

**APPLICATIONS:****DEPARTMENT OF CITY PLANNING APPLICATION**

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number

ZA 2017-238-ZAA-ZAD

Env. Case Number

ENV-2011-2940-MND-REC1

Application Type

ZAA/ZAD

Case Filed With (Print Name)

Danalynn Dominguez

Date Filed

3/2/17

Application includes letter requesting:

☐ Waived hearing☐ Concurrent hearing☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number _____

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.*All terms in this document are applicable to the singular as well as the plural forms of such terms.***1. PROJECT LOCATION**Street Address¹ 6443 & 6459 Innsdale Drive, Los Angeles, CA 90068 Unit/Space Number _____Legal Description² (Lot, Block, Tract) PT NE 1/4 Sec 34 T1N R14W and PT 20/Tract 24583Assessor Parcel Number 5577008003 & 5577038047 Total Lot Area 40.53 ac**2. PROJECT DESCRIPTION**Present Use SFD (6443 Innsdale) & Vacant Lot (6459 Innsdale)Proposed Use SFD (6443 Innsdale) & SFD, Guest House and Pool (6459 Innsdale)

Project Name (if applicable) _____

Describe in detail the characteristics, scope and/or operation of the proposed project Obtain ZAA/ZAD to allow two retaining walls in the front and side yard setback required for the fire access driveway; allow additional grading above minimum amount set in LAMC; allow total of 3 retaining walls.Additional information attached ☒ YES ☐ NO

Complete and check all that apply:

Existing Site Conditions☒ Site is undeveloped or unimproved (i.e. vacant)☐ Site is located within 500 feet of a freeway or railroad☐ Site has existing buildings (provide copies of building permits)☐ Site is located within 500 feet of a sensitive use (e.g. school, park)☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)☐ Site has special designation (e.g. National Historic Register, Survey LA)¹ Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)² Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

Proposed Project Information

- | | |
|--|--|
| <input type="checkbox"/> Demolition of existing buildings/structures | <input checked="" type="checkbox"/> New construction: <u>10,000-SFD+Gue</u> square feet |
| <input type="checkbox"/> Relocation of existing buildings/structures | <input checked="" type="checkbox"/> Accessory use (fence, sign, wireless, carport, etc.) |
| <input type="checkbox"/> Interior tenant improvement | <input type="checkbox"/> Exterior renovation or alteration |
| <input type="checkbox"/> Additions to existing buildings | <input type="checkbox"/> Change of use <u>and/or</u> hours of operation |
| <input checked="" type="checkbox"/> Grading | <input type="checkbox"/> Haul Route |
| <input type="checkbox"/> Removal of any on-site tree | <input checked="" type="checkbox"/> Uses or structures in public right-of-way |
| <input type="checkbox"/> Removal of any street tree | <input type="checkbox"/> Phased project |

Housing Component Information

Number of Residential Units: Existing 0 – Demolish(ed)³ _____ + Adding _____ = Total _____

Number of Affordable Units⁴ Existing 0 – Demolish(ed) _____ + Adding _____ = Total _____

Number of Market Rate Units Existing 0 – Demolish(ed) _____ + Adding _____ = Total _____

Mixed Use Projects, Amount of Non-Residential Floor Area: _____ square feet

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☒ YES ☐ NO

Authorizing section 12.28 Section from which relief is requested (if any): 12.21 C.1.g

Request: ZAA to permit two retaining walls varying in height from two (2) feet to 12 feet that will be located partially in the front, rear and side yard setback areas of both 6443 and 6459 Innsdale Drive.

Authorizing section 12.24 X.26 Section from which relief is requested (if any): 12.21 C.8(a)

Request: Allow the construction of up to three (3) retaining walls instead of the one 12 ft retaining wall allowed. Walls A & B will vary in height from two(2) to 12 feet in height; Wall C is allowed by-right per Section 12.21 C.8(a).

Authorizing section 12.24 X.28 (a)(5)(i) Section from which relief is requested (if any): 12.21 C.10(f)(1)

Request: ZAD to allow additional grading of up to 38,000 cubic yards total - non-exempt - cut and fill in lieu of the maximum 3,300 cubic yards on a 40 acre, (1,742,400 square foot) RE40 Zoned, privately owned, legal lot. If approved, no haul route will be required.

Additional Requests Attached ☒ YES ☐ NO

³ Number of units to be demolished and/or which have been demolished within the last five (5) years.

⁴ As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☒ YES ☐ NO

If YES, list all case number(s) ZA 2011-2939(ZAD)(ZAA); ENV-2011-2940-MND

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. Both listed above

Ordinance No.: _____

☐ Condition compliance review

☐ Clarification of Q (Qualified) classification

☐ Modification of conditions

☐ Clarification of D (Development Limitations) classification

☐ Revision of approved plans

☐ Amendment to T (Tentative) classification

☐ Renewal of entitlement

☐ Plan Approval subsequent to Master Conditional Use

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☒ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☒ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. OTHER AGENCY REFERRALS/REFERENCE

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property? ☐ YES (provide copy) ☒ NO

Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☒ NO

☐ Development Services Case Management Number _____

☐ Building and Safety Plan Check Number _____

☐ Bureau of Engineering Planning Referral (PCRF) _____

☐ Bureau of Engineering Hillside Referral _____

☐ Housing and Community Investment Department Application Number _____

☐ Bureau of Engineering Revocable Permit Number _____

☐ Other—specify _____

6. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant⁵ name Kenneth K. York and Annette C. York
Company/Firm Property owners of record for 6443 Innsdale
Address: 6443 Innsdale Drive Unit/Space Number _____
City Los Angeles State CA Zip Code: 90068
Telephone (323) 304-2856 E-mail: K.york@earthlink.net
Are you in escrow to purchase the subject property? ☐ YES ☒ NO

Property Owner of Record ☒ Same as applicant ☐ Different from applicant
Name (if different from applicant) Kenneth K. York, owner of record for 6459 Innsdale
Address Same as above Unit/Space Number _____
City _____ State _____ Zip Code: _____
Telephone _____ E-mail: _____

Agent/Representative name Ellia Thompson
Company/Firm Ervin, Cohen & Jessup, LLP
Address: 9401 Wilshire Blvd., 9th Floor Unit/Space Number _____
City Beverly Hills State CA Zip: 90012
Telephone (310) 281-6356 E-mail: ethompson@ecjlaw.com

Other (Specify Architect, Engineer, CEQA Consultant etc.) _____
Name _____
Company/Firm _____
Address: _____ Unit/Space Number _____
City _____ State _____ Zip Code: _____
Telephone _____ E-mail: _____

Primary Contact for Project Information (select only one) ☐ Owner ☐ Applicant
☒ Agent/Representative ☐ Other _____

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

⁵ An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

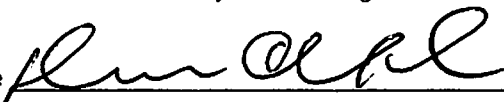
PROPERTY OWNER

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

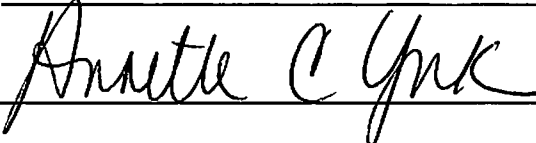
- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.*

Signature 

Date 03/01/2017

Print Name Kenneth K. York

Signature 

Date 03/01/2017

Print Name Annette C. York

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California


County of LOS ANGELES

On MARCH 01, 2017 before me, DANNY SIK YU, NOTARY PUBLIC
(Insert Name of Notary Public and Title)

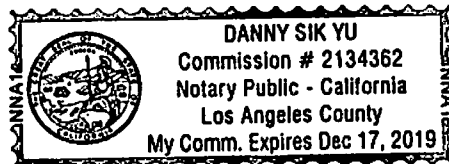
personally appeared KENNETH K. YORK AND ANNETTE C. YORK, who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that
by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted,
executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and
correct.

WITNESS my hand and official seal.


Signature

(Seal)



APPLICANT

10. APPLICANT DECLARATION. A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- G. I understand that if this application is denied, there is no refund of fees paid.
- H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
- I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.

Signature: _____

Date: 03/01/2017

Print Name: Kenneth K. York

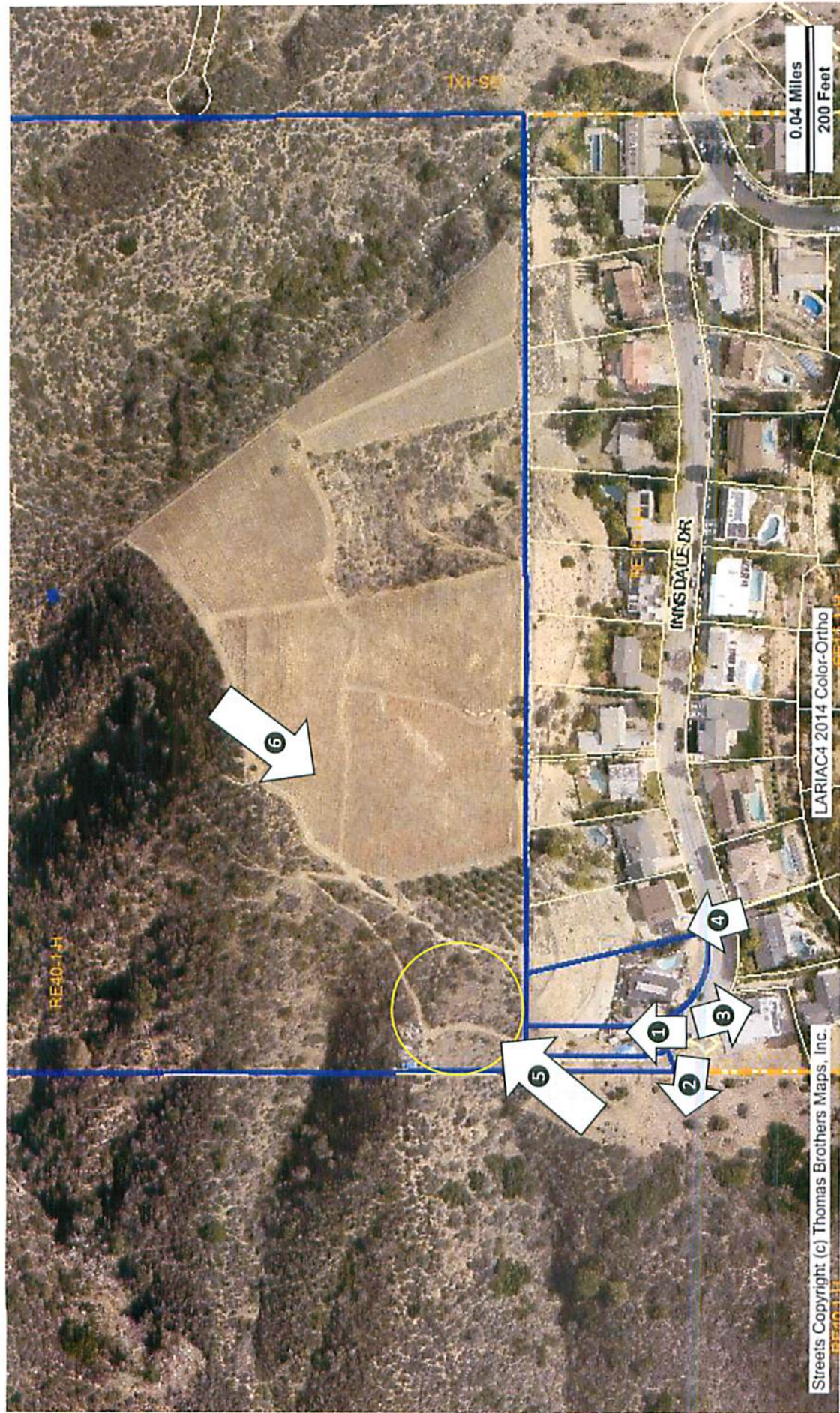
ANNETTE C. YOTIK

OPTIONAL
NEIGHBORHOOD CONTACT SHEET

SIGNATURES of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

REVIEW of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).



