



## DEPARTMENT OF CITY PLANNING RECOMMENDATION REPORT

### City Planning Commission

**Date:** September 8, 2016  
**Time:** After 8:30am  
**Place:** City Hall, 3<sup>rd</sup> Floor  
Public Works Board Room  
200 North Spring Street, Room 350  
Los Angeles, CA 90012

**Public Hearing:** Required  
**Appeal Status:** Not Applicable (City Initiated)  
**Expiration Date:** November 10, 2016

**Case No.:** CPC-2016-1904-ZC-GPA-  
HD  
**CEQA No.:** ENV-2016-1905-ND  
**Related Cases:**  
**Council No.:** 8 – Harris-Dawson  
**Plan Area:** South Los Angeles  
**Certified NC:** Empowerment Congress  
North Area  
**GPLU:** General Commercial  
**Zone:** P-1VL-O  
**Applicant:** City of Los Angeles

**PROJECT  
LOCATION:** 1661 W. 37<sup>th</sup> Place

**PROPOSED  
PROJECT:** Pursuant to Los Angeles Municipal Code Sections (LAMC) 12.32 and 11.5.6, a City-initiated resolution and ordinance to revise the existing zoning, height district and land use designation for a private property located at 1661 W. 37<sup>th</sup> Place.

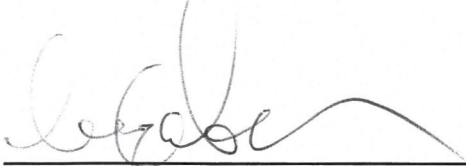
**REQUESTED  
ACTION:**

1. Pursuant to Section 11.5.6 of the Municipal Code, **Adoption** of a General Plan Amendment to the South Los Angeles Community Plan from General Commercial to Low Medium I Residential.
2. Pursuant to Section 12.32 of the Municipal Code, **Adoption** of a Zone Change Change from P-1VL-O to R2-1-O.
3. Pursuant to Section 12.32 of the Municipal Code, **Adoption** of a Height District Change from Height District -1VL to Height District -1 to decrease the height allowed from unlimited to 33 feet.
4. Pursuant to Section 21082.1(c)(3) of the California Public Resources Code, **Adoption** of the Negative Declaration ENV-2016-1905-ND for the proposed project.

**RECOMMENDED ACTIONS:**

1. **Recommend** that the City Council **Adopt** the Negative Declaration, ENV-2016-1905-ND as the environmental clearance;
2. **Approve and recommend** that the City Council **Adopt** a **General Plan Amendment** from General Commercial to Low Medium I Residential;
3. **Approve and recommend** that the City Council **Adopt** a **Zone Change and Height District Change** from P-1VL-O to R2-1-O for the subject site;
4. **Approve and recommend** that the City Council retain the “O” Oil Drilling suffix for the subject site.
5. **Adopt** the attached Findings.

VINCENT P. BERTONI, AICP  
Director of Planning



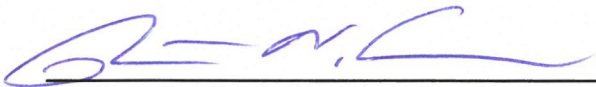
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Craig Weber, Principal City Planner



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Conni Pallini-Tipton, Senior City Planner



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Reuben Caldwell, City Planner



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Melissa Alofaititi, City Planning Associate  
213-978-1201

**ADVICE TO PUBLIC:** \*The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communication may be mailed to the Commission Secretariat, 200 North Spring Street, Room 532, Los Angeles, CA 90012 (Phone No. 213/978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent a week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services, and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your request no later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at 213/978-1300.

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**Exhibits:**

- A – Draft Ordinance
- B – Draft Resolution
- C – Environmental Clearance – Negative Declaration, ENV-2016-1905-ND



# PROJECT ANALYSIS

## Project Summary

The proposed project is a City initiated ordinance to update the zoning and height district and modify the South Los Angeles Community Plan land use designation for a private property located at 1661 W 37<sup>th</sup> Place. The proposed action is to re-designate the subject property from General Commercial to Low Medium I Residential, to update the zone from P-1VL-O to R2-1-O, and to change the height district from -1VL (unlimited height in the P zone) to -1 (33 feet in the R2 zone). The "O" Oil Drilling supplemental use district suffix will remain. The R2 zone would allow construction of one more unit onsite. No physical construction or change of use is proposed.

