

CITY OF LOS ANGELES
CALIFORNIA

JUNE LAGMAY
City Clerk

HOLLY L. WOLCOTT
Executive Officer

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



ANTONIO R. VILLARAIGOSA
MAYOR

Office of the
CITY CLERK

Council and Public Services
Room 395, City Hall
Los Angeles, CA 90012
General Information - (213) 978-1133
Fax: (213) 978-1040

SHANNON HOPPE
Council and Public Services
Division

www.cityclerk.lacity.org

February 13, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File No. 12-1905,
at its meeting held January 30, 2013.

City Clerk

io

TIME LIMIT FILES
ORDINANCES

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2013 FEB -1 PM 2:55
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2013 FEB -1 PM 2:51
CITY CLERK
BY _____
DEPUTY

COUNCIL FILE NUMBER 12-1905 COUNCIL DISTRICT 2

COUNCIL APPROVAL DATE January 30, 2013 LAST DAY FOR MAYOR TO ACT FEB 11 2013

ORDINANCE TYPE: Ord of Intent Zoning Personnel General
 Improvement LAMC LAAC CU or Var Appeals - CPC No. _____

SUBJECT MATTER: GENERAL PLAN AMENDMENT, ZONE CHANGE, AND BUILDING LINE REMOVAL FOR PROPERTIES AT 13439 (13437-13443) WEST BURBANK BOULEVARD

Building Line: 182432

Zone Change: 182433

PLANNING COMMISSION
DIRECTOR OF PLANNING
CITY ATTORNEY
CITY ADMINISTRATIVE OFFICER
OTHER

APPROVED	DISAPPROVED
<u>X</u>	_____
<u>X</u>	_____
<u>X</u>	_____
_____	_____
_____	_____

RECEIVED
CITY CLERK'S OFFICE
2013 FEB - 8 PM 3:30
BY _____
CITY CLERK
DEPUTY

FEB 08 2013

DATE OF MAYOR APPROVAL FEB 08 2013 DEEMED APPROVED OR *VETO _____
(*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 - 8 2013 ORDINANCE NO. 3 See Above

DATE PUBLISHED _____ DATE POSTED FEB 13 2013 EFFECTIVE DATE MAR 25 2013

ORD. OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES NO

12

1/30/13

TO THE COUNCIL OF THE
CITY OF LOS ANGELES

FILE NO. 12-1905

Your **PLANNING AND LAND USE MANAGEMENT** Committee

reports as follows:

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT, RESOLUTION and ORDINANCES relative to a General Plan amendment, zone change, and building line removal for properties at 13439 (13437-13443) West Burbank Boulevard.

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 lead agency in the City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council file No. 12-1905 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-2012-1224-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 Mayor, the Director of Planning and the LACPC APPROVING the proposed General Plan amendment to the Van Nuys - North Sherman Oaks Community Plan from Low Residential to Medium Residential land use designation for the construction of a two-story, 35-foot high, 22-unit apartment building over one level of on-grade parking on a 20,250 square-foot parcel, located at 13439 (13437-13443) West Burbank Boulevard.

Applicant: Altimus Properties, LLC
Representative: Jerome Buckmelter

Case No. CPC-2012-1225-GPA-ZC-BL

4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a zone change from [Q]R3-1 (multiple dwelling zone) and R1-1 (one-family dwelling zone) to (T)(Q)R3-1 for property located at 13439 (13437-13443) West Burbank Boulevard, subject to Conditions of Approval.
5. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting the removal of a building line on the north side of Burbank Boulevard between Sunnyslope Avenue and Greenbush Avenue established by Ordinance No. 98921, for property located at 13439 (13437-13443) West Burbank Boulevard.
6. REMOVE (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
7. INSTRUCT the Planning Department to update the General Plan and appropriate maps pursuant to this action.

8. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
9. 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.
10. 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.

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 21, 2013

(LAST DAY FOR COUNCIL ACTION - FEBRUARY 20, 2013)

Summary:

At the hearing held on January 15, 2013, the Planning and Land Use Management Committee considered a Mitigated Negative Declaration and related California Environmental Quality Act findings, reports from the Mayor, Director of Planning, and the Los Angeles City Planning Commission, Resolution, and Ordinances relative to a proposed General Plan amendment to the Van Nuys - North Sherman Oaks Community Plan from Low Residential to Medium Residential land use designation, a zone change from [Q]R3-1 (multiple dwelling zone) and R1-1 (one-family dwelling zone) to (T)(Q)R3-1, and a removal of the 25-foot building line on Burbank Boulevard, subject to Conditions of Approval, for the construction of a two-story, 35 foot high, 22-unit apartment building over one level of on-grade parking on a 20,250 square foot parcel located at 13439 (13437 - 13443) West Burbank Boulevard. After an opportunity for public comment, the Committee recommended that Council approve the report and recommendations of the Mayor, Director of Planning, and LACPC. This matter is now submitted to Council for its consideration.

