

PS-1451 (stamped map dated October 22, 2019)

HEARING DATE: **July 28, 2020**

PLANNING DEPARTMENT STAFF REPORT

PURSUANT TO ORDINANCE 164,845, IF A CERTIFICATE OF POSTING HAS NOT BEEN SUBMITTED BEFORE THE DATE OF THE PUBLIC HEARING, IT MUST BE PRESENTED AT THE HEARING, OR THE CASE MUST BE CONTINUED.

REQUEST

Pursuant to CEQA Guidelines, an Exemption from CEQA Article 19, Section 15305, Class 5 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

Pursuant to Los Angeles Municipal Code (LAMC) Chapter 1, Article 8, a Private Street to permit legal frontage and access for one single family dwelling located on Parcel A (APN 2572004035), which totals 10,679 square feet in area in the A2-1 Zone, located at 6207 West Anderson Avenue.

APPLICANT/OWNER

Robert Hall
Robert Hall & Sons, Inc.
2817 Sanborn Avenue
La Crescenta, CA 91214

REPRESENTATIVE

Michael Norberg
SC Planners
619 South Fremont Avenue, Suite C
Alhambra, CA 91803

RELEVANT CASES

ON-SITE:

None

OFF-SITE:

None

PUBLIC RESPONSES

A letter dated February 12, 2020 was received from the Sunland-Tujunga Neighborhood Council in support of the project.

GENERAL COMMENTS

The subject site is a sloping, irregular-shaped, 10,679 square foot lot. The site is located

in the A2-1 Zone in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan. The Community Plan designates the site for Low Residential land uses, which has corresponding zones of RE9, RS, R1, and RU. The applicant is requesting to establish legal frontage and access for Parcel A (APN 2572004035). The applicant is proposing a private street adjoining Anderson Avenue to the east to provide access to Parcel A through Parcel B (APN 2572004036). There is one single family dwelling currently under construction on Parcel A and one single family dwelling currently under construction on Parcel B. Parcel B is located in the A2-1 Zone and is 10,716 square feet in area. Parcel B has approximately 32 feet of frontage on Anderson Avenue. Parcel C has approximately 17 feet of frontage on Anderson Avenue and is not included in the area of work for the private street.

Adjacent properties to the north are improved with single family dwellings located in the A2-1 Zone. Adjacent properties to the east are improved with single family dwellings and located within the City of Glendale. To the west and south of the site is the Seventh-day Adventist Church, the LA Nam Seoul Grace Church, and a child care center, which are located in the A2-1 Zone.

Street Designation

Anderson Avenue, adjoining the subject property to the east, has a width of 40 feet and is improved with an asphalt roadway, concrete curb, gutter, and sidewalk. Anderson Avenue is wholly located within the City of Glendale.

REPORTS RECEIVED

BUREAU OF ENGINEERING: Recommends that the project be subject to conditions stated in the memo dated March 17, 2020. See recommended conditions in **Draft Private Street Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION: A clearance letter will be issued stating that no Building and Zoning Code violations exist on the subject site once the items identified in the memo dated February 25, 2020 have been satisfied. See recommended conditions in **Draft Private Street Report with Conditions** under department.

DEPARTMENT OF BUILDING AND SAFETY, GRADING DIVISION: Per e-mail of January 27, 2020, no geology/soils reports are required at a site that is not located in a Hillside Area, nor located in a liquefaction, landslide, or fault-rupture hazard zone. The applicant shall comply with any requirements of the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF TRANSPORTATION: Recommends that the project be subject to the conditions stated in the memo dated January 27, 2020. See recommended conditions in **Draft Private Street Report with Conditions** under department.

FIRE DEPARTMENT: Recommends that the project be subject to the conditions stated in the memo dated April 9, 2020. See recommended conditions in **Draft Private Street**

Report with Conditions under department.

BUREAU OF STREET LIGHTING: Recommends that the project be subject to conditions stated in the memo dated February 12, 2020. See recommended conditions in **Draft Private Street Report with Conditions** under department.

BUREAU OF SANITATION: No comments were available at the writing of this staff report.

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

DEPARTMENT OF RECREATION AND PARKS: Per the letter dated January 24, 2020, the proposed project has no anticipated recreation and park impacts and therefore RAP has no recommendations regarding this project.

DEPARTMENT OF WATER AND POWER: Recommends that the project be subject to conditions stated in the letter dated January 29, 2020. See recommended conditions in **Draft Private Street Report with Conditions** under department.

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION: Recommends that the project be subject to the conditions stated in the letter dated February 3, 2020. See recommended conditions in **Draft Private Street Report with Conditions** under department.

ENVIRONMENTAL CLEARANCE

The Advisory Agency shall consider an Exemption from CEQA pursuant to CEQA Guidelines, Article 19, Section 15305, Class 5 and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

STAFF RECOMMENDATIONS

The Planning Department staff recommends approval of Private Street No. PS-1451 subject to the standard conditions and the additional conditions in the **Draft Private Street Map Report with Conditions**.

