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Decision Date: April 8, 2015

Appeal End Date: April 23, 2015

Stephen Levitt  
SLC Gemstone, LLC  
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Santa Monica, CA 90401

Harvey Goodman, C.E.(R)  
834 17th Street, #5  
Santa Monica, CA 90403

Case No. AA-2014-1540-PMLA  
Related Case: ZA-2014-1543-CDP-MEL  
454-456 East South Venice Boulevard  
Venice Planning Area  
Zone : R3-1-O  
D. M. : 106-5A145  
C. D. : 11  
CEQA: ENV-2014-1542-MND  
Legal Description: Lot 10, Tract 3533

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the Advisory Agency approved the Mitigated Negative Declaration ENV-2014-1542-MND as the environmental clearance and Parcel Map AA-2014-1540-PMLA composed of one lot for a maximum 2 unit condominium as shown on map stamp-dated May 1, 2014. This unit density is based on the R3-1-O Zone and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

**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. A copy of the first page of this grant and all conditions and/or any subsequent appeal of this grant and its resultant conditions and/or letters of clarification shall be printed on the building plans submitted to the Department of Building and Safety for purposes of having a building permit issued.

**BUREAU OF ENGINEERING**

1. That a 5-foot wide strip of land be dedicated along the alley (Court E) adjoining the subdivision. To complete a 10-foot wide half alley dedication.
2. That necessary arrangements be made with the State Department of Transportation prior to recordation of the final parcel map for any necessary permits with respect to any construction and drainage within or adjacent to the South Venice Boulevard right-of-way area.
3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve South Venice Boulevard adjoining the subdivision by repairing and replacing any broken or offgrade curb, gutter, sidewalk and roadway pavement.
  - b. Improve the alley (Court E) being dedicated and adjoining the subdivision by the construction of a 2-foot wide longitudinal concrete gutter and suitable surfacing to provide a 15-foot wide alley with a new centerline, including approximately 10-foot long additional alley improvements on northeasterly and southwesterly of the parcel map for proper joining, together with any necessary removal and reconstruction of the existing improvements.
4. Construct the necessary house connections to serve the subdivision and evaluate the efficiency of the existing house connection in a manner acceptable to the West Los Angeles Engineering District Office.

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, GRADING DIVISION**

5. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated August 26, 2014, Log No. 85283 and attached to the case file for Parcel Map AA 2014-1540-PMLA.

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

6. 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 a copy of ZA case ZA-2014-1543-CDP-MEL. Show compliance with all the conditions/requirements of the ZA case as applicable.
- b. Show all street/alley dedications as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street/alley dedications. Front yard requirement shall be required to comply with current code as measured from new property lines after all dedications.
- c. If alley and/or street dedications are required, obtain an approval from the Department of City Planning to allow the lot in the R3 Zone with lot area less than 5,000 sq. ft. to be further reduced in lot area.

**Notes:**

This property is located within the Venice Specific Zone. Small Lot Subdivision within the boundary of the Venice Coastal Specific Plan Area requires compliance with Venice Coastal Specific Plan. 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.

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

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**

7. This project is subject to the Venice Coastal Zone Specific Plan and the Coastal Transportation Corridor Specific Plan Requirements. A parking area and driveway plan be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval shall be accomplished by submitting the detailed site/driveway plans at a scale of 1"=40' to DOT's West Los Angeles Coastal Development Review Section located at 7166 West Manchester Avenue, Los Angeles, 90045. In addition, the following items shall be satisfied:
  - a. That the project be subject to any recommendations from the Department of Transportation.

**FIRE DEPARTMENT**

8. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to

and into all structures shall be required. In addition, the following items shall be satisfied:

- a. Sprinkler systems shall be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code Section 57.09.07.

Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

No proposed development utilizing cluster, group or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road or designated fire lane.

Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

Plans showing areas to be posed and/or painted "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.

No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

Private Streets and entry gates shall be built to City standards to the satisfaction of the City Engineer and the Fire Department.

Electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

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

9. That the Quimby fee be based on the R3 Zone.

**BUREAU OF STREET LIGHTING-SPECIFIC CONDITIONS**

10. 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.
11. **IMPROVEMENT CONDITION:** No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street light; one (1) on South Venice Bl.

**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 geometrics of the public roadway or driveway apron may require additional, or the reconstruction, of street lighting improvements as part of that condition.

