

DEPARTMENT OF  
CITY PLANNING  
COMMISSION OFFICE  
(213) 978-1300

CITY PLANNING COMMISSION

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# City of Los Angeles

CALIFORNIA



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DEPUTY DIRECTOR

May 10, 2023

### Owner/Applicant

Jonathan Lehrer-Graiwer LLC  
2535 Aberdeen Avenue  
Los Angeles, CA 90027

### Representative

Simon Storey  
Anonymous Architects  
1416 Fairbanks Place  
Los Angeles CA 90026

**RE:** Tentative Tract Map No. VTT-74288-SL

Related Cases: None

Address: 2251-2257 West Duane Street

Community Plan: Silver Lake-Echo Park-Elysian  
Valley

Council District: 13 – Hugo Soto-Martinez

Zone: RD2-1VL

CEQA: ENV-2016-2148-CE

### EXTENSION OF TIME

On February 1, 2018, the Deputy Advisory Agency (DAA) approved Vesting Tentative Tract No. 74288-SL (VTT Approval) for the approved 5 small lots, located at 2251-2257 West Duane Street in the Silver Lake-Echo Park-Elysian Valley Community Plan. There was a letter of correction issued on September 28, 2018, correcting the address to 2251-2257 Duane Street.

Pursuant to LAMC Section 17.07 A.1, the initial life of the VTT Approval is three years. Absent an applicable extension of time or tolling, the subdivider shall record the final map within this period, or in this instance by February 1, 2021.

In accordance with the provisions of Government Code Section 65914.5(b) (Assembly Bill 1561-2020), the VTT Approval is eligible for an 18-month extension, thereby extending the VTT Approval's expiration date to August 1, 2022.

On January 20, 2023, the Applicant/Owner, Jonathan Lehrer-Graiwer, contacted the DAA, and provided written correspondence to City Planning, along with documentation regarding the map's eligibility for tolling under the development moratorium provisions of the Subdivision Map Act, pursuant to Government Code Section 66452.6(f). Specifically, this letter cites evidence of Los Angeles Department of Water and Power (LADWP), a public agency, and the Bureau of Engineering with the authority to approve Bonds for the Final Map caused a combined 12-months, 5 days delay (between July 28, 2021, *prior to* the August 1, 2022 expiration date associated with the submittal of the Final VTT package pursuant to VTT Approval Conditions of Approval Nos. S-1(c) ["that satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements] and Condition 10 [LADWP Condition re: LADWP's Water Services Organization and compliance with LADWP's Water System Rules and requirements]). See also, **Exhibit B**.

The delays were based on approval of the bonds, tax package and coordination with LADWP, which are based on LADWP's services for the VTT Approval.

Based on the DAA's review of the documentation and evidence provided, the City hereby determines that the Subdivision Map Act's development moratorium tolling applies to the map entitlement, approved under VTT-74288-SL, specifically the provisions set forth in Government Code Section 66452.6(f)(1), related to the Bureau of Engineer's Conditions of Approval Nos. 1-5, S1-S3, 10 (LADWP), 11 (Bureau of Street Lighting), 12 (Sanitation).

Therefore, the VTT Approval shall be tolled for a 12-month period plus 5 days from August 1, 2022 (the date of time extension from provisions of Government Code Section 65914.5(b)) and from which time the subject Conditions were unenforceable due to public agency delay.

Therefore, the new expiration date for the subject map is **August 6, 2023.**

VINCENT P. BERTONI, AICP  
Director of Planning



Nelson Rodriguez  
Deputy Advisory Agency  
VPB:NR:MP

cc: Councilmember Hugo Soto-Martinez

Encls.: Exhibit A – February 8, 2023, Email Correspondence; March 3, 2023, Letter from J. Lehrer-Graiwer to M. Przekop of City Planning and Supporting Documentation  
Exhibit B – Email correspondences from applicant to Public Agencies

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<http://planning.lacity.org>

September 28, 2018

Jonathan Lehrer-Graiwer (A)(O)  
2535 Aberdeen Avenue  
Los Angeles, CA 90027

Simon Storey (R)  
Anonymous Architects  
1416 Fairbanks Place  
Los Angeles, CA 90026

RE: Vesting Tentative Tract No. 74288  
Related Case: none  
2251-2257 West Duane Street  
Silver Lake-Echo Park-Elysian Valley  
Planning Area  
Zone: RD2-1VL  
District Map: 145-5A207  
Council District: 13  
CEQA: ENV-2016-2148-CE  
Legal Description: Lot 170, Edendale  
Tract

**LETTER OF CORRECTION**

On February 1, 2018, in accordance with provisions of Section 17.03 and 12.22 C.27 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Categorical Exemption ENV-2016-2148-CE as the environmental clearance, and approved Vesting Tentative Tract No. 74288 located at 2251-2257 Duane Street for a maximum of 5 lots pursuant to the Small Lot Subdivision Ordinance No. 176,354 Silver Lake-Echo Park-Elysian Valley Community Plan area.

