

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401  
CITY PLANNING COMMISSION  
JANE ELLISON USHER  
PRESIDENT  
WILLIAM ROSCHEN  
VICE-PRESIDENT  
DIEGO CARDOSO  
REGINA M. FREER  
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FR. SPENCER T. KEZIOS  
RICARDO LARA  
CINDY MONTAÑEZ  
MICHAEL K. WOO  
GABRIELÉ WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP  
DIRECTOR  
(213) 978-1271  
VINCENT P. BERTONI, AICP  
DEPUTY DIRECTOR  
(213) 978-1272  
JOHN M. DUGAN, AICP  
DEPUTY DIRECTOR  
(213) 978-1274  
EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
www.planning.lacity.org

Decision Date: June 30, 2008

Appeal Period Ends: July 10, 2008

Theodore A. Cohen & Ernest Frankel (A)(O) RE:  
333 S. Hope Street, 48<sup>th</sup> Floor  
Los Angeles, CA 90071

Psomas (R)  
c/o Liza Ahn  
555 S. Flower Street, Suite 4400  
Los Angeles, CA 90071

Revised  
Private Street No. 1404  
Related Case: None  
Council District: 11  
Existing Zone: (Q)RD6-1, (Q)RD2-1,  
[T][Q]RE20-1-H, and [T][Q]A1-1  
D.M. : 150B137  
Community Plan: Brentwood-Pacific  
Palisades  
CEQA No.: ENV-2007-3193-MND

Pursuant to Chapter 1, Article 8, of the Los Angeles Municipal Code, the Advisory Agency approved **Private Street No. 1404**, providing legal frontage and access for 16 lots, as shown on map stamp-dated August 29, 2007 in the Brentwood-Pacific Palisades Community Plan. Application situs addresses given as:

12555, 12561, 12600-12601, 12607, 12611, 12617, 12623, 12629, 12635, 12639, 12643, 12651, 12655, 12659, 12663, and 12667 Promontory Road;

2072, 2076, 2078, 2080, 2105, 2107, 2109, 2111, 2113, 2115, and 2130 Stoney Hill Road;

12520, 12522, 12524, 12528, 12530, 12532, 12534, 12538, 12540, 12542, 12544, 12546, 12551, 12553, 12555, 12557, 12558, 12560, and 12562 The Vista; and

12542 Stoney Lane.

The Deputy to the Director of Planning will advise the Department of Building and Safety that the necessary permits may be issued pursuant to this approval following receipt of satisfactory evidence of compliance with the following conditions:

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

**BUREAU OF ENGINEERING – SPECIFIC CONDITIONS**

1. That a minimum 50-foot wide private street be provided from Mountaingate Drive to serve this site, together with 20-foot radius easement return at the intersection with Mountaingate Drive.
2. That the owners of the property record a covenant and agreement stating that the current street name of **Stoney Hill Road** will not be changed.
3. That the Vacation File titled "Stoney Hill Road from Mountaingate Drive to its Southerly Terminus" under Council File No. 07-0710 be sufficiently completed satisfactory to the City Engineer including, but limited to the following:
  - a. Payment of any deficit in fee for street vacation request under engineering file **E1401043**.
  - b. Draft resolution to Vacate be approved by the City Attorney and **Resolution to Vacate** be scheduled on City Council agenda for final consideration.
  - c. All Conditions imposed under the vacation action under File E1401043 be completed.
4. That the owners of the property record a covenant and agreement stating that they will maintain the private street free and clear of obstructions and keep the private street in a safe condition for vehicular use at all times.
5. That the private street be posted in a manner prescribed in Section 18.07 of the Los Angeles Municipal Code (Private Street Regulations).
6. That the owners of the property record a covenant and agreement stating that private ingress and egress easement over the private street area will be granted to owners of all properties currently using the public street portion of Stoney Hill Road being vacated under engineering File E1401043 for access.

**DEPARTMENT OF BUILDING AND SAFETY ZONING DIVISION**

7. That prior to issuance of the Letter of Private Street Completion, the Department of Building and Safety, Zoning Division shall certify that no Building or Zoning Code violations exist on the subject site. In addition, the following items shall be satisfied:
  - a. ZIMAS shows the proposed Private Street as a public right-of-way. Provide a copy of the instrument by which Los Angeles City Council has approved the vacation of the said public right-of-way.

