## DEPARTMENT OF CITY PLANNING

COMMISSION OFFICE (213) 978-1300

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January 31, 2019

Mark L. Lupfer (O) 17216 South Hoover Street Gardena, CA 90247 RE:

Parcel Map No.AA-2015-3020-PMLA Related Case: ZA-2015-3021-ZAA

Address: 17216-17218 South Hoover Street

Community Plan: Harbor Gateway

Council District: 15

CEQA: ENV-2015-3022-MND

#### **EXTENSION OF TIME**

On March 29, 2016 the Deputy Advisory Agency conditionally approved AA-2015-3020-PMLA, for a maximum two single-family lots in Harbor Gateway Community Plan.

In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code and Section 17.07 or 17.56-A of the Los Angeles Municipal Code, the Deputy Advisory Agency hereby grants a 6 year extension, totaling 9 years from the decision date for the recording of the final map.

Therefore, the new expiration date for AA-2015-3020-PMLA is **March 29, 2025** and no further extension of time can be granted. The associated case number ZA-2015-3021-ZAA is synchronized per 12.36G (2) and will expire **March 29, 2025**.

Vincent P. Bertoni Director of Planning

Robert Duenas

Deputy Advisory Agency

RD:SK

DEPARTMENT OF

CITY PLANNING COMMISSION

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## CITY OF LOS ANGELES

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INFORMATION http://planning.lacity.org

Decision Date: March 29, 2016

Appeal Period Ends: April 13, 2016

Mark L. Lupfer (A)(O) 17216 South Hoover Street Gardena, CA 90247 RE: Parcel Map No. AA-2015-3020-PMLA

Address: 17216-17218 South Hoover Street

Related Case: ZA-2015-3021-ZAA Planning Area: Harbor Gateway

Zone : R1-1 D. M. : 066B201

C. D. : 15

CEQA: ENV-2015-3022-MND

In accordance with provisions of Section 17.53 of the LAMC, the Advisory Agency approved Parcel Map No. AA-2015-3020-PMLA, located at 17216 and 17218 South Hoover Street for a maximum **two single-family lots** as shown on map stamp-dated August 14, 2015 in Harbor Gateway 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.) For an appointment with the Subdivision Counter call (213) 978-1362. The Advisory Agency's approval is subject to the following conditions:

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

### **BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

- 1. That any fee deficit under Work Order No. EXP00132 expediting this project be paid.
- 2. That the existing Public Utilities Easements within the parcel map area be correctly shown on the final map.
- 3. That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:
  - a. Improve Hoover Street adjoining the subdivision by repairing or replacing any broken or off grade curb, gutter, and sidewalk; plant trees and landscape the parkway area.
  - b. Construct the necessary house connections to serve each parcel and evaluate the efficiency of the existing house connections in a manner acceptable to the Harbor Engineering District Office.

## DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

4. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

## DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

- 5. <u>Prior to recordation of the final map</u>, 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. Provide a copy of ZA case ZA-2015-3021-ZAA. Show compliance with all the conditions/requirements of the ZA case as applicable.
  - c. 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. Front yard requirement shall be required to comply with current code as measured from new property line after dedication.
  - d. The submitted plot plan is not complete. Indicate the height in feet of the existing structure on the Proposed Parcel A to determinate the required side yard setback for Proposed Parcel A.

- e. Proposed Parcel A does not comply with the minimum lot width (50 ft.), side yard along the northern lot line (5 ft. for a building height of 18 ft. or lower and 6 ft. for building height above 18 ft. to 28 ft. in height), and the maximum Baseline Mansionization Ordinance Residential Floor Area (RFA) allowance of 50% of the lot area requirement of the R1-1 Zone. Revise the Map to show compliance with the above requirements or obtain approval from the Department of City Planning.
- f. Proposed Parqel B does not comply with the minimum 20 ft. street frontage and 20 ft. wide access as required for a legal lot. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
- g. No community driveway is required. Remove community driveway from final map.

#### 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. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation (DOT) for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. All driveways should be Case 2 driveways and 30 feet and 16 feet wide for two-way and one-way operations, respectively, or to the satisfaction of DOT.

#### FIRE DEPARTMENT

- 7. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- 8. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.
- 9. 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.

- 10. Submit plot plans indicating access road and turning area for Fire Department approval.
- 11. 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.

#### Notes:

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 <a href="https://example.com/BY-APPOINTMENT ONLY">BY APPOINTMENT ONLY</a>, in order to assure that you receive service with a minimum amount of waiting please call (213) 482-6502. You should advise any consultant representing you of this requirement as well.

