

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

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DECISION DATE: October 30, 2003

Mark A. Baez (O)
709 South 5th Avenue
Venice, CA 90291

Gary Safronoff (R)
c/o Safronoff & Associates
1150 Yale Street, #11
Santa Monica, CA 90403

Re: P.M. LA NO.: AA 2002-5557-PMLA
ZA 2003-2642-CDP-ZAA
ZONE: RD1.5-1
PLAN AREA: VENICE
COUNCIL DISTRICT: 11
APC: WEST LOS ANGELES
ENV 2002-5558-MND
FISH AND GAME: EXEMPT
ADDRESS: 709 South 5th Avenue
PIN : 109-5A 143 73

On October 15, 2003, the Advisory Agency, per Section 17.53 of the Los Angeles Municipal Code, approved preliminary Parcel Map LA No. AA-2002-5557-PMLA, and approved waiver of the final map for subject property composed of one lot, for a maximum of three condominium units and a minimum of 7 parking spaces, subject to the following conditions. This unit density is based on the RD1.5-1 Zone. The Subdivider is advised the Municipal Code may not permit this density and the approved density for the site should be verified with the Department of Building and Safety.

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 records 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.



5th V-010

BUREAU OF ENGINEERING

Bureau of Engineering approvals are conducted at 201 N. Figueroa Street, Suite 200.

1. A 1.8 foot wide strip of land shall be dedicated along the alley adjoining southwesterly side of the subdivision to complete a 20-foot wide total alley dedication..
2. The following improvements shall be either constructed prior to recordation of the final map or the construction shall be suitably guaranteed (West Los Angeles Engineering District):
 - a. Improve the alley being dedicated adjoining the subdivision by constructing a 2-foot long longitudinal concrete gutter and suitable surfacing to complete a 20-foot alley, together with any necessary removal and reconstruction of the existing improvements, all satisfactory to the City Engineer.
 - b. Construct the necessary sewer house connection to serve the subdivision.
3. All required street tree removal, replacement, new street tree planting with root barriers and tree well installation together with tree well covers along the property shall be completed satisfactory to the City Engineer and the Street Tree Division of the Bureau of Street Services.
4. If the waiver of the final map as granted by the Advisory Agency is exercised by the subdivider, a fee of \$708.50 shall be paid to the Land Development Group of the Bureau of Engineering for the processing and monitoring of clearance of the parcel map conditions.
5. Prior to recordation of the parcel map, a Covenant and Agreement be recorded stating that there are some existing trees in the parkway area of 5th Avenue adjacent to the subdivision which is proposed to be improved. The subdivider is advised that removal of all any tree in the public right-of-way shall require approval of the board of Public Works through the Street Tree Division of the Bureau of Street Services.

Department of Building and Safety-Zoning Division

Building and Safety approvals are conducted by appointment only-contact Susan Kusik at 213 482-6880.

6. Obtained a clearance from the Department of Building and Safety, Zoning Engineer regarding the items on an October 23, 2002 report to the Advisory Agency showing that no violations of the Building or Zoning Codes are created.
7. Provide the proposed parking layout with appropriate access and turning areas.
8. The proposed parcels do not comply with the minimum lot width requirements for the zone. A waiver from Zone Code Section 12.09.1B4 must be completed prior to, or concurrent with the recording of the final map.

9. The subdivision is located within a liquefaction Hazard Zone. Note such potential hazards on the final map.

Department of Transportation

Transportation approvals are conducted at 201 N. Figueroa St. 4th floor, Station 3 and the West LA/Coastal Development Review Section located at 7166 W. Manchester Avenue.

10. A parking area and driveway plan is submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans to the Department of Building and Safety for plan check. Final DOT approval shall be accomplished by submitting detailed site/driveway plans at a scale of 1" = 40' to DOT's West LA/Coastal Development Review Section.
11. Driveways and vehicular access shall be provided from alleys.

