

MAR 02 2007

MOTION

PLANNING AND LAND
USE MANAGEMENT

The Superior Court of California, County of Los Angeles, in the matter of NoHPOZ Alliance, et al. v. City of Los Angeles, LASC Case No. BS 0934889 ("NoHPOZ Alliance") issued an order and writ of mandate directing the City of Los Angeles to set aside and vacate its decision to approve the Windsor Square Historic Resources Survey and adopt the Historic Preservation Overlay Zone ("HPOZ") and Preservation Plan, because the City failed to comply with the California Environmental Quality Act.

The order and writ issued by the Superior Court directed the City to reevaluate every property and/or structure included and considered under the "economic miracle" standard in the Historic Resources Survey, using a proper standard. The "economic miracle" standard was utilized in the Survey to evaluate altered buildings and/or structures, to evaluate whether the nature and extent of the alterations were reversible for purposes of determining whether the building and/or structure was a contributing element to the proposed HPOZ. The Court ordered the City to determine whether the results of the reevaluation require a modification of the Survey and/or HPOZ boundary.

On February 7, 2007, the Council took actions consistent with the Superior Court's order and writ.

The Hancock Park Historic Resources Survey, which also utilized the "economic miracle" standard, was certified as accurate and complete on March 2, 2006 and the HPOZ was adopted on August 1, 2006, effective October 2, 2006. The boundaries of the Hancock Park HPOZ include the area generally bounded by Melrose Avenue on the north, Wilshire Boulevard on the south, Rossmore Avenue on the east, and Highland Avenue on the west, excluding the commercially zoned properties along Melrose Avenue and Wilshire Boulevard and the multiple-family residential zones along Rossmore Avenue, north of Beverly Boulevard.

A certified historic consultant determined that 1,113 out of 1,282 parcels in Hancock Park were historically significant and identified as contributing. The Survey concluded that the Hancock Park area meets the criteria for HPOZ designation because the majority of buildings are the original structures from the development of this part of Los Angeles, which largely occurred during the 1920s and 1930s and that many contributing buildings retain their historic design features depicting the array of period revival styles common during these decades, predominantly Spanish Colonial revival, Mediterranean Revival, English Revival, and Colonial Revival. The vast majority of the buildings were designed by important local architects and were built for prominent families.

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The Hancock Park HPOZ and Historic Resources Survey are also the subject of a legal challenge, in the matter of Homeowners of Hancock Park, et al., v. City of Los Angeles, LASC Case No. BS 104977 ("Homeowners of Hancock Park"), which raises the same legal issues as were raised in NoHPOZ Alliance.

Although the CEQA clearance for the Hancock Park HPOZ differed from the CEQA clearance for the Windsor Square HPOZ, an adverse decision in Homeowners of Hancock Park could leave Hancock Park buildings and structures vulnerable to demolition and irreversible alterations that could adversely impact the character of the neighborhood.

I THEREFORE MOVE that the Council take the following actions:

1. Instruct the Planning Department to immediately reevaluate every property and/or structure included and considered under the "economic miracle" standard in the Historic Resources Survey, using a proper standard and determine whether the results of the reevaluation require a modification of the Survey and/or HPOZ boundary, and report their findings to the Cultural Heritage Commission.
2. Direct the Cultural Heritage Commission, upon receipt of the Department's report, to take such action, if any, as is legally required, including setting aside the existing Hancock Park Historic Resources Survey and certifying a revised Survey, if necessary.
3. Direct the Planning Department to immediately reexamine the environmental clearance adopted for the Hancock Park HPOZ and Survey in light of the Court's ruling in NoHPOZ Alliance, and, if necessary, prepare a new environmental clearance and revised HPOZ for consideration and recommendation by the City Planning Commission and consideration and adoption by the Council.
4. Direct the Planning Department to report back to the Council within 90 days from the date of this Motion regarding the status of the requested actions.

PRESENTED BY


TOM LaBONGE
COUNCILMEMBER, 4TH DISTRICT

SECONDED BY