Prepared by:

Christine Bustillos

Christine Bustillos
Planning Assistant
818-374-5072

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

DRAFT PRIVATE STREET MAP DECISION LETTER WITH CONDITIONS

Pursuant to Chapter 1, Article 8 of the Los Angeles Municipal Code, the Advisory Agency determines that the project is Categorically Exempt, and issues ENV-2019-6258-CE as the environmental clearance, and approves Private Street No. PS-1451, providing legal frontage and access for a legal lot located 6207 Anderson Street (APN 2572004035), as shown on map stamp-dated October 22, 2019, in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan. The Deputy to the Director of Planning will advise the Department of Building and Safety with a Letter of Completion that the necessary permits may be issued pursuant to this approval following receipt of satisfactory evidence of compliance with the following conditions:

NOTE on clearing conditions: When two or more **agencies** must clear a condition, applicant or subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, the applicant or 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 Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 290, or by calling (213) 808-8588.

1. That a minimum 24-foot wide private street easement be provided for the new private street from terminus of Anderson Avenue to adjoining the 3-parcels. **(This condition will be cleared by Land Development Section)**
2. That the applicant process a Private Street Name Establishment through the Bureau of Engineering for City Council approval.
3. That the owners of the property record a Covenant and Agreement stating that they will maintain the private street free and clear of obstructions and keep the private street in a safe condition for vehicular use at all times. **(This condition will be cleared by Land Development Section)**
4. That the private street be posted in a manner prescribed in Section 18.07 of the Los Angeles Municipal Code (Private Street Regulations). **(This condition will be cleared by Land Development Section)**
5. That a copy of the private street easement be submitted to the City Engineer (Land Development Group of the Bureau of Engineering) for approval. An additional copy shall be submitted to the **Valley District Office** of the Bureau of Engineering B-permit Section. (Recent title policy should be submitted as evidence for the private street easements). **(This condition shall be cleared by West Los Angeles Engineering District)**
6. That prior to final approval of the private street, proposed names for private streets shall be approved by the City Engineer. Any street name that would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency shall be disapproved. **(This condition will be cleared by Land Development Section)**
7. That the following improvements be constructed under permit in conformity with plans and specifications approved by the City Engineer or that the construction be suitably guaranteed satisfactory to the City Engineer. (All of the following conditions should be cleared by the **Valley Engineering District Office**):
 - a. Provide hydraulic and hydrology calculations if necessary for construction of private drainage system to drain the private street to outlets satisfactory to the City Engineer.
 - b. Improve the proposed private street from adjoining the parcels to the Anderson Avenue (public street) by construction of a suitable surfacing to provide a 20-foot wide minimum roadway (alley type) including necessary removal and reconstruction of the existing improvements all satisfactory to the **Valley District Office**.

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.

8. Comply with any requirements with the Department of Building and Safety, Grading Division for recordation of the final map and issuance of any permit.

DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION

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.

9. Provide copy of building records, plot plan, and certificate of occupancy of all existing structures to verify the last legal use and the number of parking spaces required and provided on Parcel C.
10. No building or use is allowed to be within the Private Street easement. Revise the map to indicate the location of the building and uses under construction as approved under Permit No. 19010-20000-01139 on Parcel B.
11. No building is allowed to straddle over the property line. Obtain a building permit to remove the entire or portion of the building to comply with the building setback or obtain a lot line adjustment.
12. Proposed Private Street shall comply with Bureau of Engineering conditions.

Note: The proposed Private Street is fronting the public street from the City of Glendale.

DEPARTMENT OF TRANSPORTATION

If you have any questions, you may contact Sheila Ahorian at (818) 374-4699 or at Sheila.Ahorian@lacity.org.

13. The Department of Transportation shall be consulted to determine the required driveway reservoir space upon determination of the parking layout.
14. A two-way driveway with of W=30 is required for all driveways, or to the satisfaction of the Department of Transportation.
15. 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.

16. That 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 accompanied BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (818) 374-4351. You should advise any consultant representing you of this requirement as well.

17. Access for Fire Department apparatus and personnel to and into all structures shall be required.
18. 505.1 Address Identification. New and existing buildings shall have approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property.
19. No building or portion of a building shall be constructed more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
20. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

DEPARTMENT OF WATER AND POWER

Questions regarding Water Services Organization (WSO) clearance should be directed to the Los Angeles Department of Water and Power, Water Distribution Engineering, P.O. Box 51111, Room 1425, Los Angeles, California 90051-570- or (213) 367-1241.

21. That prior to the issuance of the Letter of Completion, satisfactory arrangements shall be made with the Department of Water and power for the following:
 - a. New hydrants shall be installed.
 - b. New water mains shall be installed to serve new hydrants.

INFORMATION TECHNOLOGY AGENCY

22. To ensure that cable television facilities will be installed in the same manner as other required improvements, please email cabletv.ita@lacity.org which 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.

