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CITY PLANNING

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Decision Date: September 21, 2017

Appeal End Date: October 2, 2017

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RE: Tentative Tract No. 72841-REV  
Related Case: DIR-2015-2823-CDP  
1656 S. Abbot Kinney Boulevard  
Venice Planning Area  
Los Angeles Coastal Transportation  
Corridor  
Zone: C2-1-O-CA  
D.M.: 108B145  
C.D.: 11 - Bonin  
CEQA: ENV-2015-2716-MND  
Legal Description: Portion of Lot "DD",  
Block 24, Arb 1, Venice of America  
Tract

In accordance with provisions of Section 17.03 of the Los Angeles Municipal Code (LAMC), the Advisory Agency adopted Mitigated Negative Declaration ENV-2015-2716-MND as the environmental clearance, adopted the Mitigation Monitoring Program, and approved Tentative Tract No. 72841-REV composed of one lot, located at 1656 South Abbot Kinney Boulevard for the purpose of a Reversion to Acreage of 5,133 square feet along Abbot Kinney Boulevard and Venice Boulevard as shown on map stamp-dated August 14, 2015 in the Venice Community Plan. The Advisory Agency's approval is subject to the following conditions:

**NOTE** on clearing conditions: When two or more **agencies** must clear a condition, subdivider should follow the sequence indicated in the condition. For the benefit of the applicant, subdivider shall maintain record of all conditions cleared, including all material supporting clearances and be prepared to present copies of the clearances to each reviewing agency as may be required by its staff at the time of its review.

**BUREAU OF ENGINEERING - SPECIFIC CONDITIONS**

1. That the City Department of Transportation in a letter to the City Engineer determine that the proposed merger of the excess street areas in Venice Boulevard and Abbot Kinney Boulevard within the subdivision are not necessary for the current and future public use.
  2. That the Department of the City Planning in a letter to the City Engineer determine that the proposed merger of the excess street areas in Venice Boulevard and Abbot Kinney Boulevard are consistent with all applicable General Plan Elements of Highway and Circulation Elements for the LA Mobility Plan.
  3. That in the event of Department of Transportation and Department of City Planning have no objection to the merger of excess street right-of-way areas beyond an approximately 15-foot area behind the existing curb along Venice Boulevard and beyond a 9.5-foot area behind the existing curb along Abbot Kinney Boulevard and a 20-foot radius at the intersection, and for those portions under an existing building and as substantially shown on the tentative tract map stamp dated August 14, 2015 and within the proposed tract boundary be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:
    - a. That consents to the street being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
    - b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.
- Note: The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.
4. That any surcharge fee in conjunction with the street merger request be paid.
  5. That in the event the Department of Transportation confirms in writing to the Land Development section and Owner, prior to recordation of the final map, a Metro Bike Share system will be installed in the following described area, a 4-foot wide sidewalk easement be dedicated/reserved on the final map from the proposed street merger area along Venice Boulevard beginning northeasterly of the existing driveway, adjoining the new property line to provide a 19-foot wide sidewalk area.
  6. That any existing public sewer and/or public drainage easements be shown on the final map.
  7. That a certified survey map be submitted prior to the recordation of the final map showing the exact locations and dimensions of any existing building, sidewalk, driveway, fence, trees, landscaping and existing uses within and adjacent to the

proposed merger areas. This survey shall be used as reference to establish the limits of the merger areas and other easements to be created.

8. That a public landscape easement be dedicated/reserved from the northeasterly corner of the proposed street merger area at the intersection of Abbot Kinney and Venice Boulevard where the nine existing palm trees are located as shown on the map.
9. That a Covenant and Agreement be recorded by subdividers agreeing to provide and maintain landscaping within the proposed public landscape easement areas.

Any questions regarding this report should be directed to Mr. Georgic Avanesian of the Land Development Section, located at 201 North Figueroa Street, Suite 200, or by calling (213) 202-3484.

#### **DEPARTMENT OF BUILDING AND SAFETY, ZONING DIVISION**

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 Public Works Bureau of Engineering approval for the proposed Reversion to Acreage.
  - b. Provide a copy of DIR case DIR-2015-2823-CDP. Show compliance with all the conditions/requirements of the DIR case as applicable.

#### **Notes:**

This property is located in a Methane Buffer Zone.

