community Plan and are not subject to any Specific Plan requirements. Tujunga Avenue is a designated Avenue II dedicated to a variable width of 80 and 83-feet at the project site's street frontage, and is improved with curb and sidewalk. For the purposes of approving a small lot subdivision, the "design" of the tract or parcel map refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout and building design. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. The project was reviewed by various city agencies that have the authority to make improvement recommendations. Staff received recommendations from the Bureau of Engineering for a 3-foot wide strip of land to be dedicated along Tujunga Avenue adjoining the portion of the tract to complete a 43-foot wide right-of-way in accordance with Avenue II of LA Mobility Plan. Bureau of Engineering is also requiring improvements to be completed on Tujunga Avenue being dedicated and adjoining the subdivision by the construction of a 15-foot wide full-width concrete sidewalks with tree wells including any necessary removal and reconstruction of existing improvements and to construct the necessary on-site mainline sewers satisfactory to the City Engineer. In addition, the Bureau of Street Lighting required to remove and reinstall existing conduit behind new curb and gutter on Tujunga Avenue. All necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990.

Therefore, as conditioned, 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 site is not located in a hazardous zone and does not contain any known hazards. The property is a level, rectangular-shaped parcel of land and is not located in a slope stability study area and high erosion hazard area, or an Alquist Priolo fault-rupture zone. The site is located on the east side of Tujunga Avenue, between Landale Street and Sarah Street and is currently occupied by two triplexes. It is an in-fill lot in a substantially developed urban area. The site is

composed of approximately 12,794 square feet of lot area and would contain a proposed land use that is consistent with local plans and policies. The lots created by this subdivision would comply with area requirements of the RD1.5 Zone. At a permitted density of 1 unit per 1,500 square feet, a maximum of 8 units is otherwise permitted on a lot with a total of 12,794 square feet.

The environmental review conducted by the Department of City Planning, as indicated in Case No. ENV-2016-1573-MND (Mitigated Negative Declaration), established that the physical characteristics of the site and surrounding area is consistent with existing development of the site and surrounding community. The physical implementation of the project would not cause substantial impacts beyond the existing baseline conditions. Potentially significant impact identified in the Mitigated Negative Declaration would be mitigated via implementation of the required mitigation measures as identified under the Conditions of Approval for this project as indicated in the Mitigated Negative Declaration.

The site is not subject to the Specific Plan for Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard, and flood-related erosion hazard areas). The Department of Building and Safety, Grading Division, reported that the site is located in a designated liquefaction hazard zone as shown on the "Seismic Hazard Zones" map issued by the State of California. The liquefaction study included as a part of the report/s demonstrates that the site does not possess a liquefaction potential. This satisfies the requirement of the 2014 Los Angeles City Building Code Section 1802.2.7.

Therefore, material evidence supports that 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 (through its Community and Specific Plans) geographic locations where planned and anticipated densities are permitted. Zoning applying to subject sites throughout the City are allocated based on the type of land use, physical suitability, and population growth that is expected to occur.

The adopted Sherman Oaks – Studio City – Toluca Lake – Cahuenga Community Plan designates the subject property for Low Medium Residential land uses with the corresponding zones RZ, RD6, RD5, RD4, RD3, RD2, and RD1.5. The property is not located within a Specific Plan. The Low Medium Residential land use designation and the RD1.5 Zone permit the small lot development subject to lot areas comprised of a minimum of 1,500 square feet (Sections 12.09.1 and 12.22-C,27 of the Los Angeles Municipal Code). The property contains approximately 0.29 net acres (12,795 square feet) after the required dedications. The applicant is permitted to construct 8 residential condominiums or apartment unit's by-right per the RD1.5 Zone. The applicant is proposing to develop eight (8) small lot homes on a site consisting of eight (8) small lots, consistent with the RD1.5 Zone and in accordance with the Small Lot Ordinance and the Subdivision Map Act.



There are no known physical impediments or hazards that would be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. Therefore, the project site is physically suitable for the proposed type of development.

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

The Mitigated Negative Declaration (Case No. ENV-2016-1573-MND) prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, air, water, plant life, animal life, or risk of upset to these resources is concerned. Furthermore, the project site, as well as the surrounding area are presently developed with structures and do not provide a natural habitat for fish.

With regards to those impact categories identified in the environmental documentation as having a potential impact without mitigation, the Mitigated Negative Declaration has identified Mitigation Measures to mitigate potentially significant impacts to less than or no impact levels. Such measures are required and are incorporated under the project's conditions of approval. Mitigation Monitoring and other procedures and processes have been identified ensuring the implementation of all required mitigation measures. Therefore, in light of the whole record, the proposed project would not cause substantial impacts on the environment.

- (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 over a hazardous materials site, flood hazard area and is not located on 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 Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system, where collected sewage is directed to sewer treatment plants, which have been upgraded to meet Statewide Ocean Discharge Standards. Additionally, an environment assessment consistent with the requirements of the California Environmental Quality Act (CEQA) was prepared for the proposed project, which indicates that no adverse impacts to the public health or safety would occur as a result of the design and improvement of the site.



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.

There are no recorded instruments identifying easements encumbering the project site for the purpose of providing public access. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, Public Park or any 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 parcel(s) to be subdivided and other design and improvement requirements.

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


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

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

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

These findings shall apply to both the tentative and final maps for Vesting Tentative Tract Map No. 74064-SL.

Vincent P. Bertoni, AICP  
Advisory Agency



Henry Chu  
Deputy Advisory Agency

HC:JT:LR

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

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

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

**Forms are also available on-line at <http://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 or (818) 374-5050.