

Your

PLANNING AND LAND USE MANAGEMENT

Committee

reports as follows:

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT relative to appeals filed regarding the Vesting Tentative Tract Map for property at 6205-6219 De Soto Avenue, Woodland Hills, 91367.

Recommendations for Council action:

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. 13-0101 in the custody of the City Clerk and in the files of the Department of City Planning (DCP) in the custody of the Environmental Review Section; and ADOPT the Mitigated Negative Declaration [ENV-2003-9377-MND].
2. ADOPT the FINDINGS of the Advisory Agency, including the Environmental Findings, as the Findings of the Council.
3. RESOLVE TO GRANT IN PART / DENY IN PART THE APPEALS filed by REW DeSoto Partners, LLC and Josh Vasbinder on behalf of Warner 2D/E/P, LLC from part of the decision of the Advisory Agency, THEREBY APPROVING the modification of Vesting Tentative Tract No. 69061-M1 for the proposed construction of a maximum of 707 residential apartment units, including 312 senior apartment units and 395 market rate apartment units, composed of two lots located, at 6205-6219 De Soto Avenue, Woodland Hills, 91367, subject to modified Conditions of Approval and ALLOWING that the Dwelling Unit Construction Tax be applied unless condominiums are built, then the Quimby fee requirement will be applied.
4. REQUEST the City Attorney to report back by June 26, 2013 on the City's past inconsistent application of the Quimby fee requirement and the correct legal means to address this matter.
5. INSTRUCT the DCP to report back by June 26, 2013 on the ambiguity related to Quimby fees, such as whether or not 501(c)3 entities required to pay Quimby fees when those entities develop affordable dwellings.

Applicant: Warner 2D/E/P, LLC
Representative: Fred Gaines, Gaines and Stacey LLP

Case No. VTT-69061-M1-1A

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - JUNE 26, 2013

(LAST DAY FOR COUNCIL ACTION - JUNE 26, 2013)

Summary:

At the public hearing held on June 18, 2013 (continued from previous meetings), the Planning and Land Use Management Committee considered appeals filed regarding the Vesting Tentative Tract Map for property at 6205-6219 De Soto Avenue, Woodland Hills, 91367. Staff from Department of City Planning and City Attorney's Office gave the Committee background information on the matter. The Applicant/Appellant and representative and Council Office staff also provided testimony. The Committee discussed at length about Quimby fees and the City's Dwelling Unit Construction Tax.

After an opportunity for public comment, the Committee recommended that Council grant in part and deny in part the appeals filed by REW DeSoto Partners, LLC and Josh Vasbinder on behalf of Warner 2D/E/P, LLC from part of the decision of the Advisory Agency, thereby approving the modification of Vesting Tentative Tract No. 69061-M1 for the proposed construction of a maximum of 707 residential apartment units, including 312 senior apartment units and 395 market rate apartment units, composed of two lots located, at 6205-6219 De Soto Avenue, Woodland Hills, 91367, subject to modified Conditions of Approval and allowing that the Dwelling Unit Construction Tax be applied unless condominiums are built, then the Quimby fee requirement will be applied. The Committee also requested the DCP and City Attorney to report back on questions that were brought up during the discussion on Quimby fees. 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>
REYES:	YES
HUIZAR:	YES
ENGLANDER:	YES

SG
CD 3
6/19/13

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- Not Official Until Council Acts -