

DEPARTMENT OF  
CITY PLANNING

200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801

AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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CITY OF LOS ANGELES  
CALIFORNIA



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R  
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<http://planning.lacity.org>

Decision Date: August 16, 2016

Appeal End Date: August 31, 2016

Nathan & Leah Chaim (O/A)  
859 North Virgil Avenue #B  
Los Angeles, CA 90029-2981

Fernando J. Diaz (R)  
Ane Consulting, Inc.  
645 West Ninth Street #110-141  
Los Angeles, CA 90015

Re: AA-2015-3876-PMLA-REV  
13141 West Chandler Boulevard  
Van Nuys-North Sherman Oaks Plan Area  
Zone : RE11-1, R1-1  
D.M. : 174-B-157  
C.D. : 4  
CEQA : ENV-2015-3877-CE  
Legal Description: Lots A, B & C;  
PM 2004-3205

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency approved Parcel Map No. AA-2015-3876-PMLA-REV for a maximum one-parcel single-family lot development as shown on map stamp-dated November 9, 2015 in the Van Nuys-North Sherman Oaks Community Plan. (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 Public Counter 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**

1. That the Department of Transportation in a letter to the Advisory Agency state that they have no objection in merger of a dedicated turning area at the terminus of Cumpston Street under recorded Parcel Map AA-2004-3205-PMLA.
2. That in the event a no objection letter has received from the Department of Transportation, then the dedicated turning area at the terminus of Cumpston Street per recorded Parcel Map No. AA-2004-3205-PMLA be permitted to be merged with the remainder of the subdivision pursuant to Section 66499.20-1/2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
  - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
  - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
3. That any surcharge fee in conjunction with the street merger request be paid.
4. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve required street improvements on Chandler Boulevard per Street Plan No. P36786, including relocation of the existing power pole acceptable to the City Engineer.
  - c. If necessary, construct the necessary house connection sewer to serve the parcel and evaluate the existing house connection, or any other arrangement acceptable to the Valley Engineering District Office.

Note: Any questions regarding this report should be directed to Ray Saidi of the Land Development Group, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3492.

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

5. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on each site.
  - b. Show all street dedication as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be

rechecked as per net lot area after street dedication. Revision of street dedication shall be approved by Bureau of Engineering.

- c. Only one single family dwelling is allowed on the lot. If more than one single family is on the lot, obtain City Planning approval to allow existing dwelling to remain or obtain demolition permit to remove the building. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.

Notes: Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213)482-0434 to schedule an appointment.

#### **DEPARTMENT OF TRANSPORTATION**

6. Prior to the recordation of the final map satisfactory arrangements shall be made with the Department of Transportation to assure:
  - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, to the satisfaction of DOT.
  - b. A parking area and driveway plan should be submitted to the City Planning Coordination Section of the Department of Transportation for approval prior to the submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys CA 91401.
  - c. That the subdivision report fee and condition clearances fee be paid to the Department of Transportation as required per Ordinance No. 183,270 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 the new ordinance.

#### **FIRE DEPARTMENT**

7. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department.

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

8. The following street lighting facilities to serve the subject property shall be installed as required by the Bureau of Street Lighting:

- a. No street lighting improvement if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street light; one (1) on Chandler Boulevard.

Notes: The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometric of the public roadway or driveways apron may require additional or the reconstruction of street lighting improvements as part of that condition.

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

9. 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 one-lot.
  - b. Provide a minimum of 2 covered off-street parking spaces.
  - c. Prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall, wrought iron fence or other type of fencing shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

#### 10. 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 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 the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

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

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

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

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include 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.

**FINDINGS OF FACT (CEQA)**

The Department of City Planning, on May 24, 2016, determined that the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act designates the subject project as categorically exempt under Article III, Section 1, Class 15.

