



WEST LOS ANGELES AREA PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.lacity.org/PLN/index.htm

Determination Mailing Date: DEC 06 2006

CASE NO.: AA 2005-3998-PMLA-1A
CEQA: ENV 2005-8611-MND

Location: 10550 Bellagio Road
Council District: 5
Plan Area: Bel Air-Beverly Crest
Zone: RE20-1
District Map: 141 B 149
Legal Description: Lot 165, Arb 2 Bel Air Tract

Applicants: M & A Gabae; Arman Gabay
Appellants: A1) Jon A. Douglas; A2) Henri & Janice Lazarof

At its meeting on October 4, 2006, the following action was taken by the West Los Angeles Area Planning Commission:

1. **Granted** the appeal in part.
2. **Sustained** the Advisory Agency's **approval**, pursuant to Los Angeles Municipal Code Section 17.53, of Parcel Map No. AA 2005-3998-PMLA; for a proposed four-parcel single family development on a 4.13 acre site.
3. **Adopted** the Findings and Conditions of Approval as modified (attached).
4. **Adopted** ENV 2005-8611-MND.

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

This action was taken by the following vote:

Moved: Burton
Seconded: Martinez
Ayes: Brown, Foster
Absent: Washington
Vote: 4-0



James Williams, Commission Executive Assistant
West Los Angeles Area Planning Commission

Effective Date/Appeals: This action of the West Los Angeles Area Planning Commission is effective on the mailing date of this Determination. There is no further appeal period for the subject case.

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: Findings and Conditions of Approval as modified.

DETERMINATION

In accordance with provisions of Section 17.53 of the Los Angeles Municipal Code, the West Los Angeles Area Planning Commission approved Parcel Map AA-2005-3998-PMLA for a maximum new four-parcel single-family development, as shown on map stamp-dated June 17, 2005, and subject to the following conditions. This unit density is based on the RE20 Zone and subject to the following conditions. The subdivider is hereby advised that the Municipal Code may not permit this maximum approved density. Therefore, verification should be obtained from the Department of Building and Safety which shall legally interpret the Zoning Code as it applies to this particular property.

Bureau of Engineering

Bureau of Engineering approvals are conducted at the Land Development Group, located 201 N. Figueroa Street, Suite 200. Any questions regarding these conditions should be directed to Mr. Ray Saidi by calling (213) 977-7097.

1. That a fee of \$5,450 be paid to the Land Development Group of the Bureau of Engineering as required by Ordinance No. 176077 adopted by the City Council.
2. That the Stone Canyon Creek natural watercourse easement and existing drainage and sanitary sewer easement within the subdivision be delineated on the final map satisfactory to the City Engineer.
3. That a Covenant and Agreement be recorded advising all future owners and builders that prior to the issuance of a building permit, a Notice of Acknowledgment of Easement be recorded, and an application to do work in any sanitary sewer and drainage facilities or near the Stone Canyon Creek natural water way easement must be submitted to the City Engineer for approval.
4. That the following improvement be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

- a. After submittal of hydrology and hydraulic calculations and drainage plans for review by the city Engineer prior to recordation of the final map, drainage facilities may be required.
- b. Improve Bellagio Road adjoining the subdivision by the repairing and replacing of any bad order curb and gutter and asphalt pavement all existing encroachments and removing satisfactory to the City Engineer.
- c. Close any unused driveways along Stone Canyon and Bellagio Roads including any necessary removal, reconstruction of the exiting improvements, or restoration of the Stone Canyon Creek natural water way, satisfactory to the City Engineer.
- d. That any required street tree removal, replacement, new street tree planting and tree well installation together with tree well covers along the subdivision be completed satisfactory to the City Engineer.
- e. Construct the necessary house connections to serve each parcel satisfactory to the City Engineer.
- f. Improve Stone Canyon Road adjoining the subdivision by the construction of the following:
 - (1) A concrete curb, gutter and landscaping of the parkway.
 - (2) Suitable surfacing to join the existing pavement.
 - (3) Any necessary removal and reconstruction of the existing improvements, or restoration of the Stone Canyon Creek natural water way, including removal of all existing encroachments.
 - (4) The necessary transitions to join the existing improvements all satisfactory to the City Engineer.

Department of Building and Safety-Grading Division

Grading Division approvals are conducted at 201 N. Figueroa Street, 3rd Floor, Counter 24.

