

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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

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DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

05/22/2024

Owner/Applicant

4508 Ethel, LLC
Farbod Rezvani
9055 Alcott St
Los Angeles, CA 90035

RE: Vesting Tentative Tract Map No. 82510-SL

Address: 1435 W Killion St
Community Plan: Van Nuys-North Sherman Oaks
Council District: 4 - Councilmember Raman
Zone: [Q]RD1.5-1
CEQA: ENV-2018-7518-CE

Representative

EZ Permits, LLC
Sean Nguyen
7251 Owensmouth Ave
Canoga Park, CA 91303

EXTENSION OF TIME

On December 24th, 2020, the Deputy Advisory Agency conditionally approved a Vesting Tentative Tract Map No. 82510-SL at 1435 W Killion St for a maximum of six small lots, pursuant to the Small Lot Subdivision Ordinance No. 176,354 as shown on map stamp dated December 18, 2018 within the Van Nuys-North Sherman Oaks Community Plan. However, the approval was appealed to the South Valley Area Planning Commission on January 4th, 2021.

On December 28th, 2021, the South Valley Area Planning Commission granted the appeal in part, denied the appeal in part, and sustained the Deputy Advisory Agency's determination, approving a Vesting Tentative Tract Map No. 82510-SL at 1435 W Killion St to subdivide one, approximately 6,291 square-foot lot, into six single family lots in the [Q]RD1.5-1 Zone, as shown on map stamp dated December 18, 2018 located within the Van Nuys-North Sherman Oaks Community Plan.

On May 9th, 2024, the Deputy Advisory Agency issued a letter of correction, addressing multiple discrepancies between the South Area Planning Commission's Letter of Determination, issued on December 28th, 2021, and the map stamp-dated on December 18th, 2018. In their letter of correction, the Deputy Advisory revised the lot area corresponding to 1435 W Killion from 6,291 square feet to 9,442 square feet. They also revised the front yard setbacks for Lot 3 and Lot 4 from 9 feet to .25 feet.

Pursuant to LAMC Section 17.07 A.1 the final map must be recorded within three years of the approval. In accordance with the provisions of Section 66452.6(e), Article 2, Chapter 3 of the Government Code, and LAMC Section 17.07 A.2, the Deputy Advisory Agency is authorized to grant a six-year extension for the recording of the Vesting Tentative Tract Map No. 82510-SL.

Therefore, the new expiration date for the subject map is **December 28th, 2030.**

VINCENT P. BERTONI, AICP
Director of Planning

A handwritten signature in black ink, appearing to be 'NR', with a long, sweeping flourish extending to the right.

Nelson Rodriguez
Deputy Advisory Agency
VPB: NR:nr

cc: Councilmember Raman

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LISA M. WEBBER, AICP
DEPUTY DIRECTOR

May 09, 2024

Applicant / Owner

Farbod Rezvani
4508 Ethel, LLC
9055 Alcott Street, Unit 1
Los Angeles, CA 90035

Representative

Sean Nguyen
EZ Permits, LLC
7251 Owensmouth Avenue #2
Canoga Park, CA 91303

Case No. VTT-82510-SL-1A
CEQA: ENV-2018-7518-CE
Address: 14535 West Killion Street
Council District: 4 - Raman
Neighborhood Council: Sherman Oaks
Community Plan Area: Van Nuys - North Sherman Oaks
Land Use Designation: Low Medium Residential
Zone: [Q]RD1.5-1
Legal Description: Arb 1, Lot 23, Lot 24, TR 9500

CORRECTION LETTER

On December 24, 2020, the Deputy Advisory Agency approved a Vesting Tentative Tract Map for six small lots under Case No. VTT-82510-SL with a map stamp dated December 18, 2018. The approval was appealed to the South Valley Area Planning Commission, which granted the appeal in part, and denied the appeal in part, sustaining the Deputy Advisory Agency's approval for a maximum six-unit small lot development.

On March 29, 2024, the applicant, Farbod Rezvani, requested that a Correction Letter be issued to address multiple discrepancies between the approved map and the South Valley Area Planning Commission's (SVAPC) determination letter. The first discrepancy relates to lot area; the determination letter incorrectly states that the lot area is 6,291 square feet, while the map shows the correct total lot area of 9.442 square feet. The second discrepancy relates to the approved setbacks for Lots 3 and 4. The yard setbacks matrix in the Letter of Determination is incorrect, it does not accurately reflect the yard setbacks as shown on the map stamp-dated December 18, 2018. For Lot 3 the Front yard setback is mislabeled on the south side; the correct front yard setback is on the east side with a 0.25-foot setback instead of nine feet. For Lot 4 the Front yard setback is mislabeled on the south side; the correct front yard setback is on the west side with a 0.25-foot setback instead of nine feet.

The SVAPC approved the stamp-dated map, and it was the intention of the Commission to authorize the project. As such, this letter corrects the setback matrix under Condition No. 20.d.i to be consistent with the approved map, stamp dated December 18, 2018 (**additions** are in underline and **deletions** are in ~~strikeout~~).