- b. Provide a copy of approval letter for "Promontory Road" and "Stoney Lane" Private Streets. Show compliance with all the conditions/requirements of said approval letters as applicable.

Notes:

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

An appointment is required for the issuance of a clearance letter from the Department of Building and Safety. The applicant is asked to contact John Pourhassan at (213) 482-6880 to schedule an appointment.

#### FIRE DEPARTMENT

8. That prior to the issuance of the Letter of Private Street Completion, the owner shall make an arrangement satisfactory to the Fire Department with respect to the following:
  - a. Submit plot plans for Fire Department review and approval prior to recordation of Private Street Action.
  - b. Submit plot plans indicating access road and turning area for Fire Department approval.
  - c. No proposed development utilizing cluster, group, or condominium design of one or two family dwellings shall be more than 150 feet from the edge of the roadway of an improved street, access road, or designated fire lane.
  - d. All access roads, including fire lanes, shall be maintained in an unobstructed manner. Removal of obstructions shall be at the owner's expense. The entrance to all required fire lanes or required private driveways shall be posted with a sign no less than three square feet in area in accordance with Section 57.09.05 of the Los Angeles Municipal Code.
  - e. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.
  - f. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway, alley, or designated fire lane to the main entrance of individual units.

- g. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.
- h. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.
- i. No building or portion of a building shall be constructed more than 300 feet from an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.
- j. Private streets shall be recorded as Private Streets **AND** Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.
- k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.
- l. Plans showing areas to be posted and/or painted, "FIRE LANE NO PARKING" shall be submitted and approved by the Fire Department prior to building permit application sign-off.
- m. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

#### DEPARTMENT OF TRANSPORTATION

- 9. That prior to the issuance of the Letter of Private Street Completion, satisfactory arrangements be made with the Department of Transportation to assure:
  - a. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation.

#### DEPARTMENT OF WATER AND POWER

- 10. The Department will request, through the Bureau of Engineering, Land Development Group street vacation process, under Street Vacation File No. VAC-E1401043, an easement to be reserved on the final "Resolution to Vacate" document, for the use of the Department of Water and Power over the entire area, and finalized by recordation in the Office of the County Recorder of Los Angeles County.

**BUREAU OF SANITATION**

11. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

**DEPARTMENT OF CITY PLANNING – ENVIRONMENTAL MITIGATION MEASURES**

12. That prior to issuance of the Letter of Private Street Completion, the owner shall prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770 and Exhibit CP-6770. M) in a manner satisfactory to the Planning Department requiring the owner to identify (a) mitigation monitor(s) who shall provide periodic status reports on the implementation of mitigation items required by Mitigation Condition No. 13 of the Private Street's approval satisfactory to the Advisory Agency. The mitigation monitor(s) shall be identified as to their areas of responsibility, and phase of intervention (pre-construction, construction, postconstruction/maintenance) to ensure continued implementation of the above mentioned mitigation items.
13. Prior to the issuance of the Letter of Private Street Completion, the owner will prepare and execute a Covenant and Agreement (Planning Department General Form CP-6770) in a manner satisfactory to the Planning Department, binding the subdivider and all successors to the following:
  - MM-1. The applicant shall submit an emergency response plan for approval by the decision maker and the Fire Department. The emergency access plan shall include but not be limited to the following: mapping of emergency exits, evacuation routes for vehicles and pedestrians, location of nearest hospitals, and fire departments.
  - MM-2. The project shall comply with the Bureau of Engineering's requirements for easements and infrastructure maintenance.
  - MM-3. The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.
  - MM-4. To the satisfaction of the Fire Department, 24-hour emergency access shall be made available.
  - MM-5. To the satisfaction of the Police Department, 24-hour emergency access shall be made available.

## NOTES:

Pursuant to Los Angeles Municipal Code Section 18.08, this conditional approval of the subject Private Street shall become void unless all conditions of approval are completed or fulfilled within three years, i.e. 36 months, from the above written decision date of the approval. The time limit for completing or fulfilling such conditions of approval may be extended by the Director for a period or periods not exceeding an additional three years, i.e., 36 months, if a written request on appropriate forms, accompanied by the applicable fee is filed therefore with a Public Office of the Department of City Planning within the aforesaid three years of the written decision date of the approval.