5. That prior to issuance of a grading or building permit or prior to recordation of the final map, the subdivider shall make suitable arrangements to assure compliance satisfactory to the Department of Building and Safety, Grading Division, with all the requirements and conditions contained in Inter-Departmental Correction Letter dated August 25, 2005, Log No. 48969, and attached to the case file for AA-2005-3998-PMLA.

Department of Building and Safety-Zoning Division

*Building and Safety approvals are conducted by appointment only- **contact John Pourhassan at (213)482-6880** to schedule an appointment. Any proposed structures or uses on the site have not been checked for Building or Zoning Code requirements. Plan check may be required before any construction, occupancy or change of use. Unless filed concurrently and included as part of the hearing notice with this subdivision, any additional deviations from the Los Angeles Municipal Code required by the Department of Building and Safety Office of the Zoning Engineer preliminary to the Zoning Engineer clearing the items on the report to the Advisory Agency, shall be separately filed through the City Planning Department Office of the Zoning Administrator.*

6. That prior to recordation of the final map, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
 - a. Provide a copy of affidavit AFF-13878 and AFF-13471. Show compliance with all the conditions/requirements of the above affidavits as applicable. Termination of above affidavits may be required after map has been recorded. Obtain approval from the Department, on the termination form, prior to recording.
 - b. Show all street dedication as required by Bureau of Engineering. "Area" requirements shall be re-checked as per net lot area after street dedication.

Department of Transportation

Transportation approvals are conducted at 201 N. Figueroa Street, 4th Floor, Station 3. Please contact DOT at (213) 482-7024 for any questions regarding the following.

7. A parking area and driveway plan 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. Any driveway or vehicle access proposed over the Stone Canyon Creek easement shall be designed to minimize any impacts on the natural water way and the ten-foot wide indigenous vegetation buffer provided on both sides of the water way. No alteration, piping or disturbance of the natural water course shall be permitted. Transportation approvals are conducted at 201 N. Figueroa Street Suite 400, Station 3. In addition, the following items shall be satisfied:

A minimum of 20-foot reservoir space be provided between any security gate(s) and the property line.

Fire Department

Fire Department approvals and review are conducted in Room 1500, 221 North Figueroa Street.

8. Submit plot plans for Fire Department review and approval prior to recordation of this Parcel Map Action. Access for Fire Department apparatus and personnel to and into all structures shall be required. In addition, the following items shall be satisfied:
 - a. 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.
 - b. The brush in the area adjacent to the proposed development shall be cleared or thinned periodically by the homeowner's association under supervision of the Los Angeles City Fire Department in order to reduce the Risk of brush fires spreading to the homes.
 - c. In order to mitigate the inadequacy of fire protection in travel distance, sprinkler systems shall be required throughout any structure to be built, in accordance with the Los Angeles Municipal Code Section 57.09.07.
 - d. Construction of public or private roadways in the proposed development shall not exceed 15 percent in grade.
 - e. The width of private roadways for general access use and fire lanes shall not be less than 20 feet clear to the sky.
 - f. 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.
 - g. 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.
 - h. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway or an improved street, access road or designated fire lane.
 - i. 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.
 - j. All structures shall be fully sprinklered.
 - k. Adequate public and private fire hydrants shall be required.

- l. Access for Fire department apparatus and personnel to and into all structures shall be required.
- 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. Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- p. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- q. Plans showing areas to be posed and/or painted "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- r. Electric gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.
- s. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- t. All public street and fire lane cul-de-sacs shall have the curbs painted red and/or posted "No Parking at Any Time" prior to the issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy for any structures adjacent to the cul-de-sac.
- u. This project is located in the very high fire hazard severity zone and shall comply with requirements set forth in the City of Los Angeles Municipal Code 57.25.01.
- v. Mitigating measures shall be considered. These measures shall include, but not be limited to the following:
 - (1) Boxed-in eaves.
 - (2) Single pane, double thickness (min. 1/8" thickness) or insulated windows.

- (3) Non-wood siding.
- (4) Exposed wooden members shall be two inches nominal thickness.
- (5) Noncombustible finishes.

Bureau of Street Lighting

Street Lighting approvals are conducted by the Bureau of Engineering if street improvements are required, or at 600 South Spring Street if no street improvements are required.

- 9. If street widening is required, relocate and upgrade the existing four (4) lights on Stone Canyon Rd. and one (1) on Bellagio Road.

