

4/21/15

**File No. 13-0804**

PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to a court-issued interlocutory writ in Lazarof v. City of Los Angeles, Los Angeles Superior Court Case No. BS 146304, concerning a 50 foot height variance at 360 North Stone Canyon Road.

Recommendation for Council action:

ADOPT the revised Findings, per the Los Angeles Superior Court's interlocutory writ, as presented by Councilmember Paul Koretz dated March 12, 2015 and recommended for adoption by the Planning and Land Use Management Committee on April 14, 2015, attached to the Council file.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary

At the public hearing held on April 14, 2015, the Planning and Land Use Management Committee considered the presentation of, and request for action consistent with, a court-issued interlocutory writ dated March 12, 2015 in Lazarof v. City of Los Angeles, Los Angeles Superior Court Case No. BS 146304, concerning a 50 foot height variance at 360 North Stone Canyon Road.

The variance, which was approved by City Council on September 11, 2013, was challenged in Court. The Court ordered the City to prepare revised findings citing to evidence that was before the Zoning Administrator. Specifically, the writ commands the City "[t]o excise the references to the Leonard Liston Declaration from its decision on the matter and replace those references with citations to the points in the actual record which the City Council determined were persuasive or inadequately addressed by the Zoning Administrator's decision." Council will consider the revised findings, as presented by Councilmember Koretz on March 12, 2015.

Staff from the City Attorney's Office gave the Committee background information on the matter. The applicant's representative spoke as well as staff from Council District Five. After an opportunity for public comment, the Committee recommended that Council adopt the revised Findings, as presented by Councilmember Paul Koretz dated March 12, 2015 and previously approved by the Planning and Land Use Management Committee on March 24, 2015, attached to the Council file, as the Findings of the Council. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

PLANNING AND LAND USE MANAGEMENT COMMITTEE

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

-NOT OFFICIAL UNTIL COUNCIL ACTS-