

CITY OF LOS ANGELES
CALIFORNIA

HOLLY L. WOLCOTT
Interim City Clerk



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MAYOR

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When making inquiries relative to
this matter, please refer to the
Council File No.

February 25, 2014

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-1022,
at its meeting held February 12, 2014.



City Clerk
WRQ

TIME LIMIT FILES
ORDINANCES

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2014 FEB 14 PM 4:15
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2014 FEB 14 PM 4:08
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 12-1022 COUNCIL DISTRICT 14

COUNCIL APPROVAL DATE February 12, 2014 LAST DAY FOR MAYOR TO ACT FEB 24 2014

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: GENERAL PLAN AMENDMENT, ZONE AND HEIGHT DISTRICT CHANGE FOR
PROPERTY AT 1755 EAST 3RD STREET

	APPROVED	DISAPPROVED
PLANNING COMMISSION	<u>X</u>	_____
DIRECTOR OF PLANNING	_____	_____
CITY ATTORNEY	_____	_____
CITY ADMINISTRATIVE OFFICER	_____	_____
OTHER	_____	_____

RECEIVED
CITY CLERK'S OFFICE
2014 FEB 24 PM 2:20
CITY CLERK
BY _____
DEPUTY

FEB 20 2014

DATE OF MAYOR APPROVAL, DEEMED APPROVED OR *VETO FEB 24 2014
(*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 250(b) (c))

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR FEB 24 2014 ORDINANCE NO. 182908
DATE PUBLISHED _____ DATE POSTED FEB 25 2014 EFFECTIVE DATE APR - 6 2014
ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____
ORDINANCE FOR DISTRIBUTION: YES NO

2/12/14

File No. 12-1022

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCE FIRST CONSIDERATION relative to a General Plan Amendment, zone and height district change for property at 1755 East 3rd Street.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. FIND that this project will not have a significant effect on the environment, pursuant to the City's Environmental Guidelines and is in compliance with the California Environmental Quality Act; that the Mitigated Negative Declaration reflects the independent judgment of the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 12-1022 in the custody of the City Clerk and in the files of the Department of City Planning in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2009-2648-MND].
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC) as the Findings of the Council.
3. ADOPT the accompanying RESOLUTION as recommended by the Director of Planning on behalf of the LACPC and APPROVE the proposed General Plan Amendment to the Boyle Heights Community Plan Area from Public Facilities to Medium Residential Land Use Designation, for the proposed construction of a four-story, maximum 45 foot high, 40 unit apartment building, providing 80 parking spaces, located on a 26,253 irregularly shaped site for property located at 1755 East Third Street.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the Director of Planning, effecting a zone and height district change from PF-1XL to (T)(Q)R3-1, for property at 1755 East 3rd Street, subject to Conditions of Approval.
5. INSTRUCT the Department of City Planning to update the General Plan and appropriate maps pursuant to this action.
6. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
7. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
8. ADVISE the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. ADVISE the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee and/or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination filing.

Applicant: Sivoush Nayyeri

Representative: Emilio Gutierrez

Case No. CPC-2009-3210-GPA-ZC-HD

Fiscal Impact Statement: The LACPC reports that there is no General Fund impact, as administrative costs are recovered through fees.

Community Impact Statement: None submitted.

TIME LIMIT FILE - FEBRUARY 18, 2014

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 18, 2014)

Summary:

At the public hearing held on January 28, 2014, the Planning and Land Use Management Committee considered a General Plan Amendment and zone and height district change for property located at 1755 East 3rd Street. After an opportunity for public comment, the Committee recommended that Council approve the General Plan Amendment and zone and height district change from PF-1XL to (T)(Q)R3-1 for the Boyle Heights Community Plan Area from Public Facilities to Medium Residential located at 1755 East 3rd Street. This matter is now submitted to Council for its consideration.

As indicated in Recommendation No. 7 and pursuant to Section 12.32-J of the Los Angeles Municipal Code (LAMC), the applicant is hereby advised that:

"...whenever property remains in a "Q" Qualified classification for six years ... after the effective date of the ordinance creating same without substantial physical development thereof for one or more of the uses first permitted herein having taken place within such time or if the Director of Planning determines that such development is not thereafter continuously and expeditiously carried on to completion, or if no physical development is necessary, without having been need for one or more of the purpose first permitted thereby, such Qualified classification and the authority contained therein shall become null and void, the rezoning proceedings shall be terminated and the property thereafter may only be utilized for those purposes permitted prior to the commencement of such rezoning proceedings."

Respectfully Submitted,


PLANNING AND LAND USE MANAGEMENT COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
HUIZAR	YES
CEDILLO	YES
ENGLANDER	YES

ADOPTED

FEB 12 2014

LOS ANGELES CITY COUNCIL



-NOT OFFICIAL UNTIL COUNCIL ACTS-

MAYOR WITH FILE

RESOLUTION

WHEREAS, the subject property is located within the area covered by the Boyle Heights Community Plan, which was adopted by the City Council on November 10, 1998 (City Planning Case No. CPC-1994-0210-CPU; Council File No. 95-1302); and

WHEREAS, the applicant requested a proposed General Plan Amendment within the Boyle Heights Community Plan from Public Facilities land use designation to Medium Density Residential land use designation; and

WHEREAS, the proposed project is for the construction of a 32 unit residential project, 45 Feet in height, with parking spaces as required per LAMC; and

WHEREAS, the City Planning Commission at its meeting of March 8, 2012 , disapproved a General Plan Amendment from Public Facility to Medium Density Residential land use designation for property located at 1755 E. 3rd Street; and

WHEREAS, pursuant to the provisions of the Los Angeles City Charter, the Mayor and City Planning Commission have transmitted their recommendations; and

WHEREAS, the recommended General Plan Amendment IS CONSISTENT with the intent and purpose of the adopted Boyle Heights Community Plan to designate land uses in an orderly and unified manner; and

WHEREAS, approval of the Medium Density Residential land use designation will allow the residential development on the site which will be consistent with the Plan and the zone; and

WHEREAS, the subject project has a Mitigated Negative Declaration No. ENV 2009-2648-MND, in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED that the Boyle Heights Community Plan shall be amended as shown on the attached General Plan Amendment Map.

I CERTIFY THAT THE FOREGOING
RESOLUTION WAS ADOPTED BY THE
COUNCIL OF THE CITY OF LOS ANGELES
AT ITS MEETING OF FEB 12 2014
BY A MAJORITY OF ALL ITS MEMBERS.



HOLLY L. WOLCOTT
INTERIM CITY CLERK

BY [Signature]
DEPUTY