In the heading on the front page of the Letter of Determination (LOD) for that case, the site address was inadvertently typed as 2551-2557 West Duane Street, while, in actuality, it is 2251-2257 Duane Street.

Therefore, site address in the heading on the front page of the LOD for VTT-74288 shall be

corrected to read as follows:

**2251-2257 Duane Street**

Everything else shall remain the same.

Vincent P. Bertoni, AICP  
Advisory Agency



Kevin S. Golden  
Deputy Advisory Agency

VPB:KSG

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Decision Date: February 1, 2018

Last Day to Appeal: February 12, 2018

Jonathan Lehrer-Graiwer (A)(O)  
2535 Aberdeen Avenue  
Los Angeles, CA 90027

Simon Storey (R)  
Anonymous Architects  
1416 Fairbanks Place  
Los Angeles, CA 90026

RE: Vesting Tentative Tract No. 74288  
Related Case: none  
2551-2557 West Duane Street  
Silver Lake-Echo Park-Elysian Valley  
Planning Area  
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Tract

In accordance with provisions of Section 17.03 and 12.22 C.27 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Categorical Exemption ENV-2016-2148-CE as the environmental clearance, and approved Vesting Tentative Tract No. 74288 located at 2251-2257 Duane Street for a maximum of **5 lots** pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamp-dated January 18, 2018 in the Silver Lake-Echo Park-Elysian Valley Community Plan. This unit density is based on the RD2-1VL 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. 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 a 3-foot wide strip of land be dedicated along Duane Street adjoining the tract to complete a 33-foot wide half public right-of-way in accordance with **Collector Street** standards of the LA Mobility Plan.
2. That if this tract map is approved as "Small Lot Subdivision" then, if necessary for street address purposes, all the common access to this subdivision shall be named on the final map satisfactory to the City Engineer.
3. That if this tract map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. 176354" satisfactory to the City Engineer.
4. That if necessary public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Central District Engineering District Office.
5. That the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveway.

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

7. 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. 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. Show any street dedication 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 dedication. Front, side and rear yard requirements shall be required to comply with current code as measured from new property lines after dedication(s).
  - c. Lots 1 does not comply with the minimum 15 ft. front yard setback along Duane Street after required street dedication is taken as required for the RD2 Zone. Revise the Map to show compliance with the above requirement or obtain approval from the Department of City Planning.
  - d. A 5 foot yard setback is required for the small lots adjacent to the lots not part of the tract. No projections allowed in such setback requirements. Revise the Map or obtain City Planning approval to have Setback Matrix reflect the correct setbacks shown on the map.
  - e. Resubmit the map to provide and maintain a minimum 20 foot common access strip

open to the sky for the lots all the way to the public street for access and frontage purpose per Section 12.03 under the definition of "Lot". No projections are allowed into the 20 ft. minimum common access strip. Provide the 20 ft. wide common access open to the sky or obtain approval from the City Planning Advisory Agency to allow for a reduced and/or projection into the common access strip all the way to the public street.

- f. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress, sewer, drainage and utilities in the final map.
- g. Parking stalls are not allowed to back-up/back-out to the public way to leave the parking area or parking garage (Lot 5).
- h. Clearly label and update the setback requirements on the Map to match with the Setback Matrix table.

Notes:

This property is in the RD2 Zone within the Hillside Area and may be required to comply with the Hillside Ordinance (Section 12.21 A.17 LAMC).

This property is located is located in the Freeway Adjacent Advisory Notice for Sensitive Uses area, ZI-2427.

This property is locates in a Very High Fire Hazard Severity Zone.

The existing or 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. 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 included on the Map.

Backup space for parking space with less than 26'-8" shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement.

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 Francia at (213) 482-0010 to schedule an appointment.

## DEPARTMENT OF TRANSPORTATION

- 8. That the project be subject to any recommendations from the Department of

Transportation.

## **FIRE DEPARTMENT**

9. This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.

Mitigating measures shall be considered. These measures shall include, but not be limited to the following:

- a. Boxed-in eaves.
- b. Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
- c. Non-wood siding.
- d. Exposed wooden members shall be two inches nominal thickness.
- e. Noncombustible finishes.

Any required roadway improvement within the Hillside Ordinance shall be completed prior to the Fire Department signing off and building plans or building permit application.

Irrigated and managed greenbelts around the perimeter of all structures for a distance of 100 feet shall be considered as a buffer between the brush and the proposed project.

All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the Fire Department.

All homes shall have noncombustible roofs. (Non-wood)

The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's Association under supervision to the Los Angeles City Fire Department in order to reduce the risk of brush fires spreading to the homes.

Access for Fire Department apparatus and personnel to and into all structures shall be required.

