

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

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Interim City Clerk

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CITY CLERK

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Council and Public Services
Division


www.cityclerk.lacity.org

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

September 5, 2013

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council File
No. 13-0877, at its meeting held August 28, 2013.


City Clerk
kw

OFFICE Mayor's Time Stamp
 2013 AUG 29 AM 9:10
 CITY OF LOS ANGELES

TIME LIMIT FILES
 ORDINANCES

RECEIVED
 City Clerk's Time Stamp
 2013 AUG 29 AM 8:47
 CITY CLERK
 BY _____ DEPUTY

FORTHWITH

COUNCIL FILE NUMBER 13-0877 COUNCIL DISTRICT 4

COUNCIL APPROVAL DATE AUGUST 28, 2013 LAST DAY FOR MAYOR TO ACT SEP 09 2013

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

SUBJECT MATTER: APPEALS, A VESTING ZONE CHANGE, AND A HEIGHT DISTRICT CHANGE FOR PROPERTY AT 4827 SEPULVEDA BOULEVARD (II VILLAGGIO TOSCANA PROJECT)

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

RECEIVED
 CITY CLERK'S OFFICE
 2013 SEP - 4 PM 12:33

DATE OF MAYOR APPROVAL SEP 04 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 SEP - 4 2013 ORDINANCE NO. 182705

DATE PUBLISHED _____ DATE POSTED SEP - 5 2013 EFFECTIVE DATE OCT 15 2013

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: YES NO

8/28/13

File No. 13-0877

ENVIRONMENTAL IMPACT REPORT, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to appeals, a vesting zone change, and a height district change for property at 4827 Sepulveda Boulevard (Il Villaggio Toscana Project).

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

1. CERTIFY that the Environmental Impact Report (EIR) (EIR No. ENV-2004-6000-EIR, SCH#2004111068) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines and that the City Council has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in Council file No. 13-0877 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 EIR filed on December 10, 2010.
2. ADOPT the FINDINGS of the Los Angeles City Planning Commission (LACPC), including the Environmental Findings, as the Findings of the Council.
3. RESOLVE TO DENY APPEALS filed by Homeowners of Encino (Representative: Gerald A. Silver, President), Sherman Oaks Residents for a Safe Environment (Representative: Bradly S. Torgan, JD, AICP), and Marshall Long on behalf of the Sherman Oaks Homeowners Association, from the entire determination of the LACPC, and THEREBY APPROVE:
 - a. A Site Plan Review.
 - b. A Conditional Use Permit for a full-line of alcoholic beverages for off-site consumption in conjunction with the operation of a grocery market.
 - c. Specific Plan Exceptions as follows:
 - i. A Floor Area Ratio of 2.25:1.
 - ii. A front yard setback in excess of 10 feet and up to 59 feet for approximately 137 lineal feet of the project's approximate 461 lineal-foot Sepulveda Boulevard frontage to accommodate portions of an approximate 13,000 square-foot public plaza, which is 69 feet deep and approximately 137 feet wide.
 - iii. A maximum lot coverage of 78.5 percent at grade.
 - iv. A height of 82 feet.
 - d. A Project Permit based on the above exception grants.
4. PRESENT and ADOPT the accompanying ORDINANCE, approved by the LACPC, effecting a vesting zone change from (Q)CR-1L, (Q)P-1L, R3-1L, and R1-1 zones to the (T)(Q)C2-2D zone, with a residential density limited to 325 units, and a height district change from Height District 1L to Height District 2D with "D" limitations to floor area and height as prescribed under

the Specific Plan Exceptions grant, subject to Conditions of Approval as modified by the Planning and Land Use Management Committee, attached to Council file No. 13-0877, for the construction of a new mixed-use project including 325 residential units and 52,000 square feet of retail space on a mostly vacant 4.5 acre property, located at 4827 Sepulveda Boulevard.

5. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
6. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
7. ADVISE the applicant that, pursuant to:
 - a. 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.
 - b. 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 - SEPTEMBER 21, 2013

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 17, 2013)

Summary

At a regular meeting held on August 13, 2013, the Planning and Land Use Management Committee considered appeals, a vesting zone change, and a height district change, for property located at 4827 Sepulveda Boulevard. Staff from the Department of City Planning gave the Committee background information on the matter. Representatives for the applicant and appellants as well as staff from the Council District Four spoke. Council District Four asked for revisions to the conditions of approval.

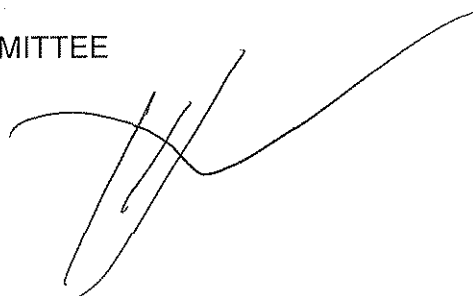
After an opportunity for public comment, the Committee approved the requested revisions to the conditions of approval, denied the appeals and sustained the decision of the LACPC and thereby approving: a vesting zone and height district change, a site plan review, a conditional use permit, specific plan exceptions, and a project permit, for the proposed construction, use and maintenance of a maximum 325 residential condominium units located at 4827 Sepulveda Boulevard. This matter is now submitted to Council for its consideration.

As indicated in Recommendation No. 6 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

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

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

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ADOPTED

AUG 28 2013

LOS ANGELES CITY COUNCIL

TO THE MAYOR FORTHWITH