Fire Department

Fire Department approvals and review are conducted in Room 920, City Hall East.

12. Submit plot plans for Fire Department review and approval prior to recordation of Parcel map Action.
13. Access for Fire Department apparatus and personnel to and into all structures is required.

Bureau of Street Lighting

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

14. One (1) street lighting facility to serve the subject property be installed along 5th Avenue as required by the Bureau of Street Lighting.

Department of Recreation and Parks

Park fees are paid at 200 North Spring Street, Room 763 and City Hall East, Room 709.

15. The applicant submit a request for calculation of recreation and park fees for three units to the Advisory Agency, to be paid to or be guaranteed to be paid in a manner satisfactory to the Department of Recreation and Parks, as provided by Section 17.12-A of the Los Angeles Municipal Code, within one year after City Council approves the final map.

Department of City Planning

Approvals conducted at 200 North Spring Street, Room 763, unless otherwise indicated. For an appointment with the Advisory Agency or a City Planner call (213) 978-1326.

16. Prior to recordation of the final map a covenant and agreement shall be recorded satisfactory to the Advisory Agency, binding the subdivider and all successors to

the following environmental mitigation measures stated in the related ENV 2002-5558-MND:

- a. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 25 hours of its occurrence.
 - b. Outdoor lighting shall be designed and installed with shielding so that the light source cannot be seen from adjacent residential properties.
 - c. Prior to issuance of building permits obtain review and approval of building plans by Los Angeles Police Department's Crime Prevention Section for compliance to "Design Out Crime Guidelines: Crime Prevention Through Design". (Parker Center, 150 N. Los Angeles St. Room 818, 213-485-3134).
17. The applicant shall record a covenant and agreement identifying a registered civil engineer, architect or licensed land surveyor who will be obligated to provide certification prior to the issuance of the Certificate of Occupancy, that the mitigation items required by Conditions No. 16, 18 and 19 have been complied with. This covenant shall run with the land. Should the applicant choose to change the previously designated professional or should the land be sold, such covenant may be terminated only after a new covenant and agreement is recorded guaranteeing that such a professional (to be identified) is available to certify the continuing implementation of the above-mentioned mitigation items.
18. Prior to recordation of the final parcel map, a landscape plan, prepared by a licensed landscape architect shall be submitted to and approved by the Advisory Agency in accordance with Form CP-6730.
19. A covenant and agreement shall be recorded satisfactory to the Advisory Agency stating as follows:
- a. During construction, exposed earth surfaces will be sprayed with water at least twice a day by the contractor to minimize dust generation.
 - b. The owner or contractor will 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.
 - c. Hauling and grading equipment will be kept in good operating condition and muffled as required by law.
 - d. All loads will be secured by trimming, watering or other appropriate means to prevent spillage and dust.

- e. One flag person will be required at the job site to assist the trucks in and out of the project area. Flag person and warning signs shall be in compliance with the 1996 Edition of "Work Area Traffic Control Handbook".
 - f. All clearing, grading, earth moving, or excavation activities will be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of dust.
 - g. All materials transported off-site will be either sufficiently watered or securely covered to prevent excessive amount of dust.
 - h. General contractors will maintain and operate construction equipment so as to minimize exhaust emissions.
 - i. The project will comply with the City of Los Angeles Noise Ordinances 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.
 - j. Construction will 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.
 - k. Construction activities will be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
 - l. The project contractor will use power construction equipment with state-of-the-art noise shielding and muffling devices.
 - m. 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.
20. A Covenant and Agreement be recorded satisfactory to the Advisory Agency stating as follows:
- a. Limit the development to a maximum of three (3) units.
 - b. That a minimum of two (2) parking spaces together with one quarter guest parking space per dwelling unit shall be provided, for a minimum of seven (7) parking spaces. Guest parking shall be easily accessible and specifically reserved.