No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

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.

Adequate public and private fire hydrants shall be required.

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.

The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".

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.

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.

All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

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

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

Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

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.

## **DEPARTMENT OF WATER AND POWER**

10. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering. (This

condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1.(c.)

### **BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS**

11. 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.

a. Construct new street light: one (1) on Duane Street.

#### **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**

12. Wastewater Collection Systems Division of the Bureau of Sanitation has inspected the sewer/storm drain lines serving the subject tract and found no/or potential problems to their structure or potential maintenance problem, as stated in the memo dated December 1, 2016. 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. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)

### **INFORMATION TECHNOLOGY AGENCY**

13. To assure that cable television facilities will be installed in the same manner as other required improvements, please email [cabletv.ita@lacity.org](mailto:cabletv.ita@lacity.org) that provides an automated response with the instructions on how to obtain the Cable TV clearance. The automated response also provides the email address of three people in case the applicant/owner has any additional questions.

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

14. That the Quimby fee be based on the RD2 Zone.

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

15. 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 5 lots.
- b. Provide a minimum of 2 off-street parking spaces per dwelling unit.
- c. **Note to City Zoning Engineer and Plan Check.** The Advisory Agency has reviewed and approved the location(s) of the following item(s) as it applies to this subdivision and the proposed development on the site.
  - (i) The Common Access Driveway shall be a minimum of 18-feet wide, clear to the sky.
  - (ii) The project shall comply with the setbacks as indicated in the table below:

LOT	FRONT	REAR	WEST SY	EAST SY
1	24'	7'-0"	12'	2'
2	22'	9'-0"	3'	2'
3	20'	11'	3'	2'
4	26;	5'	3'	2'
5	5'	12'-6"	3'	5'

- d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-highdecorative wall or wooden fence shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- e. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- f. 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.
- g. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

- (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, 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.
- (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, 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.
  - (iii) 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 \$50,000. 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).
  - (iv) 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).
  - (v) 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.

16. A Community Maintenance Agreement shall be prepared, composed of all property owners, to maintain all common areas such as trees, landscaping, trash, parking, community driveway, walkways, monthly service for private fire hydrant (if required), etc. Each owner and future property owners shall automatically become party to the agreement and shall be subject to a proportionate share of the maintenance. The Community Maintenance Agreement shall be recorded as a Covenant and Agreement to run with the land. The subdivider shall submit a copy of this Agreement, once recorded, to the Planning Department for placement in the tract file.
17. That copies of all recorded Covenant and Agreement(s) for all reciprocal private easements shall be submitted to the Planning Department for placement in the tract file.
18. That the subdivider shall record and execute a Covenant and Agreement (Planning Department General Form CP-6974) that a Certificate of Occupancy (temporary or final) for the building(s) shall not be issued until the final map has been recorded.

#### **Tenant Relocation Conditions**

19. That the applicant execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded with 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.
20. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Ellis Act (Government Code §§ 7060, et seq.) and §§ 151.22 – 151.28 of the Los Angeles Municipal Code.

#### **DEPARTMENT OF CITY PLANNING - STANDARD SINGLE-FAMILY CONDITIONS**

- SF-1. That approval of this tract constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this tract approval, the following conditions shall apply:
1. Prior to recordation of the final map, the subdivider shall submit a plot plan for approval by the Development Services Center of the Department of City Planning

showing the location of the model dwellings, sales office and off-street parking. The sales office must be within one of the model buildings.

2. All other conditions applying to Model Dwellings under Section 12.22A, 10 and 11 and Section 17.05 O of the Code shall be fully complied with satisfactory to the Department of Building and Safety.

SF-2. 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 grading or building permits before the recordation of the final map. 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.

In the event the subdivider decides not to request a permit before the recordation of the final map, a covenant and agreement satisfactory to the Advisory Agency guaranteeing the submission of such plan before obtaining any permit shall be recorded.

#### **BUREAU OF ENGINEERING - STANDARD CONDITIONS**

- S-1. (a) That the sewerage facilities charge be deposited prior to recordation of the final map over all of the tract in conformance with Section 64.11.2 of the Los Angeles Municipal Code (LAMC).
- (b) That survey boundary monuments be established in the field in a manner satisfactory to the City Engineer and located within the California Coordinate System prior to recordation of the final map. Any alternative measure approved by the City Engineer would require prior submission of complete field notes in support of the boundary survey.
- (c) That satisfactory arrangements be made with both the Water System and the Power System of the Department of Water and Power with respect to water mains, fire hydrants, service connections and public utility easements.
- (d) That any necessary sewer, street, drainage and street lighting easements be dedicated. In the event it is necessary to obtain off-site easements by separate instruments, records of the Bureau of Right-of-Way and Land shall verify that such easements have been obtained. The above requirements do not apply to easements of off-site sewers to be provided by the City.
- (e) That drainage matters be taken care of satisfactory to the City Engineer.
- (f) That satisfactory street, sewer and drainage plans and profiles as required, together with a lot grading plan of the tract and any necessary topography of adjoining areas be submitted to the City Engineer.
- (g) That any required slope easements be dedicated by the final map.

