DETERMINATION OF THE SOUTH VALLEY AREA PLANNING COMMISSION

Mailing Date: MAY 24 2006

CASE NO. TENTATIVE TRACT NO. 60421-1A

CEQA: ENV-2004-0910-MND

Location: 12327-12347 Addison Avenue
Council District: 5
Plan Area: North Hollywood-Valley Village
Zone: R1-1
District Map: 171B165 and 168B165
Legal Description: Lots 9, 10, & 11, Tract 4136, except therefrom the east 50 feet of the south 130 feet of Lot 11

Applicant: Robert Gluckin, Esq.
Appellant: Iian Levy

At its meeting on March 23, 2006, the following action was taken by the South Valley Area Planning Commission:

 Granted the appeal, in part
 Modified the Deputy Advisory Agency’s decision in approving Tentative Tract No. 60421 for a maximum 9-lot single-family subdivision.
 Adopted the attached revised Conditions of Approvals.
 Adopted the revised Findings.
 Adopted Mitigated Negative Declaration ENV-2004-0910-MND.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Choi
Seconded: Patano
Ayes: Hudnut, Murley, Iwata

Vote: 5-0

Fely C. Pirigol, Commission Executive Assistant
South Valley Area Planning Commission

Attachment: Revised Conditions of Approval and Findings of Deputy Advisory Agency’s Determination,

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.

c: Notification List
Determination of the South Valley Area Planning Commission
March 23, 2006
Tentative Tract No. 60421-1A
12327-12347 Addison Avenue

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code, the South Valley Area Planning Commission approved Tentative Tract No. 60421, located at 12327-12347 Addison Avenue for a maximum 9-lot single family subdivision as shown on the revised map stamp-dated June 12, 2005 in the North Hollywood Community Plan. The South Valley Area Planning Commission has approved a unit recording of the final map. This unit density is based on the R1-1 Zone. (The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which will legally interpret the Zoning code as it applies to this particular property.) For an appointment with the Advisory Agency or a City Planner call (213) 978-1330. 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 21-foot wide public street right-of-way be dedicated for the easterly portion of proposed Rhodes Avenue including a 40-foot radius property line cul-de-sac at the terminus and a 15-foot radius property line return at the intersection with Addison Street satisfactory to the City Engineer.

2. That an additional public street easement be dedicated for sidewalk, street lighting and street tree purposes along the easterly side of Rhodes Avenue on alignment satisfactory to the City Engineer.

3. That a 24-foot wide private street easement be provided, fronting Lots 7, 8, and 9 including a 15-foot radius property easement returns at the intersection with Addison Street on the west side only and minimum turning area at the terminus all satisfactory to the City Engineer.

4. That sanitary sewer easement be dedicated full-width of the of the proposed private streets.

5. That private street easement be part of the adjoining parcels to the satisfaction of the City Engineer.
6. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary easements for ingress, egress and public facilities over the private street area upon the sale of the respective and they will maintain the private streets, free and clear of obstructions and in a safe condition for vehicular use at all times.

7. That a Covenant and Agreement be recorded stating that Lot 1 will not have any vehicular access from the 24-foot wide private street easement satisfactory to the City Engineer.

8. That the private street be posted in a manner prescribed in Section 18.07 of the Los Angeles Municipal Code (Private Street Regulations).

9. That the 24-foot wide private street be labeled clearly as "Private Street" on the final map satisfactory to the City Engineer.

10. That the existing 22-foot and variable width future street easement along the westerly tract boundary line be accepted as public street by a suitable resolution satisfactory to the City Engineer.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION

11. That prior to issuance of a grading or building permit, or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance, satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Letter dated May 12, 2004, Log No. 43334 and attached to the case file for Tract No. 60421.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

12. 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. Provide a complete legal description of the property to be subdivided. Alleviate the discrepancy with ZIMAS, lot 10 does not exist.

   b. The private streets must be approved and recorded for the lots to have legal frontage.

   c. 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. Provide copies of the demolition permits and signed inspection cards to show completion of the demolition work.
STREET TREE DIVISION AND THE DEPARTMENT OF CITY PLANNING

20. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Street Tree Division standards.

