

MEMORANDUM

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**DATE:** AUGUST 23, 2012  
**TO:** GOVERNING BOARD  
**FROM:** CHRISTINE ESSEL, CHIEF EXECUTIVE OFFICER  
**STAFF:** BARRON MCCOY, SENIOR OPERATIONS OFFICER  
ELIZABETH CARVAJAL, SPECIAL PROJECTS OFFICER  
**SUBJECT:** **LEGAL NONCONFORMING LAND USE APPROVAL – NON-MONETARY ACTION.** Discretionary Land Use Action approving the addition to a Legal Nonconforming Single Family Residence within a Commercial Area, located at 307 W. 95<sup>th</sup> Street in the Broadway Manchester Recovery Redevelopment Project Area (SD 2; CD8)

MC6990

**RECOMMENDATION(S)**

That the Governing Board approve the addition to a legal nonconforming residential land use within a commercial area.

**SUMMARY**

The CRA/LA is not providing funding to the Project.

The applicant is proposing to construct a 280 s.f. addition to an existing 1,058 s.f. single-family residence (Project) on land designated as commercial in the Broadway Manchester Recovery Redevelopment Plan (Redevelopment Plan) map. The Project is located at 307 W. 95<sup>th</sup> Street (Site) in the Southeast Los Angeles Community Plan area. The Community Plan designation is General Commercial which would allow for the Project. Section 506 (Nonconforming Uses) of the Redevelopment Plan authorizes additions to legal nonconforming uses so long as the improvements are compatible with surrounding uses and development.

**DISCUSSION & BACKGROUND**

Location

The approximately 5,400 s.f. Site is located northwest of 95<sup>th</sup> Street and Broadway Street. The Site is surrounded by a single-family residence to the west, a multi-family housing development to the east, a church is located just across the street to the south of the Site, and a duplex is located to the north. (See Attachment A Location Map)

Description, Project Context and Project History

While the Site is designated for commercial uses in both the Community Plan and the Redevelopment Plan Map, it has been improved with a residential structure since 1926. The

applicant is proposing to construct a 280 s.f. addition to the existing structure to accommodate a new master bedroom. (see Attachment B Site Plan)

The existing structure is a Spanish style home built in 1926. Currently, the existing layout is comprised of two (2) bedrooms, a restroom, a living/dining area, a family room, a kitchen with a nook, a laundry room, and a porch. The proposed addition will allow for reconfiguration of the existing floor plan to accommodate an additional restroom and a new master bedroom to be located on the rear of the existing structure. The exterior textures, materials, and finishes of the proposed addition will match the existing structure.

### Basis for Approval

The recommended action is consistent with and authorized by provisions of Assembly Bills 1x-26 and 1484, including but not limited to the following:

Section 1 [Intent of the Legislature]: It is the intent of the Legislature to do all of the following in this act: (j)(4) *“Require successor agencies to expeditiously wind down the affairs of the dissolved redevelopment agencies and to provide the successor agencies with limited authority that extends only to the extent needed to implement a winddown of redevelopment agency affairs.”*

Chapter 2, Section 34173, which provides: *“Except for those provisions of the Community Redevelopment Law that are repealed, restricted, or revised pursuant to the act adding this part, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies under the Community Redevelopment Law, are hereby vested in the successor agencies.”*

Land use requirements of each redevelopment plan will therefore remain in effect for the duration of the effectiveness of the applicable redevelopment plan. The recommended action will carry out the applicable provisions of the Redevelopment Plan in a manner designed to expeditiously implement a wind-down of the former redevelopment agency’s affairs.

AB 1484 has amended Section 34173 to add a new subdivision (i), to provide, in part, as follows: *“At the request of the city, county, or city and county, notwithstanding Section 33205, all land use related plans and functions of the former redevelopment agency are hereby transferred to the city, county, or city and county that authorized the creation of a redevelopment agency...”* If and when the City of Los Angeles requests it, the authority to carry out the land use actions described in this memorandum will be transferred to the City.

