

DEPARTMENT OF
CITY PLANNING
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(213) 978-1300

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EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

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DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

Decision Date: September 3, 2020

Appeal End Date: September 18, 2020

Thomas Armas (A)(O)
2515 Medlow Avenue
Los Angeles, CA 90041

Nery Matus (R)
D&D Matus
1649 West 68th Street
Los Angeles, CA 90047

Patricio L. Stumpf (E)
So. Cal Land Development, Inc.
6400 East Washington Boulevard
Commerce, CA 90040

Case No.: AA-2017-4822-PMLA-SL
Address: 3100-3112 North Phelps Avenue
Planning Area: Northeast Los Angeles
Zone: RD3-1
D.M.: 141A233
C.D.: 14
CEQA: ENV-2017-4823-CE
Legal Description: Lot 116, TR 3479

The Advisory Agency determined, based on the whole of the administrative record, Case No. ENV-2017-4823-CE, that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Article 19, Section 15303 (Class 3) and Section 15315 (Class 15) and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies. In accordance with provisions of Section 17.51 and 17.53 of the Los Angeles Municipal Code (LAMC), the Advisory Agency **approved** Preliminary Parcel Map No. AA-2017-4822-PMLA-SL located at 3100 – 3112 North Phelps Avenue, for a maximum of **two (2) Small Lots**, pursuant to the LAMC Section 12.22 C.27 (Ordinance No. 176,354), as shown on the revised map stamp-dated November 17, 2017, in the Northeast Los Angeles Community Plan. This unit density is based on the RD3-1 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.)

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

Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 290. Any questions regarding these conditions should be directed to Ms. Julia Li by calling (213) 808-8917.

1. That a 4-foot wide strip of land be dedicated along Phelps Avenue adjoining the subdivision. In addition, a 1-foot wide public sidewalk easement be provided adjoining the dedication stated above.
2. That a 5-foot wide strip of land be dedicated along Gambier Street adjoining the subdivision to complete a 30-foot wide half right-of-way in accordance with Local Street Standards of the LA Mobility Plan. In addition, a 15-foot radius property line return or 10-foot by 10-foot cut corner be dedicated at intersection with Phelps Avenue adjoining the subdivision.
3. That if this parcel map is approved as small lot subdivision then the final map be labeled as "Small Lot Subdivision per Ordinance No. "185462" satisfactory to the City Engineer.
4. That the subdivider make a request to the Central District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

Grading Division approvals are conducted at 221 North Figueroa Street, 12th Floor suite 1200. The approval of this Preliminary Parcel Map shall not be construed as having been based upon a geological investigation such as will authorize the issuance of the building permit of the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits.

5. The approval of this Parcel Map shall not be construed as having been based upon geological investigation such as will authorize the issuance of building permits on the subject property. Such permits will be issued only at such time as the Department of Building and Safety has received such topographic maps and geological reports as it deems necessary to justify the issuance of such building permits. 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

Building and Safety approvals are conducted by appointment only - contact Laura Duong at (213) 482-0434 to schedule an appointment.

6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Obtain permit for the alteration of the existing garage on Proposed Parcel B to comply with the required 5 ft. setbacks. Provide copy of the permit and signed inspection card to show completion of the work.
 - b. Show 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 dedications. Front yard requirement shall be required to comply with current code as measured from new property lines after all dedications.

- c. Provide and dimension the reciprocal private easement for pedestrian and driveway egress and ingress, utilities, drainage, and back up space in the 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.

The proposed buildings may not comply with City of Los Angeles Building Code requirements concerning exterior wall, protection of openings and exit requirements with respect to the proposed and existing property lines. Compliance shall be to the satisfactory of LADBS at the time of plan check.

FIRE DEPARTMENT

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) 264-6807. You should advise any consultant representing you of this requirement as well.

7. That 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:
 - a. Submit plot plans for Fire Department approval and review prior to recordation of the parcel map.
 - b. Mitigating measures shall be considered. These measures shall include, but not be limited to the following:
 - i. Boxed-in eaves.
 - ii. Single pane, double thickness (minimum 1/8" thickness) or insulated windows.
 - iii. Non-wood siding.
 - iv. Exposed wooden members shall be two inches nominal thickness.
 - v. Noncombustible finishes.
 - c. 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.
 - d. All landscaping shall use fire-resistant plants and materials. A list of such plants is available from the contact Brush Clearance Unit 6262 Van Nuys Blvd., Room 451, Van Nuys 91401 (800) 994-4444.
 - e. All structures shall have noncombustible roofs. (Non-wood)
 - f. 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.

