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CITY PLANNING

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(213) 978-1300

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

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

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

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

Decision Date: February 19, 2016

Appeal End Date: March 7, 2016

Susan Klos (A)(O)
3635 Grand View Boulevard
Los Angeles, CA 90066

Steven A. Williams (R)
Affordable Expediting
800 South Pacific Coast Highway
Redondo Beach, CA 90277

Re: Case No. AA-2014-3076-PMLA
Related Case: ZA-2014-3077-ZAA
3529 Grand View Boulevard
Palms-Mar Vista-Del Rey
Planning Area
Zone : R1-1
D.M. : 114B153
C.D. : 11
CEQA: ENV-2014-3078-ND
Legal Description: Arb 1, Lot 3,
Block F, Tract Replat of Ocean
Park Heights

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Negative Declaration ENV-2014-3078-ND as the environmental clearance and approved Parcel Map AA-2014-3076-PMLA, to subdivide one lot into two parcels, as shown on map stamp-dated August 25, 2015, in the Palms-Mar Vista-Del Rey Community Plan. This unit density is based on the R1-1 Zone. (The subdivider is hereby advised that the LAMC may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning Code as it applies to this particular property.) 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. 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 an approximate 2.4-foot wide strip of land be dedicated along the alley adjacent to the easterly structure to remain in proposed Parcel "B" and a 2.5-foot wide strip of land be dedicated along the alley adjoining the remaining subdivision to complete a 17.4-foot and variable width alley dedication. The subdivider shall submit a detailed survey of the existing structure to remain in proposed Parcel "B" with the final map submittal.
2. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
 - a. Improve Grand View Boulevard adjoining the subdivision by the construction of a 6.5-foot wide concrete sidewalk adjoining the property line; repair and replace any broken or off grade curb, gutter and roadway pavement; remove the existing bricks in the adjoining parkway area; plant trees and trim the existing palm trees in the parkway area; and remove any necessary existing improvements.
 - b. Improve the alley being dedicated and adjoining the subdivision by the construction of a 2-foot wide longitudinal concrete gutter and suitable surfacing to complete a 17.4-foot and variable width alley with a centerline 9.9-foot to 10-foot westerly of the new alley property line, together with any necessary removal and reconstruction of the existing improvements.
 - c. Construct the necessary house connection sewers to serve each parcel, or any other arrangement acceptable to the West Los Angeles Engineering District Office.

Any questions regarding these conditions 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

3. 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. Existing structure on the Proposed Parcel A is approved as an accessory living quarter, not a single family dwelling. Provide a copy of the building permit that approved it as a single family dwelling; or
 - b. Obtain permit for the demolition or removal of the existing structure on Proposed Parcel A. Accessory structures and uses are not permitted to remain on lots without a main structure or use unless approved by City Planning. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work or provide written City

Planning approval to allow the accessory living quarter to remain on a lot without a main use.

- c. Provide a copy of ZA case ZA 2014-3077(ZAA). Show compliance with all the conditions/requirements of the ZA case as applicable. If ZA 2014-3077-(ZAA) is not approved, the applicant may submit a revised map.
- d. Provide building plans to show compliance with current Los Angeles City Residential Code (R302) concerning exterior wall/opening protection with respect to the new property lines. All noncompliance issues shall be corrected, required permits shall be obtained, and the final work inspected prior to a clearance letter being issued. No openings are allowed less than 3 feet from the proposed property line.
- e. Show all street dedication(s) as required by Bureau of Engineering and provide net lot area after all dedication. "Area" requirements shall be re-checked as per net lot area after street dedication.
- f. Required parking spaces are required to remain for the remaining structure on its own site. Show location of all parking spaces and access driveways. Provide copies of permits and final inspection cards, for any new garages or carports or changes to existing ones.

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

4. A parking area and driveway plan 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.

FIRE DEPARTMENT

5. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. In addition, the following items shall be satisfied:

- a. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- c. 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.

The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6509. You should advise any consultant representing you of this requirement as well.

BUREAU OF STREET LIGHTING - SPECIFIC CONDITIONS

6. If new street light(s) are required, then 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.

DEPARTMENT OF RECREATION AND PARKS

7. That the Quimby fee be based on the R1-1 Zone. Also, when there is an existing residential structure to remain, a covenant and agreement satisfactory to the Department of Recreation and Parks, shall be recorded that when the existing dwelling is demolished, the required Recreation and Park fees will be paid.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

8. 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 of two (2) units one on each lot.
 - b. Parking. That a minimum of two (2) parking spaces per dwelling unit shall be provided.