- (h) That each lot in the tract complies with the width and area requirements of the Zoning Ordinance.
- (i) That 1-foot future streets and/or alleys be shown along the outside of incomplete public dedications and across the termini of all dedications abutting unsubdivided property. The 1-foot dedications on the map shall include a restriction against their use of access purposes until such time as they are accepted for public use.
- (j) That any 1-foot future street and/or alley adjoining the tract be dedicated for public use by the tract, or that a suitable resolution of acceptance be transmitted to the City Council with the final map.
- (k) That no public street grade exceeds 15%.
- (l) That any necessary additional street dedications be provided to comply with the Americans with Disabilities Act (ADA) of 2010.

S-2. That the following provisions be accomplished in conformity with the improvements constructed herein:

- (a) Survey monuments shall be placed and permanently referenced to the satisfaction of the City Engineer. A set of approved field notes shall be furnished, or such work shall be suitably guaranteed, except where the setting of boundary monuments requires that other procedures be followed.
- (b) Make satisfactory arrangements with the Department of Traffic with respect to street name, warning, regulatory and guide signs.
- (c) All grading done on private property outside the tract boundaries in connection with public improvements shall be performed within dedicated slope easements or by grants of satisfactory rights of entry by the affected property owners.
- (d) All improvements within public streets, private street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.
- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:

- (a) Construct on-site sewers to serve the tract as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting.

- a. Construct one new light on Duane Street.

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 condition S-3 (i), 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.

- (d) Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Street Tree Division of the Bureau of Street Maintenance. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Urban Forestry Division ((213) 847-3077) upon completion of construction to expedite tree planting.
- (e) Repair or replace any off-grade or broken curb, gutter and sidewalk satisfactory to the City Engineer.
- (f) Construct access ramps for the handicapped as required by the City Engineer.
- (g) Close any unused driveways satisfactory to the City Engineer.
- (h) Construct any necessary additional street improvements to comply with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design.
- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
  - a. Improve Duane Street being dedicated adjoining the subdivision by the construction of a 13-foot wide full-width concrete sidewalk with tree wells or 5-foot concrete sidewalk and landscaping of the parkway including any necessary removal and reconstruction of existing improvements.
  - b. Construct the necessary on-site mainline sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract action. However the existing or proposed zoning may not permit this number of units. This vesting map does not constitute approval of any variations from the Municipal Code, unless approved



specifically for this project under separate conditions.

Any removal of the existing street trees shall require Board of Public Works approval.

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 (LAMC).

The final map must be recorded within 36 months of this approval, unless a time extension is granted before the end of such period.

The Advisory Agency hereby finds that this tract conforms to the California Water Code, as required by the Subdivision Map Act.

The subdivider should consult the Department of Water and Power to obtain energy saving design features which can be incorporated into the final building plans for the subject development. As part of the Total Energy Management Program of the Department of Water and Power, this no-cost consultation service will be provided to the subdivider upon his request.

#### **FINDINGS OF FACT (CEQA)**

DETERMINED based on the whole of the administrative record the Project is exempt from CEQA pursuant to CEQA Guidelines Section(s) 15332 (Class 32), and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The project is for the subdivision of five small lots, each to be developed with a single-family dwelling. As a Small Lot Subdivision of land and the construction of five single-family dwellings, and a project which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The site is zoned RD2-1VL and has a General Plan Land Use Designation of Low Medium II Residential. As shown in the case file, the project is consistent with the applicable Silver Lake

Echo Park-Elysian Valley Community Plan policies and all applicable zoning designations and regulations. The subject site is wholly within the City of Los Angeles, on a site that is approximately

0.258 acres. Adjacent properties to the north, south, east, and west are zoned RD2-1VL and generally developed with single-family and low-density multi-family structures. The site is previously disturbed and surrounded by development and therefore is not, and has no value as, a habitat for endangered, rare or threatened species. There are no protected trees on the site.

The project will be subject to Regulatory Compliance Measures (RCMs), which require compliance with the City of Los Angeles Noise Ordinance; pollutant discharge, dewatering, stormwater mitigations; and Best Management Practices for stormwater runoff. These RCMs will ensure the project will not have significant impacts on noise and water. Furthermore, the project does not exceed the threshold criteria established by LADOT for preparing a traffic study. Therefore, the project will not have any significant impacts to traffic. Interim thresholds were developed by DCP staff based on CalEEMod model runs relying on reasonable assumptions, consulting with AQMD staff, and surveying published air quality studies for which criteria air pollutants did not exceed the established SCAQMD construction and operational thresholds. The project site will be adequately served by all public utilities and services given that the construction of five single-family dwelling will be on a site which has been previously developed and is consistent with the General Plan. Therefore, the project meets all of the Criteria for the Class 32.