- g. Any required roadway improvement within the Hillside Ordinance shall be completed prior to the Fire Department signing off on building plans or building permit application.
- h. For any new construction of, or addition to, a one-family dwelling on a lot that does not have a vehicular access route from a street improved with a minimum 20-foot-wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area, no building permit or grading permit shall be issued unless the construction or addition meets the requirements of this Subdivision or has been approved pursuant to Section 12.24 x 21.
- i. Access for Fire Department apparatus and personnel to and into all structures shall be required.
- j. 505.1 Address identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
- k. 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.
- l. 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.
- m. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.
- n. Site plans shall include all overhead utility lines adjacent to the site.
- o. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- p. 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.
- q. 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.

DEPARTMENT OF WATER AND POWER

- 8. That prior to the issuance of a grading or building permit, satisfactory arrangements shall be made with the Department of Water and Power for the following:

- a. Developer must complete the following financial arrangements prior to Tract recordation: Supply system (acreage supply charge).
- b. Conditions under which water service will be rendered: Pressure regulators will be required in accordance with the Los Angeles City Plumbing Code for the following lot(s) where pressures exceed 80 psi at the building pad elevation: Max: 151 psi, Min: 139psi.

BUREAU OF STREET LIGHTING – SPECIFIC CONDITIONS

Street Lighting clearance for this Street Light Maintenance Assessment District condition is conducted at 1149 S. Broadway Suite 200. Street Lighting improvement condition clearance will be conducted at the Bureau of Engineering District office, see condition S-3. (c).

9. 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.

BUREAU OF SANITATION

10. 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 structure or potential maintenance problem, as stated in the memo dated November 20, 2019. 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

11. To assure that cable television facilities will be installed in the same manner as other required improvements, please email 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

12. That the Park Fee paid to the Department of Recreation and Parks be calculated as a Subdivision (Quimby in-lieu) fee.

URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING

13. The applicant shall submit a tree report and a landscape plan prepared by a Tree Expert, as required by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division, Bureau of Street Services. The Tree Report shall contain the Tree Expert's recommendations for the preservation of as many desirable (eight inches diameter or greater) trees as possible and shall provide species, health, and condition of all trees with tree locations plotted on a site survey. An on-site 1:1 tree replacement shall be required for the unavoidable loss of any desirable on-site trees.

Note: Removal of Protected trees requires the approval of the Board of Public Works. Contact Urban Forestry Division at: (213) 847-3077 for tree removal permit information.

CEQA document must address parkway tree removals.

DEPARTMENT OF CITY PLANNING - SITE SPECIFIC CONDITIONS

Clearances may be conducted at the Figueroa, Valley, or West Los Angeles Development Services Centers. To clear conditions, an appointment is required, which can be requested at planning.lacity.org.

14. 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) (small) Lots.
- b. A Certificate of Occupancy (temporary or final) for the building(s) in Preliminary Parcel Map No. AA-2017-4822-PMLA-SL shall not be issued until after the final map has been recorded.
- c. Provide a minimum of 2 covered off-street parking spaces per dwelling unit.

In addition, prior to issuance of a building permit, a parking plan showing off-street parking spaces, as required by the Advisory Agency, be submitted for review and approval by the Department of City Planning.

d. Note to City Zoning Engineer and Plan Check. The Advisory Agency has considered the following setbacks in conjunction with the approved map. Minor deviations to the map’s setbacks are allowed in the event that such deviations are necessary in order to accommodate other conditions of approval as required by other City agencies. In no event shall the setback from the perimeter boundary of the subdivision measure less than 5 feet in width, pursuant to LAMC Section 12.22 C,27 effective on January 31, 2005 (Ordinance No. 176,354):

(i) Setbacks shall be permitted as follows:

Setback Matrix				
Lot No.	Front (South)	Rear (North)	Side (East)	Side (West)
A	19’-9”	3’-8”	5’-0”	9’-3”
B	16’-6”	24’-6”	5’-0”	10’-0”

The detached garage on Parcel B may observe a minimum five (5) foot setback from the northern property line.

- 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.