### **BUREAU OF STREET LIGHTING**

12. No street lighting requirements.

#### 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.

#### **BUREAU OF SANITATION**

13. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

#### INFORMATION TECHNOLOGY AGENCY

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

### DEPARTMENT OF RECREATION AND PARKS

15. That the Quimby fee be based on the R1-1 Zone.

## URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

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

### DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

- 17. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - a. Limit the proposed development to a maximum of two (2) lots.
  - b. Show compliance to Case No. ZA-2015-3021-ZAA.
  - c. Show compliance of Parcel A with the Baseline Mansionization Ordiance Residential Floor Area requirement of the R1-1 Zone.
- 18. <u>Prior to the clearance of any tract map conditions</u>, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.
- 19. That prior to the issuance of the building permit or the recordation of the final map, a copy of the ZA-2015-3021-ZAA shall be submitted to the satisfaction of the Advisory Agency. In the event that ZA-2015-3021-ZAA is not approved, the subdivider shall submit a parcel modification.
- 20. 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 (b).
- d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)
- e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

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

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

For purposes of this condition, the following definitions apply:

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

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

Actions includes actions, as defined herein, alleging failure to Comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

## DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

- 21. That prior to 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 requiring the subdivider to identify mitigation monitors who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 22 of the Parcel Map's approval satisfactory to the Advisory Agency. The mitigation monitors shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
- 22. Prior to the recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - MM-1 Air Pollution (Stationary). An air filtration system shall be installed and maintained with filters meeting or exceeding the ASHRAE Standards 52.2 Minimum Efficiency Reporting Value (MERV) of 13, to the satisfaction of the Department of Building and Safety.
  - MM-2 Land Use and Planning. Acquire a Zoning Administrator's Adjustment to comply with the Zoning Code.

## FINDINGS OF FACT (CEQA)

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2015-3022-MND on January 25, 2016. The Planning Department found that potential negative impact could occur from the project's implementation due to:

Air Quality (Air Pollution); Land Use and Planning (Zoning Code).

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2015-3022-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition Nos. 22 of the parcel's approval. Other identified potential impacts not mitigated by these conditions are mandatorily subject to existing City

ordinances, (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, etc.) which are specifically intended to mitigate such potential impacts on all projects.

The Initial Study prepared for the project identifies no potential adverse impacts on fish or wildlife resources as far as earth, water, plant life, animal life, risk of upset are concerned. Measures are required as part of this approval, which will mitigate the above, mentioned impacts to a less than significant level. Furthermore, the project site, as well as the surrounding area are presently developed with residential structures and do not provide a natural habitat for either fish or wildlife.

In accordance with Section 21081.6 of the Public Resources Code (AB 3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 21.

Furthermore, the Advisory Agency hereby finds that modification(s) to and/or correction(s) of specific mitigation measures have been required in order to assure appropriate and adequate mitigation of potential environmental impacts of the proposed use of this subdivision.

The custodian of the documents or other material which constitute the record of proceedings upon which the Advisory Agency's decision is based are located with the City of Los Angeles, Planning Department, 200 North Spring Street, Room 750, Los Angeles, California 90012.

### FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the disapproval of Preliminary Parcel Map No. AA-2015-3020-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, 66474.61 and 66474.63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The adopted Harbor Gateway Community Plan designates the subject property for Low Residential land uses with the corresponding zones of RS, R1, RD6, and RE9. The property contains approximately 12,292 square-feet and is presently zoned R1-1.

The proposed subdivision of one lot into two lots is allowable under the current adopted zone and the land use designation and with the approval of a Zoning Administrator's Adjustment (concurrent Case No. ZA-2015-3021-ZAA), the proposed subdivision would not create inconformity to the applicable code.

Pursuant to Los Angeles Municipal Code (LAMC) Section 17.05-C & H & H.2, the Advisory Agency finds that the proposed map, with the approval of a Zoning Administrator's Adjustment (concurrent Case No. ZA-2015-3021-ZAA), will

substantially conform to the elements of the General Plan, is designated in compliance with the zone applying to the property and/or the proposed zone, and furthermore finds that the project will promote the general welfare of the contiguous and nearby neighborhood as it will remain as existing.

