

MITIGATED NEGATIVE DECLARATION, PLANNING AND LAND USE MANAGEMENT COMMITTEE REPORT and ORDINANCE FIRST CONSIDERATION relative to a zone change request for 9147 Tobias Avenue.

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 City of Los Angeles; that the documents constituting the record of proceedings in this matter are located in Council File No. 14-0775 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-2012-2201-MND] filed on February 28, 2014.
2. ADOPT the FINDINGS of the North Valley Area Planning Commission (NVAPC) as the Findings of the Council.
3. PRESENT and ADOPT the accompanying ORDINANCE, approved by the NVAPC, effecting a zone change from RA-1 to (T)(Q)RD1.5-1, for the proposed construction of 15 new detached single-family dwellings, subject to Conditions of Approval, for property located at 9147 Tobias Avenue.
4. REMOVE the (T) Tentative classification as described in detail on the sheet(s) attached to the Council file.
5. ADVISE the applicant of "Q" Qualified classification time limit as described in the Committee report.
6. 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.
7. 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.

Applicant/Representative: Benjamin Donez, Sunset Equity Partners, LLC

Case No. APCNV-2012-2200-ZC

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

Community Impact Statement: None submitted.

TIME LIMIT FILE - SEPTEMBER 9, 2014

(LAST DAY FOR COUNCIL ACTION - SEPTEMBER 9, 2014)

Summary:

At the public hearing held on July 1, 2014, the Planning and Land Use Management Committee considered a zone change request at 9147 Tobias Avenue. After an opportunity for public comment, the Committee recommended that Council approve the report and recommendations of the NVAPC relative to Mitigated Negative Declaration and Ordinance effecting a zone change from RA-1 to (T)(Q)RD1.5-1, for the proposed construction of 15 new detached single-family dwellings, subject to Conditions of Approval, for property located at 9147 Tobias Avenue. This matter is now forwarded to the Council for its consideration.

As indicated in Recommendation No. 5 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>
HUIZAR	ABSENT
CEDILLO	YES
ENGLANDER	YES

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-NOT OFFICIAL UNTIL COUNCIL ACTS-