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

In connection with the approval of Preliminary Parcel Map No. AA-2015-3876-PMLA-REV the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Van Nuys-North Sherman Oaks Community Plan designates the subject properties for Very Low Residential and Low Residential land uses with the corresponding zones RE20, RA, RE15, RE11 and R1, RS, RD5, RD6 and RE9, respectively. The property is located is not located within any geographic specific plan. The property contains approximately 0.77 net acres (33,541.2 net square feet after reversion of the prior dedication under Case No. AA-2004-3205-PMLA) and is presently zoned RE11-1 and R1-1. The current development of one single-family dwelling is allowable under the current adopted zone and the land use designation. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is not located in a hazardous flood area (Outside the Flood Zone). Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General Plan.

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

Chandler Boulevard is a divided Boulevard II developed with curb, gutter, sidewalk, landscaped parkway, bike lanes, and a landscaped median, and is dedicated to a 150.5-foot width at the project's street frontage. Cumpston Street is a local street dedicated to a turning area, as shown on the tentative map, at the terminus of the street which was recorded under AA-2004-3205-PMLA and is conditioned for merger with the remainder the lot herewith. Again, this site is not subject to any specific plan requirements. The proposed project will provide three garaged parking spaces in conformance and one space in excess of the LAMC and the Deputy Advisory Agency's parking policy for projects in parking non-congested areas. As conditioned the design (as currently developed) and revision of improvements along Cumpston Street are consistent with the applicable General Plan.

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

The site is one of the few under improved properties in the vicinity. The reversion of acreage is proposed to maintain the site as presently used as a large estate sized lot. With the exception of the Metro Orange Bus Line to the rear in the PF-1XL zone, the site is located in a single-family neighborhood with lots zoned either RE11-1 or R1-1.

The site is level and is not located in a slope stability study area, high erosion hazard area, or a fault-rupture study zone. The Department of Building and Safety, Grading Division, has approved the Parcel Map without conditions.

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

Adjacent land uses include the Metro Orange Bus Line on the north, one single-family residential dwelling in the RE11-1 Zone to the east, three single-family dwellings to the south across Chandler Boulevard fronting Mary Ellen Avenue and Kuen Place in the RE11-1 Zone, and three single-family dwellings on the west one fronting Chandler Boulevard and two fronting Cumpston Street at its terminus. The site currently contains a total of one single-family dwelling to remain. The proposed project will comply with all LAMC requirements for parking, yards, and open space. As conditioned the proposed parcel map is physically suitable for the proposed density of the development.

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

The project site, as well as the surrounding area, are presently developed with structures and do not provide a natural habitat for either fish or wildlife. The categorical exemption, granted on May 24, 2016, is for the division of property into four or fewer parcels when the division is in conformance with the General Plan, and zoning, no variances or exceptions are required, all services and access to the proposed parcels are to local standards, the parcel was not involved in a division of larger parcel within the previous two years, and the parcel does not have a slope greater than 20 percent. The project is to change the recorded three-lot parcel map back to the original one-lot upon the approval of this reversion of acreage. No construction is proposed at this juncture.

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

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

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

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

No such easements are known to exist. The previously approved dedicated turning area at the terminus of Cumpston Street to the west of the property is being merged back into said property with the recordation of the new parcel map. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed parcel map herewith.

- (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 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. 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 preliminary and final maps for Parcel Map No. AA-2015-3876-PMLA-REV.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

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.



As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau regarding the cable television franchise holder for this area at 213 922-8363.

The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the South Valley Area Planning Commission within 15 calendar days of the decision date. If you wish to appeal, a Master Appeal Form No. CP-7769, must be submitted, accepted as complete, and appeal fees paid by 4:30 PM on July 15, 2016\* at one of the City Planning Department Public Counters, located at:

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

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

**\*Please note the cashiers at the public counters close at 4:30 PM.**

**Forms are also available on-line at <http://cityplanning.lacity.org>.**

Pursuant to Ordinance No. 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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 Public Counter staff at (213) 482-7077 and (818) 374-5050.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 4:30 p.m. June 30, 2019.

No requests for time extensions or appeals received by mail shall be accepted.