Department of Recreation and Parks

Park fees are paid at 1200 West 7th Street, Suite 700, Los Angeles

- 10. That the Quimby fee be based on the RE20 Zone. However, when there is an existing residential structure to remain, a covenant and agreement satisfactory to the Department of Recreation and Parks, shall be recorded that when the existing dwelling is demolished, the required Recreation and Park fees will be paid.

Department of City Planning-Site Specific Conditions

Approvals conducted at 200 North Spring Street, Room 750, unless otherwise indicated. For an appointment with the Street Tree Division of the Bureau of Street Maintenance call 213 485-5675.

- 11. 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. **Use.** Limit the proposed development to a maximum of four units on four parcels.
 - b. **Parking.** That a minimum of two (2) parking spaces per dwelling unit shall be provided.
 - c. **Landscape Plans and Tree Report.** That a landscape plan, prepared by a licensed landscape architect with a specialty in California indigenous plants, be submitted to and approved by the Advisory Agency in accordance with CP-6730 prior to obtaining any permit. The landscape plan and Tree Report 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, and replacement of Locally

Protected Species at a minimum of two 48-inch box tree for the unavoidable loss of a protected tree on site. The landscape plan shall include specific designs for indigenous plants to be placed along and within a ten-foot border on both sides of the Stone Canyon Creek natural water way . **Failure to comply with this condition as written, including the provisions for maintaining indigenous plantings along the Stone Canyon Creek water course, shall require the filing of a modification to this parcel map in order to clear the condition.**

In the event the subdivider decides not to request a permit before the recordation of the final map, the following statement shall appear on the plan and be recorded as a covenant and agreement satisfactory to the Advisory Agency guaranteeing that:

- i. The planting and irrigation system shall be completed by the developer/builder prior to the close of escrow of each housing unit.
 - ii. The developer/builder shall maintain the landscaping and irrigation for 60 days after completion of the landscape and irrigation installation.
 - iii. The developer/builder shall guarantee all trees, indigenous plantings along the Stone Canyon Creek natural water way and irrigation for a period of three years and all other plants for a period of 60 days after landscape and irrigation installation.
- d. **Plans.** Prior to the issuance of building permits, detailed development plans, including a project design plan will be prepared consistent with the Bel Air-Beverly Crest Community Plan. Such plan shall show preservation of the natural Stone Canyon Creek water course. No alteration, piping or disturbance of the natural water course shall be permitted.
 - e. **Solar Report.** That a solar access report shall be submitted to the satisfaction of the Advisory Agency prior to obtaining a grading permit.
 - f. **Energy Conservation.** That the subdivider consider the use of natural gas and/or solar energy and consult with the Department of Water and Power and Southern California Gas Company regarding feasible energy conservation measures.
 - g. **Air Filtration.** The applicant shall install air filtration system capable of removing airborne contaminants in order to reduce the effects of diminished air quality on the occupants of the project.
12. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring

the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by **Condition Nos. 13 and 14** of the Parcel Map approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.

13. Prior to recordation of the final map, a Covenant and Agreement be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to all the environmental mitigation measures stated in the related ENV-2005-8611-MND:

Aesthetics (Hillside Site Design)

- MM-1 Grading shall be kept to a minimum. No alteration, piping or disturbance of the Stone Canyon Creek natural water course or easement shall be permitted.
- MM-2 Natural features, including Stone Canyon Creek natural water course and easement as well as prominent knolls or ridge lines shall be preserved. No alteration, piping or disturbance of the natural water course shall be permitted In addition the following measures shall be required:
- a. No stockpiling of dirt or any construction related materials shall be permitted within 100 feet of the Stone Canyon Creek natural water course easement;
 - b. All stockpiles located any where on the subject site shall be covered;
 - c. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course easement, including during any construction on site.
- MM-3 Project shall comply with the City's Hillside Development Guidelines.

Tree Removal (Locally Protected Species)

- MM-4 Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated oak tree expert as designated by LAMC Ordinance No. 153,478, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.
- MM-5 A minimum of two trees (a minimum of 48 inch box in size) shall be planted for each one that is removed. The canopy of the trees planted shall be in proportion to the canopies of the trees removed per

Ordinance No. 153,478, and to the satisfaction of the Urban Forestry Division of the Bureau of Street Services and the Advisory Agency.

