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CITY ATTORNEY

REPORT NO. R 22 - 0 4 1 6
NOV 21 2022

REPORT RE:

**DRAFT ORDINANCE AMENDING THE LOYOLA MARYMOUNT UNIVERSITY
SPECIFIC PLAN ESTABLISHED BY ORDINANCE NO. 181,605**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 22-0300

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. The draft ordinance amends the Loyola Marymount University Specific Plan (established by Ordinance No. 181,605 in 2011).

Background and Summary of Ordinance Provisions

The Loyola Marymount University Specific Plan (Specific Plan) was established in 2011 to govern development on the 142 acre university campus. The Specific Plan divided the property into six Planning Areas designated as follows: Academic/Residential; Athletic; Campus Core/Open Space; Buffer/Open Space; Buffer/Open Space 2; and Buffer Open Space 3. The Specific Plan was intended to allow removal, renovation and replacement of academic, administrative, athletic, residential and other support facilities to meet the evolving needs of students, faculty, staff, alumni and visitors, while minimizing the visual impact of building masses and facilitate the creation of a visually attractive built environment.

In August 2021, the University proposed an amendment to the Loyola Marymount University Specific Plan to modify the previously approved floor area for Academic/Administrative, Residential, and indoor Athletic uses and to allow for subsequent adjustments in the distribution of floor area among these uses. The Specific Plan Amendment will further permit the retention, renovation, use, and/or change of use of the existing sports pavilion (Gersten Pavilion), in conjunction with an updated Traffic Demand Management Plan. The Amendment will continue to permit the construction of a replacement sports pavilion on Campus, as previously approved. The Amendment will also establish a dedicated compliance officer to further enhance communications with the Westchester community.

The City Planning Commission (CPC) Report transmitted to the City Clerk on March 2, 2022, provides a detailed summary of the proposed amendments to the Specific Plan. The Report specifies that the ordinance will amend Subsection C of Section 2.2, Subsection B of Section 3.2, Section 3.3, Subsection A of Section 5.1, Subsection G of Section 5.1, Subsections K and L of Section 5.2, as well as make the addition of Subsection M to Section 5.2 and of Section 8.2 to the Loyola Marymount University Specific Plan.

Charter Findings Required

Charter Section 558(b)(3) requires the City Council to make the findings required in Subsection (b)(2) of the same section, namely adoption of the proposed ordinance will be in conformity with public necessity, convenience, general welfare, and good zoning practice. Charter Section 558(b)(3)(A) allows the City Council to adopt an ordinance conforming to the CPC's recommendation of approval of the ordinance, if the CPC recommends such approval. Similarly, Charter Section 556 requires the City Council to make findings showing that the action is in substantial conformance with the purposes, intent and provisions of the General Plan. The City Council can either adopt the CPC findings and recommendations as set forth in the CPC Transmittal Report to the City Council or make its own findings.

California Environmental Quality Act (CEQA) Standard of Review

The CPC recommends that the City Council Find, based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the Project was assessed in the previously certified Environmental Impact Report (EIR) No. ENV-2008-1342-EIR, certified on February 25, 2011; and pursuant to CEQA Guidelines, Sections 15162 and 15164 and the Addendum, dated September 2021, that no major revisions to the EIR are required and no subsequent EIR, or negative declaration is required for approval of the project.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety and the Department of Transportation with a request that all comments, if any, be presented directly to the City Council or its Committee when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Amy Brothers at (213) 978-8069. A member of this Office will be available when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By

A handwritten signature in dark ink, appearing to read "D. Michaelson", with a stylized flourish at the end.

DAVID MICHAELSON
Chief Assistant City Attorney

DM:AB:sa
Transmittal