

**PLANNING DEPARTMENT TRANSMITTAL
TO THE CITY CLERK'S OFFICE**
SUPPLEMENTAL
CF 17-0401

CITY PLANNING CASE:	ENVIRONMENTAL DOCUMENT:	COUNCIL DISTRICT:
VTT-73816 (VTT-73816-2A)	ENV-2015-3749-MND	COUNCIL DISTRICT NO. 15
PROJECT ADDRESS:		
17236 SOUTH HOOVER STREET		
PLANNER CONTACT INFORMATION:	TELEPHONE NUMBER:	EMAIL ADDRESS:
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NOTES / INSTRUCTION(S):	
<p>TRANSMITTAL OF FINDINGS AS MODIFIED BY THE PLANNING & LAND USE MANAGEMENT COMMITTEE ON AUGUST 15, 2017</p>	
TRANSMITTED BY:	TRANSMITTAL DATE:
Claudia Rodriguez Council Liaison	08/17/2017

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REVISED FINDINGS OF FACT (CEQA)

(As modified by the Planning & Land Use Management Committee on August 15, 2017)

The Department of City Planning issued Mitigated Negative Declaration ENV-2015-3749-MND on June 15, 2016. The Planning Department found that potential negative impact could occur from the project's implementation due to the following categories:

- Aesthetics;
- Biological Resources;
- Green House Gases;
- Hazards and Hazardous Materials;
- Land Use and Planning;
- Noise;
- Public Services;
- Transportation and Traffic;
- Mandatory Findings of Significance.

The Deputy Advisory Agency, certified that Mitigated Negative Declaration No. ENV 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. 19 and 20** 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, etc.) which are specifically intended to mitigate such potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in **Condition No. 18**.

However, at its meeting on January 17, 2017, the Harbor Area Planning Commission found that the proposed project will result in a traffic impact on the neighborhood based on commission member site visit and public testimony, **and thus this environmental finding cannot be made in the affirmative.**

REVISED FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract No. 73816, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, 66474.61 and 66474.63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

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The adopted Harbor Gateway Community Plan, a part of the Land Use Element, currently designates one of the parcels as Low Residential General Plan land use and zoned R1-1, and designates the other parcel as Public Facilities – Freeway General Plan land use and zoned [Q]PF-1. The subject site is comprised of 122,295-square foot (2.821 acre).

Footnote No. 11 of the Harbor Gateway Community Plan states:

The Public Facility (PF) planning land use designation is premised on the ownership and use of the property by a government agency. The designation of the PF Zone as a corresponding zone is based on the same premise. The [Harbor Gateway Community] Plan also intends that when a board or governing body of a government agency has indicated an intent to acquire, and the City is notified that the agency intends to offer the property for sale to a private purchaser, then the property may be rezoned to the zone(s) most consistent within 500 feet of the property boundary and still be considered consistent with the adopted Plan.

The zone that is most consistent within 500 feet of the subject site is the R1-1 Zone. In accordance with the Community Plan, a zone change from the [Q]PF-1 Zone to the R1-1 Zone was requested.

At its meeting on January 17, 2017, the Harbor Area Planning Commission (APC) found that the concurrent zone change Case No. APCH-2015-3175-ZC did not further the health, safety, and general welfare of the community in that the project will constitute a health risk for future residents due to the proximity to the 91 Artesia Freeway and 110 Harbor Freeway. Furthermore, the APC finding is consistent with Zoning Information Notice No. 2437 – Freeway Adjacent Advisory Notice for Sensitive Uses – the proposed project is within the 500-foot threshold for potentially detrimental air quality. Since the requested zone change from [Q]PF-1 to R1-1 was denied and the zoning in the larger lot remains [Q]PF-1, the proposed subdivision is not consistent with applicable general and specific plans, for the existing [Q] Conditions do not permit residential uses on the project site.

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

The surrounding neighborhood is designated R1-1. The development of fifteen (15) dwelling units on a 122,295-square foot (2.821 acre) lot exceeds the minimum 5,000-square foot per lot area requirement of the R1 Zone, thus meeting the allowed development density of the R1 Zone and the Low Residential land use of the Harbor Gateway Community Plan.