This proposed action is initiated to reflect the current and historic single family use of the property. The subject property has been developed with a single family house since 1921, but was zoned for Automobile Parking (surface or underground) in 1965; the proposed change will make the zoning, height district and land use designation consistent with the current use of the parcel and adjacent residential parcels. While this change was intended to be accomplished through the South Los Angeles Community Plan update, the inability of the owner to obtain permits to improve the property and the errant nature of the P-zone as applied to a residential property prompted the City to initiate this action prior to the Community Plan update.

The proposed zone change, height district change and general plan amendment would apply to the parcel highlighted on the map below (Figure 1).

## Background

The subject site is a privately owned parcel developed with a single family residence and located at 1661 W. 37<sup>th</sup> Place in the northwestern portion of the South Los Angeles Community Plan area in the Exposition Park neighborhood. The subject parcel measures 6,502 square feet and is located on the north side of 37<sup>th</sup> Place between Western Avenue to the west and Halldale Avenue to the east.

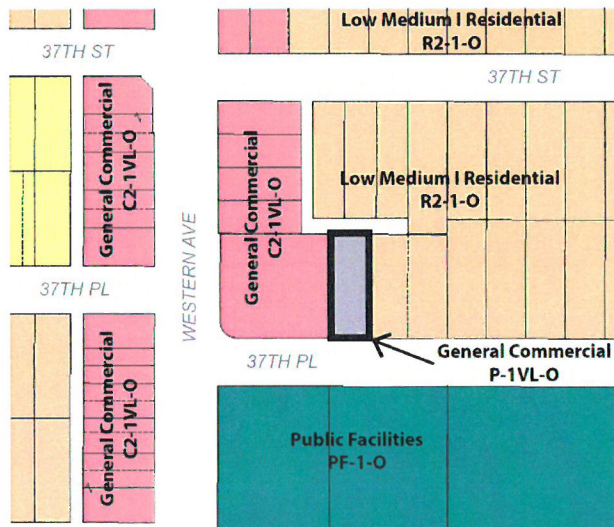


Fig. 1: Existing General Plan Land Use and Zoning

Subject Site Address: 1661 W 37 <sup>th</sup> Place		
	Existing	Proposed
<b>Zone</b>	P-1VL-O	R2-1-O
<b>Land Use</b>	General Commercial	Low Medium I Residential
<b>Max Height</b>	Unlimited	33 ft
<b>Max FAR</b>	No Limit	3:1

The site is bordered by commercial uses to the west along Western Avenue, residential uses (including single family houses, duplexes, and 3-4 unit apartments) to the north and east, and the LAUSD Foshay Learning Center Middle School to the south across 37<sup>th</sup> Place. Figure 1 illustrates the existing zoning and land use designations for the subject site as well as surrounding parcels. The abutting residential parcel to the east of the site is developed with a single family house, and the commercial parcel to the west is developed with an auto repair / transmission shop and a lawnmower repair shop.

### **Site History**

As noted above, the subject property has been developed with a single family residence since 1921. The site was zoned for residential uses until June 10, 1965, when the City Council adopted Ordinance No. 130,316 changing the zoning from R2-1-O to P-1-O. This 1965 action was in response to a request by an applicant to change the zoning of two parcels: the subject parcel at 1661 W. 37<sup>th</sup> Place and the abutting parcel immediately to the west of the subject parcel. For the subject parcel, the applicant requested a zone change from R2-1-O to R3-1-O, and for the adjacent parcel to the west, the applicant requested a zone change from R2-1-O to C2-1-O in order to accommodate an expansion of the auto repair use along the corridor. At the time, the City Planning Commission recommended that the City Council approve the zone change of the adjacent parcel to C2-1-O as requested. For the subject parcel however, rather than granting the zone change to R3-1-O as requested, the City Planning Commission recommended that the zone be changed to a P-1-O Parking zone, citing as the reason an abundance of residential capacity in the area coupled with a lack of sufficient parking. The City Planning Commission report, dated April 22, 1965, states:

*“Since there is a shortage of off-street parking facilities in this area to serve the existing strip of commercial zoning along Western Avenue, the proposed P-1-O Zone on the easterly 50 ft. was deemed more desirable than the requested R3-1-O Zone.*

*Because of its transitional location, the property can already be used for parking purposes as well as for an R3 density apartment house. However the P-1-O Zone was recommended on the easterly portion to assure its development for this use.”*

As stated above, the CPC intended to *assure* the subject parcel's development as a parking lot. Despite the intent of this action, the subject parcel was not used at the time for parking, nor has it been used as a parking lot in the five decades since this action was taken. The existing house on the subject parcel still stands today and there are no plans to use the subject property for parking lot purposes, nor would such a use be desirable today. This City initiated action would make the zoning, height district and land use designation for the parcel consistent with the historic residential use of the subject parcel and with the zoning, height district, and land use designation of surrounding residential parcels.