Vincent P. Bertoni, AICP  
Director of Planning



MARC WOERSCHING  
Deputy Advisory Agency

VPB:MW:SH:mkc

TENTATIVE APPROVAL

NO: *AA 2004-3205 PMLA*  
Approved without conditions

BY: *Robert J. Wilson*  
Department of Building & Safety  
Grading Division

*U A REVERSION TO ACREAGE MAP APPLICATION  
NO NEW CONSTRUCTION IS PROPOSED*

LEGAL DESCRIPTION:

LOT A-C, OF PARCEL MAP 2004-3205 IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 363, PAGE 81 THROUGH 83 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

NOTES:

- 1) THIS MAP IS FOR EXHIBIT PURPOSES ONLY
- 2) IMMEDIATE REQUEST: "A REVERSION TO ACREAGE" MAP APPLICATION UNDER L.A.M.C SEC 17.10 - TO ALLOW RECORDED MAP AA 2004-3205 TO REVERT TO THE ORIGINAL LOT CONFIGURATION PRIOR TO RECORDATION AND ELIMINATE THE PUBLIC IMPROVEMENTS, ON CUMPSTON STREET, INCLUDING ANY SEWERS, DRAINAGE DEVICES AND STREET TURN AROUNDS UNDER IMPROVEMENT BOND BD 204151
- 3) REVERT PARCEL(S): "A" - 8,536 SF.  
"B" - 9,110 SF.  
"C" - 13,865 SF.
- 4) REVERT ST. DEDICATION: CUMPSTON STREET - ± 2,030.20 SF. (VERIFY A FINAL MAP STAGE)
- 5) TOTAL PARCEL AREA: 33,541.20 SQUARE FEET (.77 NET AC)
- 6) EXISTING AND PROPOSED ZONING: R1-1 & RE11-1 (TO REMAIN)
- 7) PROPERTY WITHIN THE VAN NUYS-NORTH SHERMAN OAKS COMMUNITY PLAN
- 8) EXISTING GENERAL PLAN DESIGNATION: VERY LOW & LOW RESIDENTIAL
- 9) PROJECT IS LOCATED IN COUNCIL DISTRICT NO.: 4
- 10) EXISTING USE: SINGLE FAMILY DWELLING (C of O ISSUED 10/14/2008)
- 11) PROPOSED USE: TO REMAIN
- 12) THERE ARE CURRENTLY TWO BUILDINGS ON THE PROPERTY
- 13) SANITARY SEWERS ARE EXISTING ON CHANDLER BLVD.
- 14) CHANDLER BLVD IMPROVEMENTS HAVE BEEN COMPLETED
- 15) ALL PROTECTED TREES TO REMAIN
- 16) THERE ARE NO GEOLOGIC OR FLOOD HAZARD AREAS WITHIN THE PROJECT BOUNDARY.
- 17) THE PROJECT SITE IS NOT LOCATED ON A HILLSIDE AREA
- 18) EXISTING 24' BUILDING LINE UNDER ORDINANCE NO. 138312

PREPARED BY:

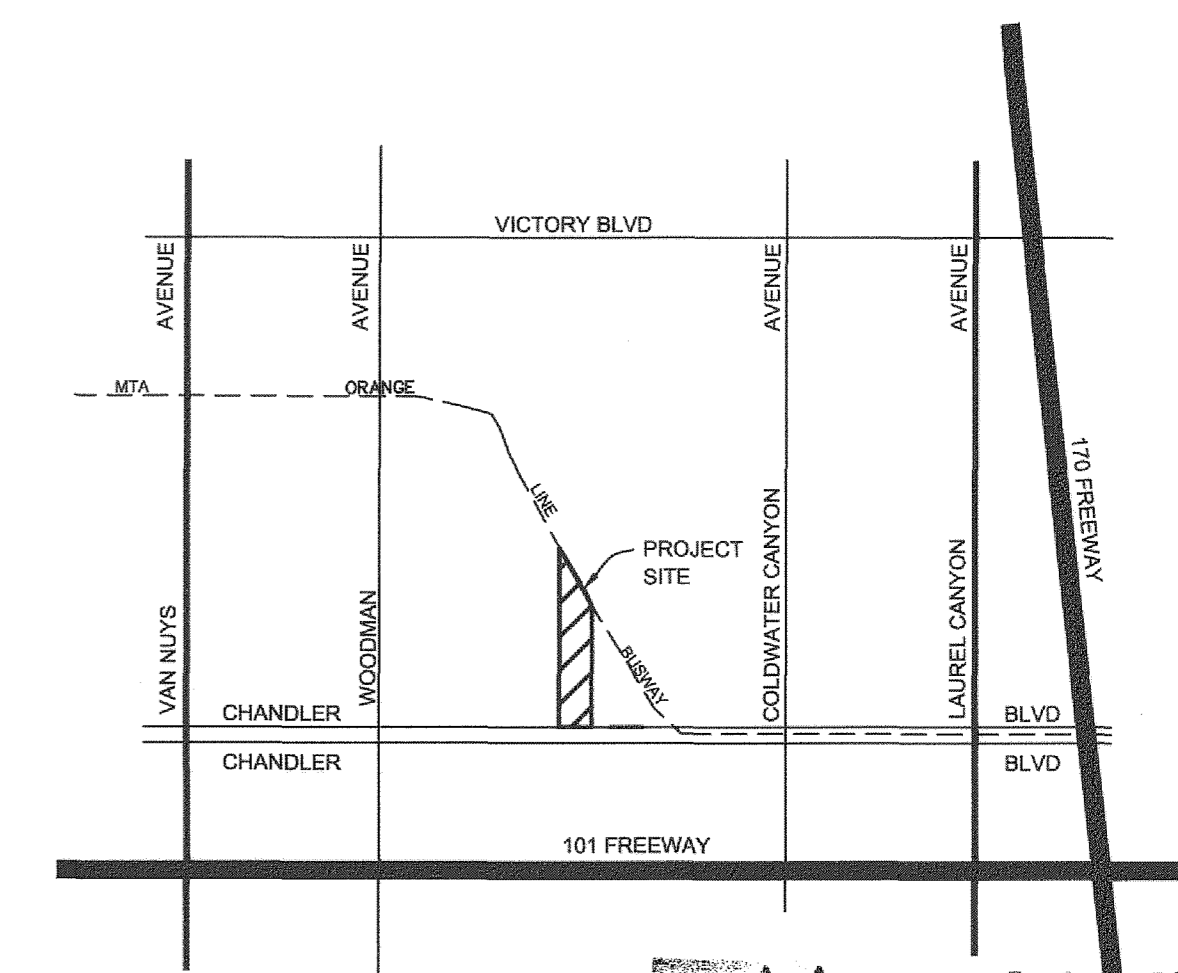
ANE CONSULTING, INC  
645 W. NINTH STREET #110-141  
LOS ANGELES, CALIFORNIA 90015  
CONTACT: FERNANDO J. DIAZ  
(213) 627-7046

OWNER/SUBDIVIDER:

NATHAN & LEAH CHAIM  
859 N. VIRGIL AVENUE #B  
LOS ANGELES, CALIFORNIA 90029-2981  
PHONE: (323) 660-0544  
FAX: (323) 660-2578