Guest Parking. If the guest parking space is gated, a voice response system shall be installed at the gate. Directions to guest parking spaces shall be clearly posted.
 - c. That all exterior parking area lighting shall be shielded and directed onto the site.

21. The owner obtain a Zoning Administrator Adjustment per Section 12.28 A of the Zone Code, granting a waiver from Section 12.09.1B (4) to allow a 40 foot lot width in lieu of the 50 foot lot width required by Code (ZA 20023-2642-CDP-ZAA).
22. That the owner obtain an approval for Coastal Development Permit for a three unit condominium development prior to the recordation of the final map (ZA 2003-2642-CDP-ZAA).

FINDINGS:

The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 154,405, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding (No Shading.).

In connection with the approval of Parcel Map LA No. 2002-5557-PMLA, the Advisory Agency, (pursuant to Section 66411.1 of the State of California Government Code the Subdivision Map Act), makes the prescribed findings with regard to the required improvements prior to recordation of the final map 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.”

In adopting Mitigated Negative Declaration No. ENV-2002-5558-MND, the Advisory Agency finds that the declaration reflects the independent judgement of the lead agency.

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

The adopted Venice Community Plan designates the subject property for Low Medium II Residential density with corresponding zones of RW1, RD2, and RD1.5. The 5,600 square foot lot is zoned RD1.5-1. The adopted Plan zone allows for the proposed subdivision. A request for a Coastal Development Permit and Zoning Administrators Adjustment to allow a 40 foot lot width in lieu of the 50 feet required for the zone, is being concurrently processed with the above parcel map.

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 Initial Study and Mitigation Negative Declaration prepared for the project identifies no potential adverse impacts on fish, wildlife resources, or habitats pursuant to California State Code of Regulations Title 14, Section 753.5.

On November 20, 2002, the Environmental Staff Advisory Committee of the Planning Department granted the proposed project Mitigated Negative Declaration No. 2002-5558-MND. The committee found that potential impacts could result from:

Aesthetics (landscaping and graffiti);
Air Pollution (stationary);
Erosion/Grading and Short-Term construction Impacts;
Air Quality;
Noise;
General Construction;
Liquefaction;
Public Services (Schools);
Recreation (Increased demand for Parks or Recreational Facilities); and,
Utilities (solid Waste).

The Advisory Agency, to mitigate the above impacts required Conditions Nos 16, 17, 18 and 19. 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 intended to mitigate such impacts.

Per Section 21081.6 of the Public Resources Code the Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in Condition No. 17.

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

MELLO FINDINGS:

Per the provisions of the California Government Code Sections 65590 and 65590.1 (the Mello Act), the City's Interim Administrative Procedures for complying with the Mello Act, and the terms of the Settlement Agreement between the City of Los Angeles, Venice Town Council, Barton Hill Neighborhood Association, and Carol Berman concerning implementation of the Mello Act in the coastal zone areas of the City of Los Angeles, the Advisory Agency finds that the above mentioned policy does not apply to the proposed project.

The Advisory Agency finds the proposed project involves the demolition of one owner occupied single family dwelling unit and a Los Angeles Housing Department report is therefore not required, nor is the applicant/owner/developer required to provide replacement affordable dwelling units on-site or within the coastal zone.

The Advisory Agency finds the proposed project does not meet or exceed the threshold of ten (10) or more whole dwelling units, and therefore the applicant/owner/developer is not required to provide any inclusionary affordable dwelling units on-site or within the coastal zone.

The Advisory Agency finds, based on the information submitted by the applicant/owner/developer for construction of a three unit condominium on the lot, the proposed project is eligible for the Small New Housing Development exemption from the Mello Act.

COASTAL FINDINGS:

The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

The Coastal Act provides that: New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, a land division, other than leases for agricultural uses outside existing developed areas, shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. Further, where development would adversely affect archaeological or paleontological resources as identified by the State Historic Preservation Offices, reasonable mitigation measures shall be required.

