



Los Angeles City Planning Commission

200 North Spring Street, Room 272, City Hall, Los Angeles, CA 90012

www.cityofla.org/PLN/index.htm

Determination Mailing Date: ~~MAY 05 2009~~

CITY COUNCIL
Room 395, City Hall

Applicant: Ponte Vista Partners, LLC

CASE NO. CPC-2006-8043-GPA-ZC-SP-DA

Related Case: VTT-63399

Location: 26900 South Western Avenue

Council District: No.15

Plan Area: Wilmington-Harbor City

Request(s): General Plan Amendment, Zone Change,
Specific Plan, Development Agreement

At its meeting on April 9, 2009, the following action was taken by the City Planning Commission:


1. **Disapproved a General Plan Amendment** to the Wilmington-Harbor City Community Plan from "Low Residential" and "Open Space" to "Medium" Density Residential land use.
2. **Disapproved a Zone Change** from the existing R1-1XL and OS-1XL to a Specific Plan Zone proposed to be created as part of this action.
3. **Disapproved** the establishment of the Ponte Vista at San Pedro **Specific Plan** proposed to be created as part of this action.
4. **Disapproved a Development Agreement** between Ponte Vista Partners, LLC and the City of Los Angeles.
5. **Adopted** the findings of the Staff Recommendation Report dated April 9, 2009 (attached).
6. **Did not certify** the Environmental Impact Report ENV-2005-4516-EIR, **did not adopt** a Statement of Overriding Considerations, and **disapproved** the Mitigation Monitoring Program.
7. **Recommended** that work continue on preparation of a Specific Plan for the Ponte Vista site pursuant to the City Council Resolution 05-2731.
8. **Recommended** that the applicant and Planning staff work together to develop a new Specific Plan that incorporates elements of the applicant's revised concept and staff's recommendations. Use best efforts to prepare a new Specific Plan and appropriate environmental analysis, building on existing EIR, with revised traffic study and return to Commission on August 13, 2009.

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

This action was taken by the following vote:

Moved: Lara
Seconded: Freer
Ayes: Burton, Cardoso, Montanez, Roschen, Woo
Absent: Hughes, Kezios

Vote: 7-0



James Williams, Commission Executive Assistant I
City Planning Commission

Effective Date / Appeals: If the Commission has disapproved the **Zone Change** request, in whole or in part, the applicant may appeal that disapproval to the 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. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE ~~MAY 25 2009~~

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.

Attachments: Staff Report dated April 9, 2009
City Planner: David Olivo



DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT



CITY PLANNING COMMISSION

Date: April, 9 2009
Time: after 8:30 a.m.*
Place: City Hall
City Council Chambers – Room 340
200 N. Spring Street
Los Angeles, CA 90012

CASE NO.: CPC 2006-8043-GPA-ZC-SP-DA
CEQA No.: ENV-2005-4516-EIR
Related Case: VTT-63399
Council No.: 15
Plan Area: Wilmington-Harbor City
Certified NC: Harbor City
GPLU: Low Residential
Zone: R1-1XL and OS-1XL
Applicant: Bisno Development Company
Representative: Allan Abschez

Public Hearing: June 26, 2008
Appealable Status: Zone change is appealable by the applicant to the City Council if denied in whole or in part. Per LAMC Sec. 12.32 D

Expiration Date: April 9, 2009

PROJECT LOCATION: 26900 South Western Avenue

PROPOSED PROJECT: Establishment of a Specific Plan for approximately 61.5 gross acres to allow demolition and removal of 245 residential units, a community center, and commercial building (all a part of former U.S. Navy housing) for the new construction of 1,950 residential units and 10,000 square feet of commercial space. The proposed Specific Plan residential component would be comprised of 1,000 condominium units, 100 townhomes and 850 senior condominium units (age restricted to those 55 and older). Building heights would vary from three to four stories or from 50-65 feet. Subterranean and semi-subterranean parking for residents and guests would be provided below the residential buildings and guest parking would also be available along the interior streets. An approximately six-acre public park is also being proposed.

REQUESTED ACTIONS:

1. Pursuant to Section 11.5.6 of the Municipal Code, a **General Plan Amendment** to the Wilmington-Harbor City Community Plan from "Low Residential" and "Open Space" to "Medium" Density Residential land use.
2. Pursuant to Section 12.32 of the Municipal Code, a **Zone Change** from the existing R1-1XL and OS-1XL to a new Specific Plan Zone created as part of this action. (Ponte Vista at San Pedro Specific Plan)
3. Pursuant to Section 12.32 of the Municipal Code, the establishment of the **Ponte Vista at San Pedro Specific Plan** for the proposed Project.
4. Pursuant to Section 65864-65869.5 of the California Government Code and City implementing procedures, a **Development Agreement** between BDC Ponte Vista Partners LLC and the City of Los Angeles. The Development Agreement is intended to provide reasonable assurances to the Applicant with respect to his ability to implement proposed Project approvals while providing the City with Public Benefits. The term length for the proposed Development Agreement is 25 years.
5. Pursuant to Section 2108 2.1(C)(3) **Certification of ENV-2005-4516-EIR** as the Environmental Impact Report for the above referenced Project, and Adoption of the Mitigation Monitoring Program and the required findings for the adoption of the EIR, and Adoption of a Statement of Overriding Considerations setting forth the reasons and benefits of adopting the EIR with full knowledge that significant impacts may remain.