### **Summary of Major Legislative Actions for the Subject Site**

- |                 |   |
|-----------------|---|
| April 22, 1965: | City Planning Commission report recommended that the zone change request be disapproved as filed (no change to R3-1-O) and that instead a zone change from R2-1-O Multiple Dwelling to P-1-O Automobile Parking be adopted. |
| June 10, 1965:  | Council adopted zone change Ordinance No. 130,316, which changed the zone from R2-1-O to P-1-O, as recommended by City Plan Case No. 18254.   |

- July 24, 1965: The zone change Ordinance (Ordinance No. 130,316) became effective. It was at this time that the subject property was rezoned from R2-1-O to P-1-O.
- July 16, 1991: Council adopted zone and height district changes (Ordinance No. 167,121) consistent with the AB283 General Plan/Zoning Consistency program. The subject site is indicated in Subarea 1558 as being rezoned from P-1-O to P-1VL-O. It was at this time that the Height District for the subject property was designated as -1VL.

### **Conclusion**

The Department recommends that the zoning and height district for the subject site be changed from P-1VL-O to R2-1-O, and the land use designation be changed from General Commercial to Low Medium I Residential. The "O" Oil Drilling supplemental use district suffix will remain. The revision of the height district from -1VL to -1 will reduce the allowed height from unlimited (in the P zone) to 33 feet (in the R2 zone). With these recommendations in place, the Zone Change, Height District Change and General Plan Amendment will ensure compatibility with the existing residential use and with the surrounding residential neighborhood.



## FINDINGS

### GENERAL PLAN / CHARTER FINDINGS AND DISCUSSION

#### 1. General Plan Findings / Charter 555 Discussion

##### a. Framework Element

The General Plan guides the growth and development of the City and provides a comprehensive view of the City of Los Angeles as a whole. Per City Charter Section 555, the General Plan's Land Use Element, consisting of its adopted community plans, may be amended provided that the part or area involved has significant social, economic or physical identity. Per General Plan Framework Element Policy 3.1.5, amendments to community plans are allowed to further refine land use boundaries and categories to reflect local conditions, existing land uses, parcel characteristics, and public input. The proposed action changes the zone and height district of the subject parcel from P-1VL-O to R2-1-O and changes the General Plan Land Use designation from General Commercial to Low Medium I Residential. The proposed changes are a reflection of the existing residential land use on the subject property and the zoning and land use designation of the surrounding residential area.

The General Commercial land use designation is not in accordance with the existing and historic single family residential use of the parcel. The subject property was developed with a single family residential home in 1921, which still stands today. Immediately to the north and east of the property are low density residential uses consistent with their Low Medium I Residential land use designation. Thus, the subject property has been a part of the adjacent residential neighborhood's social, economic and physical identity for decades. The proposed change from General Commercial to Low Medium I Residential and corresponding zone change from P-1VL-O to R2-1-O will bring the land use designation and zoning of the subject property into consistency with the surrounding residential context and allow for the existing use. Should the property be redeveloped, the proposed R2-1-O will ensure compatibility with the existing scale and character of the surrounding residential neighborhood, allowing up to two units to be built onsite.

Residential Neighborhoods. The proposed zone, height district and land use designation are consistent with the General Plan Framework Element's policies that seek to maintain stable residential neighborhoods and retain low density multifamily residential uses with an emphasis on respecting surrounding context, as follows:

*Policy 3.2.4 Provide for the siting and design of new development that maintains the prevailing scale and character of the City's stable residential neighborhoods and enhance the character of commercial and industrial districts.*

*Policy 3.7.1 Accommodate the development of multi-family residential units in areas designated in the community plans in accordance with Table 3-1 and Zoning Ordinance densities indicated in Table 3-3, with the density permitted for each parcel to be identified in the community plans.*

The proposed land use designation and zone (Low Medium I Residential and R2-1-O) would be consistent with the single family use that currently exists on the site, and would limit future development on the subject property to low density, one- or two-unit residential uses, assuring compatibility with the surrounding residential neighborhood. The proposed R2-1-O zone would allow for one additional unit onsite. The neighboring properties with



residential zoning consist mostly of low density multifamily and single family uses. The proposed zone and land use designation would be consistent with the land use designation of surrounding residential properties as identified in the South Los Angeles Community Plan.