6443, 6459 W. Innsdale Drive Photo Index Map

(Required by City Planning per Master Land Use Application and Environmental Assessment Form)



Photo 1: View of driveway to 6443 W. Innsdale Drive with uphill Project site

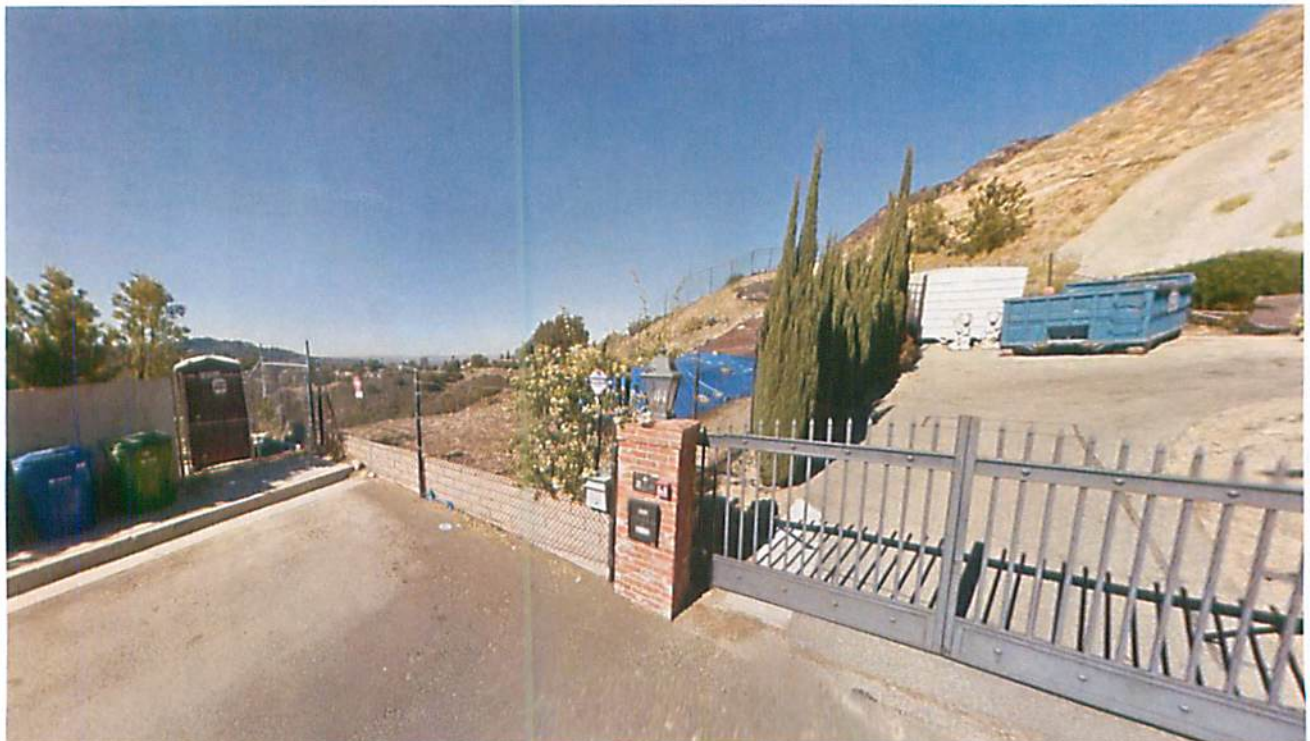


Photo 2: View of location of proposed driveway to Project site from W. Innsdale Drive



Photo 3: View across W. Innsdale Drive from proposed driveway to Project site

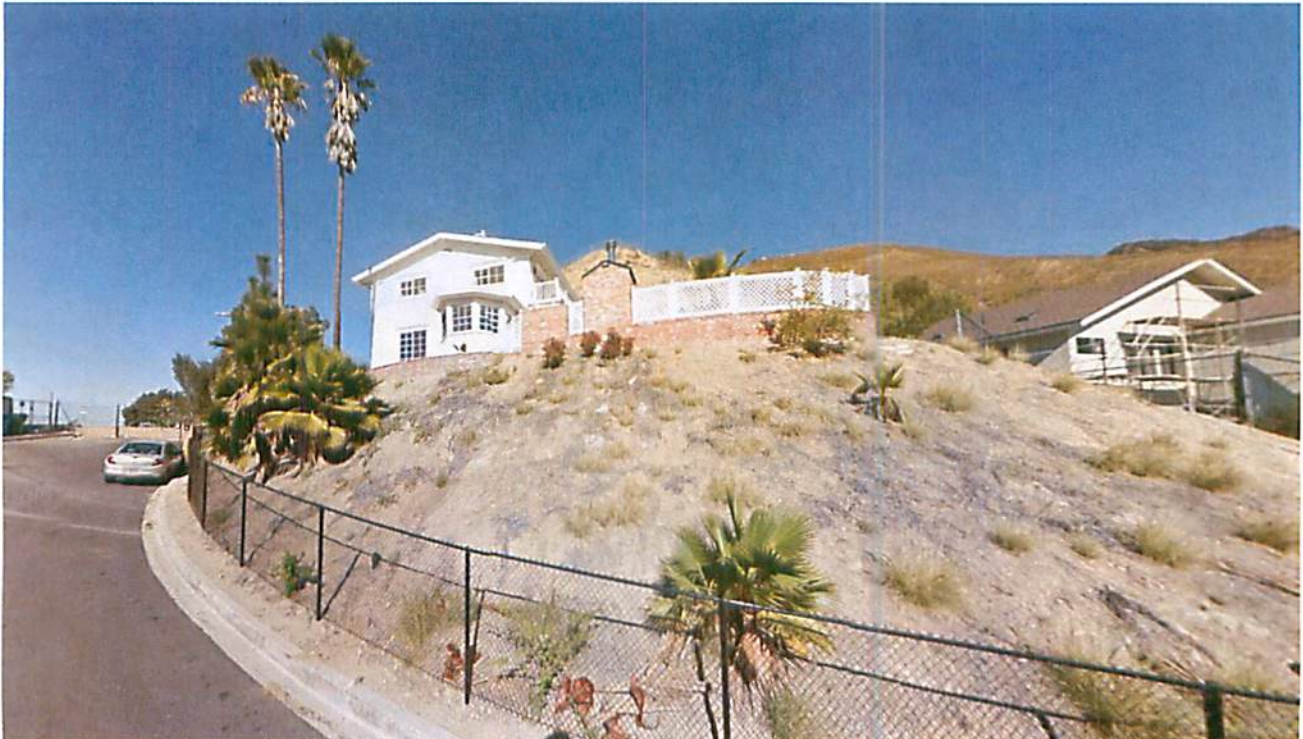


Photo 4: View of 6443 W. Innsdale Drive from down hill



Photo 5: Aerial photo from downhill location looking north with approximate location of proposed home

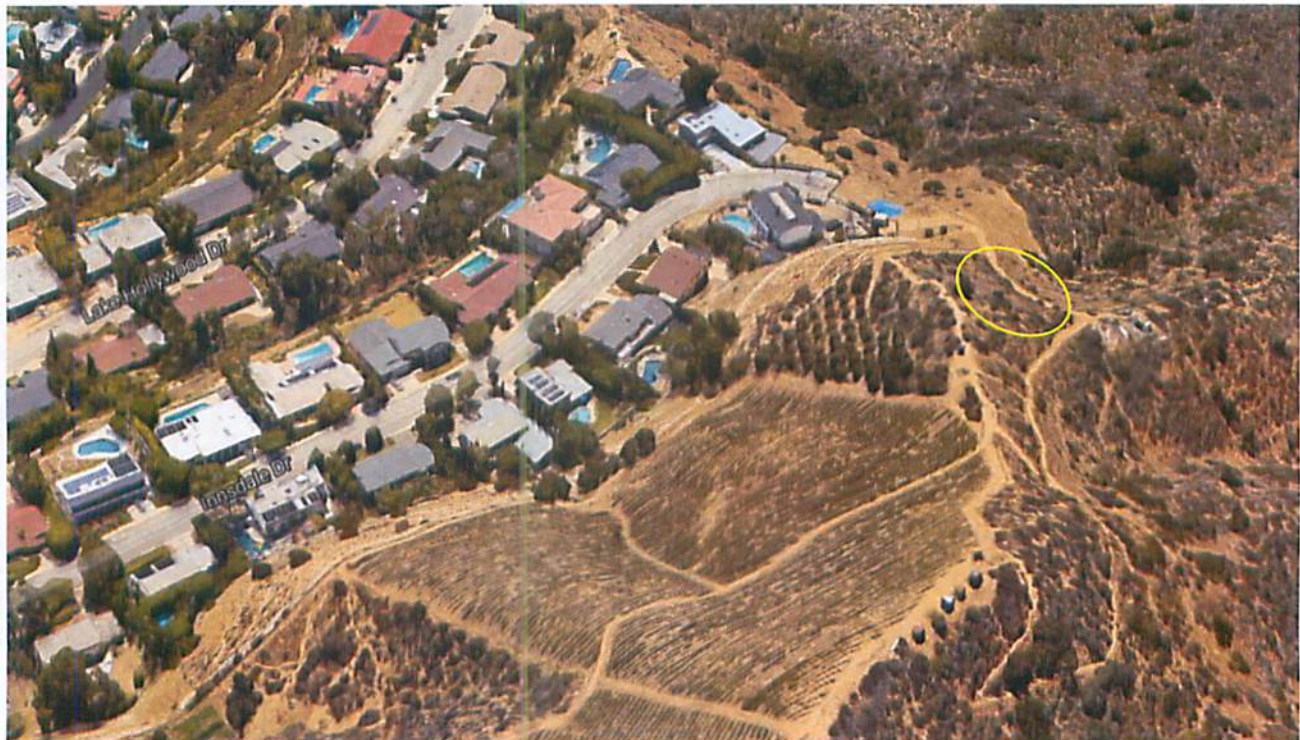


Photo 6: Aerial photo of from uphill location looking south with approximate location of proposed home

ATTACHMENT A-1

REQUEST FOR TWO RETAINING WALLS UP TO 12 FT IN HEIGHT LOCATED PARTIALLY IN
FRONT, REAR & SIDE YARD SETBACK – ZONING CODE SECTION: 12.21 C1 (g)

(RELIEF GRANTED BY ZONING CODE SECTION 12.28)

(PREVIOUSLY GRANTED BY CITY - ZA-2011-2939-ZAD-ZAA)

6459 Innsdale Drive & 6443 Innsdale Drive

1. **That while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The Applicant (“Owner”) owns 6459 Innsdale Drive (“Subject Property”). Currently, he and his family live in a single family home on 6443 Innsdale, which he and his wife own under separate ownership. Dividing 6443 Innsdale is a right-of-way that is owned by the City of Los Angeles (“City”) and is identified as a “paper street” on City records. (Please see Attachment B.) Once approved, we will file a B-permit application to obtain the right to grade a portion of the unimproved street in order to access the 40-acre property located at 6459 Innsdale.

The request is to grant the Owner two retaining walls up to 12 feet in height within the front, rear and side yard setbacks of 6443 Innsdale Drive and within the front and side yard setbacks of 6459 Innsdale Drive in lieu of the maximum 3 ½ feet in the front yard setback and 6 feet in the side and rear yard setbacks otherwise permitted – which was specifically granted in the City’s previous approval, as explained below. To the west of the City-owned paper street is a small sliver of land that is part of the property of 6443 Innsdale. It is only on this small piece of land, as well as on the southwestern corner of 6459 Innsdale and on a portion of the area of land that is part of the public right of way, that the two retaining walls will be placed. Therefore, there will not be any impact to the actual front, rear and side yard setbacks of 6443 Innsdale as that property has already been developed with a single family home with side and front yards that do not take into account the City owned property or the small sliver of land to the west of the City owned right-of-way. Currently, the Applicant/Owner (as well as any subsequent owner(s) of the property) only uses the portion of the lot on which the house is located and none of the front, rear or side yard setback areas surrounding the house will be affected by the implementation of the two retaining walls.

The requested retaining walls are required in order to construct any kind of driveway/access road that would allow vehicular ingress/egress to the Subject Property and to the building pad itself. This request was specifically approved as part of a previous entitlement application (ZA-2011-2939(ZAD)(ZAA)), (the “Previous Approval”). The Previous Approval specifically made the finding that “The steep hillside on which the residence is to be built requires an extensive driveway which makes a horseshoe curve up the side of the hill to maintain the required 15% grade....the applicant does own an independent RE40 zoned lot on which he is entitled to build a single-family house. The number of grading walls required are to be used in order to build the access driveway to the site at the required grade.” (Previous Approval, Page 16.)

As the findings in the Previous Approval specifically stated, *“The 3.5 foot height for walls and fences in the front yard of a property was originally placed in the Code to promote the movement of light and air between properties, to promote a feel of openness on the street side yards of properties in the City and for security reasons as it allowed the Police Department to see into the*

fronts of properties and reduce areas for concealment and for ease of access for other emergency personnel. The requested over-in-height fences are for the purpose of supporting the project's driveway not for obscuring the view of the public into a private property. Because of existing development and the steepness of the hillside, the westerly portion of the yard is the most logical place to build the driveway especially since this is the location of the unimproved Innsdale Drive. Because of these impediments to developing the driveway elsewhere on the lot and the fact that the retaining walls are for the development of the needed driveway and not for privacy, the proposed walls meet the intent of the Zoning Code." (Previous Approval, Page 26.)

The retaining walls will be located in the westerly side, front and rear yard setback areas of 6443 Innsdale and the westerly side yard and a small portion of the front yard of 6459 Innsdale. If we assume the maximum front yard setback area within an RE-40 Zone as being 25 feet, then the overall front yard setback area that is impacted is quite small. The actual retaining walls and paved driveway represent less than two (2) percent of the actual area of this huge lot. Additionally, the vast majority of this lot will preserve the natural, undisturbed topography, vineyard and an improved greenbelt surrounding the residence. Therefore, this project conforms with the intent of the City's zoning regulations.