20. **[MODIFIED]** 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:

d. Note to City Zoning Engineer and Plan Check. The South Valley Area Planning Commission 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 the yards required pursuant to LAMC Section 12.22 C.27:

(i) Setbacks shall be permitted as follows:

LOT #	EAST SIDE	WEST SIDE	NORTH SIDE	SOUTH SIDE
1	9-foot	5-foot	0.25-foot	18-foot (front)
2	9-foot (front)	5-foot	0.25-foot	0.25-foot
3	9-foot 0.25-foot	5-foot	10-foot	0.25-foot (front)
4	5-foot	9-foot 0.25-foot	10-foot	0.25-foot (front)
5	5-foot	9-foot (front)	0.25-foot	0.25-foot
6	5-foot	9-foot	0.25-foot	15-foot (front)

All other conditions remain unchanged.

VINCENT P. BERTONI, AICP
Advisory Agency



JOJO PEWSAWANG
Deputy Advisory Agency

DAA:JP:MG:JM:ly



SOUTH VALLEY AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: DEC 28 2021

Case No. VTT-82510-SL-1A
CEQA: ENV-2018-7518-CE
Plan Area: Van Nuys-North-Sherman Oaks

Council District: 4 - Raman

Project Site: 14535 West Killon Street

Applicant: 4508 Ethel, LLC, Farbod Rezvani
Representative: Sean Nguyen, EZ Permits, LLC

Appellant: Thelma Mericle

At its meeting of **June 24, 2021**, the South Valley Area Planning Commission took the actions below in conjunction with the approval of the following project:

A request for a Vesting Tract Map to subdivide one, approximately 6,291 square-foot lot, into six single-family lots. The Applicant is requesting up to a 12 percent increase in height from Ordinance No. 167,939, Area 8, Subarea 96, which limited the height to 30 feet except rooftop structures. The proposed subdivision of land will result in the demolition of one two-story single-family residential dwellings, detached garage, and the removal of 23 non-protected trees for the construction, use, and maintenance of six new three-story dwellings each with two-car garage. Ten new trees are proposed to be replaced onsite and the two street trees are to remain.

1. **Determined**, based on the whole of the administrative record, the Project is exempt from State CEQA pursuant to CEQA Guidelines, Article 19, Section 15332, Class 32 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies;
2. **Granted** the appeal in part, and **denied** the appeal in part; and sustained the Deputy Advisory Agency's determination dated December 24, 2020;
3. **Approved**, pursuant to Sections 17.03 and 12.22 C.27 of the Los Angeles Municipal Code, a Vesting Tentative Tract No. VTT-82510-SL located at 14535 West Killon Street, for a maximum of six small lots, as shown on map stamp dated December 18, 2018 in Van Nuys-North Sherman Oaks Community Plan. This unit density is based on the [Q]RD1.5-1 Zone;
4. **Adopted** the attached modified Conditions of Approval; and
5. **Adopted** the attached amended Findings.

This action was taken by the following vote:

Moved: Dierking
Second: Morden Kichaven
Ayes: Mather, Torres
Absent: Beatty

Vote: 4 – 0

Etta Armstrong

Etta Armstrong, Commission Executive Assistant I
South Valley Area Planning Commission

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

Effective Date/Appeals: The decision of the South Valley Area Planning Commission is appealable to the City Council within 10 days of the mailing date of this letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 10-day period shall not be considered by the City Council and the decision of the South Valley Area Planning Commission will become final and effective upon the close of the 10-day appeal period.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JAN 07 2022

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable** and the decision is final.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Modified Conditions of Approval, Amended Findings, Interim Appeal Procedures

c: Blake Lamb, Principal City Planner
Claudia Rodriguez, Senior City Planner
Valentina Knox-Jones, Deputy Advisory Agency
Olga Ayala, Planning Assistant

CONDITIONS OF APPROVAL

(As modified by the South Valley Area Planning Commission on June 24, 2021)

BUREAU OF ENGINEERING - SPECIFIC CONDITIONS

Any questions regarding this report should be directed to Mr. Quyen Phan of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

1. That the entire vehicular common access easement driveway be correctly shown on the final map.
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 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. 185,462" satisfactory to the City Engineer.
4. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
6. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
8. That all pedestrian common access easements be shown on the final map.

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 Tract 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.

9. 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. It has to be satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated December 18, 2018, Log No. 106468 and attached to the case file for Tract No. 9500.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

10. 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 all 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 dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.
 - c. The height limit per Q condition is 30 ft. maximum. Obtain City Planning approval to allow for 33.5 ft. height limit.
 - d. Provide and dimension the reciprocal private easement for driveway egress and ingress in the final map.

Notes:

The 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.

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.

Backup space for parking space with less than 26 feet 8-inches shall provide sufficient parking stall width and garage door opening width to comply with the current Zoning Code requirement. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

DEPARTMENT OF TRANSPORTATION

If you have any questions, you may contact brandon.wilson@lacity.org or 818-374-4699.

11. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
- a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A two-way driveway width of $W=30$ feet is required for all driveways, or to the

satisfaction of DOT.

- c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.
- d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

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 (818) 374-4351 or (213) 482-6504. You should advise any consultant representing you of this requirement as well.

12. 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. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. 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.
 - d. 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.
 - e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - f. 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.
 - g. 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
 - h. 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.

- i. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
- j. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.
- k. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- l. 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.
- m. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- n. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- o. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- p. 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.
- q. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- s. 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.