BUREAU OF STREET SERVICES, URBAN FORESTRY DIVISION

Contact Urban Forestry Division at (213) 847-3077 for permit information. CEQA document must address parkway tree removals.

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

Note: Removal of protected trees requires the approval of the Board of Public Works.

DEPARTMENT OF CITY PLANNING-SITE SPECIFIC CONDITIONS

24. Prior to the issuance of the Letter of Completion, the applicant or 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 applicant or subdivider and all successors to the following:
- a. Limit the proposed development to a maximum of one (1) single-family lot.
 - b. That a minimum of two covered parking spaces per dwelling unit shall be provided.

INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.

25. 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.

26. 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 the Letter of Completion. 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. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

In the event the applicant or 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.

- a. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of 50 percent of the units of the project or phase.
 - b. Sixty days after landscape and irrigation installation, the landscape professional shall submit to the homeowners/property owners association a Certificate of Substantial Completion (Sec. 12.40 G LAMC.)
 - c. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - d. The developer/builder shall guarantee all trees and irrigation for a period of six months and all other plants for a period of 60 days after landscape and irrigation installation.
27. That prior to release by the Director of Planning, proposed names for the private street shall be approved by the City Engineer. Any street name that would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency shall be disapproved.

FINDINGS OF FACT

FINDINGS OF FACT (CEQA)

The project is categorically exempt from the provision of the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines, Section 15305, Class 5. Categorical Exemption No. ENV-2019-6258-CE, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines Section 15300.2 applies.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Private Street Map No. PS-1451, the Advisory Agency of the City of Los Angeles, pursuant to Section 18.02 of the Los Angeles Municipal Code (Private Street Regulations) makes the prescribed findings as follows:

- (a) THERE EXISTS ADEQUATE AND SAFE VEHICULAR ACCESS TO THE PROPERTY FROM A PUBLIC STREET OVER A PRIVATE STREET FOR POLICE, FIRE, SANTIATION AND PUBLIC SERVICE VEHICLES.

The proposed Private Street has been reviewed by the City Engineer which requires a 24-foot wide private street easement from the terminus of Anderson Avenue adjoining the three parcels. The private street has also been reviewed by the Fire Department which recommends that the project be subject to conditions stated in the memo dated April 9, 2020. Per the memo, the Fire Department shall provide emergency services to the site and the proposed street alignment is satisfactory and no additional turning area will be required. All conditions will be incorporated in the conditions of approval to ensure adequate and safe vehicular access to the property.

- (b) AN ADEQUATE WATER SUPPLY IS AVAILABLE TO THE PREMISES FOR DOMESTIC AND FIRE FIGHTING PURPOSES.

The Department of Water and Power and the Fire Department have reviewed the project and deemed the water supply adequate provided their conditions of approval are satisfied. Per the memo dated January 29, 2020 from the Department of Water and Power, new hydrants shall be installed and new water mains to serve the new hydrants shall be installed.

- (c) AN APPROVED METHOD OF SEWER DISPOSAL IS AVAILABLE.

Per the memo dated March 17, 2020 from the Bureau of Engineering, Anderson Avenue is within the City of Glendale and the subject site will connect to the City of Glendale sewer system.

- (d) THE LOT OR BUILDING SITE IS OR WILL BE GRADED AND ENGINEERED IN ACCORDANCE WITH THE GRADING REGULATIONS OF THE CITY LOS ANGELES AS SET FORTH IN ARTICLE I OF CHAPTER 3 OF THE MUNICIPAL CODE.

Condition No. 8 has been imposed to assure that the site is graded in conformance with the recommendation of the Grading Division of the Department of Building and Safety.

- (e) ANY PROPOSED NAME OF A PRIVATE STREET HAS BEEN OR SHALL BE APPROVED BY THE CITY ENGINEER APPLYING THE STANDARDS SET FORTH IN SUBDIVISION 6 OF SUBSECTION 17.52 OF THE MUNICIPAL CODE.

Conditions No. 2 and 32 of this approval requires that prior to release of the Director of Planning, proposed names for the private street shall be approved by the City Engineer. Any street name that would create confusion, be misleading, be unduly long or carry connotations offensive to good taste and decency shall be disapproved.

THE FOLLOWING NOTES ARE FOR INFORMATIONAL PURPOSES AND ARE NOT CONDITIONS OF APPROVAL OF THIS PRIVATE STREET 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 applicant or 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).

Note: The above action shall become effective upon the decision date noted at the top of this letter unless an appeal has been submitted to the North Valley Area Planning Commission within 15 calendar days of the decision date. If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the 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 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza 201 N. Figueroa Street, 4 th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2901
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Please note that the cashiers at the public counter close at 3:30 PM.

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

Pursuant to Ordinance No. 176,321, effective January 15, 2005, Parcel Map determinations are only appealable to the Area Planning Commission. There is no longer a second level of appeal to the City Council for Parcel Map actions of the Advisory Agency.

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 the 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 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
Director of Planning

Tim Fargo, Ph.D.
Deputy Advisory Agency

CR:TF:LFS:CB:mkc