2. That, in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

The Subject Property is 40 acres and the Owner is only proposing to build one single family home, guest house and swimming pool with a paved driveway that allows access from Innsdale Drive. In order to construct a driveway along this steep hillside property and obtain access to the property, two retaining walls are required to be built along the two sides of the driveway. A portion of this driveway and accompanying retaining walls must be built in the side and front yard setback areas due to the grade and slope of the Subject Property. Given the enormous amount of greenbelt, vineyard and undisturbed open space that the Subject Property will retain, there are no impacts to any surrounding properties by the slight decrease of side yard on the western portion. To put this in perspective, the area of land directly south of the Subject Property was once a similar 40 acre lot which has since been cut into 86 different lots – with nearly every lot fully developed with a sizeable single family home.

Further, the western side yard abuts steep, hillside, open space owned by the Department of Water and Power ("DWP") and it is highly unlikely - due to the topography and existing utility towers and lines - that this immediate area will ever be developed. Also, since there are no residents on this side of the property and the retaining walls are largely below finished grade, there are no adverse impacts to any neighbors or property owners due to the placement of the two retaining walls in the side and front yard setback. The request is to grant the Owner two retaining walls which will gradually go from 2 feet up to 12 feet in height within the front, rear and side yard setback of 6443 Innsdale Drive and within the front and side yard setbacks of 6459 Innsdale Drive in lieu of the maximum 3 ½ feet in the front yard setback and 6 feet in the rear and side yard setbacks otherwise permitted – which was specifically granted in the Previous Approval.

As stated above, the Subject Property is in a hillside area and in some places, the land is very steep. The Owner would like to minimize any impacts to the area by only developing the land in the south western portion and keeping the rest of the 40 acre lot undeveloped, hillside area, vineyard and

beneficial greenbelt that will minimize fire risk to the proposed house as well as surrounding neighbors. If the Applicant is forced to strictly abide by zoning regulations, he will cause greater impact to the entire 40-acre lot and will also be forced to grade an area currently used by the existing vineyard. Also, the enormous cost that would be incurred if the Applicant was unable to develop the south-westerly corner would make any use on this huge, privately owned, residentially zoned lot entirely infeasible.

The Application is requesting approval for one retaining wall ranging in height from two feet to twelve feet within a portion of the ten foot side yard setback area and the front and rear yard setback of 6443 and the front and side yard setback of 6459 Innsdale Drive and a second retaining wall also ranging in height from two to twelve feet within a small portion of the front and rear yard setback of 6443 and the front setback of 6459 Innsdale Drive. The Subject Property is located near the terminus of Innsdale Drive, a curving hillside street that dead ends about 200 feet from the base of the Subject Property.

As stated above, in 2014, the City approved this setback relief as part of a set of entitlement requests to develop the Subject Property with a single family home, ZA-2011-2939-ZAD-ZAA. According to the findings, "the retaining walls are needed to keep the driveway at the required 15% grade." (Previous Approval, Page 18.)

The findings in the Previous Approval specifically established, *"The requested over-in-height fences are located on the westerly side of the developer's property. The proposed fences are blocked from view from adjacent property owners by the applicant's existing single-family home which blocks the view of the driveway from properties to the east of the site. The residence on the south side of Innsdale would have a direct view of the wall except that the property's current view of the area of the driveway is blocked by its own over-in-height front wall which blocks the view. In addition, the walls are located below the elevation of the road on the west side of the driveway so the primary view of those walls would be of the driveway and not the wall. The walls on the east side of the driveway are needed to hold back the graded hillside above the driveway and are needed to control any earth sliding off the graded slope, and thus, they protect the public safety."* (Previous Approval, Page 26.)

Previous similar zoning approvals within the nearby vicinity include an approval in 2008 (ZA 2008-1426 (ZAD)(ZAA)) for an over-height fence and a reduced easterly side yard for 6454 Innsdale Drive. Also, in 1997, the Zoning Administrator granted a variance to permit the construction, use and maintenance of a storage building on a hillside lot at 6420 Innsdale Drive, which resulted in a one-foot side yard. The City also granted an approval for a six-foot fence in the front yard setback on the same property.

The retaining walls will not be materially detrimental to the adjacent or surrounding properties and will not result in any loss of light, air, nor reduced visibility for the adjacent properties. In fact, much of the two retaining walls are below finished grade and will not be easily visible from adjacent or nearby properties, nor will they be visible from most of Innsdale Drive. The driveway will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or public health, welfare, and safety.

3. That the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

The Subject Property is zoned RE-40-1-H, and 6443 Innsdale is zoned RE-15-1-H. The Hollywood Community Plan designates both properties as "Low I Residential." The retaining walls will not affect the house or existing side, rear and front yards on the existing lot for 6443 Innsdale – they will be located in the southwestern corner of 6459 Innsdale Drive and on a small sliver of land to the west of the public right of way that is not currently attached to the main lot, as well as on a portion of the public right-of-way.

Here, allowing the retaining walls in the side/front/rear setback areas is consistent with the purpose and intent of all applicable plans, and preserves and enhances much of the hillside area of this privately owned 40-acre parcel by allowing the driveway to follow the natural curve and grade of the hill. The retaining walls will not result in increased density, nor conflict with the provisions of the General Plan. Thus, the request will be in substantial conformance with the various elements and objectives of the General Plan.

The property is located within the Hollywood Community Plan and is not within any specific plans or interim control ordinances. While the requested two retaining walls in the side/front/rear yard setbacks are not specifically addressed by the Community Plan, Objective No. 3 of the Plan is "[t]o encourage the preservation and enhancement of the varied and distinctive residential character of the Community...." Further, Objective No 3 also states that in hillside residential areas, the goal is to "minimize grading so as to retain the natural terrain and ecological balance."

Section 12.02 of the Los Angeles Municipal Code states that the purpose of the existing zoning regulations is to "encourage the most appropriate use of land; to conserve and stabilize the value of property; ... and to promote health, safety and the general welfare all in accordance with the comprehensive plan." This Adjustment will enable the Applicant to achieve use of the property by allowing for a driveway in the area of the property with the lowest grade.

The Previous Approval specifically made the following applicable findings: *"The proposed walls are required for the support of the driveway which will access an undeveloped single-family lot for the purposes of developing a single-family house. Thus, it is in conformance with both the Code and with the Community Plan which sets aside the subject property for development for a single family home. Though, this driveway will also be seen from other viewpoints in both the Hollywood Plan area and from the areas of the Los Angeles Basin with a view of the Hollywood Sign, the proposed driveway is for the purpose of gaining access to a legal lot on which the applicant may build a single-family home as intended by the Plan. ...these walls are required in order to support the driveway which not only gives access to the lot but must also maintain a required 15% slope as also required by the Municipal Code. Thus, the proposed walls meet the purpose, intent and provisions of the General Plan, the Community Plan and the Zoning Code."* (Previous Approval, Page 26.)

The driveway will be used by the Applicant and his family and guests as well as providing access for the Los Angeles Fire Department ("LAFD") in the event of a fire or emergency. In fact, LAFD has already approved the plans for the driveway as meeting all applicable criteria. Currently, the land that is shown on maps as a "paper street" is entirely unusable and steep and does not allow any access to the Owner's property or the hillside above. The Owner will be greatly improving this area of land for his use and for the Fire Department's use to protect the community.

ATTACHMENT A-2

REQUEST FOR TWO (2) ADDITIONAL RETAINING WALLS – ZONING CODE
SECTION: 12.21 C8

(RELIEF GRANTED BY ZONING CODE SECTION 12.24 X.26)

- 1. That while site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The Owner would like to minimize any impacts to the area by only developing the land in the south western portion of the parcel and keeping the rest of the 40 acre lot undeveloped, hillside area, vineyard and beneficial greenbelt that will minimize fire risk to the proposed single-family house as well as surrounding neighbors. In order to reduce the amount of grading and the amount of earth that would be disturbed by this project, we need relief from the limit on the number of retaining walls that are allowed under LAMC 12.21 C.8. Reducing the amount of cut and fill and the overall impact of environmental disturbances by allowing two additional retaining walls will result in development that is compatible and consistent with the surrounding uses.

As shown on the attached Grading Plan, Wall “A” will have a varying height from 2 (two) feet to 12 feet and Wall “B” will have a varying height from two (2) to twelve feet Wall “C” is allowed by right, per Section 12.21 C.28.

These walls were approved as part of the Previous Approvals. In the findings, the Associate Zoning Administrator stated that these retaining walls *“are required to support the extensive driveway which accesses the building pad for the requested dwelling. in order to maintain the required 15% grade for the driveway, the road was required to make a large horseshoe bend up the hillside to access the site. This resulted in the need for the three walls to either support the road or hold back the hillside. The fourth wall is required for the structure’s building pad. This retaining wall is on the back side of a small ridge, and it is not viewable from adjacent properties or from downhill of the site because it is blocked by the front of the ridge. The intent of the Retaining Wall Ordinance which became effective in 2005 was to prohibit large retaining walls of up to 30 and 40 feet in height which were readily viewable from throughout the hillside areas of the City and numerous other walls which were needed to grade flat areas not only for residences but for recreational uses for those homes. In this case, the extra retaining walls are not needed to grade flat areas for homes or recreational facilities, but are needed in order to gain a legally required 15% driveway grade to the site. The remaining wall is not viewable from surrounding properties because of its location on the back side of a ridge which trends away from the main hillside.”* (Previous Approval, Page 22.)

The Owner is only proposing to build one single family home, guest house and pool on his 40-acre lot. The size of this single lot and the steep grade require the use of multiple retaining walls in order to limit the amount of soil disruption. This will also allow the Owner to conduct all work on site and avoid continued disruption to the neighboring community by not having trucks hauling soil away from the site down neighborhood streets. If this adjustment is granted, there will be no haul route associated with this application. All cut and fill will remain on site. The Owner also further reduced the project by eliminating an additional turn around, eliminating the roadway between the home and

the fill site, and eliminating two of the previous requested retaining walls (one of which was approved in the Previous Approval.)

2. That, in light of the project as a whole, including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

The size of the proposed project – a main house roughly 8,000 square feet and a guest house of roughly 2,000 square feet on a 40-acre lot--is compatible with the surrounding neighborhood, especially when considering some houses in the neighborhood are close in size to the proposed project but built on much smaller lots. The house at 6434 Innsdale Drive is 5,847 square feet on a .28-acre lot, and the home at 3001 Arrowhead Drive is 9,385 square feet on a .57-acre lot. Homes along Innsdale and Lake Hollywood Drive range from 2,000 – 4,200 square feet but are on lots that are approximately ¼ of an acre in size. The proposed house and guest house are also over 150 feet from the nearest neighbor's home.

In the findings which were used to previously approve the needed additional retaining walls, the Associate Zoning Administrator stated, *"The proposed retaining walls are on the west side of the property in question. The neighbors to the east are screened from the view of any walls by the applicant's intervening home which is adjacent to the proposed driveway on the east. The resident directly across Innsdale would have a view of the new driveway retaining walls except that view is obstructed by that property's over-in-height front fence. The fourth retaining wall for the building pad would be above a portion of the property of the neighbor to the east of the appellant's existing home, but that wall is to be located on the backside of a small ridge that juts out from the main ridge of the property and would not be viewable from below. In addition required landscaping of all of the walls would obstruct views of them. The retaining walls for the driveway may be viewable from further down the hillside toward Lake Hollywood, but future landscaping will obscure them and they are required for construction of the driveway at a legal grade as was previously explained above."* (Previous Approval, Pages 22-23.)

Despite the massive size of this lot, the owners have chosen to limit development to just one single family home, pool and small guest house in the south-western portion of the site. Otherwise, the vast majority of the property will remain untouched. Other than the need for two additional retaining walls – including the request to allow a portion of the two retaining walls within the front, rear and side yard setbacks – approval for a greater volume of grading than what is allowed by right (but which is permissible with the Zoning Administrator's approval under provisions of the Baseline Hillside Ordinance – specifically intended for larger lots like this), and relief from a few minor conditions regarding the improvement of the paper street required by the Bureau of Engineering, the development of this property site with a single family home, guest house and pool is allowed by right. The house will comply with all other planning and zoning rules including height, setbacks, size, square footage, etc.,

3. That the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan and any applicable specific plan.

The Subject Property is located within the Hollywood Community Plan and is not within any specific plans or interim control ordinances. Objective No. 3 of the Plan is “[t]o encourage the preservation and enhancement of the varied and distinctive residential character of the Community....” Further, Objective No 3 also states that in hillside residential areas, the goal is to “minimize grading so as to retain the natural terrain and ecological balance.”