DEPARTMENT OF WATER AND POWER

- 13. 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

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).

- 14. 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

15. 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. (This condition shall be deemed cleared at the time the City Engineer clears Condition No. S-1. (d).)
16. The applicant is required to work with the Bureau of Sanitation on a solution to minimize the number of trash bins along Killion Street on trash day and relocating them onsite or to the satisfaction of the Bureau of Sanitation. (Added by the South Valley Area Planning Commission hearing on June 24, 2021)

INFORMATION TECHNOLOGY AGENCY

17. 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

Park fees are now paid at 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012. If you have any questions or comments regarding this information, please feel free to contact the RAP Park Fee staff at (213) 202-2682.

18. 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

19. A minimum of 10 trees (a minimum of 24-inch box in size if available) shall be planted for each one that is removed per Ordinance No. 177,404, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.

Note: All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

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.

20. 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 six lots.

- b. A Certificate of Occupancy (temporary or final) for the buildings in Vesting Tentative Tract No. 82510-SL shall not be issued until after the final map has been recorded.
- c. Provide a minimum of two covered off-street parking spaces per dwelling unit.
- d. Note to City Zoning Engineer and Plan Check. The South Valley Area Planning Commission 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 the yards required pursuant to LAMC Section 12.22 C.27:

- (i) Setbacks shall be permitted as follows:

LOT #	EAST SIDE	WEST SIDE	NORTH SIDE	SOUTH SIDE
1	9-foot	5-foot	0.25-foot	18-foot (front)
2	9-foot (front)	5-foot	0.25-foot	0.25-foot
3	9-foot	5-foot	10-foot	0.25-foot (front)
4	5-foot	9-foot	10-foot	0.25-foot (front)
5	5-foot	9-foot (front)	0.25-foot	0.25-foot
6	5-foot	9-foot	0.25-foot	15-foot (front)

- (ii) The Common Access Driveway may have a minimum width of 16 feet clear-to-sky and the applicant is providing 18 feet clear-to the sky which is more than required.
- (iii) The Advisory Agency grants an adjustment in accordance with LAMC Section 17.03 to allow a 33-foot 6-inch height in lieu of the 30-foot otherwise required of Ordinance No. 167,939 (Area 8, Subarea 96).
- e. That prior to issuance of a certificate of occupancy, a minimum 6-foot-high slumpstone or decorative masonry wall or other high-quality material shall be constructed adjacent to neighboring residences, if no such wall already exists, except in required front yard.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. 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.
- h. 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.

- i. That copy 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.
21. 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.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT CONDITIONS

SL-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.

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. (23 proposed for removal).

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 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 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 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.
 - (1) Construct new street light: one (1) on Killion 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:
 - (1) Improve Killion Street adjoining the subdivision by the removal of the existing sidewalk improvement and construction of a new concrete curb, concrete gutter, a 5.5-foot wide concrete sidewalk adjacent to the property line and landscaping of the parkway. Or a new 12-foot wide full width concrete sidewalk with tree wells including any necessary removal and reconstruction

of existing improvements.

- (2) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract map 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 arrange 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

(As amended by the South Valley Area Planning Commission on June 24, 2021)

FINDINGS OF FACT (CEQA)

DETERMINED based on the whole of the administrative record the Project is exempt from State CEQA Guidelines Article 19, Section 15332, Class 32 (Infill development), and that there is no substantial evidence demonstrating that an exemption to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-82510-SL the Advisory Agency and the South Valley Area Planning Commission 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 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 Los Angeles Municipal Code (LAMC). Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract 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 Van Nuys-North Sherman Oaks Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD1.5 as the corresponding zones. The Project Site is zoned [Q]RD1.5-1 which is consistent with the land use designation. Per LAMC Section 12.09.1 B.4, the [Q]RD1.5-1 zone requires at least 1,500 square feet of lot area per dwelling unit, and limits floor area to not to exceed three times the building area of the lot. The subject site is approximately 9,436 square feet, and is therefore permitted a maximum density of six dwelling units. The small lot subdivision will result in six new lots and maximum lot coverage of 75 percent, as required by LAMC Section 12.22C.27 (Small Lot Ordinance 176,354). The project proposed height of 33 feet and six-inches, is under consideration by the South Valley Area Planning Commission per LAMC Section 17.03A and 12.28 A. The project will also provide two parking spaces per small lot home in accordance with LAMC Section 12.21A.4.

In addition to LAMC Section 17.05 C, LAMC Section 17.06 B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The tentative tract map was prepared by Cynthia A. De Leon, M&G Civil Engineering and Land

Surveying and contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way, existing and proposed dedication, and improvements of the tract map. The tract map indicates the tract number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C,27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C,27 and is consistent with the applicable General Plan.

As conditioned, the proposed subdivision is consistent with the applicable General Plan and Specific Plans.

(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 and South Valley Area Planning Commission. Easements and/or access and “improvements” refers to the infrastructure facilities serving the subdivision. LAMC Section 17.05 enumerates the design standards for a tract 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 tract map be designed in conformance with the zoning regulations of the project site. As the project site is zoned [Q]RD1.5-1 which would permit six dwellings on the approximately 9,436 square-foot site. As the map is proposed for a six small lots for the construction, use, and maintenance of six single-family small lot homes, it is consistent with the density permitted by the zone. As a small lot subdivision, the map indicates the common access easements from the public right-of-way for vehicular access.