There are five (5) Exceptions which must be considered in order to find a project exempt: (a) Cumulative Impacts; (b) Significant Effect; (c) Scenic Highways; (d) Hazardous Waste Sites; and (e) Historical Resources.

There is not a succession of known projects of the same type and in the same place as the subject project. As mentioned, the project proposes five single-family dwellings in an area zoned and designated for such development. All adjacent lots are developed with single-family or low-density multi-family structures, and the subject site is of a similar size and slope to nearby properties. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. Additionally, the only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The Topanga Canyon State Scenic Highway is approximately 15 miles away from the subject site, and will therefore not be affected. Furthermore, according to Envirostor, the State of California's database of Hazardous Waste Sites, neither the subject site, nor any site in the vicinity, is identified as a hazardous waste site. The project site has not been identified as a historic resource by local or state agencies, and the project site has not been determined to be eligible for listing in the National Register of Historic Places, California Register of Historical Resources, the Los Angeles Historic-Cultural Monuments Register, and/or any local register; and was not found to be a potential historic resource based on the City's HistoricPlacesLA website or SurveyLA, the citywide survey of Los Angeles. Finally, the City does not choose to treat the site as a historic resource. Based on this, the project will not result in a substantial adverse change to the significance of a historic resource and this exception does not apply.

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

In connection with the approval of Vesting Tentative Tract No. 74288-SL, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66473.1, 66474.60, .61 and .63 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

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

The General Plan Land Use Element is made up of 35 Community Plans which guide development. The subject project is within the Silver Lake-Echo Park Elysian Valley Community Plan. The Community Plan Land use Designation designates the subject site for Low Medium II Residential land uses, with corresponding zones RD1.5, RD2, RW2, and RZ2.5. The project site is zoned RD2-1VL, which requires at least 2,000 square feet of lot area per dwelling unit. The site is approximately 11,256 square feet, which allows a maximum of five units.

The project will provide much needed new home ownership opportunities in the Community Plan area in the form of single-family. The Small Lot Ordinance allows for the creation of fee simple parcels without the need to establish a homeowners association and allows for single-family dwellings to be constructed on smaller parcels of land, both of which make the project more affordable. As a five-unit Small Lot Subdivision with five single-family dwellings, the proposed project is consistent with the purpose, intent, and applicable regulations of the General Plan and Community Plan.

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

The adopted Silver Lake-Echo Park Elysian Valley Plan designates the subject property for Low Medium II Residential land uses with the corresponding zones of RD1.5, RD2, RW2, and RZ2.5. The property contains approximately 0.258 net acres (11,256 net square feet) and is presently zoned RD2-1VL. The proposed subdivision for five small lots is allowable under the current adopted zone and the land use designation.

The Bureau of Engineering has reviewed the proposed subdivision and found the subdivision layout generally satisfactory. As a condition of approval, the subdivider is required to make dedications and improvements on Duane Street in order to meet current street standards.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas), nor is the site located in a liquefaction area, a flood zone, or a landslide area.

At the public hearing on July 12, 2017, the Deputy Advisory Agency found several deficiencies in the proposed map, including mislabeled setbacks, incorrect setback matrices, lack of dedication, and a common access driveway deficient in width. As a result,

the applicant revised the proposed map. The map stamp-dated January 18, 2018, was reviewed by the Deputy Advisory Agency, and these deficiencies were deemed to be remedied.

Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General Plan.

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

The site is approximately 75 feet by 150 feet, with a total of approximately 11,256 square feet. Proposed development maintains a minimum of 8 feet side yard setbacks and 15 feet front yard and back yard setback to adjoining parcels.

The development of this parcel is an infill within a multiple-family residential neighborhood. The Bureau of Engineering has reviewed the proposed tract map and found that the tract map layout is generally satisfactory. The applicant is required to improve the adjacent street, Duane Street, to meet current standards. The Bureau of Sanitation reviewed the sewer/drain lines serving the subject tract and found no problems to their structures or potential maintenance problems.

The project access easement is adequate for vehicular ingress and egress and emergency purposes. The project's open-to-the-sky driveway width of a minimum of 18 feet shows compliance with the common access area requirements.

The site is not subject to the Specific Plan for the Management of Flood Hazards (floodways, floodplains, mud prone areas, coastal high-hazard and flood-related erosion hazard areas). The vesting tentative tract 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 the proposed subdivision.

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

The density of the RD2 Zone is 2,000 square feet of lot area per dwelling unit. This would allow a density of five units on the 11,256 square foot project site. The proposed development of five single-family dwelling units is in conformance with the allowable density of the zone. As stated above, the site is not in a liquefaction area or landslide area. The site currently contains three residential units, and the addition of two dwelling units will not substantially change the intensity of the use of the subject site. Therefore, the site is suitable for the proposed density.

