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June 28, 1990

Steven Mathews
c/o Regents of the University
of California
Faculty Housing Programs
300 Lakeside Drive South
Ninth Floor
Oakland, CA 94612-3550

Watt Parker, Inc.
2716 Ocean Park Boulevard
Santa Monica, CA 90405

Salvatorre Grammatico
c/o Coalition of Concerned
Communities
4737 Marshall Drive
Del Rey, CA 90230

Re: CASE NO. ZA 90-0086(PP)
PROJECT PERMIT
7031 Kentwood Avenue
(i.e., Tract 43416)
Westchester-Playa Del Rey
Planning Area
Zone R1-1
D.M. 102B161
C.D. 6
EIR: EIR 298-84-SUB
(Dated December, 1987)

Department of Building and Safety

In the matter of the application of the Regents of the University of California for conditional use approval on a site located in the R1-1 Zone, please be advised that based upon the findings of fact hereinafter set forth and by virtue of the authority contained in Section 12.24-C of the Municipal Code, the Zoning Administrator hereby authorizes as a conditional use, on a site described as Tract 43416, located at 7031 Kentwood Avenue, Westchester-Playa Del Rey Planning Area, for:

the issuance of a project permit for the construction, use and maintenance of 86 single-family dwellings and the creation of a view lot and an open space lot on an R1-1 zoned site in conformance with the provisions of the Westchester Bluffs Interim Control Ordinance (i.e., Ordinance No. 165,508 which became effective on March 26, 1990), all as approved under Tract No. 43416,

upon the following additional terms and conditions:

1. That the use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A".

2. That all other use, height and area regulations of the Municipal Code be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
3. That all the terms and conditions of Tract No. 43416 shall be strictly complied with.
4. That all criteria contained in Section 5 of the involved ordinance as they relate to residential development in a "Bluff Face Area" shall be strictly complied with.

The use hereby authorized is conditional upon the privileges' being utilized (i.e., the use approved being lawfully conducted on the site) within 180 days after the effective date hereof, and if they are not utilized or construction work (i.e., actual substantial physical improvements installed) is not begun within said time and carried on diligently to completion this authorization shall become void and any privilege or use granted hereby shall be deemed to have lapsed unless a Zoning Administrator has granted an extension of the time limit (the request for the extension having been submitted prior to the expiration of the grant and accompanied by the appropriate fee), after sufficient evidence has been submitted indicating that there was unavoidable delay in taking advantage of the grant. Once any portion of the privilege hereby granted is utilized, the other conditions thereof become immediately operative and must be strictly observed. Furthermore, this conditional use approval shall be subject to revocation in the manner as provided under Section 12.24,1 of the Municipal Code if the conditions imposed are not strictly observed.

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these conditions the same as for any violation of the requirements contained in the Municipal Code. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant. The Zoning Administrator's determination in this matter will become effective after July 13, 1990, unless an appeal therefrom is filed with the Board of Zoning Appeals. Any appeal must be filed on the prescribed forms, accompanied by the required fee and received and receipted at a Public Office of the Department of City Planning on or before the above date or the appeal will not be accepted.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the report of the Zoning Analyst thereon, the statements made at the public hearing before the Zoning Administrator on June 11, 1990, all of which are by reference made a part hereof, as well as knowledge of the property and the surrounding district, I find that the requirements for authorizing a conditional use under the provisions of

Section 12.24-C of the Municipal Code have been established by the following facts:

1. The subject property is an irregularly-shaped, vacant parcel of land containing approximately 57 acres located in the Westchester Bluffs area of the Westchester community. The property is classified in the R1-1 Zone having a diversity of topography ranging from flat to sloping being generally bounded by the Hughes property on the north and west; Centinela Avenue on the northeast; Kentwood Avenue, Henefer Avenue, Hedding Street and Firebrand Street on the southeast and south; and, a companion 50 lot tract to the west identified as Tract No. 43415.

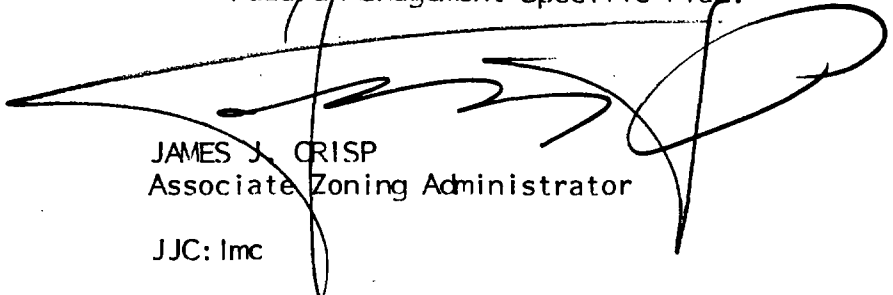
A review of information attached to the file indicates the development of the involved site for residential purposes has been under consideration for a substantial period of time with the EIR for the involved tract (i.e., Tract No. 43416) and companion tract (i.e., Tract No. 43415 which is not at issue in this report) issued in December, 1987. Further, with various tract actions and appeals undertaken between the original public hearing on tract 43416 held on February 3, 1988 and final approval of the proposed subdivision as it generally exists (i.e., 86 single-family lots, a view lot and an open space lot) by the City Council on appeal on May 2, 1989 (i.e., it is noted that the tract has been subsequently revised and modified within the context of the City Council approval with a review of landscaping and grading plans undertaken by the Advisory Agency on March 7, 1990).