The tract 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 tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended improvements to the public right-of-way along Killion Street, consistent with the standards of the Mobility Element.

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 2010.

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 Department of Building and Safety, Grading Division, has conditionally approved the tract map, subject to conditions contained in the memo dated November 20, 2019. The Bureau of Street Lighting required the construction of one new streetlight on Killion Street in a memo dated October 10, 2019.

The Deputy Advisory Agency approved the Vesting Tentative Tract Map on December 24,

2020. On January 4, 2021 an appeal was filed by Thema Mericle appealing the entire decision of the Deputy Advisory. The subdivision appeal was scheduled before the South Valley Area Planning Commission on April 22, 2021, and was continued to June 24, 2021, at the request of the applicant to be able to work on the design with input from the Sherman Oak Neighborhood Council and other community members. By the June 24, 2021, South valley Area Planning Commission, the applicant presented the suggested changes to the Vesting Tentative Tract Map. At the South Valley Area Planning Commission meeting, the appeal was approved in part and denied in part upholding the Advisory Agency's determination to approve the tract map. After the June 24, 2021, hearing. On July 7, 2021, the applicant submitted revised plans, the staff reviewed the plans for conformance with the Small Lot Design Standard (SLD) and the conditions set by the South Valley Area Planning Commission that included perimeter setback and wall/fence materials, which modified Exhibit A, stamp-dated December 22, 2020, and superseded by the new Exhibit A dated July 07, 2021. Subsequently, a revised tract map stamp-dated August 19, 2021, is also approved herewith. A Sanitation condition was also required by the South Valley Area Planning Commission for the applicant to work with the Los Angeles Sanitation department in finding a possible solution to decrees the number of trash bin along the 75-foot long curb on Killion Street on trash collection days or to the satisfaction of the Bureau of Sanitation.

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

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

The subject site has a 75-foot-long frontage along Killion Street and a 126-foot depth approximately. The existing topography is relatively flat. The subdivision maintains setbacks along the perimeter of the property of 15 feet to the south, 10 feet to the north, 5 feet to the east and west. The proposed project is considered an infill development in a neighborhood that has a mix of single-family and multi-family development.

The project's common access easement is adequate for vehicular ingress and egress and emergency purposes. The project's open-to-sky driveway width of 18 feet is compliant with the driveway access required by Los Angeles Municipal Code (LAMC) Section 12.22.C.27 (Small Lot Ordinance 176,354). The South Valley Area Planning Commission requested that the applicant should work with the Bureau of Sanitation on explore option to reduce the number of bins along Killion Street on collection day or to have then picked up onsite. Waste bins are shown on the architectural plan on each proposed small lot within an area on the ground floors adjacent to the buildings but not within any walkways or driveways.

The site is located within the Liquefaction Zone within acceptable levels according to the Department of Building and Safety, Grading Division stated in their memo, dated January 7, 2019 that geology/soils reports are not required prior to planning approval of the Tract Map.

The vesting tentative tract map was distributed to the various departments and bureaus of the Subdivision Committee for review. Their comments are incorporated into the project's conditions of approval. 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 street improvements on Killion Street abutting the property in order to meet current street 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.

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

The development of this tract is an infill of mix-density multiple-family and single-family residential neighborhood. Properties to the north are one to three-stories in height and zoned [Q]RD3-1 and developed with one single-family and multi-family dwellings. Properties across the street toward the south are zoned [Q]RD1.5-1 and developed with one-story single-family dwellings and two-story multi-family buildings. Properties adjacent to the east and west are zoned [Q]RD1.5-1 and developed with single-family dwellings respectively.

The project includes the new construction, use, and maintenance of six small lot homes. The subject parcel is zoned [Q]RD1.5-1, which allows for one dwelling unit per 1,500 square feet of lot area. The project site has approximately 9,436 square feet of lot area. The proposed density is below the maximum allowed density and is consistent with the land use designation. The small lot homes are proposed to be three-stories and a maximum of 33 feet 6-inches in height except roof top structure as granted herewith. As proposed, the project is consistent with and does not exceed the 75 percent maximum lot coverage. 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 tract 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 subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family and single-family dwellings.

The Department of City Planning has determined that Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat. The project site is currently developed with two single-family dwellings. There are no protected trees on the project site or within the public right-of-way. In addition, there are 23 non-protected trees in the project site that will be removed, and 10 significant size trees will be replaced on a 1:1 basis. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. The project site has not been identified as historic resources or identified in the City's Survey LA. On December 18, 2018, the City Planning Department issued Notice of Exemption No. ENV-2018-7518-CE, which determined that the project would not result in significant impacts relating to biological resources. As such, the proposed project 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 75 feet of frontage along Killion Street, which is a public street. The project site consists of one parcel identified as Lot No. 24 of Tract 9500 and are identified by the Assessor Parcel No 2249001009. There are two existing five foot public utility easements shown on the tentative map along the north property line, for the first five feet of the future site of unit 4 and 5. The map also proposes a reciprocal easement for vehicular and pedestrian ingress/egress, emergency access, utilities, infrastructure, cross lot drainage and common landscaping purposes. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed 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.