- h. 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.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT CONDITIONS

SL-1. That approval of this Preliminary Parcel Map constitutes approval of model home uses, including a sales office and off-street parking. If models are constructed under this Preliminary Parcel Map 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.

SL-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 Preliminary Parcel Map 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 Preliminary Parcel Map 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 Preliminary Parcel Map 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 Preliminary Parcel Map be dedicated for public use by the Preliminary Parcel Map, 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 1990.
- 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 Preliminary Parcel Map 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 streets, 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 Preliminary Parcel Map as determined by the City Engineer.
- (b) Construct any necessary drainage facilities.
- (c) Construct new street light: one (1) on Phelps Avenue. If street widening per BOE improvement conditions, relocate and upgrade street light; one (1) on Gambier 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.

- (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 1990 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:
 - (1) Improve Phelps Avenue being dedicated and the public sidewalk easement area being provided and adjoining the subdivision by the construction of the following:
 - (i) An integral concrete curb and gutter, and a 5-foot wide concrete sidewalk and landscaping of the parkway.
 - (ii) Suitable surfacing to join the existing pavements and to complete an 18-foot wide half roadway and variable half roadway width at the intersection.
 - (iii) Any necessary removal and reconstruction of existing improvements.
 - (iv) The necessary transitions to join the existing improvements.

- (v) Suitable improvement of the roadway intersection satisfactory to the Central District Office.
- (2) Improve Gambier Street being dedicated and adjoining the subdivision by the construction of the following:
- (i) An integral concrete curb and gutter, and a 5-foot wide concrete sidewalk and landscaping of the parkway.
 - (ii) Suitable surfacing to join the existing pavements and to complete an 18-foot wide half roadway and variable half roadway width at the intersection.
 - (iii) Any necessary removal and reconstruction of existing improvements.
 - (iv) The necessary transitions to join the existing improvements.
 - (v) Suitable improvement of the roadway intersection satisfactory to the Central District Office.
- (3) Improve newly dedicated corner cuts with concrete sidewalks and construction of a new curb ramp.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the parcel map action. However, the existing or proposed zoning may not permit this number of units.

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 Preliminary Parcel Map 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)

The Department of City Planning (DCP) determined that the City of Los Angeles Guidelines for the implementation of the California Environmental Quality Act of 1970 and the State CEQA Guidelines designate the subject project as Categorically Exempt under Article 19, Section 15303, Class 3, and Section 15315, Class 15.

There are six (6) Exceptions which must be considered in order to find a project exempt under

CEQA: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Site; and (f) Historical Resources. The exception related to Location is not applicable to the Class 15 Exemption.

The project is for the subdivision of one (1) 7,500 square-foot lot into two (2) small lots located at 3110 – 3112 North Phelps Avenue within the Northeast Los Angeles Community Plan area. The project proposes to maintain the two, detached single-family dwellings and the partial demolition of an existing garage on Lot B. The only Protected Trees present within close proximity to the subject property are two (2) street trees growing along Phelps Avenue in front of Parcel A, as identified in the Tree Report prepared by James Komen, Class One Arboriculture Inc., dated November 19, 2017. No Protected Street Tree will be removed. The subdivision of the lot, maintenance of two existing single-family dwellings, and the partial demolition of an existing garage on Lot B qualifies for the Class 3, and Class 15 Categorical Exemptions.

The project site and surrounding area is developed with single- and multi-family development and is not located on a lot or in an area where there may be an impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to federal, state, or local agencies. There are no known projects of a similar size and scale within 500 feet of the project site. As such, there are no anticipated cumulative impacts anticipated as part of the recordation of the map. The site is located within an urbanized area of the City and the project proposes minor construction to demolish and reconstruct a portion of the existing detached garage on the Parcel B. Thus, there are no unusual circumstances which may lead to a significant effect on the environment. 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 about 24 miles northwest of the subject site. Therefore, the subject site will not create any impacts within a designated as a state scenic highway. 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.