**FINDINGS OF FACT (CEQA)**

The Environmental Staff Advisory Committee issued Mitigated Negative Declaration ENV-2007-3193-MND on November 14, 2007. The Committee found that potential negative impact could occur from the project's implementation due to:

- Emergency Evacuation Plan
- Public Services (Street Improvements Not Required by DOT)
- Inadequate Emergency Access
- Cumulative Impacts
- Effects on Human Beings

The Deputy Advisory Agency, certifies that Mitigated Negative Declaration No. ENV-2007-3193-MND reflects the independent judgement of the lead agency and determined that this project would not have a significant effect upon the environment provided the potential impacts identified above are mitigated to a less than significant level through implementation of Condition **No. 13** of the Tract's approval.

**FINDINGS OF FACT (LAMC)**

In connection with the approval of Private Street No. 1404, the Advisory of the City of Los Angeles, pursuant to Section 18.02 of the Los Angeles Municipal Code (Private Street Regulations), makes the prescribed findings as follows:

- (a) THERE EXISTS ADEQUATE AND SAFE VEHICULAR ACCESS TO THE PROPERTY FROM A PUBLIC STREET OVER A PRIVATE STREET FOR POLICE, FIRE, SANITATION, AND PUBLIC SERVICE VEHICLES.

The recommendations and/or requirements of the City Engineer, Fire Department, and the Department of Transportation have or will be incorporated into the conditions of approval to assure adequate and safe vehicular access to the property.

- (b) AN ADEQUATE WATER SUPPLY IS AVAILABLE TO THE PREMISES FOR DOMESTIC AND FIRE FIGHTING PURPOSES.

The Department of Water and Power and the Fire Department have reviewed the project and deemed the water supply adequate provided their conditions of approval are satisfied.

- (c) AN APPROVED METHOD OF SEWER DISPOSAL IS AVAILABLE.

The Bureau of Engineering has stated in the engineering report for the project that there are existing public sewers available to serve the subject parcels. The parcels will connect to the public sewer system and will not result in violation of the California Water Code.

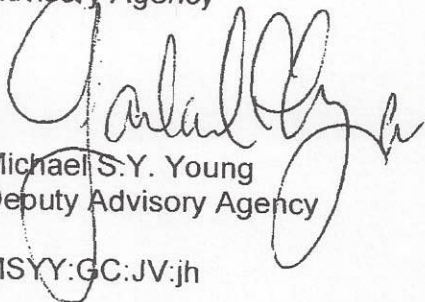
- (d) THE LOT OR BUILDING SITE IS OR WILL BE GRADED AND ENGINEERED IN ACCORDANCE WITH THE GRADING REGULATIONS OF THE CITY OF LOS ANGELES AS SET FORTH IN ARTICLE I OF CHAPTER 3 OF THIS CODE.

No grading is proposed or approved in connection to this private street map.

- (e) ANY PROPOSED NAME OF A PRIVATE STREET HAS BEEN OR SHALL BE APPROVED BY THE CITY ENGINEER APPLYING THE STANDARDS SET FORTH IN SUBDIVISION 6 OF SUBSECTION A OF SECTION 17.52 OF THIS CODE.

Condition No. 2 has been imposed to assure that the current street name of Stoney Hill Road will not be changed.

S. Gail Goldberg, AICP  
Advisory Agency



Michael S.Y. Young  
Deputy Advisory Agency

MSYY:GC:JV:jh

Note: If you wish to file an appeal, it must be filed within 10 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 10-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

Figueroa Plaza  
201 N. Figueroa St., 4<sup>th</sup> Floor  
Los Angeles, CA 90012  
213.482.7077

Marvin Braude San Fernando  
Valley Constituent Service Center  
6262 Van Nuys Boulevard  
Room 251  
Van Nuys, CA 91401  
818.374.5050

**Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).**

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90<sup>th</sup> day following the date on which the City's decision becomes final.

If you have any questions, please call Subdivision staff at (213) 978-1362.



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20091392785



Pages:  
0003

Recorded/Filed in Official Records  
Recorder's Office, Los Angeles County,  
California

09/11/09 AT 11:26AM

|        |       |
|--------|-------|
| FEES:  | 15.00 |
| TAXES: | 0.00  |
| OTHER: | 0.00  |
| PAID:  | 15.00 |



LEADSHEET



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002306781

SEQ:  
01

DAR - Counter (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Liza Ahn  
PSOMAS  
555 S. Flower St, Suite 400  
Los Angeles, CA 90071



**COVENANT AND AGREEMENT**

The undersigned hereby certify that I am (we are) the owners of the herinafter described real property located in the City of Los Angeles, County of Los Angeles, State of California:

Lots 7-13, 16-20, and 42-44 of Tract No. 42481, in the City Of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 1018 Pages 72-77 of Maps, in the office of the County Recorder of said county.

