

MOTION

On April 13, 2015, the City Planning Department, Office of Zoning Administration approved a commercial project and parking building at 963 E. 4<sup>th</sup> Street by issuance of a determination letter for Case No. ZA 2014-2442-CUB-ZV-SPR (effective April 28, 2015). The project will reuse and enhance an existing older structure through a combination of adaptive reuse and new construction. The project was supported by the Arts District community stakeholders and thoroughly vetted by the Department of City Planning.

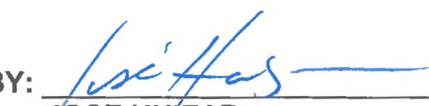
The Planning Department and the Council Office supported the preservation of the existing sidewalk and street width of 4<sup>th</sup> Place by waiving the dedications and improvements required along 4<sup>th</sup> Place, and also supported the preservation of the character of the existing historic railroad right of way now serving as an alley behind the project by waiving reconstruction of the alley with a concrete gutter. Unfortunately, the Office of Zoning Administration does not have authority to allow a full waiver of the dedication and improvements required on 4<sup>th</sup> Place and in the public alley. Short of authorization through a Council Motion, the Department of City Planning has no expedient mechanism to provide exceptions for special circumstances such as this location and project.

I THEREFORE MOVE, for the reasons set forth above, that the City Council with the concurrence of the Mayor instruct the Department of City Planning, with assistance from the Bureau of Engineering, the Department of Transportation and the Department of Building and Safety to waive 1) the 5 foot street dedication and improvements along 4<sup>th</sup> Place, and 2) the Alley improvements between Merrick Street, both in connection with Case No. ZA-2014-2442(CUB)(ZV)(SPR).

I FURTHERMORE MOVE, the project shall repair any broken, off-grade, or bad order concrete curb, gutter and sidewalk along the property frontage on 4<sup>th</sup> Place, close any unused driveways and construct new curb ramps as needed on 4<sup>th</sup> Place, and remove the gates at the east end of the alley, and repair and patch any broken, off-grade or bad asphalt in the alley adjacent to the property. All other conditions of the project shall be as stated in the Bureau of Engineering's Inter-Departmental Correspondence dated September 19, 2014 from Edmond Yew to Michael LoGrande regarding Case No. ZA-2014-2442(CUB)(ZV)(SPR).

I FURTHERMORE MOVE, to authorize the Chief Legislative Analyst to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this motion.

  
APR 29 2015

PRESENTED BY:   
JOSE HUIZAR  
Councilmember, 14<sup>TH</sup> District

SECONDED BY: 

ORIGINAL