Note: All tree removals must be approved by the Board of Public Works on sites more than one acre in size. Contact: Urban Forestry Division at: 213-485-5675.

Seismic

- MM-6 The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.

Liquefaction

- MM-7 Compliance with the Uniform Building Code Chapter 18. Division 1 Section 1804.5 Liquefaction Potential and Soil Strength Loss which requires the preparation of a geotechnical report. The geotechnical report shall assess potential consequences of any liquefaction and soil strength loss, estimation of settlement, lateral movement or reduction in foundation soil-bearing capacity, and discuss mitigation measures that may include building design consideration.
- MM-8 Building design considerations may include, but are not limited to: ground stabilization, selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements or any combination of these measures.

Single Family/Multi Family Hillside Dwelling

- MM-9 Project applicants are required to implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.
- MM-10 Post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.
- MM-11 Concentrate or cluster development on portions of a site while leaving the remaining land in a natural undisturbed condition.

- MM-12 Limit clearing and grading of native vegetation at the project site to the minimum needed to build lots, allow access, and provide fire protection. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course, including during any construction on site.
- MM-13 Maximize trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native and/or drought tolerant plants. A strip of indigenous vegetation at least ten feet wide shall be maintained at all times along both sides of the Stone Canyon Creek natural water course, including during any construction on site.
- MM-14 Promote natural vegetation by using parking lot islands and other landscaped areas.
- MM-15 Preserve Stone Canyon Creek natural water course and any associated riparian areas and wetlands. No alteration, piping or disturbance of the natural water course shall be permitted
- MM-16 Cut and fill slopes in designated hillside areas shall be planted and irrigated to prevent erosion, reduce run-off velocities and to provide long-term stabilization of soil. Plant materials include: grass, shrubs, vines, ground covers, and trees.
- MM-17 Incorporate appropriate erosion control and drainage devices, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code. Protect outlets of culverts, conduits or channels from erosion by discharge velocities by installing rock outlet protection. Rock outlet protection is a physical devise composed of rock, grouted riprap, or concrete rubble placed at the outlet of a pipe. Install sediment traps below the pipe outlet. Inspect, repair, and maintain the outlet protection after each significant rain.
- MM-18 Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- MM-19 All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.
- MM-20 Signs and prohibitive language and/or graphical icons, which prohibit illegal dumping, must be posted at public access points along channels and creeks within the project area.

- MM-21 Legibility of stencils and signs must be maintained.
- MM-22 Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevent contact with runoff spillage to the stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- MM-23 The storage area must be paved and sufficiently impervious to contain leaks and spills.
- MM-24 The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- MM-25 The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs, including the maintenance of a strip of indigenous vegetation at least ten feet wide along both sides of the Stone Canyon Creek natural water course, in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.

Public Services (Fire)

- MM-26 The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The plot plan shall include the following minimum design features: fire lanes, where required, shall be a minimum of 20 feet in width; all structures must be within 300 feet of an approved fire hydrant, and entrances to any dwelling unit or guest room shall not be more than 150 feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

Public Services (Schools)

- MM-27 Payment of school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the project area.

Recreation (Increase Demand For Parks Or Recreational Facilities)

MM-28 Per Section 17. 12-A of the LA Municipal Code, the applicant shall pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

14. Short-Term Construction Mitigation

Air Quality

CM-1 All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403. Wetting could reduce fugitive dust by as much as 50 percent.

CM-2 The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

CM-3 All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

CM-4 All materials transported off-site shall be either sufficiently watered or securely covered to prevent excessive amount of dust.

CM-5 All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.

CM-6 General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

Noise

CM-7 The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

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

CM-9 Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

CM-10 The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

CM-11 The project sponsor must comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

Grading

CM-12 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.

CM-13 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.

CM-14 All stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. No stockpiling of dirt or other construction related materials shall be permitted within 100 feet of the Stone Canyon Creak natural water course easement.

General Construction

CM-15 Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), construct diversion dikes to channel runoff around the site. Line channels with grass or roughened pavement to reduce runoff velocity.

CM-16 Incorporate appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated, such as interceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned. These shall shield and bind the soil.

CM-17 All stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting. No stockpiling of dirt or other construction related materials shall be permitted within 100 feet of the Stone Canyon Creak natural water course easement.