That in consideration of and as a condition for the approval of Private Street (PS) Map No. 1404 by said City, I (we) do hereby promise, covenant and agree to and with said City of Los Angeles to:

- The current street name of Stoney Hill Road will not be changed. (PS Condition No. 2).
- That the private ingress and egress easement over the private street area will be granted to owners of all properties currently using the public street portion of Stoney Hill Road being vacated under engineering File E1401043 for access. (PS Condition Nos. 1 and 6).

That this covenant and agreement shall run with the land and be binding upon any future owners, encumbrancers, successors, heirs or assigns and shall continue in effect unless otherwise released by authority of the City Engineer of the City of Los Angeles.

CREST/PROMONTORY COMMON AREA ASSOCIATION

Martha K. Bermingham  
Martha K. Bermingham, President  
Date: 5/1/09

Case No. \_\_\_\_\_

Condition No(s). \_\_\_\_\_

Approved for recording by:  
Signed: Georgie Avanesian  
Print: Georgie Avanesian  
(Bureau of Engineering)

Date: 9/9/09

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

3

State of California

County of Orange

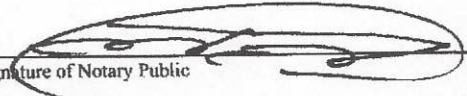
On 5/1/2009 before me, Jose J. Fernandez, Notary Public  
(Here insert name and title of the officer)

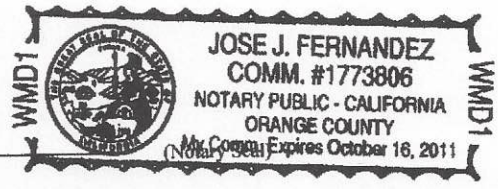
personally appeared Martna K. Birmingham

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 of 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 of Notary Public 



## ADDITIONAL OPTIONAL INFORMATION

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

**DESCRIPTION OF THE ATTACHED DOCUMENT**

Covenant and Agreement  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages 2 Document Date 5/1/09

\_\_\_\_\_  
(Additional information)

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

**CAPACITY CLAIMED BY THE SIGNER**

Individual (s)

Corporate Officer

\_\_\_\_\_  
(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other \_\_\_\_\_

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20100135911



Pages:  
0007

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Recorder's Office, Los Angeles County,  
California

01/29/10 AT 11:17AM

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| FEES:       | 0.00 |
| TAXES:      | 0.00 |
| OTHER:      | 0.00 |
| <hr/> PAID: | 0.00 |



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02

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Recorded at the request of  
**THE CITY OF LOS ANGELES**



When recorded mail to  
**City Clerk Mail Box**

R/W 33753

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**Resolution To Vacate No. 09-1401043**  
(California Streets and Highways Code  
Section 8324, 8325,8340)

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

WILLIAM ROSCHEN  
PRESIDENT  
REGINA M. FREER  
VICE-PRESIDENT  
SEAN O. BURTON  
DIEGO CARDOSO  
ROBIN R. HUGHES  
FR. SPENCER T. KEZIOS  
CINDY MONTAÑEZ  
BARBARA ROMERO  
MICHAEL K. WOO  
JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



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DEPUTY DIRECTOR  
(213) 978-1273  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
www.planning.lacity.org

Decision Date: August 20, 2009

Appeal Date: September 4, 2009

Theodore A. Cohen &  
Ernest Frankel (A)(O)  
333 South Hope Street  
48<sup>th</sup> Floor  
Los Angeles, CA 90071

Liza Ahn (R)  
PSOMAS  
555 South Flower Street, Suite 4400  
Los Angeles, CA 90071

RE: Private Street No. 1404-M1  
Related Case: none  
2105 North Stoney Hill Road  
Brentwood-Pacific Palisades Planning Area  
Zone : (Q)RD6-1, (Q)RD2-1, [T][Q]RE20-1-  
H, and [T][Q]A1-1  
D.M. : 150-B-137  
C.D. : 11  
CEQA: ENV-2007-3193-MND  
Legal Description: Tract: 42481-C, Lot: 19