The findings in the Previous Approval stated, *“The approved project is for the construction of a single-family home on a single-family lot. Thus it conforms with the zoning of the property and with the Hollywood Community Plan which plans and zones the site for a single family home...[T]he request for the construction of the additional retaining walls was granted in order to have a driveway with the legally required grade and for a building pad whose retaining wall is obscured by an intervening ridge in compliance with the Plan’s view protection language.”* (Previous Approvals, Page 23.)

Here, allowing additional retaining walls is consistent with, and preserves and enhances much of the hillside area of this privately owned 40-acre parcel by limiting the amount of cut and fill and eliminating the need for any export of soil, or a haul route. Also none of the retaining walls will be over 12 feet in height and given the slope, and the fact that a large portion of the walls are below finished grade, it is unlikely that much, if any of the retaining walls would be seen by surrounding neighbors and communities. Thus, the request will be in substantial conformance with the various elements and objectives of the General Plan.

4. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

As part of the project, the Owner has worked with and designed a plan acceptable to the LAFD to construct a 20-foot driveway with a turnaround on the Subject Property that will be accessible by LAFD and can be used to stage fire-fighting operations in the event there is another large fire in the Hollywood Hills. Currently, this entire steep hillside is inaccessible to LAFD and there is no way to prevent a large scale fire from quickly engulfing the hillside and coming down to reach the homes on Innsdale Drive and the streets below. In order to develop the Subject Property in any manner, several retaining walls must be utilized. The current design includes a much needed fire access driveway and limited grading that will affect less than 8% of the total 40 acre site.

As stated in the Previous Approvals, *“[b]ecause the additional walls are required for health and safety reasons for Fire Department emergency vehicle access to the building site, they do provide a function needed for the construction of a single-family home on a lot zoned for single-family development and will as such enhance the built environment for the area.”* (Previous Approval, Page 16.)

5. That the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The Subject Property is one 40 acre lot and the owner is only proposing to build one single family home with a pool and small guest house. By utilizing more retaining walls, the owner will be able to reduce the impact of any environmental disturbances. Given the enormous amount of greenbelt, vineyard and undisturbed open space that the Subject Property will retain, there are no impacts to any surrounding properties in the use of two additional retaining walls on a 40 acre site.

As stated above, the Subject Property is in a hillside area and in some places, the land is very steep. The owner would like to minimize any impacts to the area by only developing the land in the south western portion and keeping the rest of the 40 acre lot undeveloped hillside area, vineyard and beneficial greenbelt that will minimize fire risk to the proposed house as well as surrounding neighbors. The Applicant will only utilize a small portion of the north westerly portion of the property to place the cut soil and to create an area necessary for required animal keeping in this equestrian zoned area.

The LAMC allows a maximum of two retaining walls if they meet certain requirements and are located within an A or R Zone, or one retaining wall of up to 12 feet in height. We are requesting relief to allow up to two (2) additional retaining walls given the size and slope of this property. Most property sites located within hillside areas within the City of Los Angeles are between 5,000-40,000 square feet depending on the zone. In this situation, the property is located within the RE-40 Zone, which requires a minimum of 40,000 square feet and this property is more than 40 times that size (or 1,739,515 square feet). As stated in the Previous Approval, "These walls will be compatible with and will not degrade the surrounding properties because they are being used to support a residential use on a vacant residential lot." (Previous Approval, Page 18.) The Owners have a right to build an home on this residentially zoned lot and the requested two additional retaining walls are necessary and required to construct an access to build any house or structure on this lot.

Strict adherence to zoning regulations would cause greater impact to the entire 40-acre lot and would impact areas currently used by the existing vineyard and undisturbed virgin land. Also, the enormous cost that would be incurred if an exception were not granted to current zoning regulation would prevent the location of the development in the south-westerly corner of the Subject Property and would make any use on this huge lot entirely infeasible.

6. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

Section 12.02 of the Los Angeles Municipal Code states that the purpose of the existing zoning regulations is to "encourage the most appropriate use of land; to conserve and stabilize the value of property; ... and to promote health, safety and the general welfare all in accordance with the comprehensive plan." This Adjustment will enable the Owner to achieve use of his privately owned property by allowing the requested additional retaining walls to limit the amount of cut and fill and overall grading needed on a site this size. As stated, this single lot is 40 acres in size and the Owner is only proposing to build one single family home and small guest house with accompanying pool. This is just a small fraction of the allowable density that the current zone (RE 40) and general plan would allow on this 40 acre site.

The retaining walls are needed to reduce the amount of overall area that will be disturbed; they reduce the volume of dirt being cut; reduce the amount of yardage that needs to be filled and the impact of environmental disturbances. Also, the retaining walls are necessary in order to comply with the LAFD as well as the City Grading Department requirements.

As stated in the Previous Approval, *"the applicant does own an independent RE40 zoned lot on which he is entitled to build a single-family house. The number of grading walls required are to be used in order to build the access driveway to the site at the required grade. The remaining wall is for the building pad...[b]ecause the additional walls are required for health and safety reasons for Fire Department emergency vehicle access to the building site, they do provide a function needed*

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for the construction of a single-family home on a lot zoned for single-family development and will as such enhance the built environment for the area.” (Previous Approval. Page 16.)

ATTACHMENT A-3

REQUEST FOR ZA DETERMINATION TO ALLOW ADDITIONAL GRADING ABOVE
3,300 CUBIC YARDS PER SECTION 12.21 C.10 (f)(4)

(RELIEF GRANTED BY ZONING CODE SECTION 12.24 X.28(a)(5))

1. The proposed grading will be in conformity with the public necessity, convenience, general welfare and good zoning practice.

The granting of this request permits the Owner to construct a well-designed functional single family home, guest house and pool that are sensitive to the surrounding community. By conducting all cut and fill on site, away from surrounding residents, the applicant will avoid the need for a haul route and therefore the surrounding community will not experience any adverse impacts related to the grading and construction of the site. The avoidance of a haul route through small, steep, substandard, congested hillside streets will protect the health, safety and welfare of both the local community as well as the general public. This area is plagued by numerous tourists who blindly drive through these narrow hillside streets – often double parking their cars in an effort to gaze at the Hollywood sign or other scenic vistas. Avoiding the addition of hundreds of trucks hauling the fill dirt through the Hollywood Hills is not just for the benefit of the local community, but will prevent the significant carbon footprint that would be associated with the large number of trucks needed to haul off the excess dirt. As stated by the Zoning Administrator in the Previous Approval, “This route is dominated by steep substandard hillside streets which make access difficult for haul trucks.” (Previous Approval. Page 13.) This is in conformity with the public necessity, convenience, general welfare and good zoning practice.

In addition to being in line with our City’s best practices, the decision to keep all dirt on site and avoid a haul route is in line with California’s greenhouse gas reduction targets. If the Owner were forced to utilize a haul route for all 37,409 cubic yards of non-exempt cut soil, more than 3,700 truck trips would be necessary to cart all of the soil off-site. Currently, California is on track to meet or exceed the current target of reducing gas emissions to 1990 levels by 2020, as established in the California Global Warming Solutions Act of 2006 (AB 32). Efforts to avoid unnecessary environmental impacts, such as the Owner’s intention to keep all soil onsite, will help California reach its lauded environmental goals and reduce pollution. It is completely infeasible and irresponsible for anyone to argue that the implementation of a haul route is preferable.

Under LAMC Section 12.21 C.10.(f)(4), a Zoning Administrator may grant deviations from the by-right amount of 3,300 yards for a lot located in the RE-40 Zone, provided that the quantity does not “exceed the true value of 500 cubic yards plus the numeric value equal to 5% of the total lot size in cubic yards. This provision of the LAMC was specifically intended for large lots such as this 40 acre parcel. In this case, the lot size is 1,739,515 square feet and therefore the total maximum quantity of grading that could be allowed by the City is 87,475 cubic yards. The Owner has submitted a grading plan that shows the amount of cut as being 37,409 with an equal amount of fill. However, the vast majority of this fill will be used to create a required animal keeping area, which is exempt from the grading calculations under the

Baseline Hillside Ordinance. The total amount of grading – not exempted—will not exceed 38,000 cubic yards.

2. The proposed grading will be in substantial conformance with the various elements and objectives of the General Plan.

The project as proposed is consistent with many goals of the General Plan and the Hollywood Community Plan. Previously, the Zoning Administrator determined that the Applicant is “entitled to build a single family house.” (Previous Approval. Page 16.) This additional grading is absolutely required to build the house that the Applicant is entitled to and is, in fact, required to build ANY house on this lot. Further, reducing the house size will not significantly reduce the grading and there is no other feasible location for the residence on this entire lot. Applicable housing/development related Objectives from the Community Plan are as follows:

Objective 7 – To encourage the preservation of open space consistent with property rights when privately owned and to promote the preservation of views, natural character and topography of mountainous parts of the Community...

Housing (Standards and Criteria) – To the extent feasible, the ‘cluster concept’ is the preferred method to be utilized for new residential development in hillside areas in order to use the natural terrain to best advantage and minimize the amount of grading required.

The project is the least intensive use possible for the Subject Property and the residence needs to be located at the proposed location. “The residence must be located in the proposed location because the entry driveway to the site needs to have a maximum 15% slope under City Ordinance. This is required so that emergency vehicles can access the site.” (Previous Approval. Page 21.) “Because of existing development and the steepness of the hillside, the westerly portion of the yard is the most logical place to build the driveway especially since this is the location of the unimproved Innsdale Drive.” (Previous Approval. Page 26.)

The project as proposed intends to limit the grading, construction and overall disturbance of the extremely large 40 acre parcel to just a portion of the parcel – primarily in the southwestern portion. The vast majority of the 40 acre lot will remain untouched “*retaining a large area in its natural state or park-like setting.*”

3. That the grading in excess of the absolute maximum Grading quantity is done in accordance with the Department of City Planning Guidelines Landform Grading Manual and is used to reflect original landform and result in minimum disturbance to natural terrain.

(Notching into hillsides is encouraged so that projects are built into natural terrain as much as possible.)

The size of this site, roughly 40 acres, (or 1,739,515 square feet) is more than 102 times the size of the average developed lot in the area (17,000 square feet) along Innsdale and Lake Hollywood Drive (reviewing roughly 30 of the nearest homesites to the Property Site on the City’s ZIMAS property records.) The property owner is proposing only grading a small portion of this gigantic lot to allow the development of a single family home with a pool and a small guest

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house. Some of this graded area will be used to provide a much larger than required greenbelt to provide fire protection for the residence as well as for the residents who live south of the site and to provide a large driveway to allow the Los Angeles Fire Department access to portions of the interior and northern end of the property site to assist them in the event of a hillside fire within this area. Currently, this area is completely inaccessible to the LAFD and no protection exists for southerly neighboring properties on Innsdale Drive.

The vast majority of the 40 acres of the Property Site will remain untouched. The grading that the property owner is proposing is to create a homesite that is built into the natural hillside that will utilize as few retaining walls as possible and cause as little disturbance to the surrounding natural hillside as possible.

To put this in perspective, the area of land directly south of the Subject Property was once a similar 40 acre lot which has since been cut into 86 different lots – with nearly every lot fully developed with a sizeable single family home.

ATTACHMENT A-4

REQUEST FOR ZONING ADMINISTRATOR'S DETERMINATION TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY HOME, ACCESSORY BUILDING AND ACCESSORY STRUCTURE ON A LOT THAT DOES NOT HAVE VEHICULAR ACCESS FROM A STREET IMPROVED WITH A MINIMUM 20-FOOT WIDE CONTINUOUS PAVED ROADWAY UNDER ZONING CODE SECTION: 12.21 C10 (i)(3)

MODIFICATION TO DIRECTOR OF PLANNING'S POLICY FOR GENERAL VARIATIONS OF PRIVATE STREET REGULATIONS TO ALLOW FOR A ROUGHLY 10-FOOT WIDE ALL WEATHER ACCESS DRIVEWAY, COMBINED WITH A ROUGHLY 10 FOOT WIDE PORTION OF THE PUBLIC RIGHT OF WAY TO PROVIDE A LAFD APPROVED 20 FOOT ROADWAY FOR ACCESS TO THE SUBJECT PROPERTY.

(RELIEF GRANTED BY ZONING CODE SECTION 12.24 X.28 (a)(7))

- 1. The proposed approval will be in conformity with the public necessity, convenience, general welfare and good zoning practice.**

The Subject Property fronts an unimproved portion of Innsdale Drive. Currently, Innsdale Drive is a roughly 34 foot width paved roadway with a dedicated street width of 42 feet. The road abruptly ends roughly 200 feet from the property line. This area is an unimproved "paper street" that is inaccessible to any vehicle or pedestrian. There is no turn-around or hammerhead, no sidewalk, curbs, gutter, street lighting or other improvements.

