

VESTING TENTATIVE TRACT MAP NO. 72465-SL (stamped map-dated November 20, 2013)

HEARING DATE: February 26, 2014

PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE NO. 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

REQUEST

Pursuant to the Los Angeles Municipal Code Sections 17.15 and 12.22-C,27, Vesting Tentative Tract Map No. 72465-SL to permit the construction of six (6) new single-family homes in accordance with the Small Lot Ordinance No. 176,354 on a 7,853 net square-foot (0.18 acres) site in the [Q]RD1.5-1VL Zone with 12 parking spaces. The existing on-site building will be demolished. The site is located at 11767 East Bellagio Road.

Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, adopt the Mitigated Negative Declaration (MND) for the above referenced project.

RELEVANT CASES

There have been no related actions on the project site.

OFF-SITE:

Case No. DIR-2012-2637-CLQ: On February 1, 2013, the Director approved a request for Clarification of a "Q" Condition No. 1 of Ordinance No. 165958 allowing a multiple-family development to exceed the 32-foot height limitation by 5 feet, for a total building height of 37 feet, located at 11715 West Bellagio Road. The proposed development will have 23 units with a rooftop assembly area.

Case No. ZA-1986-195-ZV: On June 11, 1986, the Zoning Administrator disapproved a request for the conversion of an existing nine-unit apartment building into a 17-unit senior housing complex, located at 850 Moraga Drive.

PUBLIC RESPONSES

No comments have been received at the time of writing this staff report.

GENERAL COMMENTS

The project site is an irregularly shaped 7,853 square-foot (0.18 acres) corner lot located on the easterly side of East Bellagio Road and on the southerly side of a public alleyway in the [Q]RD1.5-1VL Zone. The site is currently developed with a one-story 2,597 square-foot single-family dwelling, constructed in 1953, that will be demolished prior to construction. Vehicular access to the property is via the public alleyway that runs along the northerly portion and rear of the property. The applicant is utilizing half of the abutting alley area to calculate the allowable density (for density calculation purposes, the lot is 9,779 square feet but buildable area is 7,853).

Staff contacted the Office of Historic Resources (OHR) regarding the proposed plans to demolish the existing one-story single-family home. Based on reviewing photographs and background material, the OHR has determined that the existing structure on the site is not eligible for historic designation.

The Bel Air-Beverly Crest Community Plan designates the site for Medium Multiple Family Land Uses, corresponding to the R3 Zone. The site is not under the jurisdiction of any Specific Plans, Overlay Districts, or Interim Control Ordinances but is located within the Freeway Adjacent Advisory Notice for Sensitive Uses (ZI-2427). The project is 1.50 kilometers from the Santa Monica Fault and is within the 1010' Height Limit Above Elevation 747, the Very High Fire Hazard Severity Zone, Bureau of Engineering's Special Grading Area, and is within a Hillside Area.

The general character of the area between Moraga Drive to the south and the public alleyway to the north includes a mix of residential, commercial, and office uses including one- to three-story apartment buildings and one- to two-story single-family houses. Properties to the north, across the alley, are zoned RE9-1 and are developed with one- and two-story single-family homes. Properties to the east are zoned RE15-1 and are developed with single-family hillside dwellings. Properties to the south, across East Bellagio Road, are zoned R1-1 and [Q]R3-1VL and are developed with one-story single-family dwellings and a three-story multi-family development further southwest. Properties to the west are zoned RE9-1 and [Q]PF-1XL and are developed with single-family homes and the 405 Freeway further west. The site located at 11715 West Bellagio is currently under construction of a three-story multi-family residential building, approved under Case No. DIR-2012-2637-CLQ.

This action is related to a requested subdivision of a 7,853 net square foot (0.18 acres) site into six (6) parcels to permit the construction of six (6) new single-family dwellings with 12 parking spaces in accordance with the Small Lot Subdivision Ordinance No. 176,354. The design of the project meets the intent of the Small Lot Subdivision Ordinance and Design Guidelines through carefully-placed windows that maximize privacy for the new units as well as the surrounding structures; third stories that are setback from the second to minimize visual impacts; a modern architectural style; and sustainable landscaping. The project observes appropriate front setbacks which match the existing development of the street.

The new single-family homes will be three-stories in height. The maximum allowable building height for the subject property is 32-feet per the Q Condition. The applicant proposes to comply with the maximum height allowable for each building but the project will have varying rooftop stairwells for a maximum of no more than 42 feet (32-foot building height plus nine-foot stairwells, allowable under LAMC).

There is a concurrent request for a Zone Variance to permit: (a) zero square feet of open space in lieu of the required 1,050 square feet (175 square feet per unit) in the [Q]RD1.5-1VL Zone; and Zoning Administrator's Adjustments to permit: (a) a 5-foot front yard setback in lieu of the required 15-foot setback on Lot 5, (b) a zero-foot side yard in lieu of the required four feet for all interior side yards, (c) a zero-foot rear yard setback in lieu of the required 15 feet, (d) no building separation (zero feet) among the single-

family dwellings in lieu of the required 12 feet, and (e) reduced varying passageways between Lots 1 and 6 and between Lots 2 and 5 in lieu of the required 12 feet. The requested variance and adjustments are required to permit construction prior to the recordation of the final map. The provisions of the Small Lot Ordinance do not take effect until after the map is recorded. Four existing non-protected trees are proposed for removal.

The Small Lot Ordinance permits reductions in front, side, rear yards, passageways, and building separations. The Small Lot Ordinance does not, however, contain language which supersedes the requirements of the Zoning Code, prior to the recordation of the final map. The provisions of the Small Lot Ordinance do not take effect until after the map is recorded. Therefore, the requested variance and adjustments are required to permit construction prior to the recordation of the final map. The submitted application states that no known protected trees are located on-site.