**LETTER OF MODIFICATION**

On June 30, 2008, in accordance with provisions of Chapter 1, Article 8, of the Los Angeles Municipal Code, the Advisory Agency conditionally approved Private Street No. 1404, providing legal frontage and access for 16 lots, as shown on map stamp-dated August 29, 2007 in the Brentwood-Pacific Palisades Community Plan. Application situs addresses given as:

12555, 12561, 12600-12601, 12607, 12611, 12617, 12623, 12629, 12635, 12639, 12643, 12651, 12655, 12659, 12663, and 12667 Promontory Road;

2072, 2076, 2078, 2080, 2105, 2107, 2109, 2111, 2113, 2115, and 2130 Stoney Hill Road;

12520, 12522, 12524, 12528, 12530, 12532, 12534, 12538, 12540, 12542, 12544, 12546, 12551, 12553, 12555, 12557, 12558, 12560, and 12562 The Vista;

and 12542 Stoney Lane.

In order to facilitate and expedite the clearance of the Private Street conditions in advance of the expiration of the Street Vacation (VAC-E1401043) of Stoney Hill Road on November 11, 2009, the City Council on July 31, 2009 adopted a motion to permit the revision of Private Street Map Condition Nos. 2 and 6 to read as follows:

MODIFY CONDITION NO. 2:

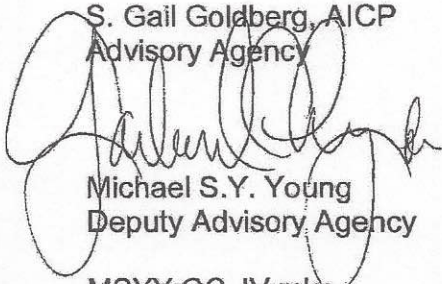
2. That at least 90 percent of the owners of the property record a covenant and agreement, stating that the current street name of Stoney Hill Road will not be changed.

MODIFY CONDITION NO. 6:

6. That at least 90 percent of owners of the property record a covenant and agreement stating that private ingress and egress easement over the private street area will be granted to owners of all properties currently using the public street portion of Stoney Hill Road being vacated under engineering File E1401043 for access.

All other conditions of Private Street No. 1404 remain unchanged.

S. Gail Goldberg, AICP  
Advisory Agency



Michael S.Y. Young  
Deputy Advisory Agency

MSYY:GC.JV:mks

Note: If you wish to file an appeal, it must be filed within 15 calendar days from the decision date as noted in this letter. For an appeal to be valid to the Area Planning Commission, it must be accepted as complete by the City Planning Department and appeal fees paid, prior to expiration of the above 15-day time limit. Such appeal must be submitted on Master Appeal Form No. CP-7769 at the Department's Public Offices, located at:

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

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

Forms are also available on-line at [www.lacity.org/pln](http://www.lacity.org/pln).

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90<sup>th</sup> day following the date on which the City's decision becomes final.

If you have any questions, please call Subdivision staff at (213) 978-1362.

# **EXHIBIT D**



April 3, 2009

Mr. Edmond Yew  
**LOS ANGELES BUREAU OF ENGINEERING**  
201 N. Figueroa, Suite 200  
Los Angeles, CA 90012

Subject: Stoney Hill Road Private Street Map No. 1404---Condition No. 6  
(Psomas Reference No. 1PIL0201)

Dear Edmond:

I am writing this letter on behalf of the applicants of Private Street Map No. 1404. Per our telephone conversation, the purpose of this letter is to summarize how Bureau of Engineering Condition No. 6 of Private Street Map No. 1404 will be cleared. The condition states:

That the owners of the property record a covenant and agreement stating that private ingress and egress easement over the private street area will be granted to owners of all properties currently using the public street portion of Stoney Hill Road being vacated under engineering File E1401043 for access.

Three covenants will be prepared stating that ingress and egress easements will be granted to all properties currently using Stoney Hill Road. The entities that will sign the covenants are: 1) Crest/Promontory Common Area Association, 2) The Vista Condominium Association, and 3) David and Randi Fett.

The Covenants, Conditions, and Restrictions (CC&Rs) for the Crest/Promontory Common Area Association that was recorded as Instrument No. 83-917879 and subsequently amended by the document recorded as Instrument No. 83-1426196, indicate that the Crest/Promontory common area is owned by the Crest/Promontory Common Area Association, and that each condominium owner is given a non-exclusive easement over said common area. Therefore, the ground lots for Lots 7-13, 16-20, and 42-44 of Tract 42481 are owned by the Crest/Promontory Common Area Association, and not the individual condominium owners.

