



HARBOR AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAR 28 2017

Case No.: APCH-2015-3175-ZC
CEQA: ENV-2015-3749-MND
Plan Area: Harbor Gateway
Related Case: VTT-73816-1A

Council District: 15 – Buscaino

Project Site: 17236 South Hoover Street

Applicant: Ali Awad, S. Hoover Street & W. 173rd Street, LLC
Representative: Emilio Gutierrez, S. Hoover Street & W. 173rd Street, LLC

At its meeting of **January 17, 2017**, the Harbor Area Planning Commission took the actions below in conjunction with the disapproval of the following project:

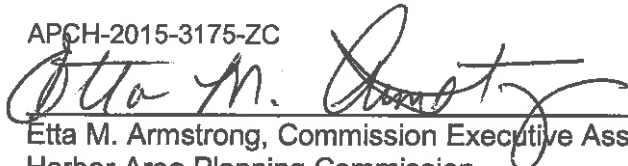
The subdivision of approximately 122,295 square-feet of existing vacant land comprised of two lots into fifteen (15) lots ranging in lot area from 5,200 square-feet to 7,445 square-feet (average lot size is approximately 5,540 square feet) and fourteen (14) guest surface parking spaces. Each lot will be improved with a two-story single-family dwelling with an average floor area of approximately 2,410 square-feet and a maximum height of 24-feet. The Project Site is composed of a lot in the [Q]PF-1 Zone and a lot in the R1-1 Zone and designated for Public Facilities, Public Facilities – Freeway and Low Residential land uses, respectively. Vehicle access will be provided via a private street connecting to Hoover Street.

1. **Denied** a Zone Change from [Q]PF-1 and R1-1 to (T)(Q)R1-1; and
2. **Adopted** the attached Findings, as amended by the Commission.

This action was taken by the following vote:

Moved: Sutton
Seconded: Cortez
Ayes: Hatch
Absent: Harmatz and Ortiz

Vote: 3 -0


Etta M. Armstrong, Commission Executive Assistant I
Harbor Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals:

The Harbor Area Planning Commission's decision is appealable only by the applicant to the City Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's public Counters at 201 North Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Room 251, Van Nuys. Forms are also available on-line at www.planning.lacity.org.

FINAL APPEAL DATE: APR 17 2017

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Enclosure: Findings

c: Debbie Lawrence, Senior City Planner
Michelle Singh, City Planner
Matthew Lum, Planning Assistant

FINDINGS
(BY THE HARBOR AREA PLANNING COMMISSION ON JANUARY 17, 2017)

GENERAL PLAN/CHARTER FINDINGS

1. General Plan Land Use Designation

The subject site is located within the area covered by the Harbor Gateway Community Plan updated and adopted by the City Council on December 5, 1995. The Plan map designates the subject property as Public Facilities, Public Facilities – Freeway and Low Residential land uses with a zoning of [Q]PF-1 and R1-1.

The zone change from [Q]PF-1 and R1-1 to (T)(Q)R1-1 IS CONSISTENT with the Harbor Gateway Community Plan General Plan Land Use Map.

The Harbor Gateway Community Plan Land Use Map Foot Note 11 states:

“The Public Facility (PF) planning land use designation is premised on the ownership and use of the property by a government agency. The designation of the PF Zone as a corresponding zone is based on the same premise. The Plan also intends that when a board or governing body of a government agency officially determines that a property zone PF is surplus, and no other public agency has indicated an intent to acquire, and the City is notified that the agency intends to offer the property for sale to a private purchaser, then the property may be rezoned to the zone(s) most consistent within 500 feet of the property boundary and still be considered consistent with the adopted Plan.”

The zone that is most consistent within 500 feet of the subject site is the R1-1 Zone. The zone change IS in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted community plan.

2. General Plan Framework Text

The Citywide General Plan Framework defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed project IS NOT CONSISTENT based on the objective of the General Plan Framework as described below:

Objective 3.5 Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

The project site is located approximately 150 feet west of the Harbor Freeway (I-110) and the Gardena Freeway (SR-91). The Harbor Freeway Bus Transit Viaduct is located approximately 60 feet above the project site and serves as the southern and eastern boundaries of the project site. The surrounding properties to the north and west are composed of single-family residences on relatively similar sized lots zoned R1-1. Although there are two-story single-family residences along Hoover Street, the proposed project is out of character because the surrounding area consists of mostly one-story single family residences.

3. Harbor Gateway Community Plan

The proposed project is NOT CONSISTENT with the following policy and program of the Harbor Gateway Community Plan:

Land Use Policy

The Harbor Gateway Community is proposed to remain an area of Low to Medium density residential development, with a substantial amount of industrial development.

Open Space Program

The Plan encourages the use of tax deeded lots, excess fragments of public land, transportation and utility rights-of-way, and unneeded street areas for use as open space, park land and transitional buffering areas. There are two classifications of Open Space, publicly owned and privately owned open space.

4. Zone Change Finding

Pursuant to Section 12.32 of the Municipal Code, and based on these findings, the recommended action is deemed NOT CONSISTENT with public necessity, convenience, general welfare and good zoning practice.

Public Necessity, Convenience, and General Welfare

The granting of the proposed Zone Change from [Q]PF-1 to (T)(Q)R1-1 would result in a project that addresses public necessity and convenience by providing much needed home ownership opportunities in a Transit Priority Area that is one-half mile from the Harbor Gateway Transit Center. However, it IS NOT CONSISTENT with the general welfare of the Harbor Gateway Community due to the proposed project's impact on traffic circulation and health impacts on future residents from adjacent freeways. Vehicular access to the project site would be limited to one private street that connects the development to Hoover Street. The proposed Private Street and Hoover Street intersection would be misaligned and would result in poor visibility for vehicles and pedestrians. The proposed project's increase in vehicular trips will exacerbate unsafe traffic conditions for existing and future residents in the immediate area. According to the Health Atlas for the City of Los Angeles dated June 2013, "A major source of air pollution is PM (Particulate Matter) from diesel exhaust, which is concentrated near freeways, ports, and other major transportation infrastructure...The percentage of population within 500 feet of truck routes was highest in the San Pedro (31%), Harbor Gateway (28%), and Boyle Heights (25%) CPAs (Community Plan Areas)." The project is located approximately 150 feet from the Harbor Freeway (I-110) and the Gardena Freeway (SR-91), and would expose sensitive receptors to elevated levels of air pollution.

Due to traffic circulation and health concerns the proposed zone change would not be consistent with general welfare.

Good Zoning Practice

In 2008, the vacant land was deemed by the California Department of Transportation as excess public land and was sold to the applicant. The proposed Zone Change from [Q]PF-1 to (T)(Q)R1-1 IS NOT CONSISTENT with good zoning practice as this would discourage open space use and hinder connectivity to the Gardena Willows Wetlands Preserve, which is 1,000 feet from the subject property.