

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

ORIGINAL

3.

APPEAL TO THE: City Council

(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: CPC-2010-1554-DB-SPP (ENV-2012-110-EIR, SCH#2012)

PROJECT ADDRESS: 1601-1605 N. Hobart Blvd. & 1600-1608 N. Serrano Ave.

FINAL DATE TO APPEAL: June 18, 2015

TYPE OF APPEAL:

1. Appeal by Applicant
2. Appeal by a person, other than the applicant, claiming to be aggrieved
3. Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION – Please print clearly

Name: William Zide

- Are you filing for yourself or on behalf of another party, organization or company?

Self

Other: _____

Address: 1750 N. Serrano Avenue #604

Los Angeles

Zip: 90027

Telephone: (323) 466-3353

E-mail: billzide@aol.com

- Are you filing to support the original applicant's position?

Yes

No

REPRESENTATIVE INFORMATION

Name: N/A

Address: _____

Zip: _____

Telephone: _____

E-mail: _____

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

- Entire
- Part

Your justification/reason must state:

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

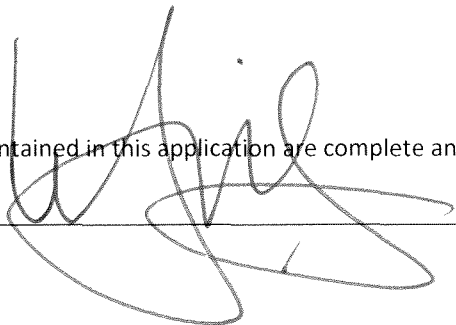
ADDITIONAL INFORMATION/REQUIREMENTS

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
 - Master Appeal Form
 - Justification/Reason for Appealing document
 - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."
 --CA Public Resources Code § 21151 (c)

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____



Date: 6/17/15

Planning Staff Use Only

Amount	<u>106.80</u>	Reviewed and Accepted by	<u>LFS</u>	Date	<u>6/17/15</u>
Receipt No.	<u>0103452263</u>	Deemed Complete by		Date	



Determination Authority Notified



Original Receipt and BTC Receipt (if original applicant)

Master Appeal Form – City of Los Angeles - Department of City Planning
JUSTIFICATION/REASON FOR APPEALING
William Zide

The June 3rd Determination Letter from the LA City Planning Commission regarding Case# CPC-2010-1554-DB-SPP (ENV-2012-110-EIR) is clearly in error and fails to satisfy CEQA requirements, follow the original CRA guidelines that applied at the inception of this project and to appropriately responded to important community and stakeholder concerns over the project.

The appeal by HCHC did not satisfy the CEQA requirements because it failed to present any alternative that included the preservation of the Ehrbar Residence. It had ample opportunity and resources to comply, but chose not follow that requirement.

An appeal to the determination in this regard can be filed because this involves requiring the proper application of the environmental SNAP project permit compliance review that HCHC was obligated to address but did not.

When the project was first conceived under the CRA, HCHC was fully aware it had to make every effort to preserve the Ehrbar Residence especially since HCHC has been in receipt of public funds and guarantees. The EIR is wrong because it blatantly fails to address the CRA Historical consideration requirements.

The March 23rd, 2015 Financial Feasibility Analysis performed by the Sotelo Group for HCHC has no consideration whatsoever of the preservation of the Ehrbar Residence. HCHC never even allowed Sotelo Group to consider any alternative. So, HCHC has continued to avoid finding a reasonable alternative that would comply with historical preservation at every turn.

The East Hollywood community and stakeholders have repeatedly requested that HCHC make every effort towards preservation through numerous individuals, neighborhood groups and the East Hollywood Neighborhood Council. Yet, this has been repeatedly ignored by HCHC who has had every opportunity to respond to it in a meaningful and real way.

The preservation of the Ehrbar Residence within or without HCHC's Cornell Apartments project is essential as part of Los Angeles' architectural and cultural history. An independent review (that was included in the CHC application) by ICF confirmed the historic character and quality of the building. This report is uncontestable as the only real independent review of the merits of the structure.

It is only reasonable that an organization like HCHC that get's public funds and loan guarantees for this project, should make every effort to preserve the house in tact and incorporate it within the project as a whole. When HCHC takes public funds then they must accept a responsibility to preserve the public interest and the public trust. To this point there is no indication that they have made any effort to do so.

I can speak to these issues with some authority because I have been involved with historical preservation for many years including saving the Trianon Building (also on Serrano Avenue just one block north of the project site) and helping to preserve the Cinerama Dome. I was the representative for this district for East Hollywood Neighborhood Council when this project was considered.

Additionally, I am the Chair of the Hollywood Studio District Neighborhood Council and deal with community and stakeholder issues every day, because we see a lot of development projects within Hollywood.

I certainly appreciate the importance of building more affordable housing units. However, I also know that there is a balance to be had. Preserving Ehrbar is part of that essential balance and in the best interest of HCHC and the City of Los Angeles. It was the job of the Planning Commission to find that balance, but this determination letter shows that unfortunately they failed.

Many professional organizations have determined that this structure is eligible to be the National Register of Historic Places and should have had special consideration under the CRA when the project was part of their portfolio. These considerations must extend to the project now that HCHC is attempting to move forward with it. The best solution is to move the Erhbar house to the Serrano Avenue side of the lot, which is wider and will allow it to fit into a more appropriate context.

There is no debate about the Residence's historic and architectural nature, and the flawed Cultural Heritage Commission review (including a possibly Brown Act violation tour of the structure) managed to questionably miss entering the main interior, which remains fully in tact.

Thus, I must appeal the determination and ask it to be fully reversed on all these grounds to be compliant and to respond to the will of the community.

I further reserve the right to submit additional objections.

Thank you.

William Zide