Section 506 of the Redevelopment Plan, Nonconforming Uses, reads:

*“The Agency may authorize additions, alterations, repairs or other improvements or changes in use of land or buildings in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agency such improvements would be compatible with surrounding and Project uses and development.”*

The Project satisfies the conditions set forth in Section 506. The proposed addition to the existing residence is compatible with the existing neighborhood. The Site is adjacent to other residential uses and a church. Furthermore, the Project will provide additional living area for the habitants in the new master bedroom and an additional restroom within the existing single-family residence.

**SOURCE OF FUNDS**

No funds are required for this action.

**ROPS AND ADMINISTRATIVE BUDGET IMPACT**

The recommended action is consistent with AB1x-26 and AB 1484; specifically to modify an existing land use, an allowable type of action to be taken by the Governing Board.

**ENVIRONMENTAL REVIEW**

The proposed Project is categorically exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Article 19, Sec. 15301 (e) of the CRA/LA CEQA Guidelines.

Christine Essel  
Chief Executive Officer

By:



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David Riccitiello  
Chief Operating Officer

There is no conflict of interest known to me which exists with regard to any CRA/LA officer or employee concerning this action.

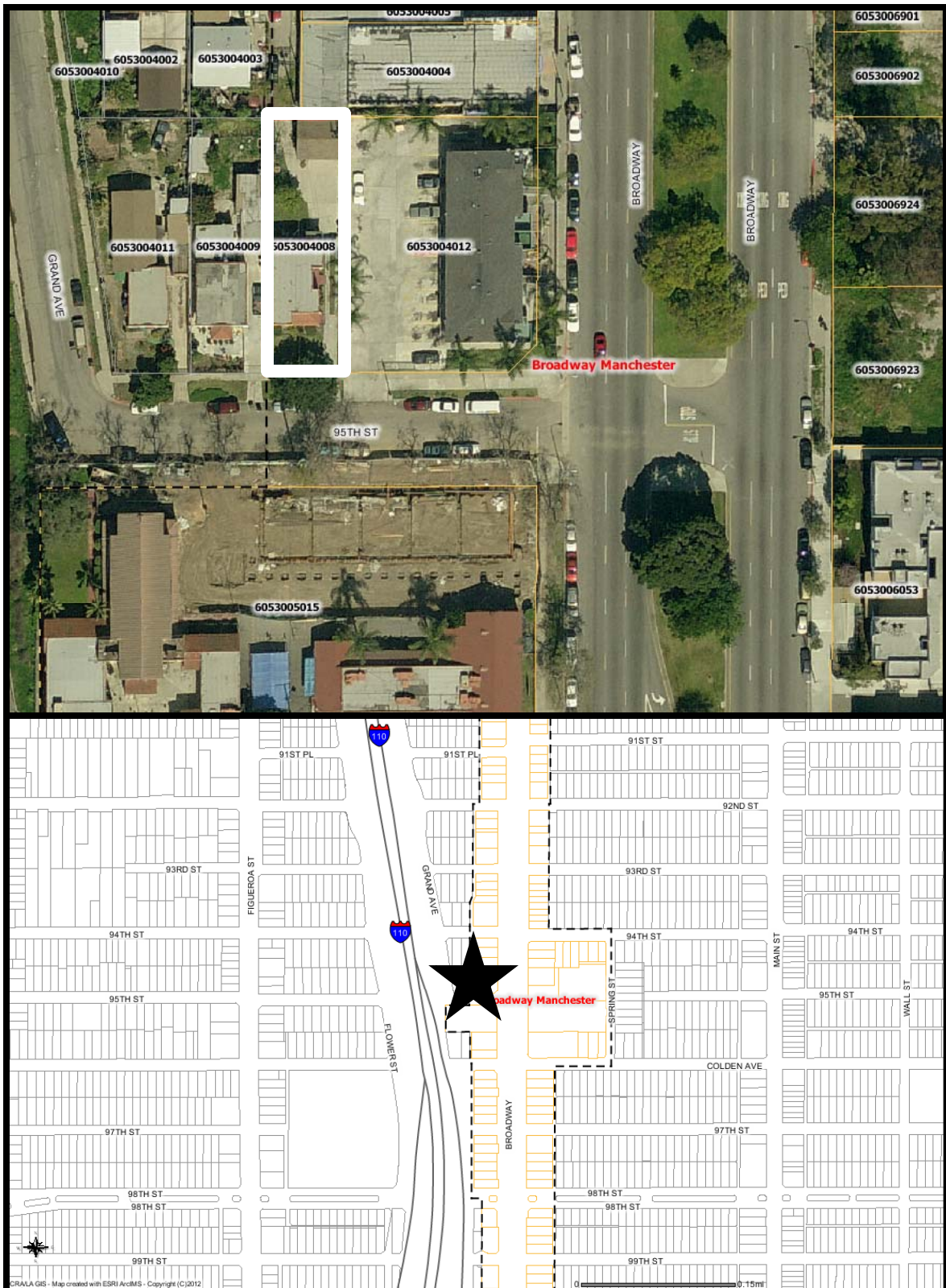
**ATTACHMENTS**

Attachment A    Location Map  
Attachment B    Site Plan

# Attachment A: Location Map

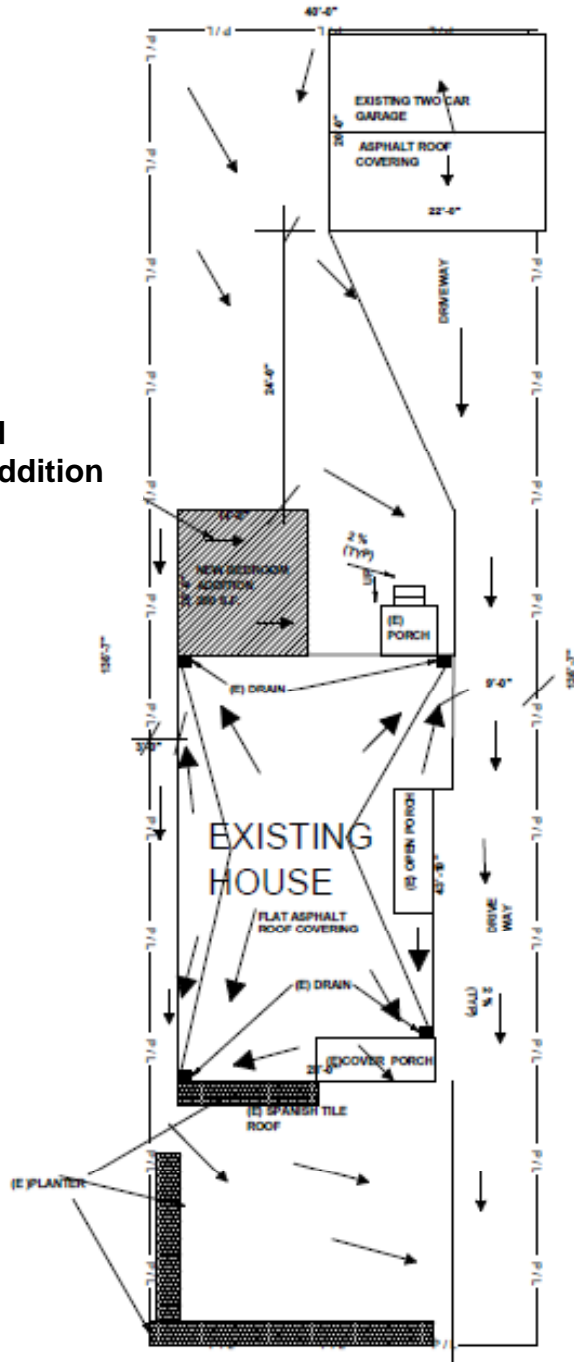
307 W. 95<sup>th</sup> Street

Broadway Manchester Recovery Redevelopment Project Area



# Attachment B: Site Plan

Proposed  
280 s.f. Addition



807 WEST 95 ST

PLOT PLAN 1/8" = 1'-0"