The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency. Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

21. 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 9 lots.

b. Provide a minimum of 2 covered off-street parking spaces per dwelling unit. Lots with less than 50 feet frontage shall have one guest parking provided on site.

c. Note to City Zoning Engineer and Plan Check. The Advisory Agency has approved the following variations from the Los Angeles Municipal Code as it applies to this subdivision and the proposed development on the site.

Not Applicable (or)

d. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.

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.

22. That the subdivider shall record and execute a Covenant and Agreement to comply with the Valley Village Specific Plan prior to the issuance of a building permit, grading permit and the recordation of the final tract map.

DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES

23. That prior to recordation of the final map, the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No(s). 20, 24, 25 and SF-2 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

24. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:

- **MM-1** Outdoor lighting shall be designed and installed with shielding, so that the light source cannot be seen from adjacent residential properties.

- **MM-2** Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning and the Street Tree Division of the Bureau of Street Services. All trees in the public right-of-way shall provided per the current Street Tree Division standards.

- **MM-3** The plan shall contain measures recommended by the tree expert for the preservation of as many trees as possible. Mitigation measures such as replacement by a minimum of 24-inch box trees in the parkway and on the site, on a 1:1 basis, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Street Tree Division of the Bureau of Street Services and the Advisory Agency.
Note: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Street Tree Division at: 213-485-5675.

MM-4 Compliance with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.

MM-5 Building design considerations may include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

MM-6 Prior to the issuance of the demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations.

MM-7 A 6-foot-high solid decorative masonry wall adjacent to these residences shall be constructed if no such wall exists.

25. Construction Mitigation Conditions - Prior to the issuance of a grading or building permit, or 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:

CM-1 That a sign be required on site clearly stating a contact/complaint telephone number that provides contact to a live voice, not a recording or voice mail, during all hours of construction, the construction site address, and the tract map number. YOU ARE REQUIRED TO POST THE SIGN 7 DAYS BEFORE CONSTRUCTION IS TO BEGIN.

• Locate the sign in a conspicuous place on the subject site or structure (if developed) so that it can be easily read by the public. The sign must be sturdily attached to a wooden post if it will be free-standing.

• Regardless of who posts the site, it is always the responsibility of the applicant to assure that the notice is firmly attached, legible, and remains in that condition throughout the entire construction period.
• If the case involves more than one street frontage, post a sign on each street frontage involved. If a site exceeds five (5) acres in size, a separate notice of posting will be required for each five (5) acres or portion thereof. Each sign must be posted in a prominent location.

CM-2 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

CM-3 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

CM-4 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

CM-5 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

CM-6 All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-7 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

CM-8 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

CM-9 Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.

CM-10 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-11 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-12 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
(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 exceed 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 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 be either constructed prior to recordation of the final map or that the construction be 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.
(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 planting's shall be brought up to current standards. When the City has previously been paid for tree planting, the subdivider or contractor shall notify the Street Tree Division ((213) 485-5675) 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 Americans with Disabilities Act (ADA) of 1990.

(i) That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

(j) Improve the newly dedicated easterly portion of Rhodes Avenue by the construction of the following:

1. A concrete curb, a concrete gutter, and a 5-foot concrete sidewalk.

2. Suitable surfacing to join the existing pavement and to complete a 36-foot roadway (18-foot half roadway).

3. Any necessary removal and reconstruction of existing improvements.

4. The necessary transitions to join the existing improvements all satisfactory to the City Engineer.

5. Suitable improvements of the 35-foot curb radius cul-de-sac turning area satisfactory to the City Engineer.

(k) Improve the 24-foot private street being provided by the construction of a 2-foot concrete longitudinal gutter and suitable surfacing to complete a 20-foot minimum roadway, together with any necessary removal and reconstruction of existing improvements all satisfactory to the City Engineer.

(l) Construct the necessary on-site mainline sewers satisfactory to the City Engineer.