Construction will be frame, which will not lend itself to passive heat storage. The building's color shall be light, which tend to reduce cooling loads. No passive features are contemplated at this time. Future retrofitting for solar hot water could be accomplished.

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.

ADJUSTMENT FINDINGS (Sections 17.53 J and 12.28 C,4)

- (i) THAT WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS.

The Zoning Administrator is in conjunction with a proposed small lot subdivision for six single-family small lot homes under VTT-82510-SL to allow a building height of 33-feet, six-inches to incorporate a 42-inch guardrail per LAMC section 17.03A from ordinance No. 167,939, Area 8, subarea 96 that limits the site to 30 feet in height except roof structures in [Q]RD1.5-1 Zone.

The additional height would allow each unit a private roof deck, providing much needed open space for residents to enjoy while providing an aesthetically pleasing and functional area. There is a five foot setback required for rooftops and the maximum allowable area, occupancy type, and occupant load shall be in accordance with the current Los Angeles Building Code. Roof occupancy open to sky shall not be considered a floor for the purpose of (LAMC) Section 91.403.

As such, the site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible with regards to providing private open space.

- (j) THAT IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, THE PROJECT'S LOCATION, SIZE, HEIGHT, OPERATIONS AND OTHER SIGNIFICANT FEATURES WILL BE COMPATIBLE WITH AND WILL NOT ADVERSELY AFFECT OR FURTHER DEGRADE ADJACENT PROPERTIES, THE SURROUNDING NEIGHBORHOOD, OR THE PUBLIC HEALTH, WELFARE, AND SAFETY.

Two parcels to the east is a commercial corridor along the Van Nuys Boulevard. To the north are one to three-story multi-family building in the [Q]R3-1 Zone fronting Balboa Boulevard. To the east, west and north and a one and two story single family residences in the [Q]RD1.5 Zone. To the southeast is a three-unit, two and three-story town house style designed apartment building. The proposed adjustment in height will allow for the development of individual roof top decks for each dwelling to serve as private open space that will be compatible with and not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

- (k) THAT THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN AND ANY APPLICABLE SPECIFIC PLAN.

As stated in the previous findings, the proposed map is in substantial conformance with

the General Plan and applicable Community Plan. The site is not located within a specific plan area. Objective 1-5 of the Van Nuys-North Sherman Oaks Community Plan "To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background." Small Lots are generally less expensive than traditional single-family dwellings. The townhouse style design allows for clustering of development, but still allows ownership of the unit and land of the lot. As the grouping provides for minimal setbacks, the additional height will allow for the development of private open space.

These findings shall apply to both the tentative and final maps for Vesting Tract Map No. 82510 SL.

COVID-19 UPDATE

Interim Appeal Filing Procedures

Fall 2020



Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check.

Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC

(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC

(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC

(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

DEPARTMENT OF
CITY PLANNING

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
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ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

VACANT
DEPUTY DIRECTOR

Decision Date: December 24, 2020

Owner/ Applicant

4508Ethel, LLC
Farbod Rezvani
9055 Alcott Street, unit 1
Los Angeles, CA 90035

Representative

Sean Nguyen
EZ Permits, LLC
7251 N. Owensmouth Avenue #2
Canoga Park, CA 91303

Case No.: VTT-82510-SL
CEQA: ENV-2018-7518-CE
Location: 14535 W. Killion Street
Council District: 4 – Raman
Neighborhood Council: Sherman Oaks
Community Plan Area: Van Nuys- North Sherman Oaks
Land Use Designation: Low Medium Residential
Zone: [Q]RD1.5-1
Legal Description: Lot 24: Tract TR 9500

Last Day to File an Appeal: January 4, 2021

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency determined based on the whole of the administrative record, that the Project is exempt from State CEQA Guidelines Article 19, Section 15332, Class 32. In addition, approved Vesting Tentative Tract No. VTT 82510-SL; located at 14535 W. Killion Street for a maximum of **six small lots**, pursuant to the Small Lot Subdivision Ordinance No. 176,354, as shown on map stamped December 18, 2018 in Van Nuys-North Sherman Oaks Community Plan. This unit density is based on the [Q]RD1.5-1 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. 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

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

1. That the entire vehicular common access easement driveway be correctly shown on the final map.
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 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. 185,462" satisfactory to the City Engineer.
4. That all common access easements including the vehicular access and pedestrian access easement be part of the adjoining lots.
5. That, if necessary, public sanitary sewer easements be dedicated on the final map based on an alignment approved by the Valley Engineering District Office.
6. That, if necessary, the owners of the property record an agreement satisfactory to the City Engineer that they will provide name signs for the common access driveways.
7. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.
8. That all pedestrian common access easements be shown on the final map.

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 Tract 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.

9. 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. It has to be satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Geology and Soils Report Approval dated December 18, 2018, Log No. 106468 and attached to the case file for Tract No. 9500.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact Laura Duong at (213) 482-0434 to schedule an appointment.

10. 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 all 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 dedication. Front yard requirement shall be required to comply with current code as measured from new property lines after dedication.
- c. The height limit per Q condition is 30 ft. maximum. Obtain City Planning approval to allow for 33.5 ft. height limit.
- d. Provide and dimension the reciprocal private easement for driveway egress and ingress in the final map.