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

This subdivision is part of a class of projects which the City Council has determined will not

have a significant effect upon the environment. On June 26, 2017, the Department of City Planning Department issued ENV-2016-2148-CE, stating that based on the whole of the administrative record, the project is exempt from the Environmental Quality Act (CEQA) pursuant to California CEQA Guidelines Section 15332, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

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.

Any demolition, grading, and construction will be conducted per the requirements of the Los Angeles Municipal Code and associated permits needed to perform such work. These permits and the Municipal Code also restrict work hours to mitigate noise pollution.

- (f) THE DESIGN OF THE SUBDIVISION OR TYPE OF IMPROVEMENTS IS NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.

There appears to be no potential public health problems caused by the design or improvement of the proposed subdivision.

The development is required to be connected to the City's sanitary sewer system, where the sewage will be directed to the LA Hyperion Treatment Plant, which has been upgraded to meet Statewide ocean discharge standards. The Bureau of Engineering has reported that the proposed subdivision does not violate the existing California Water Code because the subdivision will be connected to the public sewer system 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 OR THE TYPE OF 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 tract.

- (h) THE DESIGN OF THE PROPOSED SUBDIVISION SHALL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)

In assessing the feasibility of passive or natural heating or cooling opportunities in the proposed subdivision design, the applicant has prepared and submitted materials which consider the local climate, contours, configuration of the parcel(s) to be subdivided and other design and improvement requirements.

Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning in effect at the time the tentative map was filed.

The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation. The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities. In addition, prior to obtaining a building permit, the subdivider shall consider building construction techniques, such as overhanging eaves, location of windows, insulation, exhaust fans; planting of trees for shade purposes and the height of the buildings on the site in relation to adjacent development.

These findings shall apply to both the tentative and final maps for Tract No. 74288-SL.

Vincent P. Bertoni, AICP  
Advisory Agency

  
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KEVIN S. GOLDEN  
Deputy Advisory Agency

  
\_\_\_\_\_  
Jane J. Choi, AICP  
Senior City Planner

VPB: JJC: KSG: AK

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the City Planning Commission or Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

<b>Downtown</b>	<b>San Fernando Valley</b>	<b>West Los Angeles</b>
Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 <u>(213) 482-7077</u>	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 <u>(818) 374-5050</u>	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 <u>(310) 231-2598</u>

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

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 90<sup>th</sup> day following the date on which the City's decision becomes final.

# VESTING TENTATIVE TRACT MAP NO. 74288

FOR SMALL LOT SUBDIVISION PURPOSES IN THE CITY OF LOS ANGELES COUNCIL DISTRICT NUMBER 13

## LEGAL DESCRIPTION

LOT 170 AND THE WESTERLY 25 FEET OF LOT 171 OF EDENDALE TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 2, PAGES 81 AND 82 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. APN: 5422-018-014