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

12. 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. **Use.** Limit the proposed development to a maximum 2 units.
  - b. **Parking.** That a minimum of two(2) parking spaces per dwelling unit shall be provided, for a minimum of four(4) on-site parking spaces. All exterior parking area lighting shall be shielded and directed onto the site.
  - c. **Landscape Plans.** That a landscape plan, prepared by a licensed landscape architect, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. And -- if volunteered at hearing by applicant----The landscape plan shall be submitted to Council District 11 Office for its review and comment to the Advisory Agency prior to the submittal of the landscape plan to the Advisory Agency for approval. 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. Failure to comply with this condition as written shall require the filing of a modification to this parcel map in order to clear the condition.

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
  - ii. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
  - iii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
  - iv. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
- d. **Plans.** Prior to the issuance of building permits, detailed development plans, including a project design plan shall be prepared consistent with the Venice Community Plan.
- e. **Advisory Agency additional development requirements and/or limitations as follows:**
- N. A.
- f. **Parcel Map Conditions on Building Plans.** In order to expedite the development, the applicant may apply for a building permit for an apartment building. However, prior to issuance of a building permit for apartments, the registered civil engineer, architect or licensed land surveyor shall certify in a letter to the Advisory Agency that all applicable parcel map conditions affecting the physical design of the building and or site, have been included into the building plans. Such letter is sufficient to clear this condition. In addition, all of the applicable parcel map conditions shall be stated in full on the building plans and a copy of the plans shall be reviewed and approved by the Advisory Agency prior to submittal to the Department of Building and Safety for a building permit.

**Alternatively, if a building permit for apartments shall not be requested, the project civil engineer, architect or licensed land surveyor must certify in a letter to the Advisory Agency that the applicant shall not request a permit**

for apartments and intends to acquire a building permit for a condominium building(s). Such letter is sufficient to clear this condition.

- g. **Fence.** That 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. The wall shall be covered with clinging vines or screened by vegetation capable of spreading over the entire wall.
  - h. **Energy Conservation.** That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
  - i. **Air Filtration.** The applicant shall install air filters capable of achieving a Minimum Efficiency Rating Value (MERV) of at least 8 or better in order to reduce the effects of diminished air quality on the occupants of the project.
  - j. **Indemnification.** Upon the effective date of this conditional approval, the applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
  - k. **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:
    - 1) Pursuant to LAMC section 12.22 C 19 reads that, "If a lot resulting from the acquisition of all or a portion of a parcel for public use does not comply with the area requirements of the zone in which it is located, or if a legally existing nonconforming lot is further reduced in size because of such acquisition, said lot may be utilized and a building permit shall be issued for any purpose permitted in the zone, so long as the lot is not smaller in size or width than one-half(1/2) of the minimum area or width required for the zone." Therefore, this approval allows the subject nonconforming lot in the R3 Zone with a lot area of less than 5,000 square feet to be further reduced in lot area by way of the required street/alley dedication.
13. That the subdivider shall record and execute a Covenant and Agreement to comply with the Venice Coastal Zone Specific Plan and the Coastal

Transportation Corridor Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENT MITIGATION MEASURES**

14. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770.M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Condition Nos. 15 and 16 of the Parcel Map approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
15. Prior to recordation of the final map, a Covenant and Agreement be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2014-1542-MND:
  - MM-1 Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.
  - MM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
  - MM-3 The construction area shall be kept sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
  - MM-4 All clearing, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
  - MM-5 All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
  - MM-6 All dirt/soil materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
  - MM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.



- MM-8 Trucks having no current hauling activity shall not idle but be turned off.
- MM-9 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-10 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-11 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 the Department of Public Works, Bureau of Street Services.
- MM-12 The design and construction of the project shall conform to the California Building Code seismic standards as approved by the Department of Building and Safety.
- MM-13 Prior to the issuance of grading or building permits, the applicant shall submit a geotechnical report, prepared by a registered civil engineer or certified engineering geologist, to the Department of Building and Safety, for review and approval. The geotechnical report shall assess potential consequences of any soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration. Building design considerations shall include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.
- MM-14 The project shall comply with the conditions contained within the Department of Building and Safety's Geology and Soils Report Approval Letter for the proposed project, and as it may be subsequently amended or modified.
- MM-15 Due to the age of the building(s) being demolished, toxic and/or hazardous construction materials may be located in the structure(s). Exposure to such materials during demolition or construction activities could be hazardous to the health of the demolition workers, as well as area residents, employees, and future occupants. However, these impacts can be mitigated to a less than significant level by the following measure:

- MM-16 (Asbestos) Prior to the issuance of any permit for the demolition or alteration of the existing structure(s), the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant indicating that no Asbestos-Containing Materials (ACM) are present in the building. If ACMs are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other applicable State and Federal rules and regulations.
- MM-17 (Lead Paint) Prior to issuance of any permit for the demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.
- MM-18 All multiple residential buildings shall have adequate ventilation as defined in Section 91.7102 of the Municipal Code of a gas-detection system installed in the basement or on the lowest floor level on grade, and within the underfloor space in buildings with raised foundations.
- MM-19 The project shall comply with the requirements of the Flood Hazard Management Specific Plan, Ordinance No. 172081 effective July 3, 1998.
- MM-20 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- MM-21 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-22 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- MM-23 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- MM-24 (Operational) Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be emptied and recycled accordingly as a part of the project's regular solid waste disposal program.
- MM-25 (Construction/Demolition) 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.

**MM-26 (Construction/Demolition)** 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.

**MM-27** There may be environmental impacts which are individually limited, but significant when viewed in connection with the effects of past projects, other current projects, and probable future projects. However, these cumulative impacts will be mitigated to a less than significant level through compliance with the above mitigation measures.

16. **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:

**Air Quality**

- CM-1** All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.
- CM-2** The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.
- CM-3** All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.
- CM-4** All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.
- CM-5** All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
- CM-6** General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

- CM-7 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- CM-8 Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday.
- CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- CM-10 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- CM-11 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

Grading

- CM-12 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.
- CM-13 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-14 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

General Construction

- CM-15 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.

- CM-16 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.
- CM-17 Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.
- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 Conduct all vehicle/equipment maintenance, repair, and washing away from storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

## FINDINGS OF FACT

### FINDINGS OF FACT (CEQA):

The Planning Department issued, on September 29, 2014, the proposed project Mitigated Negative Declaration No. ENV-2014-1542-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2014-1542-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Aesthetics
- Air Quality
- Biological Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Utilities and Service Systems
- Mandatory Findings of Significance

The Advisory Agency, to mitigate the above impacts, required Condition Nos. 14, 15 and 16, as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are 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 impacts on all projects.

Per Section 21081.6 of the Public Resources Code, the Advisory Agency has assured that the above identified mitigation measures shall be implemented by requiring reporting and monitoring as specified in Condition No. 14.

The National Flood Insurance Program rate maps, which are a part of the Specific Plan for the Management of Flood Hazards adopted by the City Council (see Section 5 of Ordinance 172,081), have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

#### FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2014-1540-PMLA, pursuant to Section 66474 of the State of California Government Code (the Subdivision Map Act), the Advisory Agency of the City of Los Angeles makes the prescribed findings as follows:

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

The adopted General Plan Land Use Element is made up of 35 Community Plans. The subject project is within the Venice Community. The Venice Community Plan Land use Designation for the subject property is Medium Residential, with the corresponding zones of RW2 and R3. This requires at least 800 square feet of lot area per dwelling unit. The subject 3,198 net square foot parcel is zoned R3-1-O which corresponds with Medium Residential. Based on the square footage of the subject parcel, the maximum density allowed by right is 3 dwelling units. The proposed project is for a 2-unit condominium. Therefore, the project is consistent with the General Plan Land Use Designation.

The project is within the Los Angeles Coastal Transportation Corridor. The Los Angeles Coastal Transportation Corridor Specific Plan does not address development issues. It identifies trip fee requirements for non-residential projects.

The project is also within the Venice Coastal Zone. As a condition of approval, Condition No. 6a of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of Coastal Development Permit and Mello Clearance case number ZA-2014-1543-CDP-MEL, which is the companion case addressing compliance with the Venice Coastal Zone. That case approval insures that the project is consistent with the Venice Coastal Zone requirements.