Notes:

The 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.

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.

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. Comply with the above requirement at the time of Plan Check or obtain City Planning approval.

If the proposed development does not comply with the current Zoning Code, all zoning violations shall be indicated on the Map.

DEPARTMENT OF TRANSPORTATION

If you have any questions, you may contact brandon.wilson@lacity.org or 818-374-4699.

11. That prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:
 - a. A minimum 20-foot reservoir space is required between any security gate or parking space and the property line, or to the satisfaction of DOT.
 - b. A two-way driveway width of W=30 feet is required for all driveways, or to the satisfaction of DOT.
 - c. A parking area and driveway plan should be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and

Safety. Transportation approvals are conducted at 6262 Van Nuys Blvd., Room 320, Van Nuys, CA 91401.

- d. The subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: The applicant may be required to comply with any other applicable fees per this new ordinance.

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 (818) 374-4351 or (213) 482-6504. You should advise any consultant representing you of this requirement as well.

12. 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. Submittal of plot plans for Fire Department review and approval prior to recordation of Tract Map Action.
 - b. Access for Fire Department apparatus and personnel to and into all structures shall be required.
 - c. 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.
 - d. 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.
 - e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
 - f. 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.
 - g. 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
 - h. 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.
 - i. Where access for a given development requires accommodation of Fire Department apparatus, overhead clearance shall not be less than 14 feet.
 - j. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

- k. On small lot subdivisions, any lots used for access purposes shall be recorded on the final map as a "Fire Lane".
- l. 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.
- m. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.
- n. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- o. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- p. 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.
- q. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- r. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.
- s. 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.

DEPARTMENT OF WATER AND POWER

- 13. 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

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).

- 14. 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

- 15. 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. (This condition shall be deemed cleared at the time the City Engineer clears Condition

No. S-1. (d.)

INFORMATION TECHNOLOGY AGENCY

16. 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

Park fees are now paid at 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012. If you have any questions or comments regarding this information, please feel free to contact the RAP Park Fee staff at (213) 202-2682.

17. 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

18. A minimum of 10 trees (a minimum of 24-inch box in size if available) shall be planted for each one that is removed per Ordinance No. 177,404, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.

Note: All protected tree removals must be approved by the Board of Public Works. Contact: Urban Forestry Division at: 213-847-3077.

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.

19. 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 six lots.
 - b. A Certificate of Occupancy (temporary or final) for the buildings in Vesting Tentative Tract No. 82510-SL shall not be issued until after the final map has been recorded.
 - c. Provide a minimum of two covered off-street parking spaces per dwelling unit.
 - 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 the yards required pursuant to LAMC Section 12.22 C,27:
 - (i) Setbacks shall be permitted as follows:

LOT #	EAST SIDE	WEST SIDE	NORTH SIDE	SOUTH SIDE
1	13-foot	5-foot	0.25-foot	15-foot
2	13-foot	5-foot	0.25-foot	0.25-foot
3	13-foot	5-foot	10-foot	0.25-foot
4	5-foot	10-foot	10-foot	0.25-foot
5	5-foot	13-foot	0.25-foot	0.25-foot
6	5-foot	13-foot	0.25-foot	15-foot

- (ii) The Common Access Driveway may have a minimum width of 16 feet clear-to-sky and a turnaround area of 26’-8”.
- (iii) Grant an adjustment area to allow a 33-foot 6-inch height per [Q] Condition, Ordinance No. 167,939, Area 8, Subarea 96.
- e. 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.
- f. That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
- g. 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.
- h. 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.
- i. That copy 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.

20. 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.

DEPARTMENT OF CITY PLANNING - STANDARD SMALL LOT CONDITIONS

- SL-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.
- 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. (23 proposed for removal).

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 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 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 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.
 - (1) Construct new street light: one (1) on Killion 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:
 - (1) Improve Killion Street adjoining the subdivision by the removal of the existing sidewalk improvement and construction of a new concrete curb, concrete gutter, a 5.5-foot wide concrete sidewalk adjacent to the property line and landscaping of the parkway. Or a new 12-foot wide full width concrete sidewalk with tree wells including any necessary removal and reconstruction of existing improvements.
 - (2) Construct the necessary on-site mainline and house connection sewers satisfactory to the City Engineer.

NOTES:

The Advisory Agency approval is the maximum number of units permitted under the tract map 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 arrange 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

FINDINGS OF FACT (CEQA)

DETERMINED based on the whole of the administrative record the Project is exempt from State CEQA Guidelines Article 19, Section 15332, Class 32 (Infill development), and that there is no substantial evidence demonstrating that an exemption to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT)

In connection with the approval of Vesting Tentative Tract Map No. VTT-82510-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 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 Los Angeles Municipal Code (LAMC). Pursuant to LAMC Section 17.05 C., tract maps are to be designed in conformance with the tract 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 Van Nuys-North Sherman Oaks Community Plan, which designates the site with a Low Medium II Residential land use designation. The land use designation lists the RD1.5 as the corresponding zones. The Project Site is zoned [Q]RD1.5-1 which is consistent with the land use designation. Per LAMC Section 12.09.1 B.4, the [Q]RD1.5-1 zone requires at least 1,500 square feet of lot area per dwelling unit, and limits floor area to not to exceed three times the building area of the lot. The subject site is approximately 9,436 square feet, and is therefore permitted a maximum density of six dwelling units. The small lot subdivision will result in six new lots and maximum lot coverage of 75 percent, as required by LAMC Section 12.22C.27 (Small Lot Ordinance 176,354). The project proposed height of 33 feet and six-inches, is under consideration by the Deputy Advisory Agency per LAMC Section 17.03A and 12.28 A. The project will also provide two parking spaces per small lot home in accordance with LAMC Section 12.21A.4.