## NOTES

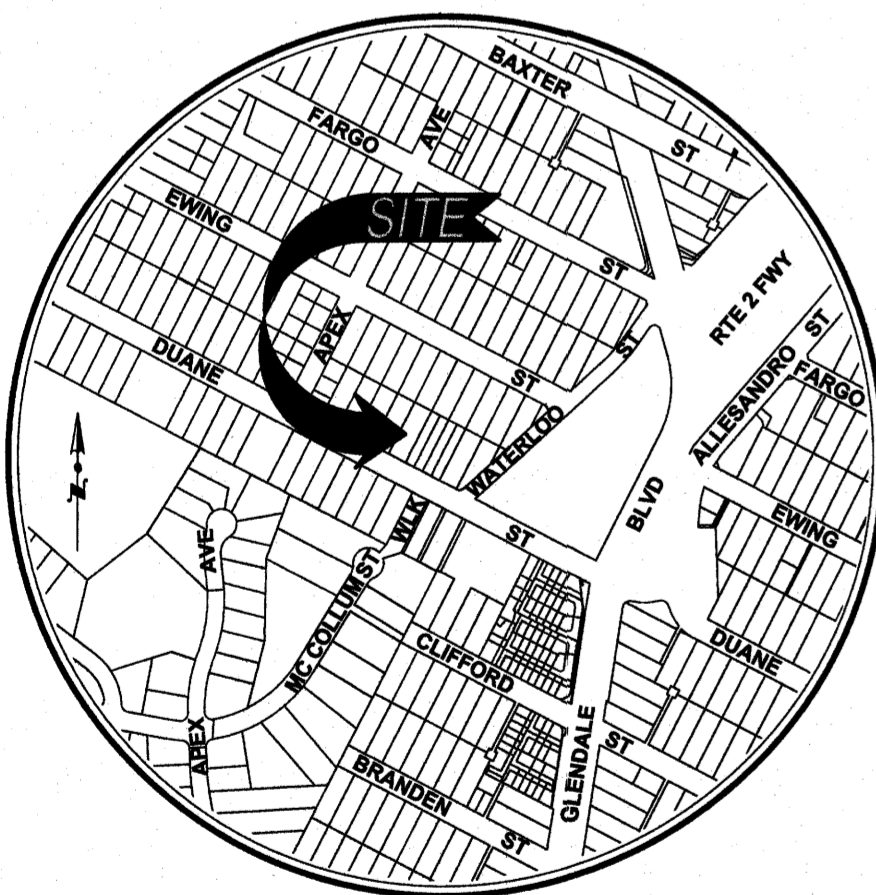
- SITUS: 2251 DUANE STREET, LOS ANGELES, CA 90039
- REQUESTING SMALL LOT SINGLE FAMILY SUBDIVISION IN THE RD2-IVL ZONE PURSUANT TO ORDINANCE NO. 176,354
- ZONING: RD2-IVL (EXISTING AND PROPOSED)
- EACH DWELLING TO HAVE INDIVIDUAL TRASH RECEPTACLE, STORED IN THEIR GARAGE
- THOMAS BROS. GRID; PAGE 594 GRID D5 & E5
- ALL EXISTING BUILDINGS AND STRUCTURES SHALL BE DEMOLISHED. THERE ARE NO KNOWN EXISTING WELLS.
- PROPOSED PARKING: EACH DWELLING TO HAVE TWO (2) PARKING SPACES, 1 STANDARD AND 1 COMPACT; TOTAL = 10
- NO VALLEY OR COAST LIVE OAKS, NO CALIFORNIA BAY, WESTERN SYCAMORE, OR CALIFORNIA BLACK WALNUT TREES ON SITE.
- LOT SIZES AND CONFIGURATIONS ARE ILLUSTRATIVE ONLY AND WILL BE FINALIZED ON THE FINAL MAP
- FINAL LOTS ARE TO BE BASED ON THE ARCHITECTURAL PLANS
- SEWER AND PUBLIC UTILITIES ARE AVAILABLE AND SERVICING THE SITE
- HILLSIDE AREA
- VERY HIGH FIRE HAZARD SEVERITY ZONE
- NOT IN A LIQUEFACTION ZONE
- NOT IN FLOODWAY, OR MUD PRONE AREAS.
- NOT WITHIN MULHOLLAND SCENIC PARKWAY
- EXISTING AREA: 13,500 S.F. (0.30 ACRES) GROSS (TO CENTERLINES); 11,250 S.F. (0.26 ACRES) NET
- UNDERLYING SURVEY SHOWN HEREON WAS PREPARED BY OTHERS (RB ENGINEERS, INC.). FINAL MAP WILL BE PREPARED BASED ON A BOUNDARY SURVEY TO BE PERFORMED BY OR UNDER THE DIRECTION OF THE UNDERSIGNED LAND SURVEYOR HEREON.

## Benchmark

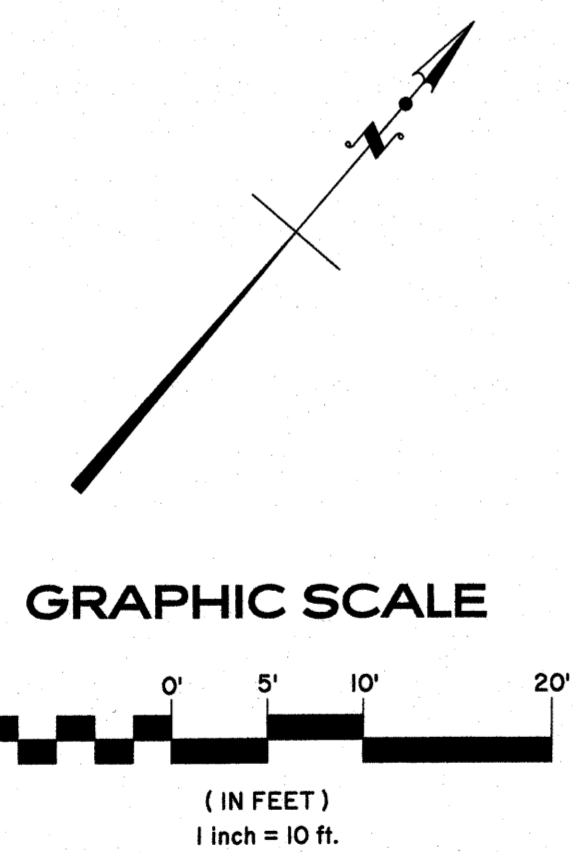
SSMH RIM, STRUCTURE ID 49402144, CENTERLINE OF DUANE STREET AND APEX AVENUE  
ELEVATION = 574.80 FEET (NO STATED DATUM)