The proposed residential project will be located within an already well-developed area composed of residential uses, with an infrastructure capable of accommodating it, which has been in place for many decades.

As a division of land, the condominium project will contain a single lot of approximately 5,600 net square feet, which is slightly larger than the size of the typical existing lot within the area. Virtually 100 percent of usable parcels within the area have been developed.

The project will comply fully with any environmental mitigation measures relating to archeological and/or paleontological resources, which may be imposed as part of the environmental clearance for the development.

The project will provide sufficient onsite parking for the use of residents and guests. Since the subject property is not adjacent to the shoreline, it will neither interfere with nor reduce access to the shoreline. Marine resources are not affected by this project, nor are coastal waters or wetlands. The project will not affect any environmentally sensitive habitat area. The project will not block any designated public access viewpoints.

The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with said Chapter 3 of the California Coastal Act of 1976.

The Land Use Plan (LUP), a portion of the Venice Local Coastal Program (LCP) was certified by the California Coastal Commission on June 14, 2001. The proposed project will not change or impede the adoption and certification of other components of the LCP. The Venice Specific Plan allows for the proposed use and the LUP designates the subject property for Low Medium II-Residential with corresponding zones of RW1, RD2 and RD1.5. Further, the proposed project will not impede public access to the beach and environmental mitigation measures were imposed as conditions of approval of the subject project to reduce impacts to a level of less than significance. Therefore, the proposed project would not prejudice the goals and objectives of the Venice LUP or the ability of the City in preparing a more specific LCP.

The Interpretive Guidelines for Coastal Planning and Permits as established by the Coastal Commission dated February 11, 1977 and any subsequent amendments thereto have been reviewed, analyzed and considered in the light of the individual project in making this determination.

Height - the height of the residential buildings in the North Venice subarea should not exceed 30 feet above the centerline of the frontage road. The adopted Venice Specific Plan expressly permits the height of buildings to be 35 feet, provided they are 30 feet in height at the front yard and stepped back at least one foot for every foot in height above 30 feet (Sec.8-G,3,a). The project complies with these requirements. Further, appropriate conditions imposed on the parcel map will bring the overall project into substantial compliance with the Commission Guidelines.

Parking - Two parking spaces shall be provided for each dwelling unit. It has been determined that the project is subject to a guest parking requirement of 1/4 space per unit. The proposed project will comply with these Guidelines. It is noted that the Parking Guidelines expressly state that they: "are intended to insure beach access. They should be used as a general indicator of parking need. The diversity of circumstances occurring within the various areas of the coastal zone requires care in the application of these guidelines." The proposed project is not close to the beach. However, the Parking Guidelines have been substantially complied with and appropriate conditions imposed on the parcel map will bring the overall project into substantial conformance with the Commission Guidelines.

The decision of the permit-granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code.

Generally, the Coastal Commission has tended to support and encourage the establishment of additional housing, and this project does not appear to create any precedent contrary to what is well established in the vicinity at present. The project is in conformity with any known applicable decisions of the California Coastal Commission.

If the development is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, the development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act of 1976.

The development is not located between the nearest public road and the shoreline.

Any other finding or findings as may required for the development by the California Environmental Quality Act.

A Mitigated Negative Declaration, ENV-2002-5558-MND was issued for this project by the City Planning Department Environmental Staff Advisory Committee (ESAC) on November 20, 2002 and mitigation measure/ conditions were imposed to reduce the impacts to a level of less than significance.

NOTES:

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

A Coastal Development Permit, and Zoning Administrator Adjustment for a waiver for a reduced lot width, under Case No. ZA 2003-2642-CDP-ZAA, were also filed concurrently with this parcel map.

A Project Permit Compliance, Specific Plan Exception, Mello Act Compliance, and Zoning Administrator Adjustment for reduce passageway, under Case No. ZA 2002-5556-CDP-SPP-ZAA-SPE-MEL was approved on appeal by City council on July 23, 2003.