In addition to LAMC Section 17.05 C, LAMC Section 17.06 B requires that the tract map be prepared by or under the direction of a licensed surveyor or registered civil engineer. The

tentative tract map was prepared by Cynthia A. De Leon, M&G Civil Engineering and Land Surveying and contains information regarding the boundaries of the project site, as well as the abutting public rights-of-way, existing and proposed dedication, and improvements of the tract map. The tract map indicates the tract number, notes, legal description, contact information for the owner, applicant, and engineer, as well as other pertinent information as required by LAMC Section 17.06 B. Additionally, as a small lot subdivision, the map indicates the common access easement for vehicular and pedestrian access to the proposed small lots, consistent with LAMC Section 12.22 C,27. Therefore, the proposed map demonstrates compliance with LAMC Sections 17.05 C, 17.06 B, and 12.22 C,27 and is consistent with the applicable General Plan.

As conditioned, the proposed subdivision is consistent with the applicable General Plan and Specific Plans.

(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 17.05 enumerates the design standards for a tract 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 tract map be designed in conformance with the zoning regulations of the project site. As the project site is zoned [Q]RD1.5-1 which would permit six dwellings on the approximately 9,436 square-foot site. As the map is proposed for a six small lots for the construction, use, and maintenance of six single-family small lot homes, it is consistent with the density permitted 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 tract 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 tract map for compliance with the Street Design Standards. The Bureau of Engineering has recommended improvements to the public right-of-way along Killion Street, consistent with the standards of the Mobility Element.

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 2010.

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 Department of Building and Safety, Grading Division, has conditionally approved the tract map, subject to conditions contained in the memo dated November 20, 2019. The Bureau of Street Lighting required the construction of one new streetlight on Killion Street in a memo dated October 10, 2019. Therefore, as conditioned, the proposed tract map is consistent with the intent and purpose of the applicable General and Specific Plans.

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

The subject site has a 75-foot long frontage along Killion Street and a 126-foot depth approximately. The existing topography is relatively flat. The subdivision maintains setbacks along the perimeter of the property of 15 feet to the south, 10 feet to the north, 5 feet to the east and west. The proposed project is considered an infill development in a neighborhood that has a mix of single-family and multi-family development.

The project's common access easement is adequate for vehicular ingress and egress and emergency purposes. The project's open-to-sky driveway width of 16 feet is compliant with the driveway access required by Los Angeles Municipal Code (LAMC) Section 12.22.C.27 (Small Lot Ordinance 176,354). The site is located within the Liquefaction Zone within acceptable levels according to the Department of Building and Safety, Grading Division stated in their memo, dated January 7, 2019 that geology/soils reports are not required prior to planning approval of the Tract Map.

The vesting tentative tract map was distributed to the various departments and bureaus of the Subdivision Committee for review. Their comments are incorporated into the project's conditions of approval. 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 street improvements on Killion Street abutting the property in order to meet current street 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.

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

The development of this tract is an infill of mix-density multiple-family and single-family residential neighborhood. Properties to the north are one to three-stories in height and zoned [Q]RD3-1 and developed with one single-family and multi-family dwellings. Properties across the street toward the south are zoned [Q]RD1.5-1 and developed with one-story single-family dwellings and two-story multi-family buildings. Properties adjacent to the east and west are zoned [Q]RD1.5-1 and developed with single-family dwellings respectively.

The project includes the new construction, use, and maintenance of six small lot homes. The subject parcel is zoned [Q]RD1.5-1, which allows for one dwelling unit per 1,500 square feet of lot area. The project site has approximately 9,436 square feet of lot area. The proposed density is below the maximum allowed density and is consistent with the land use designation. The small lot homes are proposed to be three-stories and a maximum of 33 feet 6-inches in height except roof top structure as granted herewith. As proposed, the project is consistent with and does not exceed the 75 percent maximum lot coverage. 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 tract 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 subject site and surrounding properties are fully developed and there are no wildlife habitats in proximity to the project. The project site is located within an urbanized area that is fully developed with various multi-family and single-family dwellings.