## SETBACK MATRIX (Shown in feet and decimal feet)

LOT	FY	RY	WEST SY	EAST SY	BUILDING CLEARANCE
1	24.00	7.00	12.00	2.00	N/A
2	22.00	9.00	3.00	2.00	5.00
3	20.00	11.00	3.00	2.00	5.00
4	26.00	5.00	3.00	2.00	5.00
5	5.00	12.50	3.00	5.00	N/A



Vicinity Map (1" = 500')

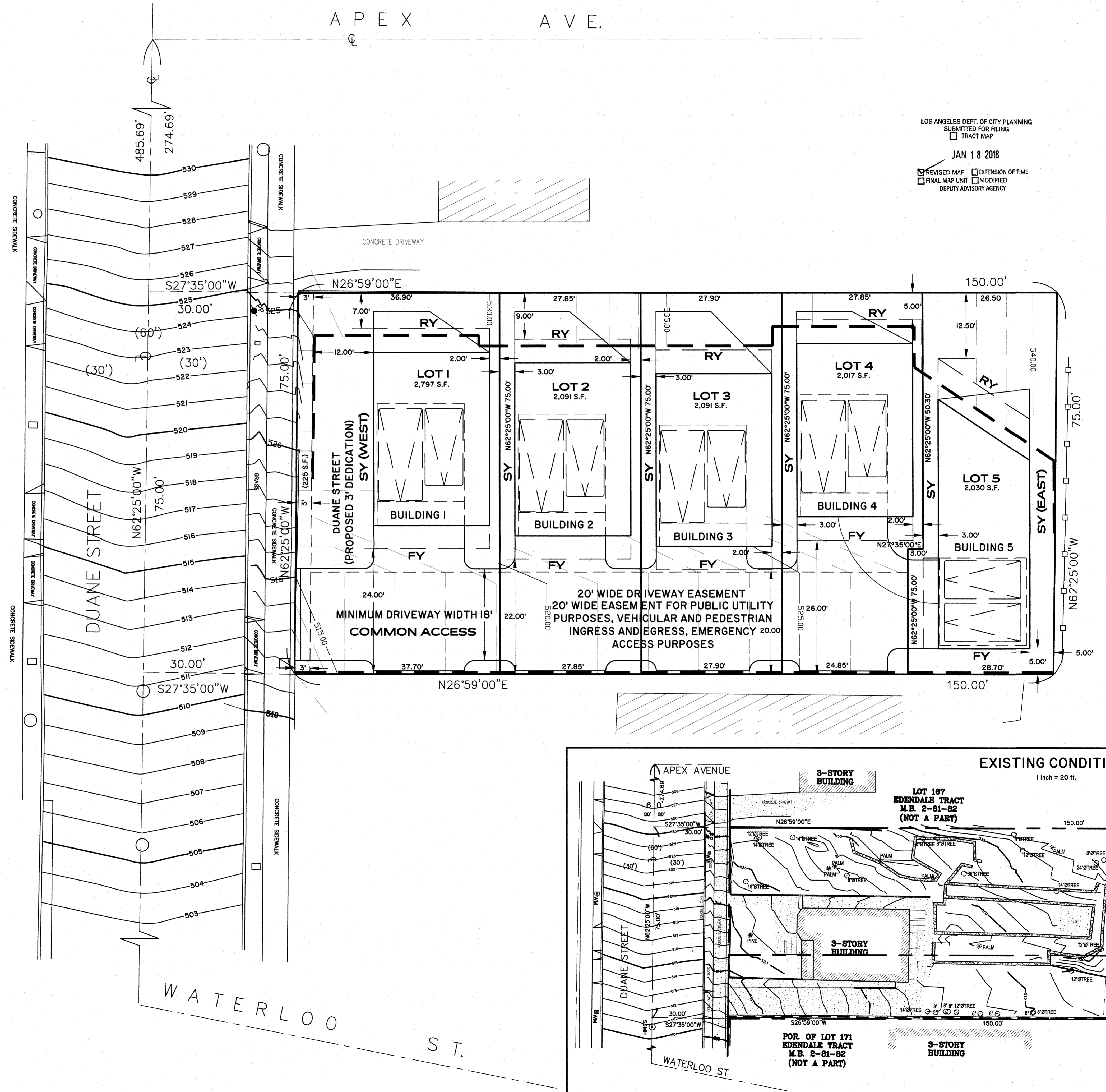


## CONTACT INFORMATION

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LAND SURVEYOR:  
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LOS ANGELES DEPT. OF CITY PLANNING  
SUBMITTED FOR FILING  
TRACT MAP  
JAN 18 2018  
REVISER MAP [ ] EXTENSION OF TIME  
FINAL MAP UNIT [ ] MODIFIED  
DEPUTY ADVISORY AGENCY