- CM-18 Cover and maintain dumpsters. Place uncovered dumpsters under a roof or cover with tarps or plastic sheeting.
- CM-19 Use gravel approaches where truck traffic is frequent to reduce soil compaction and limit the tracking of sediment into streets.
- CM-20 Conduct all vehicle/equipment maintenance, repair, and washing away from the Stone Canyon Creek natural water course and storm drains. All major repairs are to be conducted off-site. Use drip pans or drop clothes to catch drips and spills.

FINDINGS OF FACT

FINDINGS OF FACT (CEQA):

The Environmental Review Section of the Planning Department issued on March 16, 2006, the proposed project Mitigated Negative Declaration No. ENV-2005-8611-MND. The Advisory Agency certifies that Mitigated Negative Declaration No. ENV-2005-8611-MND, reflects the independent judgment of the lead agency, and determined this project, when mitigated, would not have a significant effect upon the environment.

The Department found that potential impacts could result from:

- Aesthetics (hillside design, preservation of the Stone Canyon Creek natural water way);
- Biology (protected species of tree removal, preservation of the Stone Canyon Creek natural water way);
- Geology (Seismic, Liquefaction, Hillside dwelling);
- Noise (construction);
- Public Services (fire, schools); and
- Recreation (parks).

The Advisory Agency, to mitigate the above impacts, required **Condition Nos. 12, 13 and 14** as conditions of approval for the Parcel Map and determined the project would not have a significant impact upon the environment. Other identified potential impacts not mitigated by these conditions are subject to existing City ordinances (Sewer Ordinance, Grading Ordinance, Flood Plain Management Specific Plan, Xeriscape Ordinance, Stormwater Ordinance, etc.) Which are specifically intended to mitigate such impacts on all projects.

Per Section 21081.6 of the Public Resources Code, the Advisory Agency has assured that the above identified mitigation measures shall be implemented by requiring reporting and monitoring as specified in **Condition No. 12**.

In light of the above, the project qualifies for the De Minimis Exception for Fish and Game fees (AB 3158).

The National Flood Insurance Program rate maps, which are a part of the Specific Plan for the Management of Flood Hazards adopted by the City Council (see Section 5 of Ordinance 172,081), have been reviewed and it has been determined that this project is not located in a hazardous flood area.

FINDINGS OF FACT (SUBDIVISION MAP ACT):

In connection with the approval of Parcel Map No. AA-2005-3998-PMLA, the Advisory Agency of the City of Los Angeles, pursuant to Sections 66411.1 of the State of California Government Code (the Subdivision Map Act), makes the prescribed findings as follows:

THE REQUIRED IMPROVEMENTS ARE NECESSARY FOR REASONS OF PUBLIC HEALTH AND SAFETY AND ARE A NECESSARY PREREQUISITE TO THE ORDERLY DEVELOPMENT OF THE SURROUNDING AREA AND NEIGHBORHOOD.

The proposed division of land complies with such requirements as may have been established by the Subdivision Map Act (Government Code Sections 664109 et seq.) or Article 7, Section 17.50 of the Municipal Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of the Subdivision Map Act or said Article.

PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The adopted Bel Air-Beverly Crest Community Plan designates the subject property for Very Low I residential density with a corresponding zone of RE20. The 4.13 acre property is zoned RE20-1. The adopted Plan and zone allows for the proposed subdivision. Therefore, as conditioned, the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.

THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.

The site is one of the few vacant properties in the vicinity. The development of this parcel is an infill of an otherwise single-family, large estate neighborhood adjacent to a golf course. The Department of Building and Safety, Grading Division, has conditionally approved the parcel map, in accordance with Interdepartment Approval Letter dated August 25, 2005, Log # 48969.

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

The project is urban infill—as conditioned requiring preservation of the Stone Canyon Creek natural water way, no potential adverse impact on fish or wildlife resources will occur.

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 17.05N of the Los Angeles Municipal Code.

As part of the construction of your project, you may wish to make arrangements, with the Telecommunications Bureau regarding the cable television franchise holder for this area, by calling (213) 847-2775.

The above action shall become effective upon the decision date noted at the top of this letter.

Pursuant to Ordinance 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 recordation of the final parcel map. The owner is advised that the above action must record within 36 months of the date of approval, unless an extension of time has been requested in person before 5:00 p.m. August 9, 2009.

No requests for time extensions received by mail shall be accepted.