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Both lots are currently vacant. Surrounding properties are zoned R1-1 and developed with single-family housing. The proposed project is 15 two-story, single-family houses on a private street accessed through Hoover Street. Parking would be two covered parking spaces per dwelling unit for a total of 30 parking spaces.

Lot sizes would range from approximately 5,177 to 12,370 square feet, thereby meeting the minimum 5,000 square-foot lot area of the R1 Zone. As measured from the edge of the private street, each lot would meet the minimum legal lot frontage of 20 feet.

Two parking spaces per lot would provide 30 total parking spaces on the project site, thus meeting the minimum parking requirements. Each lot would be accessed through a 36-foot wide private street easement and a 40-foot wide private street easement off of Hoover Street.

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

The development of this parcel is an infill of an otherwise single-family residential neighborhood. The Bureau of Engineering has reviewed the proposed tract map and found that the parcel map layout is generally satisfactory. In an interdepartmental comment letter dated June 8, 2016, the Bureau of Engineering initially disapproved the project as filed, citing insufficient widths of private street easements and insufficient private street development that must conform to standard public street dimensions minus the areas for public utilities. The applicant submitted a revised tract map which was conditionally approved by the Bureau of Engineering in their interdepartmental comment letter dated August 24, 2016.

The adjacent street, Hoover Street, meets current standards. The proposed 40-foot private street easement and 36-foot private street easement are adequate for vehicular ingress and egress and emergency purposes. The Bureau of Sanitation reviewed the sewer/drain lines serving the subject tract and found no problems to their structures or potential maintenance problems. As a condition of approval, the project would also be required to dedicate a sanitary sewer easement along the full width of the proposed private street. The subdivider would also be required to construct public and/or private drainage facilities within suitable easements that drain from the private street to an outlet approved by the City Engineer.

The project is relatively flat. The applicant plans for minimal grading and no export of soil. A haul route approval is thus not required. The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas).

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

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A zone change request to rezone the site to the R1-1 Zone was denied by the Harbor Area Planning Commission (APC) in related Case No. APCH-2015-3175-ZC at its meeting on January 17, 2017. Thus, the proposed residential project remains in the [Q]PF-1 Zone which does not allow any residential density. Therefore, the proposed project is not physically suitable for the proposed density of development. **This finding cannot be made in the affirmative.**

- (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 Deputy Advisory Agency certified that Mitigated Negative Declaration No. ENV-2015-3749-MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided that the potential impacts identified above are mitigated to a less than significant level through implementation of **Condition Nos. 19 and 20** of the Tract's approval. However, at its meeting on January 17, 2017, the Harbor Area Planning Commission found that the proposed project will result in a traffic impact on the neighborhood based on commission member site visit and public testimony, **and thus this environmental finding cannot be made in the affirmative.**

The Initial Study prepared for the project identifies potential adverse impact on fish or wildlife resources as far as earth, air, and plant life are concerned. However, measures are required as part of this approval, which will mitigate the above mentioned impact(s) to a less than significant level. Furthermore, the project site, as well as the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife. **Therefore this finding cannot be made in the affirmative.**

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

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision. The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

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

The project site contains a 22-foot wide easement for the California Department of Transportation (Caltrans). As conditioned by the Bureau of Engineering, the proposed subdivision and private street within the existing Caltrans easement shall be reviewed and approved by Caltrans prior to recordation of the final map.

The project would also be required to dedicate a sanitary sewer easement along the full width of the proposed private street.

Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed tract. The Bureau of Engineering has included conditions of approval which requires that the applicant record a covenant and agreement to maintain all elements of those areas being merged with the public right-of-way, that the construction be guaranteed, and waivers of any damages that may occur as a result of such improvements.

During plan check and prior to recordation of the final tract map, the Department of Building and Safety will review the plans to ensure that no structures encroach on the easements and right-of-way, and thereby cause no conflict. In addition, the Bureau of Engineering will require approval of the final tract map from the Bureau of Sanitation which is responsible for maintenance of the sanitary sewers. Therefore, the design of the subdivision and the proposed improvements will not conflict with easements.

- (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.

City Planning Case No. VTT-73816-2A
Related Case: APCH-2015-3175-ZC

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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.