This property is located within the Venice Coastal Specific Plan Area. Compliance with Venice Coastal Specific Plan is as required.

Any proposed structures or uses on the site have not been checked for and shall comply with Building and Zoning Code requirements. Plan check will be required before any construction, occupancy or change of use.

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.

#### **DEPARTMENT OF TRANSPORTATION**

11. A minimum of 40-foot reservoir space be provided between any security gate(s) and the property line or to the satisfaction of the Department of Transportation.
12. Parking stalls shall be designed so that a vehicle is not required to back into or out of any public street or sidewalk, LAMC 12.21.A.



13. Driveways and vehicular access to residential component of project shall be provided from Abbot Kinney Boulevard.
14. Vehicular access on Abbot Kinney Boulevard shall be limited to right-turn-in and right-turn-out. Applicant shall install and maintain appropriate signage and pavement marking for right-turn-in and right-turn-out operation.
15. This project is subject to the Venice Coastal Specific Plan and the Coastal Transportation Corridor Specific Plan requirements. A parking area and driveway plan shall be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1" = 40' to DOT's West LA/Coastal Development Review Section located at 7199 W. Manchester Ave., Los Angeles, 90045. For an appointment, call (213) 485-1062.
16. That a fee in the amount of \$205.00 be paid for the Department of Transportation as required per Ordinance No. 180,542 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.

Please contact this section at (213) 482-7024 for any questions regarding the above.

#### **FIRE DEPARTMENT**

17. 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. Submit plot plans for Fire Department approval and review prior to recordation of Tract Action.

Note:

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

#### **DEPARTMENT OF WATER AND POWER**

18. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. 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 – SPECIFIC CONDITIONS**

19. 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).

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**

20. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division 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. (d).)

**URBAN FORESTRY DIVISION AND THE DEPARTMENT OF CITY PLANNING**

21. Prior to the issuance of a grading permit, the applicant shall submit a tree report and landscape plan prepared by a Municipal Code-designated tree expert as designated by LAMC Ordinance No. 177,404, for approval by the City Planning Department and the Urban Forestry Division of the Bureau of Street Services.

A minimum of two trees (a minimum of 48 inch box in size if available) shall be planted for each one that is removed. **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**

22. 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. To record and limit Tentative Tract Map No. 72841-REV to one lot only.

Note: Any future subdivision of the subject property shall be subject to the Subdivision Map Act.

23. That prior to the issuance of the building permit or the recordation of the final map, a copy of the Coastal Development Permit shall be submitted to the satisfaction of

the Advisory Agency. In the event that DIR-2015-2823-CDP is not approved, the subdivider shall submit a tract modification.

24. Flooding/Tidal Waves. Compliance is required with the Flood Hazard Management Specific Plan, Ordinance No. 172,081.

#### **DEPARTMENT OF CITY PLANNING-ENVIRONMENTAL MITIGATION MEASURES**

25. That prior to recordation of the final map the subdivider shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770.M) in a manner satisfactory to the Planning Department requiring the subdivider to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 26 of the Tract's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, post-construction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
26. Prior to the recordation of the final map, the subdivider will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
- MM-1. All landscaped areas shall be maintained in accordance with a landscape plan, including an automatic irrigation plan, prepared by a licensed landscape architect in accordance with LAMC Sections 12.40 and 12.41. The final landscape plan shall be reviewed and approved by the City of Los Angeles Department of City Planning during the building permit process.

#### **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 street, alleys and easements shall be constructed under permit in conformity with plans and specifications approved by the Bureau of Engineering.

- (e) Any required bonded sewer fees shall be paid prior to recordation of the final map.

S-3. That the following improvements 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.
  - a. No street lighting improvements if no street widening per Bureau of Engineering improvement conditions. Otherwise relocate and upgrade street lights; one (1) on Abbot Kinney Boulevard and one (1) on Venice Boulevard.

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 Americans with Disabilities Act (ADA) of 1990.



- (i) That the following improvements are either constructed prior to recordation of the final map or that the construction is suitably guaranteed:
  - a. Improve Venice Boulevard adjoining the tract by the construction of additional concrete sidewalk to complete a 15-foot wide full-width concrete sidewalk with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer. In the event that the Department of Transportation confirms that the Metro Bike Share system will be installed in this area, no additional sidewalk construction will be required at this time and the additional sidewalk will be constructed as part of the Bike Share system.
  - b. Landscape the newly created landscape easement in the area described in Condition No. 8 above.