As part of the entitlement application, the Applicant is requesting approval to obtain a B-permit that would allow the grading and paving of a 20 foot width roadway that is partially located within the public right-of-way, with another portion located on an adjacent parcel, of which the Applicant owns. This paved roadway does not impact or affect any surrounding property owners and simply allows the Applicant to access his property. A ten foot wide all weather accessible roadway will be provided to the property. A modification to the Director of Planning's Policy for a General Variation of the Private Street Regulations to allow for a ten-foot wide all weather accessible Driveway, combined with a roughly 10 foot wide portion of the public right of way to provide an LAFD approved 20 foot wide roadway for access to the Subject Property.

The improved roadway would also allow the LAFD to have access to the hillside area north of Innsdale Drive and set up a line of defense to protect neighboring properties from any fire damage. Currently, there is no access for any emergency or fire vehicles. Therefore, this proposed approval is in conformity with public necessity, convenience, general welfare and good zoning practice.

- 2. The proposed approval will be in substantial conformance with the various elements and objectives of the General Plan.**

As stated above the proposed project is consistent with many goals of the General Plan and the Hollywood Community Plan. An applicable housing/development related Objective from the Community Plan are as follows:

Objective 7 – To encourage the preservation of open space consistent with property rights when privately owned and to promote the preservation of views, natural character and topography of mountainous parts of the Community...

Only a small portion of the Subject Property will be disturbed or developed – leaving the vast majority of this huge, privately owned 40 acre lot untouched. Further, most of the driveway will be below grade and not easily visible from adjacent properties. Also, the green belt located throughout the Subject Property contributes to the sense of openness and natural beauty.

Another objective of the Hollywood Community Plan and the overall City policy is to increase the capabilities of our City Fire Department to adequately respond, contain and extinguish fires in the hillside area as well as to respond to other emergency situations. By allowing the Applicant to build his single family home along with a 20 foot private driveway for fire access and to grade and pave an unimproved 20 foot width roadway, the City's fire and emergency services will be allowed access to an area of the hillside, where currently no access exists to provide rescue services or battle fires and protect residents below.

3. That the vehicular traffic associated with the Building or Structure will not create an adverse impact on Street access or circulation in the surrounding neighborhood.

The Applicant is only proposing a single family home, guest house and pool on a small portion of this 40-acre lot. The vast majority of the lot will remain unimproved, therefore there is no traffic associated with this project and no adverse impact. As state in the Previous Approval which granted this request, *"The construction of a single-family home on a single-family lot will not result in an adverse impact to street access in the area because the proposed residence is proposed at the end of Innsdale and does not obstruct access from any other residences on the street."* (Previous Approval, Page 20.)

4. That the Building or Structure will not be materially detrimental or injurious to the adjacent property or improvements.

The Owner is proposing one single family home with pool and small guest house on a 40 acre site that is zoned RE-40. The home and guest house will be properly constructed according to current LAMC code requirements and will not be materially detrimental or injurious to adjacent property or improvements. As stated in the Previous Approval, *"The property has received clearance for its grading from the Department of Building and Safety's Grading Division thus there is no danger from slippage down the hill onto adjoining properties. A clearance would not have been granted if the proposed grading plan and soils report had not been adequate."* (Previous Approval, Page 21.)

5. That the Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.

The Owner is proposing one single family home with pool and guest house on a 40 acre site that is zoned RE-40. The home and guest house will be properly constructed according to current LAMC code requirements and will not have a materially adverse safety impact on the surrounding neighborhood. The soils report for the Subject Property was previously approved by the City and was recently updated.

6. That the site and/or existing improvements make strict adherence to Paragraph (i) of Subdivision 10. of Subsection C. of Section 12.21 of this Code impractical or infeasible.

The Subject Property fronts an unimproved portion of Innsdale Drive. The road abruptly ends roughly 200 hundred feet from the property line. This area is an unimproved "paper street" that is inaccessible to any vehicle or pedestrian. There is no turn-around or hammerhead, no sidewalk, curbs, gutter, street lighting or other improvements due to the steep topography and given that there is no improved street access to the Owner's property site, strict adherence to the Code is impractical and infeasible. However, the Owner will be providing a 20-foot wide fire-lane/driveway with a hammerhead for emergency vehicles on the Subject Property near the homesite.

ATTACHMENT A-5

REQUEST FOR ZONING ADMINISTRATOR'S DETERMINATION TO WAIVE FULL
STREET IMPROVEMENTS (CURB, GUTTER, SIDEWALK, HAMMERHEAD, ETC.,)
REQUIRED UNDER ZONING CODE SECTION: 12.21 C.10 (2)

(RELIEF GRANTED BY ZONING CODE SECTION 12.24 X.28 (a)(7))

The Applicant is submitting a B-permit application to allow improvements on a "paper street" that is technically controlled by the City as part of the City's right of way. The Applicant wants to grade and pave a portion of this area to allow street access to his lot and proposed single family home and to provide a 20-foot-wide Fire Department approved all weather access roadway, which combines a roughly 10-foot wide Driveway and a roughly 10-foot wide portion of the Innsdale right of way. In order to build this roadway, the request for a waiver of the standard B-permit street requirements include the following:

- a) No requirement to provide a public hammerhead/turnaround on the graded driveway/street;
- b) Reduce the total minimum road width to 20 feet;
- c) No requirement to provide curbs/gutters/sidewalks/street lights/street trees;
- d) Allow a 15% grade instead of the allowed 12% grade on a proposed roadway at the end of Innsdale Drive;
- e) Allow the street designation of Access Roadway; and
- f) Accept the design of retaining walls in the public right of way (including height).

1. The proposed approval will be in conformity with the public necessity, convenience, general welfare and good zoning practice.

The Subject Property fronts an unimproved portion of Innsdale Drive. Currently, Innsdale Drive is a roughly 34 foot width paved roadway with a dedicated street width of 42 feet. The road abruptly ends roughly 200 feet from the south property line of 6459 Innsdale Drive. This area is an unimproved "paper street" that is inaccessible to any vehicle or pedestrian. There are no turn-arounds, hammerheads, sidewalks, curbs, gutters, street lighting or other improvements.

Previously, there was a hammerhead designated near the terminus of paved Innsdale Drive and was a vacant area of land. However, due to the numerous complaints of the neighbors due to unwanted late night visitors who used this area to further illicit, possibly illegal behavior, the City Council in 1988, passed a Resolution to Vacate the "Innsdale Drive (Turnaround Area) at the Westerly Terminus Westerly of Canyon Lake Drive (VAC-88-81494)." This portion of land was given back to the then-property owners and since 1988 this area has been improved with a roughly six foot high concrete wall and swimming pool. Due to the steep topography, there is no other feasible area that could be utilized at the Westerly Terminus of Innsdale Drive for a public hammerhead or turnaround area, nor would a hammerhead be desirable or appropriate.

Also, based on conversations with neighbors and the City Council, it is clear that this area should not be improved to allow greater pedestrian access since Innsdale abruptly ends adjacent to a steep canyon at the westerly end into land owned by the LA Department of Water and Power. There is already potential danger for tourists and hikers who wander down uncharted paths and become injured. Therefore, not improving this small portion of the public right of way with sidewalks, street lighting etc., is in conformity with public necessity, convenience, general welfare and good zoning practice.

As part of his improvement plans, the owner of the Subject Property intends to grade and pave a 20-foot fire lane/driveway to LAFD requirements and to provide a full turnaround area on his private property for fire and emergency access. The improved fire lane/driveway would also allow the LAFD to have access to the southwestern portion of this hillside lot and set up a line of defense to protect neighboring properties from any fire damage. Currently, there is no access for any emergency or fire vehicles. Therefore, this proposed approval is in conformity with public necessity, convenience, general welfare and good zoning practice.

2. The proposed approval will be in substantial conformance with the various elements and objectives of the General Plan.

As stated above the proposed project is consistent with many goals of the General Plan and the Hollywood Community Plan. An applicable housing/development related Objective from the Community Plan are as follows:

Objective 7 – To encourage the preservation of open space consistent with property rights when privately owned and to promote the preservation of views, natural character and topography of mountainous parts of the Community...

In order to comply with the objective to preserve the privately owned open space and to promote the natural character and topography of this mountainous area, the driveway, single family home, guest house and pool MUST be situated in this exact spot. The Applicant has consulted multiple engineers, geologists and architects over the past ten (10) years to determine the exact area of development that is both feasible as well as protective of this beautiful area. There are limited development and landform grading options if the Applicant is to preserve as much of the natural character and topography of the Subject Property and still enjoy his property rights and build any house on this 40-acre lot.

Another objective of the Hollywood Community Plan and the overall City policy is to increase the capabilities of our City Fire Department to adequately respond, contain and extinguish fires in the hillside area as well as to respond to other emergency situations. By allowing the Applicant to build his single family home along with a 20 foot private driveway for fire access and to grade and pave an unimproved 20 foot width roadway, the City's fire and emergency services will be allowed access to an area of the hillside, where currently no access exists to provide rescue services or battle fires and protect residents below.

3. That the vehicular traffic associated with the Building or Structure will not create an adverse impact on Street access or circulation in the surrounding neighborhood.

The Applicant is proposing to construct a roadway to provide access to a proposed single family home on a small portion of this 40-acre lot. The vast majority of the lot will remain

unimproved, therefore there is no significant, adverse traffic associated with this project and no adverse impact. If the Applicant is forced to provide a public turnaround and street improvements such as sidewalks and street lighting, this community will experience additional traffic from sightseers and individuals looking for a place to park late at night and conduct illicit activity.

As state in the Previous Approval which granted this request, ***"The construction of a single-family home on a single-family lot will not result in an adverse impact to street access in the area because the proposed residence is proposed at the end of Innsdale and does not obstruct access from any other residences on the street."*** (Previous Approval, Page 20.)

By not providing the required turnaround and street improvements, there will not be any adverse impact on the Street access or circulation in the surrounding neighborhood.

4. That the Building or Structure will not be materially detrimental or injurious to the adjacent property or improvements.

The Applicant is proposing to construct a roadway to provide access to a proposed single family home, guest house and pool on a 40 acre site that is zoned RE-40. The home will be properly constructed according to current LAMC code requirements and will not be materially detrimental or injurious to adjacent property or improvements.

As stated above, by not providing the required turnaround and street improvements (sidewalks, etc.), there will not be any adverse impact on adjacent properties or circulation in the surrounding neighborhood.

5. That the Building or Structure will not have a materially adverse safety impact on the surrounding neighborhood.

The Applicant is proposing to construct a roadway to provide access to a proposed single family home with pool and pool house on a 40 acre site that is zoned RE-40. The home will be properly constructed according to current LAMC code requirements and will not have a materially adverse safety impact on the surrounding neighborhood.

Likewise, the improvement of the "paper street" will not have a materially adverse safety impact on the surrounding neighborhood and in fact, will have an opposite effect since it will actually provide more safety access for fire and emergency personnel.

6. That the site and/or existing improvements make strict adherence to Paragraph (i) of Subdivision 10. of Subsection C. of Section 12.21 of this Code impractical or infeasible.

The Subject Property fronts an unimproved portion of Innsdale Drive. The paved road abruptly ends roughly 200 hundred feet from the south property line. This area is an unimproved "paper street" that is inaccessible to any vehicle or pedestrian. There is no turn-around or hammerhead, no sidewalk, curbs, gutter, street lighting or other improvements. Due to the steep topography and given that there is no improved street access to the Applicant's property site, strict adherence to the Code to provide more than a 20 foot access roadway, sidewalks and other street improvements is impractical and infeasible.

***FINDINGS: 6459 Innsdale Drive & 6443 Innsdale Drive**

Given the steepness of the slope, it is entirely impractical and infeasible to insist on a 12% grade. In order to provide a 12% grade, the height of the retaining walls needed would far exceed the proposed 12 foot retaining walls requested, the driveway would necessarily be longer, there would be increased grading and it would not be aesthetically pleasing to the community. Instead, the City should allow a 15% grade instead of the standard 12% grade on a proposed roadway at the end of Innsdale Drive which is currently inaccessible to any vehicle or pedestrian. This access will create greater safety for all local residents by providing emergency and fire personnel with the ability to access the steep terrain in the event of an emergency. The LA Fire Department has already given its approval for our requested 15% grade of the proposed fire road/driveway for the Subject Property.