- 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. 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:

- (1) The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
 - (2) The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - (3) 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. **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.
- e. **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.
- f. **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.
- g. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

- (1) 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.

- (2) 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.
- (3) 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).
- (4) 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).
- (5) 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. Action 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.

- h. That copies of all recorded Covenant and Agreements for all reciprocal private easements shall be submitted to the Planning Department for placement in the parcel file.
9. That prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA 2014-3077(ZAA) shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA 2014-3077(ZAA) is not approved, the subdivider shall submit a parcel map modification, or comply with the LAMC provisions as directed by the Department of Building and Safety, Zoning Division.

FINDINGS OF FACT (CEQA)

Based on the Initial Study prepared by the City Planning Department and all evidence in the record on November 25, 2014, it is determined that no significant impacts are apparent which might result from the subject project's implementation. The City Planning Department of the City of Los Angeles issued Negative Declaration ENV-2014-3078-ND on June 10, 2015.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2014-3076-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66474 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Palms–Mar Vista–Del Rey Community Plan designates the subject property for Low Residential with corresponding zones of RE9, RS, R1, and RD6. The subject lot is zoned R1-1, which is consistent with the plan designation.

The lot is 18,894 square feet. The subdivision will create two lots, with areas of approximately 8,080 square feet and 10,813 square feet. The adopted Plan allows for the proposed lot sizes in the Low Residential land use designation.

No new construction is proposed. The subject lot is currently improved with two dwelling units, one unenclosed off street parking space and one detached servant's quarters. A concurrent entitlement, ZA-2014-3077-ZAA, is under consideration by the office of Zoning Administration. Condition 3 states 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. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the General Plan.

The subject property is not within a Specific Plan Area.

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

The subject lot is improved with two dwelling units, one unenclosed off street parking space and one detached servant's quarters, which are allowed in the Low Residential General Plan Land Use Designation and R1 Zone. No new structures are proposed to be added.

The proposed subdivision will create two parcels with areas of approximately 8,080 square feet (Parcel A), and 10,813 square feet (Parcel B). The adopted Plan allows for the proposed lot sizes in the Low Residential land use designation. Both lots would have access to the street and lot frontage widths that are required to meet the standards of the Department of Building and Safety and Bureau of Engineering. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General Plans.

The subject property is not within a Specific Plan Area.

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

No new construction is proposed. The 18,894 square foot, rectangular shaped, lot is 165.75 feet deep, with a 114-foot wide frontage. The subject lot is improved with two dwelling units, one unenclosed off street parking space and one detached servant's quarters.

The Bureau of Engineering submitted conditions of approval that require future street dedication and improvements on Grand View Boulevard abutting the front of the property, and the alley abutting the rear of the property.

The site is level and is not located in a slope stability study area, high erosion Hazard area, or a fault-rupture study zone.

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

The proposed project would add a lot line. There would be no new construction. The subject lot, is 18,894 square feet, and is currently improved with two dwelling units and one detached servant's quarters. The proposed project would create two parcels with areas of approximately 8,080 square feet (Parcel A), and 10,813 square feet (Parcel B). Under the project proposal, one existing dwelling unit would be on Parcel A and one existing dwelling unit and one existing detached servant's quarters would be on Parcel B. The lot is zoned R1-1 which requires new lots to be a minimum of 5,000 square feet. The density of the proposed project, and the size of the proposed new parcels, is allowed in the zone. Furthermore, Condition 3 states 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.

- (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 earth, air, water, plant life, animal life, risk of upset are concerned.

Furthermore, the project site, as well as the surrounding area is presently developed with residential 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 proposed project. No new construction is proposed. The Bureau of Engineering has reported than existing sanitary sewer is available in the alley adjoining the subdivision. Each parcel 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 **March 7, 2016*** 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.planning.lacity.org

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. February 19, 2019.

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

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

These findings shall apply to both the preliminary and final maps for Parcel Map AA-2014-3076-PMLA.

Vincent P. Bertoni, AICP
Advisory Agency

A handwritten signature in black ink, appearing to read 'J.C. Romero-Navarro', written in a cursive style.

JOSE CARLOS ROMERO-NAVARRO
Deputy Advisory Agency

VPB:JCRN:KSG:thb