As indicated in Recommendation No. 8 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>
REYES	YES
HUIZAR	YES
ENGLANDER	YES

SG: ea
CD 2
1/17/13
12-1905_rpt_plum_1-15-13

ADOPTED
JAN 30 2013
LOS ANGELES CITY COUNCIL

Not Official Until Council Acts -

RESOLUTION

WHEREAS, the subject project is located within the area covered by the Van Nuys –North Sherman Oaks Community Plan adopted by the City Council on September 9, 1998; and

WHEREAS, the City Planning Commission recommended a General Plan Amendment from Low Residential to Medium Residential; a Zone Change from [Q]R3-1 (Multiple Dwelling Zone) and R1-1 (One-Family Dwelling Zone) to (T)(Q)R3-1 (Multiple Dwelling Zone); and a Building Line Removal of the 25-foot building line; and

WHEREAS, the approved project is for the construction of a 35-foot high, 22-unit apartment building over one level of on-grade parking on a 20,250 square-foot parcel;

WHEREAS, the City Planning Commission at its meeting of October 25, 2012 approved the General Plan Amendment and recommended adoption by the City Council of a General Plan Amendment over the subject property; and

WHEREAS, the City Planning Commission approved the requested zone change from [Q]R3-1 and R1-1 to (T)(Q)R3-1 zone classification on the subject property; and

WHEREAS, the City Planning Commission approved the requested building line removal of the 25-foot building line established by Ordinance 98,921 on November 5, 1951; 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 requested General Plan Amendment is consistent with the intent and purpose of the adopted Van Nuys – North Sherman Oaks Community Plan to designate land use in an orderly and unified manner; and

WHEREAS, the recommended Medium Residential land use designation and the (T)(Q)R3-1 Zone Change will allow the project as described above which is consistent with the Community Plan and Zone; and

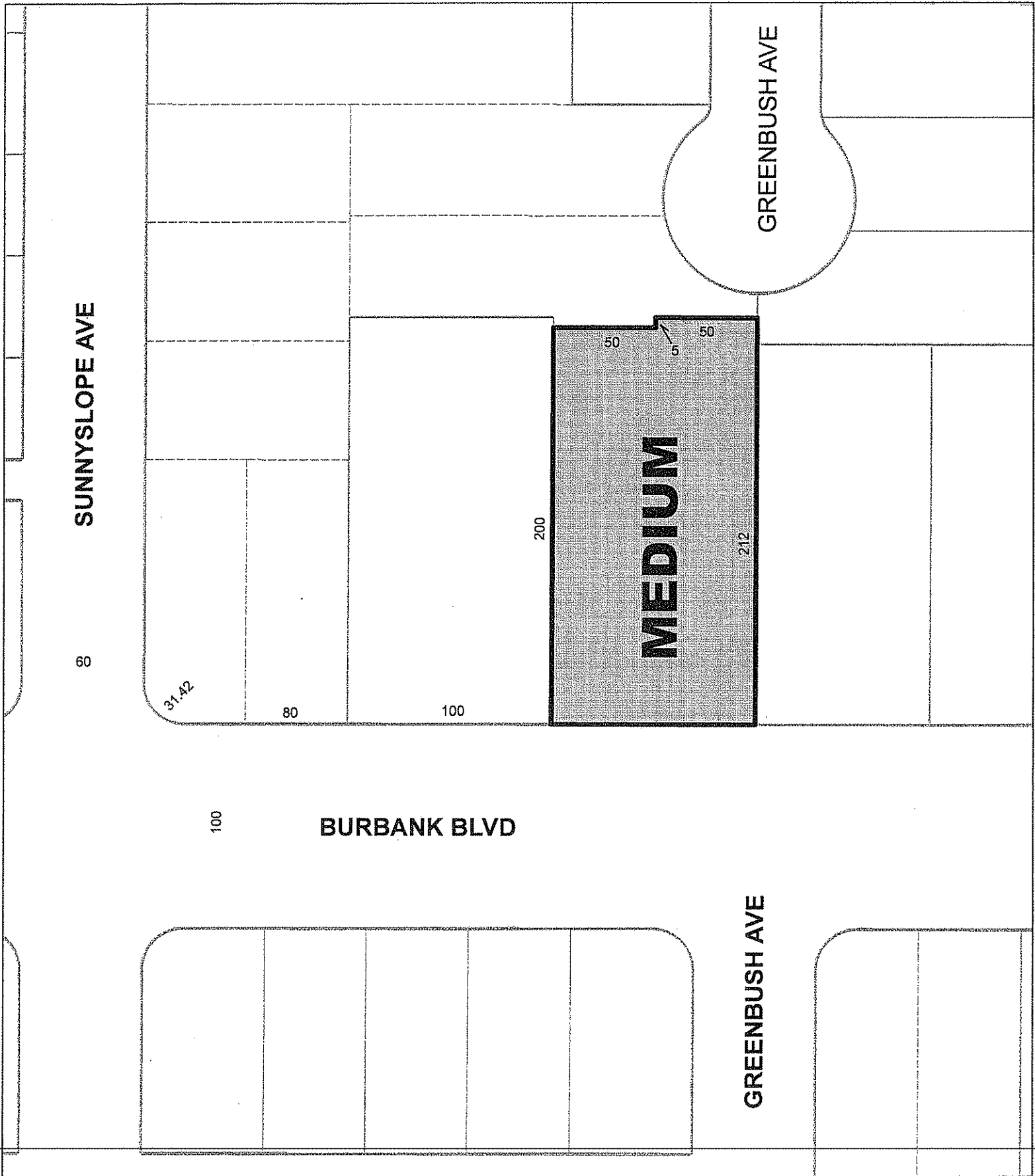
WHEREAS, the subject proposal has prepared a Mitigated Negative Declaration No. 2012-1224 in accordance with the City's Guidelines for implementation of the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RELOVED that the Van Nuys – North Sherman Oak Community Plan 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 JAN 30 2013
BY A MAJORITY OF ALL ITS MEMBERS.

JUNE LAGMAY
CITY CLERK
BY Sharon Bruce
DEPUTY





C.M. 174 B 157	CPC-2012-1225-GPA-ZC-BL
----------------	-------------------------

LH/ *[Signature]*

090112