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 will become effective upon the mailing of this letter, unless an appeal to the Appeal Board has been submitted within 15 calendar days of the mailing of said letter. Such appeal must be submitted and receipted in person on Form CP-7769 before 5:00 p.m. **November 14, 2003.**

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. **October 30, 2006.**

No requests for time extensions or appeals received by mail will be accepted.

Con Howe
Advisory Agency



EMILY GABEL-LUDDY
Deputy Advisory Agency

CH:EGL:LH

cc: Bureau of Engineering - 4
Planning Office & 1 Map
D.M. 108 B 145
Bureau of Street Lighting
Street Tree Division & 1 Map

Dept. of Building & Safety, Zoning & 2 Maps
Department of Building & Safety, Grading
Department of Fire
Department of Recreation & Parks & 1 Map
Department of Transportation, CPC Section
Room 600, 221 N. Figueroa Street

**PRELIMINARY PARCEL
MAP L.A. NO. 2002-5557**

FOR CONDOMINIUM PURPOSES

LEGAL DESCRIPTION:

LOT 10 IN BLOCK 2 OF SEA GIRT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 5 PAGE 195 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

OWNER:

MARK A. BAEZ &
ARTHUR R. KENWORTHY
709 S. 5TH AVENUE
VENICE, CA. 90291
Phone: (310) 452-3894
Fax: (310) 452-0465

SUBDIVIDER:

MARK A. BAEZ
709 S. 5TH AVENUE
VENICE, CA. 90291
Phone: (310) 452-3894
Fax: (310) 452-0465

ENGINEER:

SAFRONOFF & ASSOCIATES
1150 YALE ST., SUITE 11
SANTA MONICA, CA. 90403
Phone: (310) 828-2249
Fax: (310) 828-4566

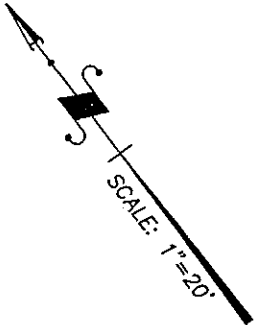
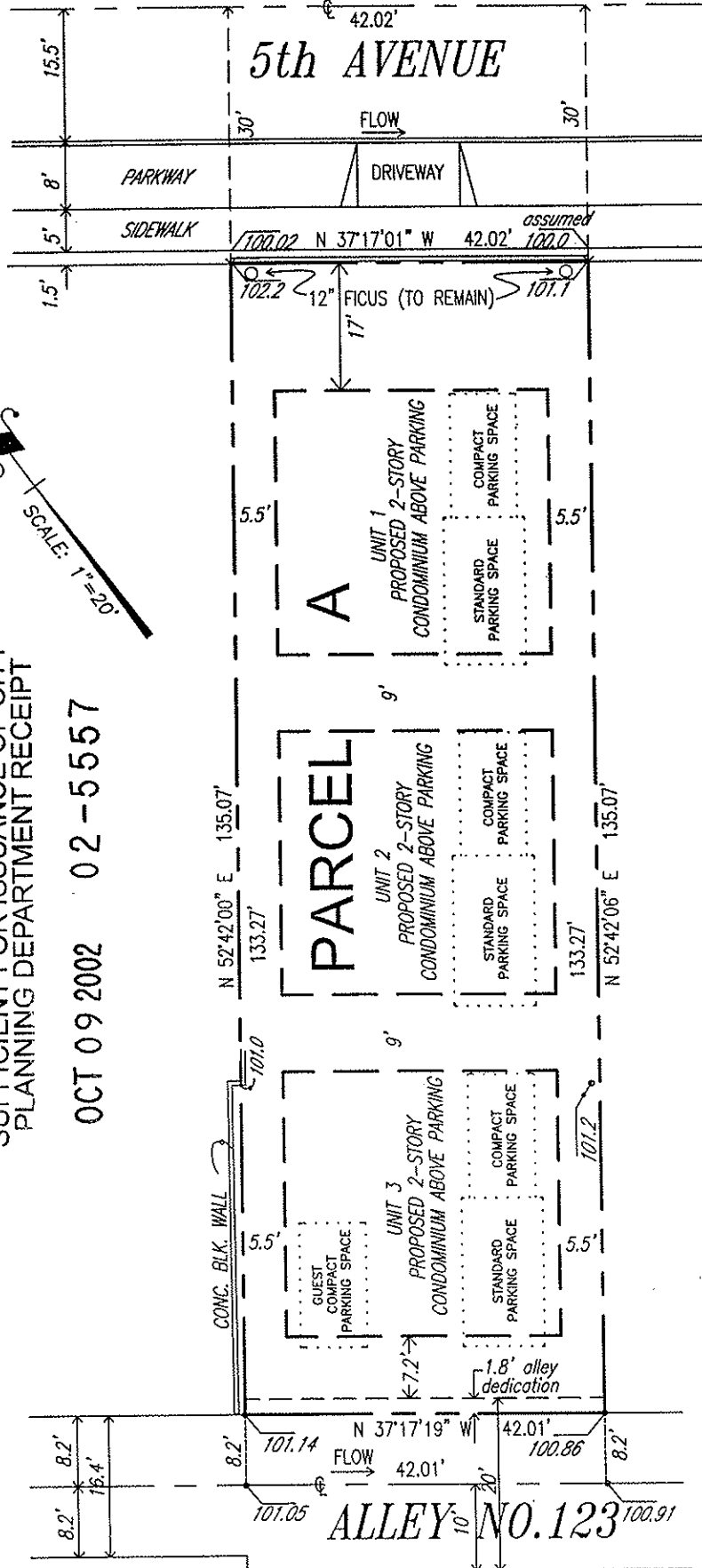
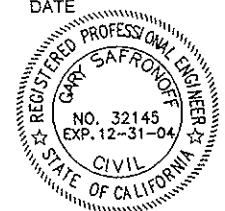
NOTES:

1. PROPOSED PROJECT:
3 RESIDENTIAL CONDOMINIUM UNITS WITH 2 PARKING SPACES PER UNIT AND 1 GUEST PARKING SPACE.
2. PROPERTY ADDRESS:
709 S. 5TH AVENUE
VENICE, CA 90291
3. ZONE: RD1.5-1
4. THE SITE IS UNDER CONSTRUCTION.
5. THERE ARE NO OAK TREES ON SITE. ALL OTHER TREES ARE TO REMAIN.
6. THE SITE IS FLAT.
7. SEWER AND OTHER PUBLIC UTILITIES ARE AVAILABLE.
8. THE SITE IS NOT KNOWN TO BE IN A HAZARDOUS AREA.
9. ASSESSOR PARCEL NUMBER: 4239-001-009
THOMAS GUIDE LOCATION: PAGE 671, H5
DISTRICT MAP NO: 109.5 A 143
COUNCIL DISTRICT NO: CD11
CENSUS TRACT NO: 2733.000
COMMUNITY PLAN: VENICE
10. LOT AREA (NET):
5,670 SQ. FT. (0.1302 AC.)
AFTER ALLEY DEDICATION: 5,594 SQ. FT.
(0.1284 AC.)
11. SITE INFORMATION BASED ON A SURVEY DONE BY ALFRED AGUIRRE, L.S. ON 12/26/01.

PLAN PREPARED UNDER THE DIRECTION OF:

Gary Sfronoff
GARY SAFRONOFF
R.C.E. 32145 (EXP. 12-31-04)
SAFRONOFF & ASSOCIATES

9-24-02
DATE



THIS MAP HAS BEEN FOUND TO BE
SUFFICIENT FOR ISSUANCE OF CITY
PLANNING DEPARTMENT RECEIPT

OCT 09 2002 02-5557