



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria
Acting Director of Planning

January 7, 2010

TO: Gina Natoli, Hearing Officer

FROM: Ramon Cordova, Senior Regional Planning Assistant REC
Land Divisions Section

**SUBJECT: PROJECT NO. 01-157-(4)
REVISED VESTING TENTATIVE TRACT MAP NO. 53605
ENVIRONMENTAL ASSESSMENT CASE NO. 01-157
AGENDA ITEM NO. 2 a, b; JANUARY 19, 2010**

PROJECT BACKGROUND

Revised Vesting Tentative Tract Map No. 53605 proposed the addition of grading consisting of 98 cubic yards of cut and 198 cubic yards of fill with an additional 100 cubic yards of imported fill.

On January 5, 2010, the Hearing Officer continued the matter to January 19, 2010 and instructed staff to make available draft findings for Revised Vesting Tentative Tract Map No. 53605 ("TR 53605"), and revise draft findings for the Modification to Conditional Use Permit ("CUP") Case No. 01-157.

During the January 5, 2010 Hearing Officer public meeting, staff gave a brief presentation on TR 53605 and CUP modification. Staff stated that no correspondence in opposition had been received for TR 53605, and no letters of opposition were received during the 15-day comment period for the CUP modification.

STAFF EVALUATION AND RECOMMENDATION

As currently revised, the proposed grading will not affect the approved six-unit condominium project's consistency with the Hacienda Heights Community General Plan, and will allow for the project to move forward with approval of the Revised Map, Modification to CUP and revised Exhibit "A" grading consistency plan.

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

PROJECT NO. 01-157-(4)
REVISED VESTING TENTATIVE TRACT MAP NO. 53605
January 19, 2010 Hearing Officer Memo

PAGE 2

Staff recommends that the Hearing Officer close the public hearing, and approve the Addendum to the Negative Declaration. Staff also recommends that the Hearing Officer approve Revised Vesting Tentative Tract Map No. 53605.

Suggested Motion: "I close the public hearing and approve the Addendum to Negative Declaration and approve Modification to Conditional Use Permit Case No. 01-157."

SMT:REC
1/7/10

Attachments:

Draft findings of approval for TR 53605

**COUNTY OF LOS ANGELES
FINDINGS OF THE HEARING OFFICER
FOR REVISED VESTING TENTATIVE TRACT MAP NO. 53605**

1. The Hearing Officer of the County of Los Angeles, Ms. Gina Natoli, has conducted a public hearing on the matter of Revised Vesting Tentative Tract Map No. 53605 ("Rev TR 53605") on January 5, 2010 and January 19, 2010.
2. Rev TR 53605 proposes to add 98 cubic yards of cut and 198 cubic yards of fill grading with an additional 100 cubic yards of imported fill. The previously approved project consists of one multi-family lot with six new detached single-family condominium units on 0.52 gross acres. Vesting Tentative Tract Map No. 53605, Conditional Use Permit Case ("CUP") No. 01-157 and Parking Permit ("PKP") Case No. 200600018 were approved by the Los Angeles County Hearing Officer on December 19, 2006.
3. CUP was approved to ensure compliance with the existing Development Program Zone and authorized modification to the proposed project for the minimum distance of 10 feet between buildings to allow a distance of eight feet between buildings.
4. PKP allowed less than required guest parking from two spaces to no guest spaces.
3. The site is located at the southeast corner of Clark Avenue and Kinbrae Avenue in the Hacienda Heights Zoned District.
4. The rectangularly-shaped subject property is 0.52 gross acres in size with level topography. The site is currently unimproved.
5. Access is provided from Kinbrae Avenue, a 60-foot wide public street.
6. The project site is currently zoned R-3-21U-DP (Limited Multiple Residence - 5,000 Square Feet Minimum Required Lot Area - 21 Dwelling units Per Net Acre - Development Program). The zoning was established by Ordinance No. 920128-Z, which became effective on December 19, 1992. Surrounding zoning is C-1 (Restricted Commercial) to the east and west; A-1-6,000 (Light Agricultural - 6,000 Square Feet Minimum Required Lot Area) to the south and the City of Industry to the north.
9. The subject property is currently unimproved. The property is surrounded by single-family residences on the south; commercial buildings to the east; commercial buildings to the west; and the City of Industry to the north.

10. The proposed project is consistent with the R-3-21U-DP zoning classification. Single - family residences are permitted in the R-3 Zone pursuant to Section 22.20.260 of the Los Angeles County Code ("County Code"). Development allowed in DP zone with conditional use permit per Section 22.40.040 of the County Code.
11. The subject property is depicted within the Urban 4 (Medium High Density - 12.1 to 22 Dwelling Units per Gross Acre) land use category of the Hacienda Heights Community Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). This category would allow a maximum of 11 dwelling units on the subject property. The applicant's proposal to create six dwelling units on the project site is allowed by the Plan. The proposed subdivision and the provision for its design and improvements are consistent with the density, goals and policies of the Plan.
12. The Hearing Officer finds the proposed project is consistent with the goals and policies of the General Plan.
13. The revised vesting tentative tract map dated May 26, 2009, depicts one multi-family lot with six new detached condominiums. No changes from previously approved project except to add 98 cubic yards of cut and 198 cubic yards of fill grading with an additional 100 cubic yards of imported fill.
14. A plot plan review will be required prior to building permit issuance to ensure consistency with the approved Exhibit Map, dated May 26, 2009.
15. At the time of writing, no correspondence has been received by staff.
16. At the January 5, 2010 public hearing, the Hearing Officer heard staff presentation and oral testimony from the applicant regarding the revised vesting tentative tract map.
17. During the January 5, 2010 public hearing, staff provided comments that Rev TR 53605 and Modification to Conditional Use Permit Case ("CUP") No. 01-157 were required for proposed grading amounts not depicted on the approved vesting tentative tract map. Staff also stated that no correspondence in opposition to Rev TR 53605 was received and no letters of opposition to CUP modification were received during the 15-day comment period.
18. During the January 5, 2010 public hearing, the Hearing Officer requested revisions to draft findings of approval for CUP modification. Staff also stated that draft findings of approval for Rev TR 53605 needed to be reviewed by the Hearing Officer.

19. After hearing all testimony on January 5, 2010, the Hearing Officer continued the public hearing to January 19, 2010 to allow time for staff to distribute the necessary draft findings of approval for Rev TR 53605 and CUP modification.
20. During the January 19, 2010 public hearing, staff provided comments that the draft findings of approval for CUP modification had been revised and draft findings of approval for Rev TR 53605 had been submitted to the Hearing Officer for review.
21. After hearing all testimony on January 19, 2010, the Hearing Officer closed the public hearing, adopted the Addendum to the Negative Declaration and approved Minor Modification to Conditional Use Permit Case No. 01-157.
22. The site is physically suitable for the density and type of development proposed since it has access to a County-maintained street, will be served by public sewers, and will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs.
23. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such easements.
24. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
25. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Resources Code.
26. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
27. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for Conditional Use Permit Case No. 01-157, and Parking Permit Case No. 200600018.

28. This revised tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
29. This project has not been found to have no effect on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.
30. In accordance with State and County California Environmental Quality Act ("CEQA") guidelines, this project received an Addendum to the Negative Declaration. The Addendum to the Negative Declaration concluded that the proposed development will not have a significant effect on the environment.
31. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is the Los Angeles County Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, the Addendum to the Negative Declaration is approved and Revised Vesting Tentative Tract Map No. 53605 is approved subject to the conditions recommended by Los Angeles County Subdivision Committee.