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

Hoover Street, abutting the property to the west, is a Local Street — Standard, dedicated to a width varying between 54 and 60 feet and improved with asphalt roadway and concrete curb and gutter and sidewalk. The Bureau of Engineering is requiring to Improve Hoover Street adjoining the subdivision by repairing or replacing any broken or off grade curb, gutter, and sidewalk; plant trees and landscape the parkway area and construct the necessary house connections to serve each parcel and evaluate the efficiency of the existing house connections in a manner acceptable to the Harbor Engineering District Office. This project falls under the South Los Angeles Alcohol Sales Specific Plan Area but is not subject to the Specific Plan requirements.

The proposed access way for Parcel B is 10 feet wide in lieu of the 20-foot width requirement per LAMC Section 12.03. It has been determined that it is insufficient to have a 10-foot access way width, however, it is clear that due to the site layout and existing single-family homes, this cannot be undone/corrected even without the subdivision. The two existing single-family homes on site will remain as is, with no physical changes made to the site or homes. Therefore, with the approval of concurrent Case No. ZA-2015-3021-ZAA, the subdivision would not violate any existing regulations and code.

The proposed map conforms to the planned land use on the adopted Harbor Gateway Community Plan, which designated the subject property for Low Residential density with the corresponding zone of R1-1. However, the proposed subdivision conflicts with the text of the Plan. The Harbor Gateway Community Plan, states on page II-3:

"Preserving and enhancing the positive characteristics of existing uses which provided the foundation for community identity, such as scale, height, bulk, setbacks, and appearance."

The Zoning Code and associated documents such as the Community Plan and General Plan establish rules about building setbacks, coverage, frontage, and other characteristics. The purpose of the State's Subdivision Map Act is to protect the ultimate buyer of the lot, ensuring that the lot is buildable, accessible, and served by necessary infrastructure. The proposed subdivision does conform to the requirements set forth in the Los Angeles Municipal Code and General Plan with the approval of Case No. ZA-2015-3021-ZAA.

#### DEVELOPMENT.

The subject property is a flat, irregular-shaped 12,292 square-foot lot with a 50-foot long frontage along Hoover Street and a depth of approximately 220 feet. The project involves the subdivision of one 12,292 square-foot lot into two lots (Parcel A: 5,020 square feet; Parcel B: 7,272 square feet). The project does not include the construction of any new structures. The property is developed with one two-story, 2,937 square-foot front home and a one-story 1,784 square-foot rear home, built in 1985. 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 two homes are legal nonconforming, however, they do not conflict with any other regulations of the zone (setbacks, Baseline Mansionization Ordinance Residential Floor Area, frontage, etc.) as it is as one lot. It is clear that due to the site layout and existing single-family homes, any nonconforming characteristics cannot be undone/corrected. Nearby homes all have one single-family home on each lot, therefore subdividing this lot into two (2) lots would create consistencies so that one single-family home (as opposed to two) are placed on each lot. However, the subdivision will only be possible if the zoning administrator's adjustments are granted. Therefore, with the approval of concurrent Case No. ZA-2015-3021-ZAA, the site is physically suitable for the proposed subdivision.

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

The surrounding land uses consist of Low Residential and Public Facilities: R1-1 and [Q]PF-1 Zones. Surrounding properties are primarily developed with one-and two-story single-family homes. The subject site is approximately 331 feet from the Harbor Freeway and Transit Way Interstate-110.

The preliminary parcel map has been conditioned to require approval of the requested Zoning Administrator's Adjustment in order to allow for the requested deviations from code and to show compliance of Parcel A to the maximum Baseline Mansionization Ordinance Residential Floor Area (RFA) allowance of 50% of the lot area requirement of the R1-1 Zone. In the event the separate action is not granted, the proposed parcel map will not be in conformance with the Zoning Code and therefore not be suitable for the proposed density of development.

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

The project site is presently improved with two detached residential units. Furthermore, the project site, as well as the surrounding area are generally developed with residential structures and do 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 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 There is an existing sanitary sewer available in Hoover Street adjoining the subdivision with a house connection sewer extended to the existing property line. The construction of house connection sewers will be required to serve each parcel and will have only a minor incremental impact on the quality of the effluent from the Hyperion Treatment Plant.

(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. Needed public access for roads and utilities will be acquired by the City prior to recordation of the proposed parcel.

These findings shall apply to both the preliminary and final maps for Parcel Map No AA-2015-3020-PMLA.

Vincent P. Bertoni, AICP

Advisory Agency

Henry Chu

Deputy Advisory Agency

HC:JT:LR

Note: If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Harbor Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

## Forms are also available on-line at www.lacity.org/pln.

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 the Development Services Center at (213) 482-7077 or (818) 374-5050.