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. While the subject site is located within Upper Elysian Park Fault Zone, Liquefaction area, Urban Agriculture Incentive Zone, and Special Grading Area, lands identified to be located in a Hillside Area based on the latest Bureau of Engineering Basic Grid Map A-13372, per Section 91.7003 of the Building Code, RCMs, including Air Quality (RC-AQ-1 (Demolition, Grading and Construction Activities): Compliance with provisions of the SCAQMD District Rule 403, RC-AQ-2, RC-AQ-3, RC-AQ-4, RC-AQ-5, RC-AQ-6); Geology and Soils (RC-GEO-1 and RC-GEO-4 (Liquefaction Area)); Hydrology and Water Quality (RC-WQ-3: Low Impact Development Plan); (Noise (RC-NO-1 (Demolition, Grading, and Construction Activities)); and Public Utilities and Service Systems (RC-WS-2 (Green Building Code), RC-EN-1(Green Building Code)) will ensure the project will not have significant impacts on environment. These RCMs have been historically proven to work to the satisfaction of the City Engineer to reduce any impacts from the specific environment the project is located. Thus, the location of the project will not result in a significant impact based on its location. 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 subdivision of one (1) lot into two (2) small lots and partial demolition of the existing garage on Lot B 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 Class 3 and Class 15.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Parcel Map No. AA-2017-4822-PMLA-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 WILL BE/IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The Land Use Element of the General Plan consists of the 35 Community Plans within the City of Los Angeles. The Community Plans establish goals, objectives, and policies for future developments at a neighborhood level. Additionally, through the Land Use Map, the Community Plan designates parcels with a land use designation and zone. The Land Use Element is further implemented through the Los Angeles Municipal Code (LAMC). The zoning regulations contained within the LAMC regulates, but is not limited to, the maximum permitted density, height, parking, and the subdivision of land.

The subdivision of land is regulated pursuant to Article 7 of the LAMC. Pursuant to LAMC Section 17.50, parcel maps are to be designed in conformance with the parcel map regulations to ensure compliance with the various elements of the General Plan, including the Zoning Code. Additionally, the maps are to be designed in conformance with the Street Standards established pursuant to LAMC Section 17.05 B. The project site is located within the Northeast Los Angeles Community Plan, which designates the site with a Low Medium I Residential land use designation. The land use designation lists the R2, RD3, RD4, RZ3, RZ4, and RU Zones as corresponding zones. The project site is zoned RD3-1, which is consistent with the land use designation. The project site has approximately 7,550 gross square feet of lot area and would permit a maximum of one (1) single-family dwelling per 3,000 square feet of lot area. As shown on the parcel map, the project proposes to subdivide the project site into two (2) small lots, pursuant to LAMC Section 12.22 C.27 (Ordinance No. 176,354), which is consistent with the minimum lot area required by the zone.

Pursuant to LAMC Section 17.51 A, a Preliminary Parcel Map was prepared by Patricio L. Stumpf, LS No. 5515, and is required to contain information regarding the boundaries of the project site, as well as the abutting public rights-of-way, hillside contours for hillside properties and location of existing buildings. The Parcel Map indicates the parcel map number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.51 A. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and/or pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C.27 (Ordinance No. 176,354). Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, and 17.06 B and is consistent with the applicable General Plan.

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

For purposes of a subdivision, design and improvement is defined by Section 66418 and 66419 of the Subdivision Map Act and LAMC Section 17.02. Design refers to the configuration and layout of the proposed lots in addition to the proposed site plan layout. Pursuant to Section 66427(a) of the Subdivision Map Act, the location of the buildings is not considered as part of the approval or disapproval of the map by the Advisory Agency. Easements and/or access and "improvements" refers to the infrastructure facilities serving the subdivision. LAMC Section 17.50 and 17.05 enumerates the design standards for a parcel map and requires that each map be designed in conformance with the Street Design Standards and in conformance with the General Plan. As indicated in Finding (a), LAMC Section 17.05 C requires that the Parcel Map be designed in conformance with the zoning regulations of the project site. The project site is zoned RD3-1; the zone would permit a maximum of one (1) single-family dwelling per 3,000 square feet of lot area. As the map is proposed for a two (2) small lot subdivision, it is consistent with the minimum lot area required by the zone. As a small lot subdivision, the map indicates the common access easements from the public right-of-ways for vehicular access.