Furthermore, LAMC section 12.22 C 19 reads that, "If a lot resulting from the acquisition of all or a portion of a parcel for public used does not comply with the area requirements of the zone in which it is located, or if a legally existing

nonconforming lot is further reduced in size because of such acquisition, said lot may be utilized and a building permit shall be issued for any purpose permitted in the zone, so long as the lot is not smaller in size or width than one-half(1/2) of the minimum area or width required for the zone.”

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

According to the Bureau of Engineering letter dated September 12, 2014, there is an existing sewer available in the alley(Court E) adjoining the subdivision. This tract will connect to the public sewer system and will not result in a violation of the California Water Code. The Bureau of Engineering recommends conditions of approval, that include street, alley, curb improvements. See conditions under department.

The project is within the Los Angeles Coastal Transportation Corridor. The Los Angeles Coastal Transportation Corridor Specific Plan does not address density or design issues. It identifies trip fee requirements for non-residential projects.

The project is also within the Venice Coastal Zone. As a condition of approval, Condition No. 6a of this Letter of Determination requires the applicant to show compliance with all the conditions/requirements of Coastal Development Permit and Mello Clearance case number ZA-2014-1543-CDP-MEL, which is the companion case addressing compliance with the Venice Coastal Zone. That case approval insures that the project is consistent with the Venice Coastal Zone requirements.

The site is level and is not located in a hillside area, a flood zone, or a landslide area.

Therefore, as conditioned, the design and improvement of the proposed preliminary parcel map is consistent with the applicable General and Specific Plans.

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

The lot is 30 feet wide, which is narrower than the 50 foot width required for new lots. It is also 3,198 square feet, after dedication, which is smaller in area than the 5,000 square feet required for new lots. However, this lot is a legal nonconforming lot, which means it lawfully existed at the time that the 50-foot minimum width and 5,000 square foot minimum area regulations became effective. Section 12.22 C 13 of the LAMC states that, “...if a legally existing nonconforming lot is further reduced in size because of such [for public use] acquisition, said lot may be utilized and a building permit shall be issued for any purpose permitted in the zone, so long as the lot is not smaller in size or width than one-half (1/2) of the minimum area or width required for the zone.”

The site is level and is not located in a flood zone, or landslide area. The site, however, is located in a liquefaction area. The project has been conditioned so that prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated August 26, 2014, Log No. 85283 and attached to the case file. The Inter-Departmental Letter is a Soils Report Approval Letter that gives detailed conditions of approval for grading on the site.

The parcel map was circulated to various City departments and agencies for their review and recommendations. Their comments are incorporated into the project's conditions of approval. Therefore as conditioned, the site is physically suitable for a small lot subdivision.

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

The site is zoned R3-1-O. This requires at least 800 square feet of lot area per dwelling unit. The subject site is 3,198 square feet after dedication. Based on the square footage of the subject site, the maximum density allowed by right is 3 dwelling units. The proposed project is for a 2-unit condominium. Therefore, the lot is sufficient in size to allow a density of 2 dwelling units.

**(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 Initial Study prepared for the project identifies no potential adverse impact on fish or wildlife resources as far as plant life or animal life are concerned.

Furthermore, the surrounding area is presently developed with structures and does not provide a natural habitat for either fish or wildlife.

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

There are no apparent health problems that might be caused by the design or construction of the proposed condominium units. The Bureau of Engineering has reported that an existing sanitary sewer is available under the alley (Court E) adjoining the subdivision. This development is required to be connected to the City's sewer system where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards.



- (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. However, needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed Parcel Map.

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 Section 17.05-N of the Los Angeles Municipal Code.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau, located at 200 N. Main Street Room 1255, regarding the cable television franchise holder for this area, or by calling (213) 978-0856.

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 West 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 5:00 PM on April 23, 2015\* at one of the City Planning Department Public Counters, located at:

Figueroa Plaza  
201 N. Figueroa St., 4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

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

\*Please note the cashiers at the public counters close at 3:30 PM.  
Appeal forms are available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).

There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final, including all appeals, if any.

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 5:00 p.m. April 7, 2018.

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

If you have any questions, please call Kevin Golden, City Planner, at (213) 978-1396.

Michael J. LoGrande  
Advisory Agency

A handwritten signature in black ink, appearing to read 'JC Romero-Navarro', written over a horizontal line.

JOSE CARLOS ROMERO-NAVARRO  
Deputy Advisory Agency

MJL:JCR:KSG:thb

CP-1809 (03-01-01)