In terms of visibility, impacts to the adjoining properties will be minimized due to the fact that the site is situated on a corner lot with a public alley acting as a buffer to northern and eastern properties. The structures immediately to the north and east are two stories in height. Although the proposed project is three stories in height, the units have been designed to be smaller than the size of the second stories and set back in order to reduce the perceived height and provide privacy to both the residents of the new units and the adjacent neighbors.

REPORTS RECEIVED

BUREAU OF ENGINEERING: Reports that the Tract Map layout is satisfactory as submitted and recommends approval subject to conditions in a memo dated January 15, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: Recommends that the project be subject to conditions stated in the memo dated January 7, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated January 1, 2014 have been satisfied. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to conditions stated in the memo dated January 5, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

FIRE DEPARTMENT: Recommends that the project be subject to conditions stated in the memo dated December 17, 2013. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF WATER AND POWER: No comments were available at the writing of the staff report.

BUREAU OF STREET LIGHTING: No comments were available at the writing of the staff report.

BUREAU OF SANITATION: Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no potential problems to their structures or potential maintenance problems as stated in the memo dated January 14, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

LOS ANGELES UNIFIED SCHOOL DISTRICT: No comments were available at the writing of the staff report.

DEPARTMENT OF WATER AND POWER: Recommends that the project be subject to conditions stated in the memo dated January 3, 2014. See recommended conditions in **Draft Tentative Tract Report with Conditions** under department.

DEPARTMENT OF RECREATION AND PARKS: No comments were available at the writing of the staff report.

DEPARTMENT OF TELECOMMUNICATIONS: No comments were available at the writing of the staff report.

HOUSING DEPARTMENT: No comments were available at the writing of the staff report.

ENVIRONMENTAL CLEARANCE

The Department of City Planning issued Mitigated Negative Declaration No. ENV-2013-3734-MND on February 24, 2014. See **Draft Tentative Tract Report with Conditions**.

TENANTS

The existing single-family dwelling is occupied.

STAFF RECOMMENDATIONS

The Planning Department staff recommends approval of Vesting Tentative Tract Map No. 72465-SL subject to the standard conditions and the additional conditions in the **Draft Tentative Tract Report with Conditions**.

Prepared by:

A handwritten signature in black ink, appearing to read 'Heather Bleemers', written over a large, faint, circular stamp or watermark.

Heather Bleemers
City Planning Assistant
(213) 978-0092

Note: Recommendation does not constitute a decision. Changes may be made by the Advisory Agency at the time of the public hearing.

DRAFT TENTATIVE TRACT REPORT WITH CONDITIONS

In accordance with provisions of Los Angeles Municipal Code (LAMC) Sections 17.15 and 12.22-C,27, the Advisory Agency approved Vesting Tentative Tract Map No. 72465-SL, located at 11767 East Bellagio Road for a maximum of **6 single-family lots** in accordance with the Small Lot Subdivision as shown on map stamp-dated November 20, 2013 in the Bel Air-Beverly Crest Community Plan. This unit density is based on the RD1.5-1VL 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 Public Counter call (213) 482-7077. 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 if this tract map is approved as "Small Lot Subdivision" then and if necessary for street address purposes, all the common access to this subdivision be named on the final map, satisfactory to the City Engineer.
2. That if this tract map is approved as "Small Lot Subdivision" then the final map be labeled as "Small Lot Subdivision per Ordinance 176,354" satisfactory to the City Engineer.
3. That if necessary public sanitary sewer easement be dedicated on the final map based on an alignment approved by the Central Engineering District Office.
4. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
5. That any fee deficit under Work Order No. EXT00527 expediting this project be paid.

Notes:

The Planning Department shall review and approve the width and alignment of the proposed common access easement and also minimum required small lot frontages to the public street and common access easement since four of the lots have less than 20-foot frontages.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

7. 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

8. 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. Obtain permits for the demolition or removal of all existing structures on the site. Accessory structures and uses are not permitted to remain on lots without a main structure or use. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
 - b. Provide a copy of [Q] conditions. Show compliance with the [Q] conditions as applicable or Department of City Planning approval is required.
 - c. Provide a copy of ZA case ZA-2013-3735-ZV-ZAA. Show compliance with all the conditions/requirements of the ZA case as applicable.
 - d. Show all street/alley 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.
 - e. The submitted Map does not comply with the maximum density (1,500 s.f. Tract area/dwelling unit) requirement of the RD1.5 Zone. Revise the map to show compliance with the above requirement or obtain approval from the Department of City Planning.

Staff Comment: The applicant is utilizing half of the abutting alley area to calculate the allowable density (for density calculation purposes, the lot is 9,779 square feet but buildable area is 7,853)

Notes:

This property is located in a Liquefaction Zone.

Dimension the reciprocal private easement for pedestrian and driveway egress and ingress, back up space, drainage, and utilities on the final map or record a covenant to provide and maintain the easement.

The existing or proposed building plans 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.

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 John Pourhassan at (213) 482-0087 to schedule an appointment.

DEPARTMENT OF TRANSPORTATION

9. Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.
 - b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of Department of Transportation 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.

FIRE DEPARTMENT

10. Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following: (MM)
- a. All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.
 - b. All homes shall have noncombustible roofs. (Non-wood)
 - c. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems will be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code, Section 57.09.07.
 - d. 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.
 - e. 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.
 - f. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
 - h. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
 - i. Where rescue window access is required, provide conditions and