The Department of City Planning has determined that Project is exempt from CEQA pursuant to State CEQA Guidelines, Article 19, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

As such, the proposed project will not cause substantial environmental damage or injury to wildlife or their habitat. The project site is currently developed with two single-family dwellings. There are no protected trees on the project site or within the public right-of-way. In addition, there are 23 non-protected trees in the project site that will be removed and 10 significant size trees will be replaced on a 1:1 basis. The surrounding area is presently developed with structures. Neither the project site nor the surrounding area provides a natural habitat for fish or wildlife. The project site has not been identified as historic resources or identified in the City's Survey LA. On December 18, 2018, the City Planning Department issued Notice of Exemption No. ENV-2018-7518-CE, which determined that the project would not result in significant impacts relating to biological resources. As such, the proposed project 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 75 feet of frontage along Killion Street, which is a public street. The project site consists of one parcel identified as Lot No. 24 of Tract 9500 and are identified by the Assessor Parcel No 2249001009. There are two existing five foot public utility easements shown on the tentative map along the north property line, for the first five feet of the future site of unit 4 and 5. The map also proposes a reciprocal easement for vehicular and pedestrian ingress/egress, emergency access, utilities, infrastructure, cross lot drainage e and common landscaping purposes. The site is surrounded by private properties that adjoin improved public streets and sidewalks designed and improved for the specific purpose of providing public access throughout the area. The project site does not adjoin or provide access to a public resource, natural habitat, public park or any officially recognized public recreation area. Necessary public access for roads and utilities will be acquired by the City prior to recordation of the proposed 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.

Construction will be frame, which will not lend itself to passive heat storage. The building's color shall be light, which tend to reduce cooling loads. No passive features are contemplated at this time. Future retrofitting for solar hot water could be accomplished.

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.

ADJUSTMENT FINDINGS (Sections 17.53 J and 12.28 C,4)

- (i) THAT WHILE SITE CHARACTERISTICS OR EXISTING IMPROVEMENTS MAKE STRICT ADHERENCE TO THE ZONING REGULATIONS IMPRACTICAL OR INFEASIBLE, THE PROJECT NONETHELESS CONFORMS WITH THE INTENT OF THOSE REGULATIONS.

The Zoning Administrator is in conjunction with a proposed small lot subdivision for six single-family small lot homes under VTT-82510-SL to allow a building height of 33-feet, six-inches to incorporate a 42-inch guardrail per LAMC section 17.03A from ordinance No. 167,939, Area 8, subarea 96 that limits the site to 30 feet in height except roof structures in [Q]RD1.5-1 Zone.

The additional height would allow each unit a private roof deck, providing much needed open space for residents to enjoy while providing an aesthetically pleasing and functional area. There is a five foot setback required for rooftops and the maximum allowable area, occupancy type, and occupant load shall be in accordance with the current Los Angeles Building Code. Roof occupancy open to sky shall not be considered a floor for the purpose of (LAMC) Section 91.403.

As such, the site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible with regards to providing private open space.

- (j) THAT IN LIGHT OF THE PROJECT AS A WHOLE, INCLUDING ANY MITIGATION MEASURES IMPOSED, THE PROJECT'S LOCATION, SIZE, HEIGHT, OPERATIONS AND OTHER SIGNIFICANT FEATURES WILL BE COMPATIBLE WITH AND WILL NOT ADVERSELY AFFECT OR FURTHER DEGRADE ADJACENT PROPERTIES, THE SURROUNDING NEIGHBORHOOD, OR THE PUBLIC HEALTH, WELFARE, AND SAFETY.

Two parcels to the east is a commercial corridor along the Van Nuys Boulevard. To the north are one to three-story multi-family building in the [Q]R3-1 Zone fronting Balboa Boulevard. To the east, west and north and a one and two story single family residences in the [Q]RD1.5 Zone. To the southeast is a three-unit, two and three-story town house style designed apartment building. The proposed adjustment in height will allow for the development of individual roof top decks for each dwelling to serve as private open space that will be compatible with and not adversely affect or degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

- (k) THAT THE PROJECT IS IN SUBSTANTIAL CONFORMANCE WITH THE PURPOSE, INTENT AND PROVISIONS OF THE GENERAL PLAN, THE APPLICABLE COMMUNITY PLAN AND ANY APPLICABLE SPECIFIC PLAN.

As stated in the previous findings, the proposed map is in substantial conformance with the General Plan and applicable Community Plan. The site is not located within a specific plan area. Objective 1-5 of the Van Nuys-North Sherman Oaks Community Plan "To promote and ensure the provision of adequate housing for all persons regardless of income, age, or ethnic background." Small Lots are generally less expensive than traditional single-family dwellings. The townhouse style design allows for clustering of development, but still allows ownership of the unit and land of the lot. As the grouping provides for minimal setbacks, the additional height will allow for the development of private open space.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PARCEL MAP:

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 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, including all appeals, if any.

No sale of separate parcels is permitted prior to recordation of the final parcel map. The owner is advised that the above action must record within 36 months of this approval, unless an extension of time is granted before the end of such period. No requests for time extensions or appeals received by mail shall be accepted.

VINCENT P. BERTONI, AICP
Advisory Agency


VALENTINA KNOX-JONES
Deputy Advisory Agency

CR:VKJ:AJ:OA:MH

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:

Downtown
Figuroa Plaza
201 North Figuroa Street,
4th Floor
Los Angeles, CA 90012
[\(213\) 482-7077](tel:(213)482-7077)

San Fernando Valley
Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Rm 251
Van Nuys, CA 91401
[\(818\) 374-5050](tel:(818)374-5050)

West Los Angeles
West Los Angeles Development
Services Center
1828 Sawtelle Boulevard, 2nd Floor
Los Angeles, CA 90025
[\(310\) 231-2598](tel:(310)231-2598)

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

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