555 South Flower Street  
Suite 4400  
Los Angeles, CA 90071

P:213.223.1400  
F:213.223.1444  
[www.psomas.com](http://www.psomas.com)

Mr. Edmond Yew  
Page 2 of 2  
April 3, 2009  
(1PIL0201)

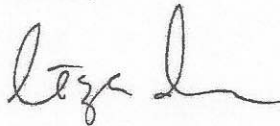
Similarly, the CC&Rs for The Vista Condominium Association that was recorded as Instrument No. 81-829948 and subsequently amended by the document recorded as Instrument No. 96-1576917, indicate that The Vista common area is owned by The Vista Condominium Association, and that each condominium owner is given a non-exclusive easement over said common area. Therefore, the ground lot for Lots 5 and 6 of Tract 35197 are owned by The Vista Condominium Association, and not the individual condominium owners.

Lastly, Parcel B of Parcel Map 6384 is owned by the Randi L. Fett Qualified Personal Residence Trust Dated January 22, 1999, with David R. Fett and Randi L. Fett as trustees.

Copies of the CC&Rs and deed are enclosed with this letter.

Please do not hesitate to contact me at 213/223-1459 if you should have any questions or comments. Thank you.

Sincerely,



PSOMAS

Liza Ahn  
Senior Planner

LA:la

Enclosures

cc: Robert Castillo, Real Estate Division  
Georgic Avanesian, Land Development Group  
Dale Williams, Land Development Group  
Ted Cohen  
Ernest Frankel

# EXHIBIT E

DEPARTMENT OF  
CITY PLANNING  
200 N. SPRING STREET, ROOM 525  
LOS ANGELES, CA 90012-4801  
AND  
6262 VAN NUYS BLVD., SUITE 351  
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

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PRESIDENT  
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BARBARA ROMERO  
MICHAEL K. WOO  
JAMES WILLIAMS  
COMMISSION EXECUTIVE ASSISTANT  
(213) 978-1300

CITY OF LOS ANGELES  
CALIFORNIA



ANTONIO R. VILLARAIGOSA  
MAYOR

EXECUTIVE OFFICES

S. GAIL GOLDBERG, AICP  
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(213) 978-1271  
VINCENT P. BERTONI, AICP  
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(213) 978-1274  
JANE BLUMENFELD  
ACTING DEPUTY DIRECTOR  
(213) 978-1272  
EVA YUAN-MCDANIEL  
DEPUTY DIRECTOR  
(213) 978-1273  
FAX: (213) 978-1275  
INFORMATION  
(213) 978-1270  
[www.planning.lacity.org](http://www.planning.lacity.org)

Date: December 17, 2009

Theodore A. Cohen &  
Ernest Frankel (A)(O)  
333 South Hope Street  
48<sup>th</sup> Floor  
Los Angeles, CA 90071

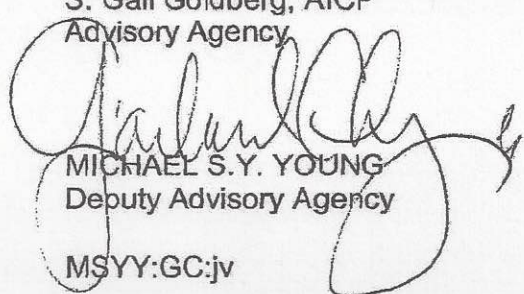
Liza Ahn (R)  
PSOMAS  
555 South Flower Street, Suite 4400  
Los Angeles, CA 90071

Revised  
RE: Private Street No. 1404/1404-M1  
Related Case: None  
2105 North Stoney Hill Road  
Brentwood-Pacific Palisades Planning Area  
Zones: (Q)RD6-1, (Q)RD2-1, [T][Q]RE20-1-  
H, and [T][Q]A1-1  
C.D. : 11

This communication is to advise you that all of the conditions of this Private Street as set forth by the Deputy Director of Planning on June 30, 2008 and August 20, 2009, located at Stoney Hill Road, between Mountaingate Drive and its southerly terminus (approximately 861.02 feet), as shown on the map stamp-dated August 29, 2007, have been complied with.

**Building permits may be approved insofar as this means of access is concerned.**

S. Gail Goldberg, AICP  
Advisory Agency

  
MICHAEL S.Y. YOUNG  
Deputy Advisory Agency

MSYY:GC:jv