**NOTES:**

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 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 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.

**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.*

*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. Actions 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.*

## **FINDINGS OF FACT (CEQA)**

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2015-2716-MND on September 21, 2015. The Committee found that potential negative impact could occur from the project's implementation due to a need for landscaping.

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2015-2716-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **No. 26** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily 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 potential impacts on all projects.

In accordance with Section 21081.6 of the Public Resources Code (AB3180), the Deputy Advisory Agency has assured that the above identified mitigation measures will be implemented by requiring reporting and monitoring as specified in **Condition No. 25**.

## **FINDINGS OF FACT (SUBDIVISION MAP ACT)**

In connection with the approval of Tentative Tract No. 72841-REV, 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 adopted Venice Community Plan designated the subject property for Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3, and RAS4. The subject property consists of one lot located at the northwestern corner of Abbot Kinney Boulevard and Venice Boulevard. The subject lot contains approximately 0.24 acres (10,237 net square feet) and is presently zoned C2-1-O-CA. Proposed tentative tract map for the Reversion to Acreage does not involve a zone change.

The Reversion to Acreage of approximately 5,133 square feet along Abbot Kinney Boulevard and Venice Boulevard has been requested by the owner of the subject property on record, and the target land for reversion constitutes excess dedication. Proposed project will include site and landscape maintenance and improvements including: 1) Install "living fence", a decorative fence with a maximum height of 3.5 feet made of a combination of metal posts and chain-link hedge boxes covered with butterfly attracting bougainvillea functioning as a fence that also supports habitat, along the property fronting Venice Boulevard; 2) Refinish approximately 703 square feet of decorative concrete access driveway from Venice Boulevard, and install approximately 740 square feet of new decorative concrete adjoining the existing driveway; 3) Install a custom swinging gate adjoining the existing driveway from Venice Boulevard; and 4) Plant new landscaping consistent with the City of Los Angeles Venice Boulevard Planting Plan.

The Venice Community Plan and the Venice Coastal Zone Specific Plan do not contain a definite statement of policies and objectives explicitly applicable to Reversion to Acreage. The planting plan became and remains an implementation tool for the Venice Land Use Plan and the Venice Specific Plan as well as an active plan in the Department of Public Works, but in no way conveys vested public status because the approximately 5,133 square feet excess dedication is subject to Reversion to Acreage provisions included in the Subdivision Map Act Sections 66499.11 – 66499.20.3, and Section 17.10 of the Los Angeles Municipal Code. Furthermore, the proposed reversion to acreage will be in conformance with the Los Angeles Mobility Plan, an Element of the Los Angeles General Plan in that proposed sidewalk and roadway will observe the street standards outlined in the Mobility Plan. Therefore, as conditioned, the proposed tentative map is consistent with the intent and purpose of the applicable General and Specific Plans.

**(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS.**

"Design" is defined under Section 66418 of the State Subdivision Map Act to mean (1) street alignment grades and width; (2) drainage and sanitary facilities and utilities, including alignments and grades therefore; (3) location and size of all required easements and rights-of-way; (4) fire roads and fire breakers; (5) lot size



and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) other specific physical requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the General Plan or any applicable Specific Plan.

The adopted Venice Community Plan designated the subject property for Community Commercial land use with the corresponding zones of CR, C2, C4, RAS3, and RAS4. The subject property consist of one lot located at the northwestern corner of Abbot Kinney Boulevard and Venice Boulevard. The subject lot contains 0.24 acres (10,237 net square feet) and is presently zoned C2-1-O-CA.

The Bureau of Engineering has reviewed the proposed Reversion to Acreage to merge existing excess street right-of-way along Venice Boulevard with the tract property and has recommended approval of the tentative tract map subject to conditions of approval (Conditions Nos. 1 through 9, and S-3, [i]). The Bureau of Engineering's recommendations are in accordance with LA Mobility Plan 2035.

The Venice Coast Zone Specific Plan does not contain a definite statement of policies and objectives explicitly applicable to Reversion to Acreage. 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 PROPOSED TYPE OF DEVELOPMENT.**

The subject parcel contains approximately 0.24 acres (10,237 net square feet) of lot area. Per interdepartmental correspondence dated November 3, 2016, no street dedications are required per Bureau of Engineering for the proposed tentative tract map. The proposed Reversion to Acreage does not involve new development, only site and landscape maintenance and improvements.

