CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012

# NOTICE OF PUBLIC HEARING

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| **To Owners:** | ☐ Within a 100-Foot Radius<br>☒ Within a 500-Foot Radius<br>☐ Abutting a Proposed Development Site | **And Occupants:**<br>**And:** | ☐ Within a 100-Foot Radius<br>☒ Within a 500-Foot Radius<br>☒ Interested Parties/Others |

This notice is sent to you because you own property or are an occupant residing near a site for which an application was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, will be among the matters considered at the hearing. The hearing officer or decision-maker may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

**Project Site:** **731 – 733 ½ South Boyle Avenue**

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| **Case No.:** | CPC-2018-465-DB-WDI | **Council No:** | 14 - Huizar |
| **CEQA No.:** | ENV-2018-466-CE | **Related Cases:** | N/A |
| **Hearing Held By:** | Hearing Officer on behalf of the City Planning Commission | | |
| **Date:** | **Tuesday, June 19, 2018** | **Plan Area** | Boyle Heights |
| **Time:** | **2:00 P.M.** | **Zone:** | R3-1-RIO-CUGU |
| **Place:** | Los Angeles City Hall<br>Room 1070<br>200 N. Spring Street<br>Los Angeles, CA 90012<br>(Please use the 201 N. Main Street entrance) | **Specific Plan:** | None |
| | | **Land Use:** | Medium Residential |
| **Staff Contact:** | Nick Ayars, City Planning Associate<br>200 N. Spring St. Room 763<br>Los Angeles, CA 90012<br>Nicholas.ayars@lacity.org<br>(213)978-1347 | **Applicant:** | Arturo Becerra, Toldeo Capital Development |
| | | **Representative:** | Gary Benjamin, Alchemy Planning and Land Use |

**PROPOSED PROJECT:**
Construction of a five-unit, 1,792 square-foot, 56 foot tall, three-story over basement apartment building. Upper level includes mezzanines. The project will set aside one unit (11 percent of the base density) for Very-Low Income Households.

**REQUESTED ACTION(S):**
**On behalf of the City Planning Commission, the Hearing Officer shall consider:**

1. The on the whole of the administrative record, the project is exempt from CEQA pursuant to State CEQA Guidelines, Section 15332 (Class 32), and that there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to State CEQA Guidelines Section 15300.2, applies;
2. Pursuant to Los Angeles Municipal Code (LAMC) Section 12.22-A,25(g)(2) and (3), a set aside of 11 percent (one unit) reserved for Very-Low Income Households, to permit the construction of five residential dwelling units and requesting one on-menu incentive pursuant to LAMC 12.22-A,25(f)(5) and one waiver and five modifications of development standards pursuant to LAMC 12.22-A,25(g)(3):
   a. a maximum height of 56 feet in lieu of the permitted height of 45 feet;
   b. a front yard setback of eight (8) feet in lieu of the required 15-foot front yard setback;
   c. a rear yard setback of 10 feet in lieu of the required 15-foot rear yard setback;
   d. a northerly side yard setback of four (4) feet in lieu of the required 8-foot side yard setback;
   e. a building separation of 10 feet in lieu of the required 26-foot building separation;
   f. a passageway of 10 feet in lieu of the required 14-foot passageway;
   g. waive the requirement for five (5) on-site parking spaces; and
3. Pursuant to Los Angeles Municipal Code (LAMC) Section 12.37-I,3, a Waiver of Dedication and Improvements to waive a three (3) –foot dedication along Boyle Avenue.

*Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300*

## GENERAL INFORMATION

**FILE REVIEW -** The complete file is available for public inspection between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday. Please call or email the staff identified on the front page, at least three (3) days in advance to assure that the files will be available. **Files are not available for review the day of the hearing.**

**AGENDAS AND REPORTS-** Commission agendas are posted for public review in the Main Street lobby of City Hall East, 200 N. Main Street, Los Angeles, California. Commission Agendas and Hearing Schedules are accessible online at planning.lacity.org. If this matter is before a Commission, please note that a Recommendation Report will be available on-line seven (7) days prior to the hearing and will be accessible at planning.lacity.org, by selecting "Commissions & Hearings". Recommendation Reports are hyperlinked to the case numbers on the agendas. **Please note that Recommendation Reports are not prepared for Hearing Officer or Zoning Administrator hearings.**

**TESTIMONY AND CORRESPONDENCE -** Your attendance is optional; oral testimony can only be given at the public hearing and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to the hearing. Decision-makers such as Associate Zoning Administrators or Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Department or Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

**REQUIREMENTS FOR SUBMISSION OF MATERIALS -** Written testimony may be submitted via email, in person or by U.S. mail to the staff identified on the front of this page. Correspondence should be presented on letter size (8 ½ " x 11") or legal size (8 ½ " x 14") paper. All oversized exhibits must be folded to fit into a legal-sized folder. Plans (i.e. site plans, floor plans, grading plans) must be presented on paper size not smaller than ledger size (11" x 17"). The case number must be written on all communications, plans and exhibits.

**Matters before Commissions:**

- **Regular Submissions –** Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and Commission identified on the front of this page. In addition, an **original** plus **six (6) copies** must be submitted to the Commission Office directly at **200 North Spring Street, Room 532, Los Angeles, CA 90012** in attention to the Commission Secretariat.
- **Rebuttal Submissions -** All written materials in response to a Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission Meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting).** Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions -** Submissions less than 48 hours prior to, and including the day of the public hearing, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation.
- **Non-Complying Submissions -** Submissions that do not comply with these rules will be stamped *"File Copy. Non-complying Submission"*. Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

**Matters before an Associate Zoning Administrator (AZA) or Hearing Officer:** Written materials not limited as to volume must be received no later than **five (5) days** prior to the hearing date. Provide an **original** plus **(3) copies,** and follow the size guidelines above.

**EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW -** 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 agenized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. 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.

**ACCOMMODATIONS -** 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. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.