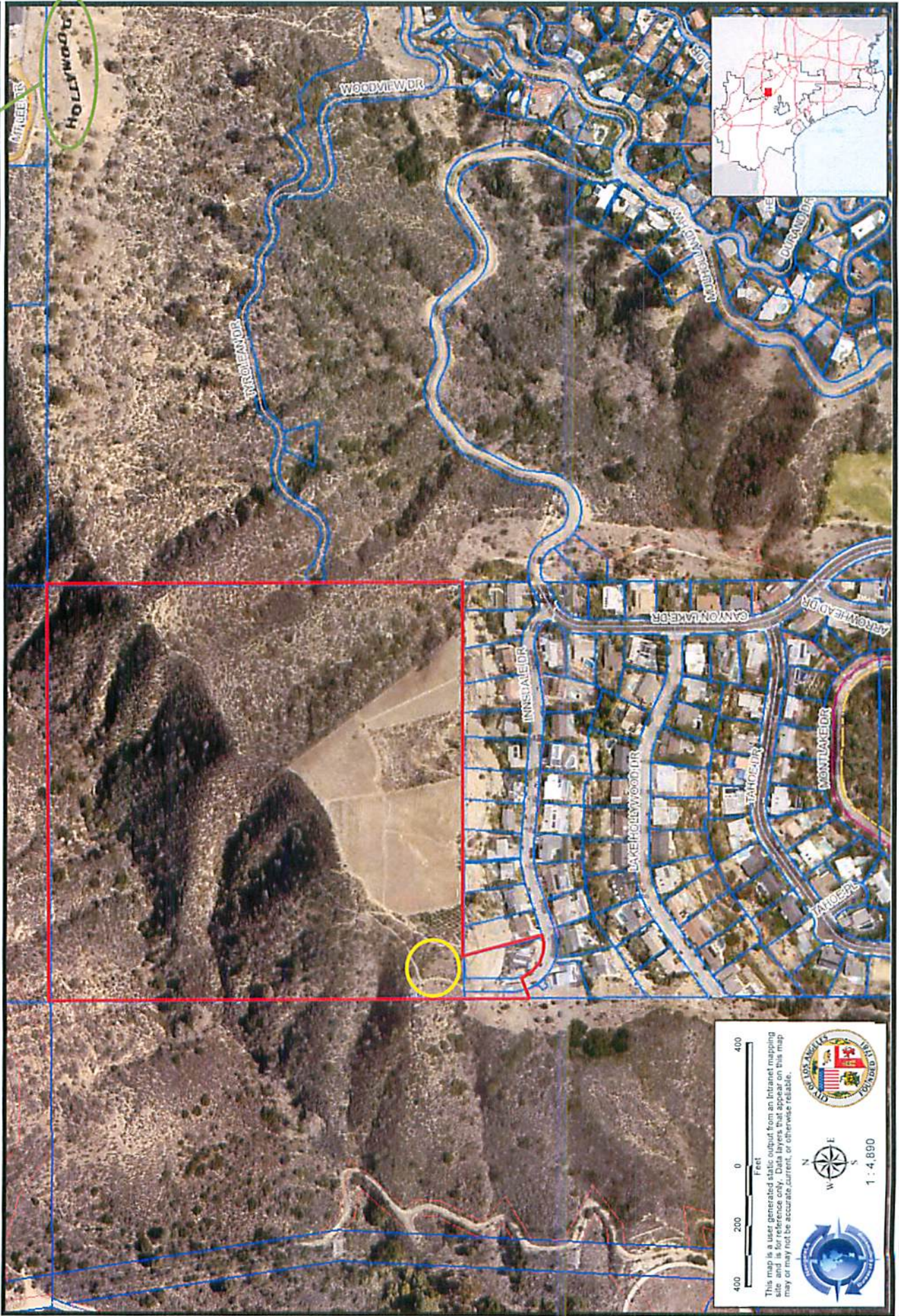
Subject Properties

Project Site

Parcel Boundaries

Hollywood Sign

NavigateLA Map





I hereby certify that the information contained herein is true and correct in accordance with the records in the City Clerk's and City Planning Department Offices.

I further hereby certify that to the best of my knowledge and under penalty of perjury the attached ownership list correctly shows the latest names and addresses on the City Clerk's records and the Los Angeles County Tax Assessor's Role as of:

Peter Elias AK 01/12/17
Peter Elias (ak) Date

The following is a color-coded key for distribution of this material:

GREEN	CLIENT COPY
BLUE	BTC, INC
PINK	CITY OF LOS ANGELES, ORIGINAL
GOLDEN	COUNCIL DISTRICT (for 11 or 12 only)
WHITE	NEIGHBORHOOD COUNCIL COPY

Situs Address: 6443 & 6459 Innsdale Drive Total Notification: 23

CAUTION: THIS MAP MUST BE FILED WITHIN (180) ONE HUNDRED EIGHTY DAYS FROM THE DATE ON THE MAP.

QMS 17-028
OWNERSHIP LIST
JANUARY 12 2017
PAGE 1

1)
YORK KENNETH K
721 DOLO WAY
LOS ANGELES CA 90077-3324 C026

4)
US BANK TR
633 W 5TH ST #29FLR
LOS ANGELES CA 90071-2005 C017

7)
EMERT SEMYON (TE) & AGNES (TE)
6341 INNSDALE DR
LOS ANGELES CA 90068-1623 C009

10)
RADISICH JEREMY N
6401 INNSDALE DR
LOS ANGELES CA 90068-1625 C009

13)
VIKEN KOJABABIAN
6434 INNSDALE DR
HOLLYWOOD CA 90068-1626 C009

16)
LUIGI BABY TRUST
2743 LAKE HOLLYWOOD DR
LOS ANGELES CA 90068-1629 C009

19)
DHERBECOURT THOMAS & SABINE
6409 INNSDALE DR
LOS ANGELES CA 90068-1625 C009

ELLIA THOMPSON, REPRESENTATIVE
ERVIN COHEN & JESSUP LLP
9401 WILSHIRE BLVD #9TH FLR
BEVERLY HILLS CA 90212-2974

2)
L A CITY
111 E 1ST ST #201
LOS ANGELES CA 90012-4113 C032

5)
QUINNELL RUSSELL B
6321 INNSDALE DR
HOLLYWOOD CA 90068-1623 C009

8)
PIERCE RICHARD (TE)
6351 INNSDALE DR
LOS ANGELES CA 90068-1623 C009

11)
SHAPIRO S A & S C 2016 TRUST
6427 INNSDALE DR
LOS ANGELES CA 90068-1625 C009

14)
YORK KENNETH K & ANNETTE C
6443 INNSDALE DR
LOS ANGELES CA 90068-1625 C009

17)
BENZWI DAVID
6446 INNSDALE DR
LOS ANGELES CA 90068-1626 C009

HOLLYWOOD UNITED
NEIGHBORHOOD COUNCIL
PO BOX 3272
LOS ANGELES CA 90078

17-028
QUALITY MAPPING SERVICE
14549 ARCHWOOD ST #301
VAN NUYS CA 91405

3)
WINSTON HILARY
6301 INNSDALE DR
LOS ANGELES CA 90068-1623 C009

6)
MARTIN GAVIN & JOANNE P
6331 INNSDALE DR
LOS ANGELES CA 90068-1623 C009

9)
MARSHALL PAULA
6361 INNSDALE DR
LOS ANGELES CA 90068-1623 C009

12)
SOUTHWESTERN PROPERTIES LLC
1635 N MAIN ST
LOS ANGELES CA 90012-1917 C033

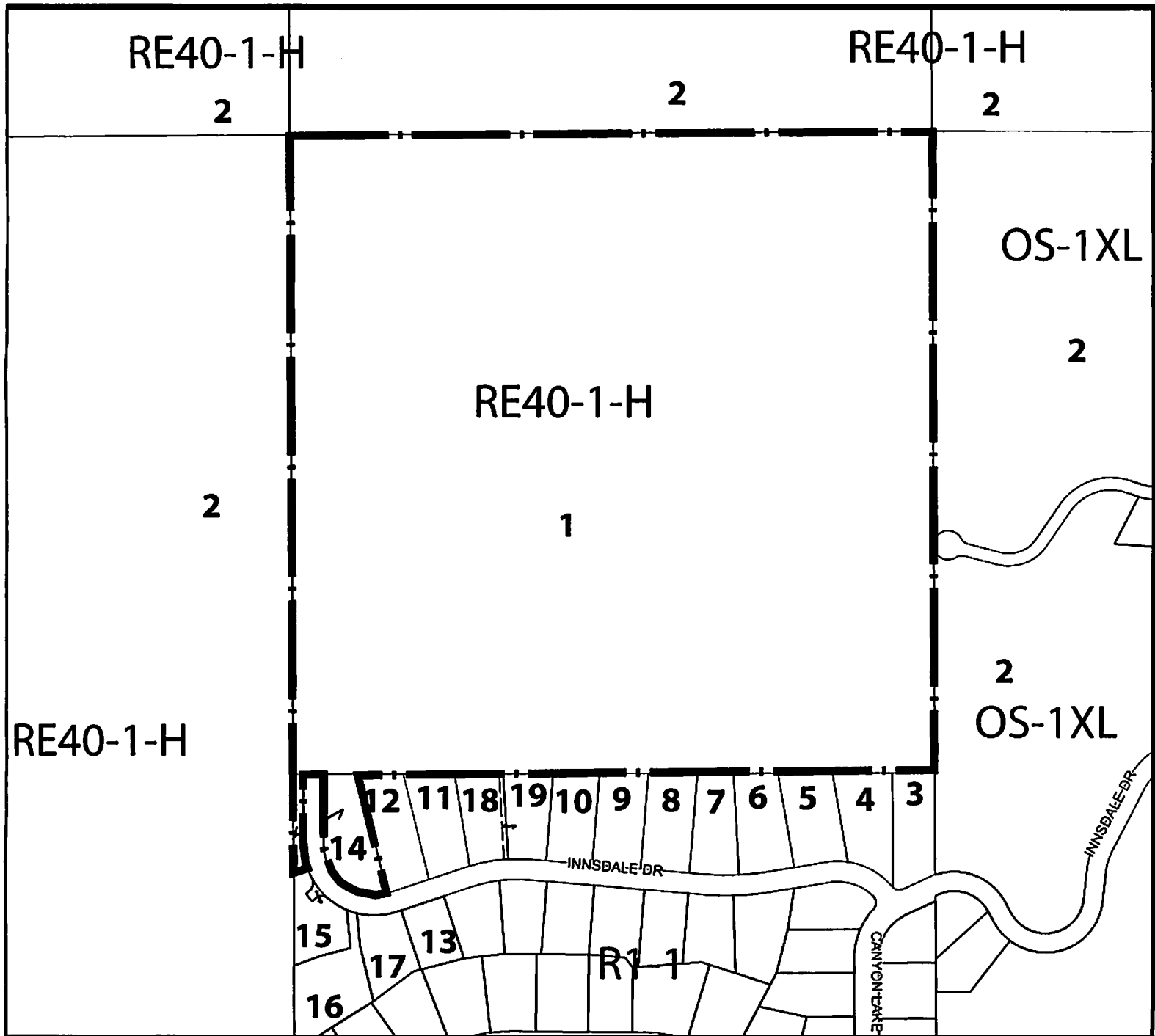
15)
SADLER NICHOLAS
6454 INNSDALE DR
LOS ANGELES CA 90068-1626 C009

18)
GOLUMBIC KARINA
6417 INNSDALE DR
LOS ANGELES CA 90068-1625 C009

DAVID RYU, CD 4
CITY HALL
200 N SPRING ST #425
LOS ANGELES, CA 90012

ADJACENT NOTIFICATION MAP

6443 & 6459 INNSDALE DR.



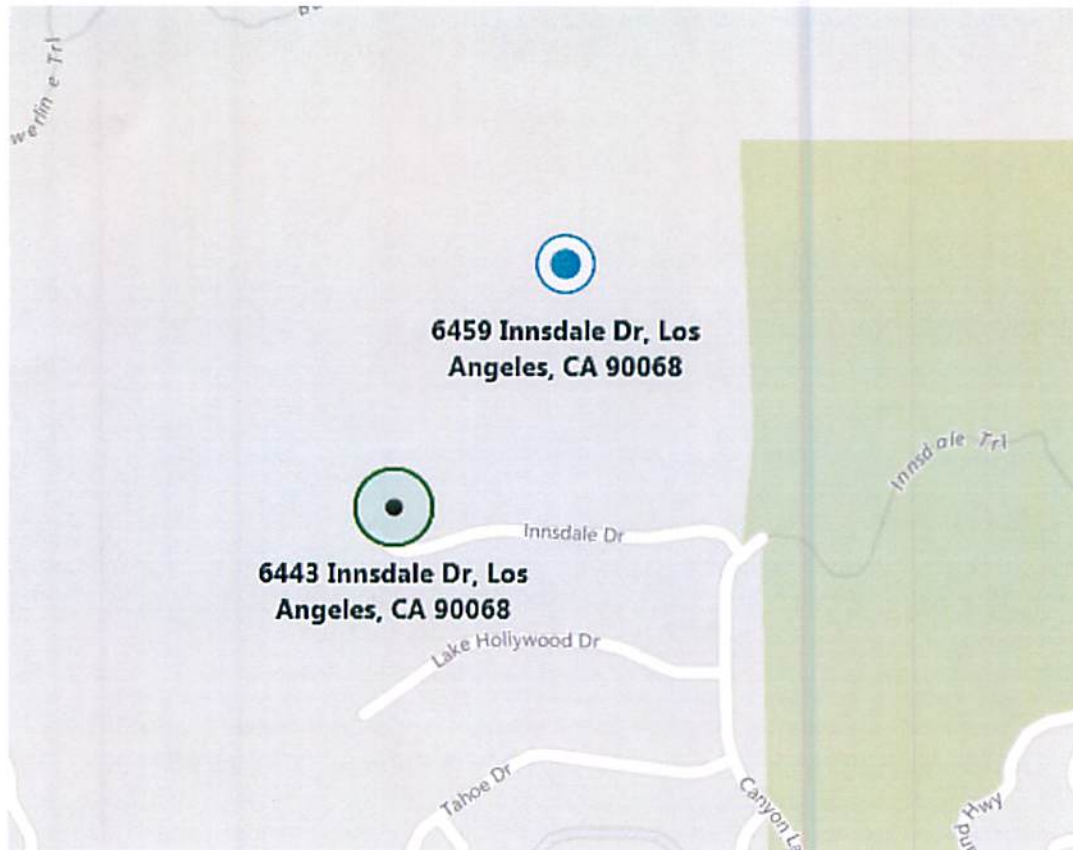
Quality Mapping Service

14549 Archwood St. Suite 301
Van Nuys, California 91405
Phone (818) 997-7949 - Fax (818) 997-0351
qmapping@qesqms.com

DATE: 01-12-17

QMS: 17-028

Vicinity Map



Address: 6443 & 6459 INNSDALE DRIVE, LOS ANGELES



17-028

**APPLICATIONS:****ENVIRONMENTAL ASSESSMENT FORM***THIS BOX FOR CITY PLANNING STAFF USE ONLY*

Environmental Case Number: _____
Related Case Numbers: _____
Case Filed With (Print Name): _____ Date Filed: _____
EAF Accepted By (Print Name): _____ Date Accepted: _____

All terms in this document are applicable to the singular as well as the plural forms of such terms.