The Preliminary Parcel Map was distributed to and reviewed by the various city agencies of the Subdivision Committee that have the authority to make dedication, and/or improvement recommendations. The Bureau of Engineering reviewed the Preliminary Parcel Map for compliance with the Street Design Standards. The Bureau of Engineering has recommended dedication and/or improvements to the public right-of-way along Phelps Avenue and Gamiber Street, consistent with the standards of the Mobility Element. During the public hearing, after consideration of the existing conditions of the dwellings that would remain on the site, the Bureau of Engineering recommended a modification to the dedication requirements. In lieu of a dedication requirement, a recommendation for sidewalk easements to be provided for both streets were accepted by the Advisory Agency. In addition, the Bureau of Engineering has recommended the construction of the necessary on-site mainline sewers and all necessary street improvements will be made to comply with the Americans with Disabilities Act (ADA) of 1990. The Bureau of Street Lighting recommended the construction of one (1) new streetlight on Phelps Avenue. If street widening per BOE improvement conditions, relocate and upgrade street light; one (1) on Gamier Street. As conditioned, the design and improvements of the proposed subdivision are consistent with the applicable General Plan.

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

This project is for the subdivision of one (1) lot, measuring 7,550 gross square-feet, into two (2) 3,775 square feet small lots. Parcel A is developed with a one (1)-story single-family dwelling with an attached garage. Parcel B is developed with a one (1)-story single-family dwelling with a detached garage. The project site is located 1.3 km from the Upper Elysian Park Fault Zone and Liquefaction Area, but is not located within the Alquist-Priolo Fault Zone. The site is within the BOE Special Grading Area and Urban Agriculture Incentive Zone. The site is not located within a flood zone, very high fire hazard severity zone, landslide, methane, or tsunami inundation zone. Prior to the issuance of any permits, the project would be required to be reviewed and approved by the Department of Building and Safety and the Fire Department. The site is not identified as having hazardous waste or past remediation.

The Preliminary Parcel Map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. Therefore, the site will be physically suitable for the proposed

type of development.

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

The adjacent properties have land use designation of Low Medium I Residential and are zoned RD3-1. The sites are developed with single and multi-family uses. The project site, which is comprised of one parcel, consists of approximately 7,550 gross square feet of land and is developed with a one (1)-story single-family dwelling with an attached garage and a one (1)-story single family dwelling with a detached garage. The project proposes the subdivision of the lot into two (2) small lots. As proposed, the density is consistent with the zone and land use designation, which would permit a maximum of one (1) single-family dwelling per 3,000 square feet of lot area. The Preliminary Parcel Map has been approved contingent upon the satisfaction of the Department of Building and Safety, Grading Division prior to the recordation of the map and issuance of any permits. The Grading Division of the Department of Building and Safety concluded on April 3, 2018, that the geology/soils reports are not required prior to planning approval of the Parcel Map as the property is exempt or located outside of a State of California liquefaction, earthquake induced landslide, or fault-rupture hazard zone; and, although it is located within a City of Los Angeles Hillside Area does not require any grading or construction of an engineered retaining structure to remove potential geologic hazards. Additionally, prior to the issuance of a demolition, grading, or building permit, the project would be required to comply with conditions herein and applicable requirements of the LAMC. As conditioned the proposed Preliminary Parcel Map is physically suitable for the proposed density of the development.

- (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.

The project site is currently developed with a one (1)-story single-family dwelling with an attached garage and a one (1)-story single family dwelling with a detached garage. There are two (2) on site non-Protected Trees and two (2) off-site Protected Trees on the project site or within the public right-of-way adjacent to the project site. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. It has been determined that the project and the design of the subdivision and proposed improvements will not cause substantial environmental damage or injury to wildlife or their habitat.

- (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.

As required by LAMC Section 12.03, the project site has a minimum of 20 feet of frontage along Phelps Avenue and Gambier Street, which are public streets. The project site consists of a parcel identified as 116 of TR 3479 Tract and is identified by the Assessor Parcel Map No. 5218-020-024. There are no known easements acquired by the public at large for access through or use of the property within the proposed subdivision, as identified on the parcel map. Necessary easements for utilities will be acquired by the City prior to the recordation of the proposed parcel map.

Therefore, the design of the subdivision and the proposed improvements would not conflict with easements acquired by the public at large for access through or use of the property within the proposed subdivision.

- (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 Preliminary Parcel Map No. AA-2017-4822-PMLA-SL.

VINCENT P. BERTONI, AICP
Advisory Agency



May Srinopwongsagon
Deputy Advisory Agency

MS:DL:NS:AM

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 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 North Figueroa Street
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando

Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

West Los Angeles

1828 Sawtelle Boulevard
2nd Floor
Los Angeles, CA 90025
(310) 231-2901

Forms are also available on-line at <http://planning.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 90th day following the date on which the City's decision becomes final.