In addition, the proposed land use designation, zone, and height district changes would ensure that the existing residential use on the subject property, and the character of the surrounding residential neighborhood, would be preserved in accordance with Policy 3.4.1, as follows:

*Policy 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram (Figure 3-1 and 3-2). (P1, P2, P18).*

The subject property has been developed with a single family residential use since 1921. The proposed zone and land use designation would preserve the historical use of the property and would maintain the character of the surrounding stable residential neighborhood. In addition, the subject site is not located in an area identified by the Framework Long-Range Land Use Diagram as a district, center, or mixed-use boulevard.

The proposed General Plan Amendment and corresponding zone and height district change comply with Charter Sections 556 and 558 in that the recommended General Plan Amendment and zone change do reflect the land use patterns, trends, and uses in the immediate area and do further the intent, purposes, and objectives of the City's General Plan, specifically the Framework Element and the South Los Angeles Community Plan.

#### **b. South Los Angeles Community Plan**

The Land Use Element of the General Plan of the City of Los Angeles is comprised of 35 Community Plans. These plans regulate how land is utilized and developed. Community Plans are intended to promote an arrangement of land uses, streets, and services that encourage and contribute to the economic, social and physical health, safety, welfare, and convenience of the people who live and work in the community. The subject property is located in the northwestern portion of the South Los Angeles Community Plan area, in the Exposition Park neighborhood. To the north and east, the surrounding area is predominantly residential and many buildings were developed in the early 20<sup>th</sup> centuries. To the west, small scale commercial uses line Western Avenue.

Residential Development. Changing the zoning, height district, and land use designation to match the current legally permitted residential use is consistent with the following policies and objectives described in the South Los Angeles Community Plan:

*Policy 1-1.1: Designate specific lands to provide for adequate multi-family residential development.*

*Policy 1-1.2: Protect existing stable single-family and other lower density residential neighborhoods from encroachment by higher density residential and other incompatible uses.*

The subject property consists of one parcel that is privately owned and developed with one single family house that was built in 1921. The subject site had been planned and zoned for multifamily residential uses up until 1965. The proposed land use designation, zone, and height district changes are consistent with preserving existing low density residential neighborhoods. The subject property is currently designated General Commercial and zoned P-1VL-O, yet the parcel is developed with a single family house. Therefore, the land use designation and zoning of the property are not suitable for the existing residential use onsite, nor are they consistent with the land use designations and zoning of surrounding residential uses.

The proposed land use designation and zone will ensure that any future development is compatible with the surrounding residential neighborhood and will bring the land use designation and zoning of the property into consistency with the land use designation and zoning of the surrounding residential area, and allow the existing legally permitted use.

Preserve existing residential neighborhoods. Furthermore the land use designation, zone, and height district changes would allow the owner of the subject property to maintain and make improvements to the existing house, whereas the current P-1VL-O parking zone presents obstacles to the owner obtaining proper permits. As such the proposed zone, height district, and land use designation changes are consistent with the following community plan objective:

*Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing single- and multi-family neighborhoods.*

The proposed changes would allow the owner to maintain and enhance the existing early 20<sup>th</sup> century house on the property, thereby helping to preserve and enhance the residential character of the existing neighborhood, which is characterized by a mix of single family homes and low density multi-family buildings.

Parking. As mentioned above, the subject property is privately owned and has been developed with a residential use since 1921. Although in 1965 the City Council, at the recommendation of the City Planning Commission, changed the zoning of the site from R2-1-O to P-1-O in order to ensure the parcel's development for parking, the site was not used as a parking lot at the time, nor has it been used for parking in the five subsequent decades. As such the proposed zone change, height district change and General Plan Amendment do not conflict with the following community plan statement regarding parking:

*The Plan supports the City's continuing efforts to develop off-street parking facilities within the Community Plan area so that an adequate supply of parking is available to meet the demand. City owned parking lots should be located in or near commercial areas. (p. III-37)*

The subject site is not currently used for parking purposes, nor has it ever been used for such purposes. Therefore the proposed actions will not affect the provision of off-street parking facilities.



## 2. Charter Findings

**City Charter Sections 556 and 558.** Per Charter Section 556, this action conforms with the purposes, intent and provisions of the General Plan, as discussed above.

Los Angeles City Charter Section 558 and Section 12.32(c)(7) of the LAMC also require that prior to adopting a land use ordinance, the City Council make findings that the ordinance conforms with public necessity, convenience, general welfare and good zoning practice.

a. Public Necessity.