Project Address¹: 6443 & 6459 Innsdale Drive, Los Angeles, CA 90068

Assessor's Parcel Number: 5577038047 & 5577008003

Major Cross Streets: Canyon Lake Drive

Community Plan Area: Hollywood Council District: 4

APPLICANT (if not Property Owner)

Name: _____
Company: _____
Address: _____
City: _____ State: _____ Zip Code: _____
E-Mail: _____
Telephone No.: _____

APPLICANT'S REPRESENTATIVE

Name: Ellia Thompson
Company: Ervin, Cohen & Jessup
Address: 9401 Wilshire Blvd., 9th floor
City: Beverly Hills State: CA Zip Code: 90212
E-Mail: ethompson@ecjlaw.com
Telephone No.: (310) 281-6356

PROPERTY OWNER

Name: Kenneth K and Annette C York
Company: _____
Address: 6443 Innsdale Drive
City: Los Angeles State: CA Zip Code: 90068
E-Mail: k.york@earthlink.net
Telephone No.: (323) 304-2856

ENVIRONMENTAL REVIEW CONSULTANT

Name: Tony Bomkamp
Company: Glenn Lukos Associates
Address: 29 Orchard
City: Lake Forest State: CA Zip Code: 92630
E-Mail: tbomkamp@wetlandpermitting.com
Telephone No.: (949) 837-0404

¹ Project address must include all addresses on the subject site (as identified in ZIMAS; <http://zimas.lacity.org>)

OVERVIEW

CEQA, or the California Environmental Quality Act, is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. CEQA requires public agencies to conduct environmental review before making a determination on a project. The environmental review process examines the potential impacts your project will have on the property and its surroundings, and makes recommendations (mitigation measures) on how to minimize or reduce those impacts that are found to be significant. The purpose of this application is to assist staff in determining the appropriate environmental clearance for your project. Please fill out this form completely. Missing, incomplete or inconsistent information will cause delays in the processing of your application.

1. PROJECT DESCRIPTION

- A. Briefly describe the entire project and any related entitlements (e.g. Tentative Tract, Conditional Use, Zone Change, etc.). The description must include all phases and plans for future expansion.

Development of one, 40-acre, vacant RE-40 Zoned lot for single family home of roughly 8,000 square and 2,000 square foot guest house and pool. Project located in Hillside area. Entitlements include: ZAA/ZAD to allow two retaining walls in the front, side and rear yard setbacks of 6443 and the front/side yard setbacks of 6459 Innsdale required for the fire access driveway; allow grading of roughly 38,000 cubic yards above min allowed under BHO. Allow two additional retaining walls up to 12 ft in height. Waiver of full street improvement requirements (Curb, gutter, hammerhead, etc.)

Modification to allow 10-ft wide driveway and roughly 10ft wide portion of Innsdale ROW to provide a 20ft wide LAFD approved all weather access roadway.

Additional information or Expanded Initial Study attached: ☐ YES ☐ NO

- B. Will the project require certification, authorization, clearance or issuance of a permit by any federal, state, county, or environmental control agency, such as Environmental Protection Agency, Air Quality Management District, Water Resources Board, Environmental Affairs, etc.? ☐ YES ☒ NO

If YES, please specify:

2. EXISTING CONDITIONS

A. Project Site.

Lot Area: 1,734,903 sq. ft. + 23, 34 sq. ft. (Existing single fam home at 6443 Innsdale) square feet

Net Acres: 4.2 acres Gross Acres: 40.53 acres

B. Zoning/Land Use.

	Existing	Proposed
Zoning	RE-40 & RE-15	Same
Use of Land	Vacant & SFD	SFD + SFD
General Plan Designation	Min Residential	Min Residential

C. Structures.

1. Does the property contain any vacant structure? ☐ YES ☒ NO

If YES, describe and state how long it has been vacant: _____

2. Will any structures be removed/demolished as a result of the project? ☐ YES ☒ NO

If YES, provide the number: _____, type: _____

_____, total square footage: _____

and age: _____ of structures to be removed.

If residential dwellings (apartments, single-family, condominiums etc.) are being removed indicate the number of units: _____

D. Trees.

Are there any trees on the property, and/or within the public right-of-way next to the property, that will be removed or impacted* as a result of the project? ☐ YES ☒ NO

If YES complete the following:

Tree Status	Quantity Existing	Tree Types	Quantity Removed	Quantity Relocated	Quantity Replaced	Quantity Impacted*
Non-Protected (8" trunk diameter and greater)	0					
Protected (4" trunk diameter and greater)	0	Oak Tree (excluding Scrub Oak)				
	0	Southern California Black Walnut				
	0	Western Sycamore				
	0	California Bay				

* Impacted means that grading or construction activity will be conducted within five (5) feet of, or underneath the tree's canopy.

Additional information attached: ☐ YES ☒ NO

*If a protected tree (as defined in Section 17.02 of the LAMC) will be removed, replaced, relocated, or impacted, a **Tree Report** is required.*

E. Slope. State the percent of property which is:

Less than 10% slope: _____ 10-15% slope: _____ over 15% slope: See Map

*If slopes over 10% exist, a **Topographic Map** will be required.*

F. Grading. Specify the total amount of dirt being moved:

☐ 0-500 cubic yards ☒ More than 500 cubic yards

If more than 500 cubic yards (indicate amount): 38,000 cubic yards

G. Import/Export. Indicate the amount of dirt to be imported or exported:

Imported: 0 cubic yards Exported: 0 cubic yards

Location of disposal site: On site

Location of borrow site: _____

Is the Project Site located within a Bureau of Engineering (BOE) Special Grading Area? ☐ YES ☒ NO

If YES, a **Haul Route** is required.

H. Hazardous Materials and Substances. Is the project proposed on land that is or was developed with a dry cleaning, automobile repair, gasoline station, or industrial/manufacturing use, or other similar type of use that may have resulted in site contamination? ☐ YES ☒ NO

If YES, describe: _____

If YES, a **Phase I Environmental Site Assessment (ESA)** is required.

I. Historic, Cultural and/or Architecturally Significant Site or Structure. Does the project involve any structures, buildings, street lighting systems, spaces, sites or components thereof which are designated or may be eligible for designation in any of the following? If YES, please check and describe:

☐ National Register of Historic Places: _____

☐ California Register of Historic Resources: _____

☐ City of Los Angeles Cultural Historic Monument: _____

☐ Located within a City of Los Angeles Historic Preservation Overlay Zone (HPOZ): _____

☐ Identified on SurveyLA: _____

☐ Identified in HistoricPlacesLA: _____

Does the Project affect any structure 45 or more years old that does not have a local, state, or federal designation for cultural or historic preservation? ☐ YES ☒ NO

- J. **Miscellaneous.** Does the property contain any easements, rights-of-way, Covenant & Agreements, contracts, underground storage tanks or pipelines which restrict full use of the property? ☐ YES ☒ NO

If YES, describe: _____ and indicate the sheet number on your plans showing the condition: _____.

3. PROPOSED DEVELOPMENT

In the sections below, describe the entire project, not just the area in need of the entitlement request. If the project involves more than one phase or substantial expansion or changes of existing uses, please document each portion separately, with the total or project details written below. Attach additional sheets as necessary to fully describe the project.

A. ALL PROJECTS

i. Parking.

Vehicular Parking

Required: 2 + Guest: _____

Proposed: 5 + Guest: _____

Bicycle Parking:

Required Long-Term: 0 Required Short-Term: 0

Proposed Long-Term: 0 Proposed Short-Term: 0

ii. Height.

Number of stories (not including mezzanine levels): 2 Maximum height: 36

Are Mezzanine levels proposed? ☒ YES ☐ NO

If YES, indicate on which floor: Basement,

If YES, indicate the total square feet of each mezzanine: 1,210 SF

*New construction resulting in a height in excess of 60 feet may require a **Shade/Shadow Analysis**. This does not apply to projects that are located within a Transit Priority Area (TPA) as defined by ZI-2452 (check the Planning and Zoning tab in ZIMAS for this information <http://ZIMAS.lacity.org>).*

iii. Project Size.

What is the total floor area of the project? 8,000 + 2,000 SF guest house gross square feet

iv. Lot Coverage. Indicate the percent of the total project that is proposed for:

Building footprint: 1 %

Paving/hardscape: 1 %

Landscaping: 3 %

v. Lighting. Describe night lighting of project: Min. Downward cast

B. RESIDENTIAL PROJECT

If no portion of the project is residential check ☐ -N/A and continue to next section

i. Number of Dwelling Units.

Single Family: 1, Apartment: 0, Condominium: 0

ii. Recreational Facilities. List recreational facilities for project: Pool**iii. Open Space.**

Does the project involve new construction resulting in additional floor area and units? ☐ YES ☒ NO

Does the project involve six or more residential units? ☐ YES ☒ NO

If YES to both, complete the following

Pursuant to LAMC 12.21.G	Required	Proposed
Common Open Space (Square Feet)		
Private Open Space (Square Feet)		
Landscaped Open Space Area (Square Feet)		
Number of trees (24 inch box or greater)		

iv. Utilities. Describe the types of appliances and heating (gas, electric, gas/electric, solar): _____**v. Accessory Uses.** Describe new accessory structures (detached garage, guest house, swimming pool, fence, stable, etc.) and/or additions: Guest House and Pool**C. COMMERCIAL, INDUSTRIAL OR OTHER PROJECT**

If the project is residential only check ☒ -N/A and continue to next section

i. Type of Use. _____**ii. Project Size.** Does the project only involve the remodel or change of use of an existing interior space or leasehold? ☐ YES ☐ NO

If YES, indicate the total size of the interior space or leasehold: _____ square feet

iii. Hotel/Motel. Identify the number of guest rooms: _____ guest rooms

iv. **Days of operation.** _____
Hours of operation. _____

v. **Special Events.** Will there be special events not normally associated with a day-to-day operation (e.g. fund raisers, pay-for-view events, parent-teacher nights, athletic events, graduations)? ☐ YES ☐ NO
If YES, describe events and how often they are proposed _____

vi. **Occupancy Limit.** Total Fire Department occupancy limit: _____

a. Number of fixed seats or beds _____

b. Total number of patrons/students _____

c. Number of employees per shift _____, number of shifts _____

d. Size of largest assembly area _____ square feet

v. **Security.** Describe security provisions for the project _____

4. SELECTED INFORMATION

A. **Circulation.** Identify by name all arterial road types (i.e. Boulevard I, II, Avenue I, II, III) and freeways within 1,000 feet of the proposed Project; give the approximate distances (check <http://navigatela.lacity.org> for this information). Innsdale Drive

B. **Green building certification.** Will the project be LEED-certified or equivalent? ☐ YES ☒ NO

If YES, check appropriate box:

☐ Certified ☐ Equivalent ☐ Silver ☐ Gold ☐ Platinum ☐ Other _____

C. **Fire sprinklers.** Will the Project include fire sprinklers? ☒ YES ☐ NO

5. CLASS 32 URBAN INFILL CATEGORICAL EXEMPTION (CE) REQUEST

The Class 32 "Urban Infill" Categorical Exemption (Section 15332 of the State CEQA Guidelines), is available for development within urbanized areas. This class is not intended to be applied to projects that would result in any significant traffic, noise, air quality, or water quality impacts.