Since the project site (i.e., Tract 43416) is located in a "Bluff Face Area" as defined in Section 1 of Ordinance No. 165,508 (i.e., the Westchester Bluffs Interim Control Ordinance); and, Section 4 of said ordinance requires that a project permit be granted for any proposed construction of any building or structure in accordance with the criteria and procedures set forth in Sections 4 and 5, the subject request has been filed seeking a project permit for the stated purpose.

In the opinion of the Zoning Administrator the request has merit. The project site, as contained in Tract 43416 as described, will limit development of 86 residential lots to the level area of the bluffs avoiding any development on the "Downslope of the Bluff Face". Further, there is no indication that "Bluff Face Area Criteria", as contained in Section 5 of the involved Westchester Bluffs Interim Control Ordinance, will not be complied with. The development of the site with single-family dwellings will be compatible with the surrounding area; and, it is noted that the conditions of approval of Tract 43416 are very extensive imposing far more control over development than would normally be the case.

2. Therefore, it is deemed that the development of Tract 43416, involving the creation of a view lot and an open space lot as well as 86 residential lots, is proper in relation to adjacent uses conforming with the elements and objectives of the General Plan; that said development will be proper in relation to the development

of the community; that said residential project will not be detrimental to the character of adjoining residential use in the immediate neighborhood; and, that the development of said tract will be undertaken in conformance with the criteria set forth in Section 5 of the Westchester Bluffs Interim Control Ordinance. Further, that a sufficient environmental assessment of the project has been undertaken in the form of an Environmental Impact Report (i.e., EIR 298-84-SUB dated December, 1987); and, that the project site is located in an area of minimal flooding (i.e., Zone C) which is not deemed to be significant under the provisions of the Flood Hazard Management Specific Plan.



JAMES J. CRISP
Associate Zoning Administrator

JJC:lmc

cc: Director of Planning
County Assessor
Councilwoman Ruth Galanter
Sixth District
Adjoining Property Owners

NOTE:

As requested by persons who were concerned or who were in opposition to the granting of the project permit as expressed at the public hearing held on June 11, 1990 in West Los Angeles, a letter dated June 11, 1990 from the "Coalition of Concerned Communities" is attached for review. While the stated objective of coordinating Interim Control Ordinances with the goals and objectives of the General Plan is laudable and even desirable, that objective goes far beyond the powers of the Zoning Administrator in this issue or, for that matter, the legislative provisions of the Westchester Bluffs Interim Control Ordinance. Suffice to say that the development of the site as proposed under Tract No. 43416 is in conformance with the provisions of the Westchester-Playa Del Rey District Plan which designates use for Low density residential uses; the Open Space Element of the General Plan does not designate use of the site for retention as open space; and, the Public Recreation Element of the General Plan does not designate use of the site for park purposes.



A COALITION OF CONCERNED COMMUNITIES

"Preserving the Quality of Life on the Westside"

June 11, 1990

James Crisp, Hearing Examiner
Los Angeles City Planning
Room 561
City Hall
Los Angeles, Ca. 90012

RE: Westchester Interim Control Ordinance
CF # 87-0586
CPC # 87-0331

Dear Mr. Crisp,

The Coalition of Concerned Communities is concerned that most of the guidelines that are being proposed in the ICO ordinance are missing points and objectives from the various City Plans and Guidelines. The lack of coordination from these sectors is unconscionable. From the onset, it seems that the ICO was overlooking or ignoring several plans. These plans include: 1) Seismic Safety Plan, City Plan Case, No. 24880, 2) Slope Stability Study Area, April 1972, 3) Public Recreation Plan, City Plan Case No. 26830, 4) Westchester/Playa del Rey District Plan, 5) Citywide Plan, City Plan Case No. 23332, 6) Open Space Plan, City Plan Case No. 24533, and 7) Southern California Association of Governments (SCAG).