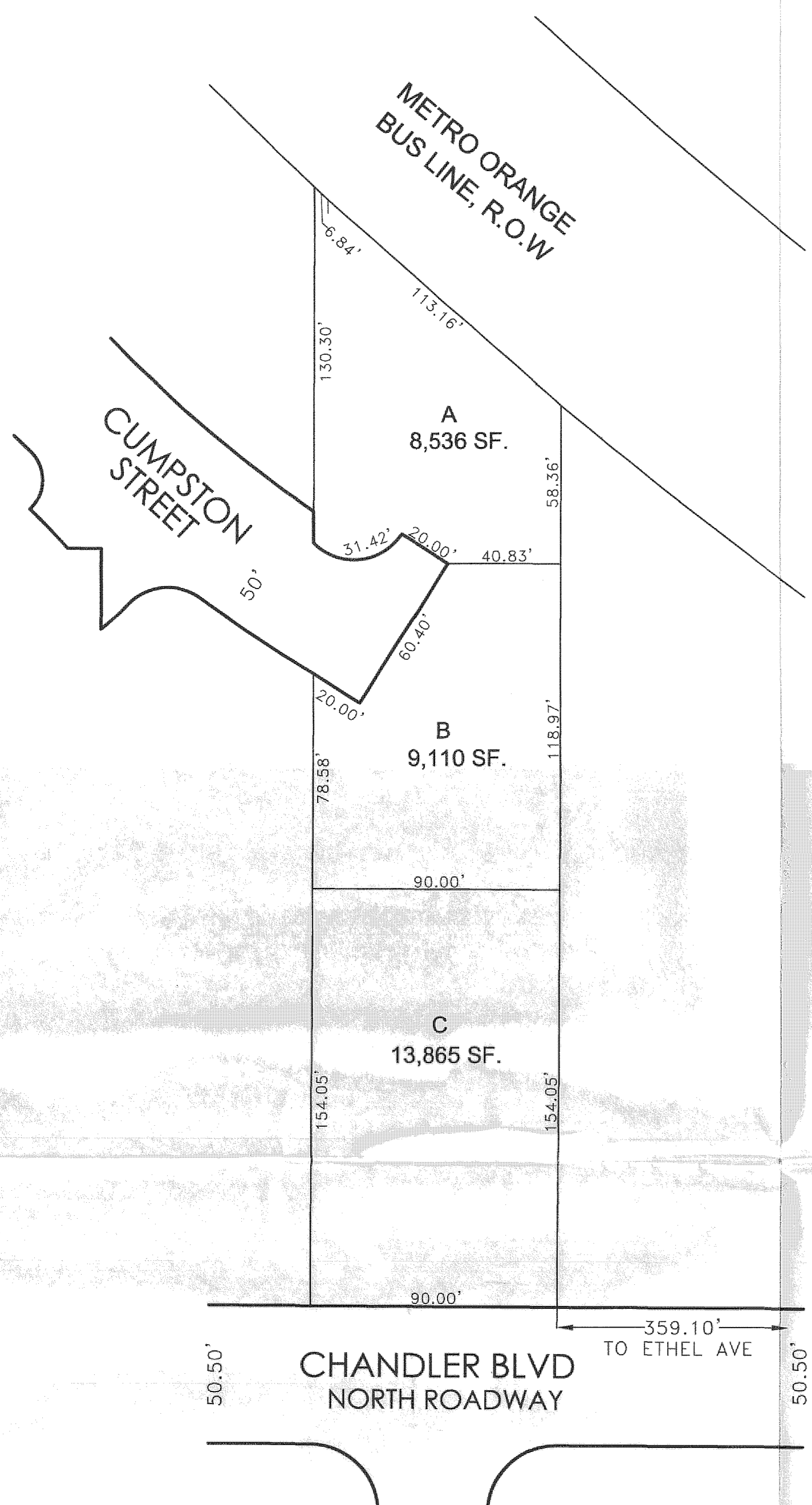
SITE LOCATION:

13141 CHANDLER BLVD  
SHERMAN OAKS, CALIFORNIA 91401-6040

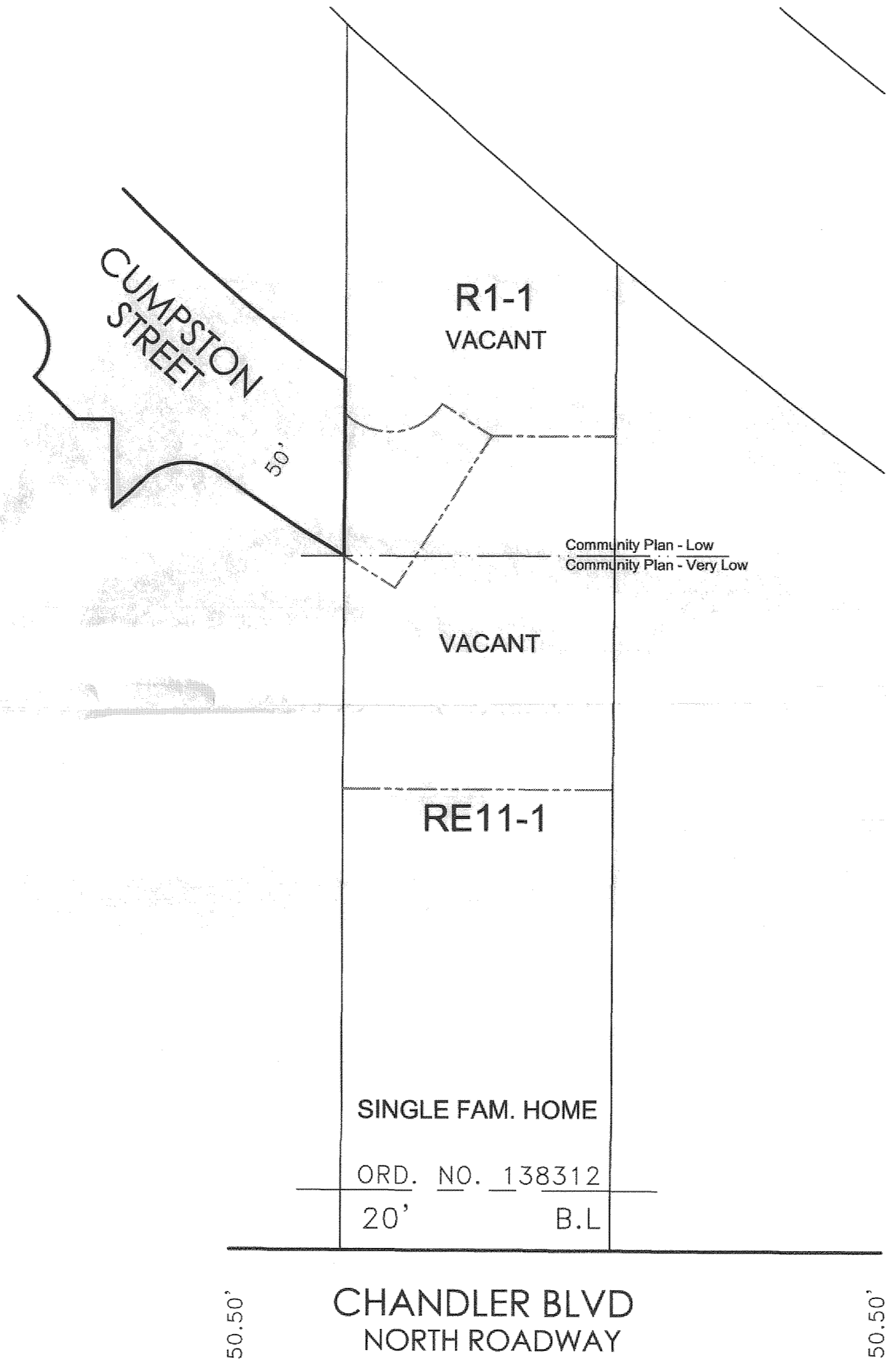


AA 2015-3876

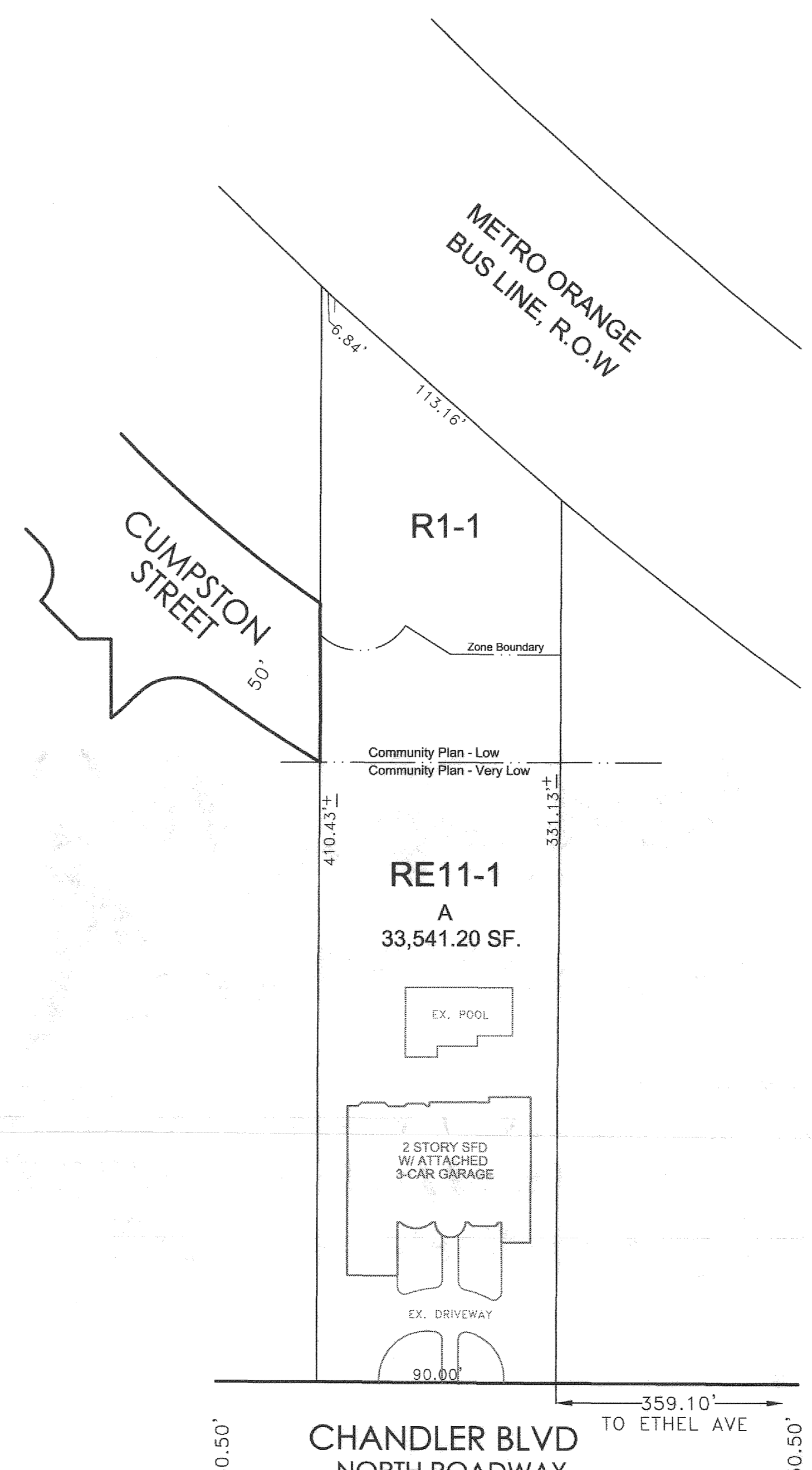
VICINITY MAP  
N.T.S. AA 2015-3876



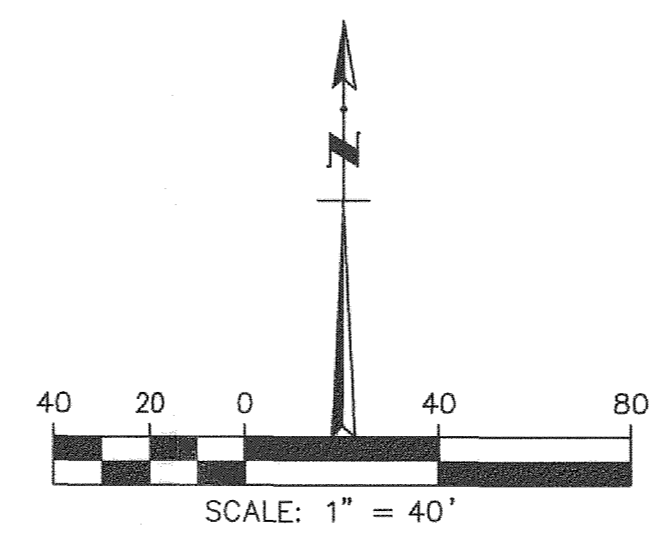
RECORDED MAP:  
PMLA 2004-3205, B.K 363-81-83



EXISTING LOTS, ZONING &  
LAND USE DESIGNATION



PROPOSED LOT



DATE: OCTOBER 21, 2015  
JN: 2715048  
we make it happen

"A REVERSION TO ACREAGE"  
MAP NO. AA 2004-3205 PMLA