The site is currently improved with a two-story office building and associated parking (nine spaces). No additional parking spaces are proposed. Surrounding properties to the north are zoned (T)(Q)CM-1-O and are developed with commercial and multi-family residential uses. Surrounding properties to the south and east are zoned OS-1XL-O and are developed with parkland. Surrounding properties to the west are zoned C2-1-O-CA and RD1.5-1-O and are developed with commercial uses, and single-family and multi-family residential uses, respectively.

The applicant is proposing a Reversion to Acreage of approximately 5,133 square feet along Abbot Kinney Boulevard and Venice Boulevard. Proposed project will include site and landscape maintenance and improvements on the subject lot. The property is located within the methane buffer zone, liquefaction zone, and tsunami inundation zone. On correspondence dated August 31, 2015, the Department of Building and Safety, Grading Division, indicated that no geology or soils report are required for the Reversion to Acreage as no structures are being proposed. Therefore, as conditioned, the site is physically suitable for the proposed site and landscape improvements.

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

The proposed Reversion to Acreage does not involve new residential development, only minor site and landscape maintenance and improvements.

**(e) 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 Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2015-2716-MND reflects the independent judgment of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **No. 23** of the Tract's approval. Other identified potential impacts not mitigated by these conditions are mandatorily 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 potential impacts on all projects.

**(f) THE DESIGN OF THE SUBDIVISION AND THE PROPOSED IMPROVEMENTS ARE 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 AND THE PROPOSED IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS ACQUIRED BY THE PUBLIC AT LARGE FOR ACCESS THROUGH OR USE OF PROPERTY WITHIN THE PROPOSED SUBDIVISION.**

The design of the Subdivision, proposed Reversion to Acreage and proposed improvements do not conflict with easements acquired by the public on the subject property. There are no such easements except for the utility easement shown as item No. 4 on the tentative map, which does not conflict with the Subdivision design.

**(h) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION. (REF. SECTION 66473.1)**



- 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.
- 2) 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.
- 3) The lot layout of the subdivision has taken into consideration the maximizing of the north/south orientation.
- 4) The topography of the site has been considered in the maximization of passive or natural heating and cooling opportunities.
- 5) 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.

**(i) DEDICATIONS OR OFFERS OF DEDICATION TO BE VACATED OR ABANDONED BY THE REVERSION TO ACREAGE ARE UNNECESSARY FOR PRESENT OR PROSPECTIVE PUBLIC PURPOSES. (Section 66499.16)**

The Bureau of Engineering has determined that excess street right-of-way areas beyond an approximately 15-foot area behind the existing curb along Venice Boulevard and beyond a 9.5-foot area behind the existing curb along Abbot Kinney Boulevard and a 20-foot radius at the intersection, and for those portions under an existing building and as substantially shown on the tentative tract map stamp dated August 14, 2015 and within the proposed tract boundary be permitted to be merged with the remainder of the tract map. Therefore, dedications or offers of dedication to be vacated or abandoned by the Reversion to Acreage are unnecessary for present or prospective public purposes.

The Advisory Agency hereby finds that the dedications to be merged are unnecessary for present or prospective public purposes and all owners of the interest in the real property within the subdivision have or will have consented to the merger prior to the recordation of the final map.

**(j) ALL OWNERS OF AN INTEREST IN THE REAL PROPERTY WITHIN THE SUBDIVISION HAVE CONSENTED TO REVERSION. (Section 66499.16)**

The owner of the subject property is the tentative tract map applicant for the purpose of Reversion to Acreage.



These findings shall apply to both the tentative and final maps for Tract No. 72841-REV.

VINCENT P. BERTONI, AICP  
Advisory Agency



*for* JOSE ROMERO-NAVARRO  
Deputy Advisory Agency

VPB:JRN:IW:th

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:

Figueroa Plaza  
201 North Figueroa Street,  
4th Floor  
Los Angeles, CA 90012  
(213) 482-7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard, Room 251  
Van Nuys, CA 91401  
(818) 374-5050

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

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 90<sup>th</sup> day following the date on which the City's decision becomes final.