Granting the requested legislative action, as recommended, will be deemed consistent with public necessity. The current zone and height district of the subject parcel is P-1VL-O. The P zone is applied to properties that are planned for parking use, either for surface parking lots or subterranean parking, not for above-ground parking structures. The existing single family residential use on the subject property is not allowed in a P parking zone, the property is not planned for public or commercial acquisition or use, and the P parking zone was applied without being requested by the private owner (see previous discussion). The proposed legislative action ensures compatibility with the existing legally permitted use on the site and with adjacent residential parcels that are currently zoned R2-1-O and designated Low Medium I Residential. It also ensures that the proper regulatory zoning and land use designation is in place to allow maintenance and improvements on the existing structure and for compatible development in the future.

b. Convenience.

Granting the requested legislative action, as recommended, will be deemed consistent with public convenience. The proposed General Plan Amendment and zone change contribute to the preservation of neighborhood character and the stability of an existing low density residential neighborhood. The legislative action is consistent with the zoning and land use designation of adjacent residential properties and would allow the current legally permitted residential use of the subject properties.

c. General Welfare.

Granting the requested legislative action, as recommended, will be deemed consistent with the general welfare, in that the proposed General Plan Amendment and zone change would preserve low density multifamily residential uses that are compatible and consistent with the land use designation and zoning of adjacent parcels with residential uses.

d. Good Zoning Practice.

Granting the requested legislative action, as recommended, will be deemed consistent with good zoning practice. Currently, the General Commercial land use designation and P-1VL-O parking zone are not consistent with the land use designation and zoning of surrounding residential properties. The proposed zone change, height district change, and General Plan Amendment would allow the existing legally permitted residential use. The proposed legislative action would preserve the zoning intention to implement the community plan's goals to protect and conserve existing low density residential areas.

Based on these findings, the recommended action is deemed consistent with the public necessity, convenience, general welfare and good zoning practice.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

Pursuant to Section 21082.1(c)(3) of the California Public Resource Code, the Department of City Planning has prepared a Negative Declaration (ENV-2016-1905-ND), which concludes that the proposed zone change, height district change and land use designation change will result in less than significant impacts and/or that there will be no impacts. The Negative Declaration was published for a period of 20 days, from July 21, 2016 to August 9, 2016.

As stated in the mandatory findings of significance in the Negative Declaration, the Department of City Planning concludes the following:

- a. The proposed changes and revisions to the zoning, height district and land use designation would not have the potential to degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Potential redevelopment of the site would be required to file for an environmental clearance and analyses, per CEQA and City CEQA Guidelines. Implementation of future mitigation measures identified in future environmental assessments and compliance with existing regulations would reduce impacts to less-than-significant levels.
- b. The impacts of the proposed change to zoning and land use designation, in addition to any future projects, are considered less than significant. Considerable impacts were analyzed by way of discussing hypothetical new construction projects that could in the future file for entitlement review and/or construction and permitting processes. Although projects may be constructed in the project vicinity at a future time, the cumulative impacts to which the proposed project would contribute would be less than significant, after compliance with the proposed zoning, which would limit new development on the site to a single-family home or two-family development. The proposed R2 zone would allow construction of one additional dwelling unit onsite, but nonetheless this would not have an impact. The current LAMC and all applicable ordinances and building and safety requirements and procedures remain in effect. The proposed change in zoning, height district and land use designation will ensure consistency with the legally permitted, privately owned residential use that currently exists on the subject site, as well as consistency with the surrounding residential uses.
- c. The proposed change to the zoning, height district and land use designation have less than significant impacts to human beings since such changes will ensure consistency with the existing, legally permitted residential use that currently exists on the subject site, and since the surrounding area is already fully developed with a mix of primarily residential, commercial, and public facilities uses, and the proposed revisions are consistent with the land uses found in the area.

For the above reasons the lead agency finds that pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Negative Declaration, and all comments received, there is no substantial evidence that the project will have a significant effect on the environment; and the Negative Declaration reflects the independent judgment and analysis of the City.

The environmental case file can be found with the case file in the Community Planning Division of the Planning Department in Room 667, 200 North Spring Street, Los Angeles CA 90012.



## **PUBLIC HEARING AND COMMUNICATIONS**

### **Hearing**

A public hearing will be conducted by the City Planning Commission on this matter in City Hall Room 350, located at 200 North Spring Street, Los Angeles, CA 90012, on Thursday, September 8th, 2016 after 8:30 a.m.

### **Communications Received**

None received.