RECOMMENDED ACTIONS:

1. **Disapprove** a General Plan Amendment to the Wilmington-Harbor City Community Plan from "Low Residential" and "Open Space" to "Medium" Density Residential land use.
2. **Disapprove** a Zone Change from the existing R1-1XL and OS-1XL to a Specific Plan Zone proposed to be created as part of this action.
3. **Disapprove** the establishment of the Ponte Vista at San Pedro Specific Plan proposed to be created as part of this action.
4. **Disapprove** a Development Agreement between BDC Ponte Vista Partners LLC and the City of Los Angeles.
5. **Not Certify** Environmental Impact Report ENV-2005-4516-EIR, **Not Adopt** a Statement of Overriding Considerations, and **Disapprove** the Mitigation Monitoring Program.

S. GAIL GOLDBERG, AICP
Director of Planning

ORIGINAL SIGNATURE IN CASE FILE

John Dugan, AICP
Deputy Director

ORIGINAL SIGNATURE IN CASE FILE

Jon Foreman, Hearing Officer

ORIGINAL SIGNATURE IN CASE FILE

David Olivo, Planning Associate

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 communications may be mailed to the Commission Secretariat, Room 272, City Hall, 200 North Spring Street, 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 the week prior to the Commission's meeting date. Challenges to these agenda items in court may be limited to raising only those issues 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 its 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, requests must be made not later than three working days (72 hours) prior to the meeting by calling the Commission Secretariat at (213) 978-1300.

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PROJECT ANALYSIS

BACKGROUND

A Council Resolution (Exhibit A - Council File 05-2731) was initiated by Council District 15 on December 13, 2005 to implement a process culminating in a Specific Plan for the future redevelopment of the former Navy housing site, also known as Ponte Vista. The resolution called for the Department of City Planning (DCP) to work with the developer and the communities of San Pedro, Harbor City and Wilmington to create and process a Specific Plan. The purpose was to address the neighborhood context for the Specific Plan, proposed uses, development criteria, design, and community amenities.

Site History

The federal government acquired ownership of the site in 1942. In 1962, the Navy constructed 245 housing units on the site to house Navy personnel who were stationed at the Long Beach Naval Shipyard. The site was annexed from an unincorporated County of Los Angeles area to the City of Los Angeles in 1980. The Navy housing site was closed in 1999 when the Naval Shipyard was closed through the Base and Realignment and Closure process (BRAC). After various legal procedures outlined in BRAC, the Navy awarded some 19.58 acres of the property to Volunteers of America, a homeless support organization and put out to auction the remaining 41.95 acres for sale to the public.

In 2005, Bisno Development Company (BDC) successfully purchased 41.95 acres of the site from the Navy and then purchased the remaining 19.58 acres from Volunteers of America to complete ownership of the entire 61.53 acre site.

PROJECT SUMMARY

On September 14, 2006, Bisno Development Company (BDC) submitted a proposed Specific Plan which would allow 2,300 multi-family residential units on the 61.5 acre site (approximately 45 units per net acre) and 10,000 square feet of ancillary retail space. The Plan called for 25%, or 575, of the residential units to be age-restricted housing (housing for those 55 years of age and older) located in a gated, separately designated area. These residential units would be situated over subterranean and semi-subterranean parking garages. The Project also included landscaped common areas (community clubhouses and pools, a waterscape concourse and a senior community park), gated private roadways, a publicly accessible six-acre park and a public roadway connecting Mary Star of the Sea High School to Western Avenue.

On June 18, 2007, after several months of public input, BDC publicly presented the current Specific Plan, a revised proposal that reduced the number of units to 1,950 residential units (approximately 39 units per net acre) and increased the percentage and number of age-restricted housing units to 44%, or 850, units. The new proposal also includes 10,000 square feet of ancillary retail space and 100 condominium units designed as three-story townhouses. Building heights were reduced along Western Avenue to a maximum of 40 feet and to four stories, or 55 feet, over podium in other areas. The revised Specific Plan for the Project was officially submitted to the City of Los Angeles on November 13, 2007.