☐ Check this box if you are requesting a Class 32 Exemption, and:

- ☐ You have read DCP's Specialized Instructions for the Class 32 Categorical Exemption (CP-7828) and,
- ☐ You have submitted the written justifications identified in the Specialized Instructions, and any supporting documents and/or technical studies to support your position that the proposed Project is eligible for the Class 32 Exemption and the project does not fall under any of the Exceptions pursuant to CEQA Section 15300.2.

Note that requesting the Urban Infill CE does not guarantee that the request will be accepted. The City may require additional studies and information if necessary to process the CE. The City reserves all rights to determine the appropriate CEQA clearance, including using multiple clearances and requiring an EIR if necessary.

APPLICANT/CONSULTANT'S AFFIDAVIT

OWNER MUST SIGN AND BE NOTARIZED,

IF THERE IS AN AGENT, THE AGENT MUST ALSO SIGN AND BE NOTARIZED

PROPERTY OWNER

CONSULTANT/AGENT

KENNETH K. YORK / Annette Chendemi York
I, (print name)

I, (print name) _____

Signature Annette C York

Signature _____

being duly sworn, state that the statements and information, including plans and other attachments, contained in this Environmental Assessment Form are in all respects true and correct to the best of my knowledge and belief. I hereby certify that I have fully informed the City of the nature of the Project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger Project in violation of CEQA. I understand that should the City determine that the Project is part of a larger Project for purposes of CEQA; the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.

Space Below for Notary's Use

California All-Purpose Acknowledgement

Civil Code Section 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of LOS ANGELES

On MARCH 01, 2017 before me, DANNY SIK YU, NOTARY PUBLIC
(Insert Name of Notary Public and Title)

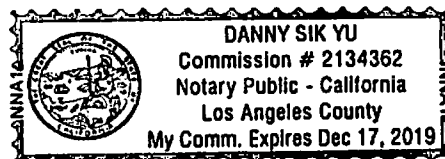
personally appeared KENNETH K. YORK AND ANNETTE CHENDEMI YORK, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Danny Sik Yu

(Seal)



INSTRUCTIONS: Environmental Assessment Form

REQUIRED SUBMITTAL MATERIALS:

The following materials are required when submitting an Environmental Assessment Form (EAF); materials must be consistent with the application. All materials should reflect the entire Project, not just the area in need of a zone change, variance, or other entitlement.

The submittal materials are IN ADDITION TO those required for any case/application for which the Environmental Assessment Form is being filed.

Exhibits Required: *Please note that based on the circumstances of a particular project proposal, in order to adequately analyze the environmental impacts of the project, assigned staff may require any of the following reports even if the project does not meet the indicated threshold.*

- A. **Plot Plans and/or Subdivision Map and/or Haul Route Map:** One full size plot plan, subdivision map or haul route map and two 11" x 17" copies; material must show the location and layout of proposed development including dimensions. Include topographic lines where grade is over 10%; and the location and diameter of all existing trees with a trunk diameter greater than four inches on the project site and the adjacent public right-of-way.
- B. **Vicinity Maps:** Two copies (8½" x 11") showing an area larger than the Radius/Land Use Map and depicting nearby street system, public facilities and other significant physical features with project area highlighted (similar to road maps, Thomas Brothers Maps, etc.).
- C. **Color Pictures:** Two or more color pictures of the project site (taken within the last 30 days) showing existing improvements, walls, trees and other structures on the property. Black and white or gray scale copies of color photos are not acceptable; internet "street view" images are not acceptable.
- D. **Notice of Intent Fee:** An UNDATED check in the amount of \$75 made out to the **Los Angeles County Clerk** for the purpose of filing a Notice of Intent to Adopt a Negative Declaration as required by Section 15072 of the State CEQA Guidelines.
- E. **Payment Receipt:** Fees must be paid at the time of filing the Environmental Assessment per Article 9, Section 19.05 of the LAMC for the purpose of processing the initial study and for the publication of the Negative Declaration or Mitigated Negative Declaration; provide one copy of the payment receipt.
- F. **Associated Application:** A duplicate copy of the application for the associated entitlement (e.g. zone change, general plan amendment, variance, conditional use, subdivider's statement) including entitlement justification and/or findings, if available.
- G. **Project Planning Referral Form:** A copy of signed Project Planning Referral form ([CP-7812](#)) if the proposed project is located in a specific plan area, Community Design Overlay (CDO), Neighborhood Oriented District (NOD), Sign District (SN), Pedestrian Oriented District (POD), Community Plan Implementation Ordinance area and/or involves small lot subdivision or affordable housing (e.g. Density Bonus, Conditional Use >35% increase, Public Benefit) type of project.
- H. **Radius/Land Use Maps:** Two full size and two 8½" x 11" reduced size radius maps, if required for discretionary filing. Maps shall be prepared in compliance with DCP's *Radius Map Requirements & Guidelines* (form CP-7826); 300' radius line is okay for site plan review applications.

- I. **Elevation Plans:** One full size and two 11" x 17" size plans. See DCP's *Elevation Instructions* form ([CP-7817](#)) for technical requirements and a listing of types of cases where elevations are always required. Exterior elevations can be required by planning staff as needed to illustrate and communicate the details of any case. Elevation plans must always show legible height dimensions.
- J. **Floor Plans:** One full size and two 11" x 17 size. Floor plans should include patios, balconies and, if proposed for use, portions of the right-of-way. Floor plans are always required for hillside projects, CUB's (seats must be numbered), projects where the City Planning Commission (CPC) or the Area Planning Commission (APC) is the decision maker and other cases when the request involves the interior lay-out of a project. Refer to the Floor Plan Instructions ([CP-7751](#)) for detailed information about technical requirements.
- K. **Tree Report:** Two copies of a tree report if project involves removal, relocation, or replacement of any protected trees on the project site or in the right-of way adjacent to the site.
- L. **Geology/Soils Approval Letter:** A copy of letter from Department of Building and Safety and copy of referenced geotechnical report, if located in hillside area and only if new construction is proposed.
- M. **Haul Route Approval:** Projects within a Hillside Grading Area involving import/export of 1,000 cubic yards or more shall submit a soils and/or geotechnical report reviewed & approved by LADBS.
- N. **Topographic Map:** If slopes over 10% exist. If site is over 50 acres, 1" = 200' scale is acceptable.
- O. **Cultural/Historic Impact Report:** If project involves a designated Cultural/Historic property or a historic/cultural resource deemed eligible as historic resources through SurveyLA.
- P. **Cultural/Historic Assessment:** If project involves an undesignated structure, 45 years or older, provide clear unobstructed color photographs of all building facades, including accessory structures and a copy of the original (oldest) building permit, with plan sketch, if available.
- Q. **Traffic Assessment:** If the project approaches or exceeds the following thresholds a Traffic Assessment review by the Department of Transportation (DOT) may be required (this list is not exhaustive, and unlisted uses may also require assessment).

Use	Threshold
Apartments	40 units
Condominiums (incl. live/work)	48 units
Convenience store (24-hr)	340 sf.
Convenience store (<24-hr)	720 sf.
Shopping center	6,700 sf.
Supermarket	2,600 sf.

Use	Threshold
General office	16,000 sf.
Fast food w/no drive-thru	570 sf.
Fast food w/drive thru	550 sf.
Restaurant – high turn over	2,300 sf.
Restaurant (including bars)	3,300 sf.

Please note that a Traffic Assessment does not necessarily result in a Traffic Study. However, an additional fee, pursuant to Section 19.15 will be required by the DOT for review of the assessment

- R. **Duplicate Files:** An additional copy of the EAF and each exhibit is necessary for projects which are located in:
- ☐ The Coastal Zone and
 - ☐ The Santa Monica Mountains area

ERVIN COHEN & JESSUP LLP

9401 Wilshire Blvd., 9th Floor
Beverly Hills, CA 90212-2974
ethompson@ecjlaw.com
PH: 310.281.6356
FX: 310.859.2325

March 1, 2017

Re: **6443 and 6459 W. Innsdale Drive - Request for Reconsideration of Mitigated Negative Declaration (ENV-2011-2940-MND)**

To Whom It May Concern:

Our law firm represents Kenneth and Annette York (the “Applicant”) in conjunction with their proposed single-family home and accessory uses (the “Project”) located at 6443 and 6459 W. Innsdale Drive (the “Property”) in the City of Los Angeles (the “City”). I am writing to request reconsideration of the Mitigated Negative Declaration (ENV 2011-2940-MND) (the “MND”) (copy attached) adopted pursuant to Case No. ZA-2011-2939-ZAA-ZAD, which approved a previous version of the Project. The Applicant is currently seeking approval of a revised version of the Project, which is substantially the same as the previous version of the Project, and for reasons stated below, will not result in any new significant impacts on the environment that were not previously disclosed in the MND.

A. Background.

The Project was originally partially approved by the Zoning Administrator on August 8, 2014 and confirmed again on appeal by the Central Area Planning Commission on November 12, 2014. The MND was adopted at the time of approval as the environmental clearance for the Project, in full compliance with the California Environmental Quality Act (“CEQA”). The Project analyzed in the MND originally proposed the construction of a two-story, 8,000 sq. ft., single family dwelling constructed over a four-car basement garage and storage area, along with a swimming pool, spa, a 1,300 square-foot guest house, a 60 feet by 120 feet tennis court, and wine caves. The Project also originally included the following entitlement requests:

- A Zoning Administrator’s Adjustment (“ZAA”) to permit retaining walls varying in height from two (2) to twelve (12) feet located partially in the front and side yards setback area of the Property;
- A Zoning Administrator's Determination (“ZAD”) to permit the following:
 - Construction of up to seven (7) retaining walls in lieu of the maximum two (2) permitted;

- To allow for any graded slopes to be 1:1 in lieu of the required 2:1;
- To allow additional grading of 39,850 cu. yards of cut and 39,850 cu. yards of fill for a total of 79,800 cu. yards instead of the maximum of 3,300 cu. yards in the RE40 Zone;
- To allow access to the proposed buildings and structures on a lot that does not have a minimum 20-foot wide continuous paved roadway from the driveway apron to the boundary of a hillside area;
- To waive required full street improvements (curb, gutters, sidewalks, turn around), and
- A waiver of the tentative tract map requirements.

The Applicant is currently requesting approval of a revised version of the Project, which proposes construction of a two-story, 8,000 sq. ft., single family home constructed over a five-car basement garage and storage, along with a swimming pool, a 2,000 square-foot guest house and an equine keeping area. The sizes of the single-family home will remain the same, and the size of the guest house is not significantly larger. The Project does not include the tennis court, paved roadway or storage shed that were previously proposed. The Project includes the same entitlement requests that were originally proposed, with the following changes:

- A ZAD to permit the following:
 - Construction of up to three (3) retaining walls in lieu of the maximum two (2) permitted *(four (4) fewer than originally analyzed in the MND)*;
 - To allow additional grading of 37,409 cu. yards of cut with 37,409 cu. yards of exempted fill to be used for a required animal keeping area. A total of 37,409 cu. yards of non-exempted dirt is being requested instead of the maximum of 3,300 cu. yards in the RE40 Zone *(a total of 4,982 cu. yards less than originally analyzed in the MND)*;

B. Justification for Request for Reconsideration.

Reconsideration of the MND is appropriate because the current application does not result in significant changes to the Project originally analyzed in the MND. The Project will include a single-family home that is the same size as originally proposed and guest house that is not significantly larger than originally proposed. The Project will be constructed in nearly the exact same location as the originally proposed Project, and as described in the Project application, the single-family home and retaining walls will still be located within a small, two-acre portion at the southwest corner of the approximately 40-acre lot that comprises the Property. The current version of the Project will be less impactful than the previous version because it does

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not include a tennis court, paved roadway or storage shed and requests approval of fewer retaining walls and a lower amount of overall site grading than was originally analyzed in the MND. Furthermore, the previously-proposed tennis court will be replaced by an equine keeping facility in roughly the same location, which is an accessory use specifically contemplated on RE40-Zoned lots in the City, such as the Property. The Project will comply with all City regulations related to equine keeping, including those required by Zoning Information file No. 2438, and as a result, potential environmental impacts related to equine keeping are not expected to exceed the thresholds established by the State CEQA Guidelines and the City's CEQA Thresholds. If any potentially significant impacts were to be identified, mitigation measures required to reduce these potential impacts to less-than-significant levels will be applied, and the MND will be recirculated for public review.

Because the proposed changes to the approved Project will not result in any significant changes in land use or new significant environmental impacts beyond those previously analyzed in the MND, we believe that the MND remains the appropriate CEQA clearance for the Project. Therefore, a reconsideration of the MND is the appropriate procedure for conducting environmental review.

Thank you for your consideration of this request. Please do not hesitate to contact me if you require any further information.

Best regards,



Ellia M. Thompson

emt:JHR