The Seismic Safety Plan under the heading of NEW DEVELOPMENT, "Prohibits the construction of any building designed for human occupancy and/or designated for emergency use astraddle the surface trace of known active or potentially active faults as determined by geologic and seismologic investigations of the specific site." In this case, the Charnock fault lies within the boundaries of the ICO site. The Charnock fault is a spur of the North Inglewood/Newport San Onofre Fault which in a study published in 1988 by the California Department of Conservation, Division of Mines and Geology, indicates the Northern portion of this fault is an active seismic area with a capability of generating an earthquake of 8.0 magnitude on the Richter Scale.

In the Slope Stability Study Areas, the map indicates that the Westchester Bluffs falls within an unstable area. The fact that the Bluffs are composed of dark brown sand and silty sand which is subject to erosion due to surficial instability indicates that the Bluff top is not suitable for building. This area is also susceptible to ground failure from water seepage and percolation.

The **Coalition** is an umbrella organization representing thousands of people who are members of groups in the area bounded by the City of Santa Monica on the North, Manhattan Beach Boulevard on the South, Crenshaw Boulevard on the East, and the Ocean on the West.

A heavy rain storm or the seismic rumble from the traffic on the Marina and San Diego freeways in addition to Centinela Ave and Sepulveda Blvd. could also cause the Bluff to fail.

The Public Recreation Plan indicates that the Westchester Bluffs were designated to be a "neighborhood park" for the community. This plan dated 10-9-80 is not being considered in the planning stages within the ICO. The standards for the plan states that "for a neighborhood park - 1 acre per 1,000 persons, service radius 1 mile" This means that for every 1,000 residents One acre of land must be set aside for recreational purposes. In this case, a neighborhood park.

The Westchester/Playa del Rey District Plan indicates that the population projected for 1990 is 60,000 residents. The capacity for this area is projected to be 93,000 residents. This means that the area needs 60 to 93 acres for neighborhood parks for recreational use. According to the District Plan, there is only one community park, which consists of 22 acres, and no neighborhood parks. We do not have the required acres in the Westchester/Playa del Rey District now, and the only remaining open space is the Bluffs. The designation of a park for recreational use must be usable space and not on vertical slopes which are planted in vegetation and not accessible to the public.

The Citywide Plan "objectives" state that the city must reduce the risk of life, property loss and interruption of essential services that could be sustained in the event of a seismic occurrence. It also states that the City is to determine the sectors of the City that represents the greatest earthquake risks. Under "Open Space" the plan states that "Large amounts of open space are needed to serve the environmental and recreational needs of the City and to provide visual relief in the intensively developed urban areas." According to the STATE OF THE CITY'S ENVIRONMENT PRIMER, published in 1990, "At present, the City has achieved only 25% of its long-range goal of providing 4 acres of local parks per 1,000 persons. The Board recommends that the City takes all necessary steps to achieve attainment of the standard."

Under the OPEN SPACE PLAN, published by the Department Of City Planning, the definition of open space is "land which is essentially free of structures and buildings and/or is natural in character and functions in one or more of the following ways: 1) Provides opportunities for recreation and education; 2) preserves scenic, cultural or historic values; 3) conserves or preserves natural resources or ecologically important areas; 4) provides or preserves lands for managed production of natural resources; 5) Protects or provides for the public health and safety; 6) Enhances the economic base of the City; 7) Preserves or creates community scale and identity; and 8) Buffers or defines activity areas. Open space may be privately or publicly owned. This Plan includes goals, objectives, policies and programs directed towards the regulation of privately owned lands both for the benefit of the public as a whole, and for protection of individuals from the misuse of these lands. The contents of this Plan are also directed towards both the acquisition and use of publicly owned lands. Public projects and maintenance activities necessary to provide for the overriding need, particularly emergency and

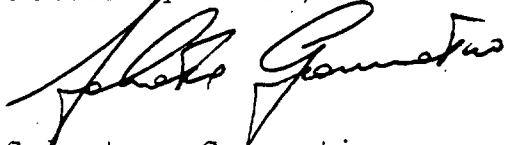
protective operations, are not intended to be prohibited by this Plan."

The California Association of Governments (SCAG), in the 1977 Open Space And Conservation Plan, state that there should be 12.5 acres of open space per 1,000 residents.

We submit that the ICO has not met the objectives of any of the above plans. We also know that it is within your power to prevent the devastation of lives and property by meeting the criteria of these guidelines.

In conclusion, we are asking that you uphold the plans listed above and that the ICO be in full compliance with these plans. In addition, if the Bluffs are eventually developed, we insist that you protect the taxpayers of this community by compelling the City to require a bond from any developer(s) to cover loss of lives and property in the event of any catastrophic event due to slope failure.

Sincerely Yours,



Salvatore Grammatico
President
4737 Marshall Drive
Del Rey, CA 90230
390-1673