

#9

EDWARD VILLAREAL HUNT, AIA, ASLA, 4928 West Melrose Hill,
LA, CA 90029, edvhunt@earthlink.net, Mobile: 323-646-6287

Re. 4511 Russell (Case # DIR 2018-2764-SPP; ENV-2018-2765-CE)
5/20/19

To Whom It May Concern:

I am a recently retired California Licensed Architect #11,473 with over 50 years of licensed practice specializing in Historic Restorations. My last 40 years were in Los Angeles with previous licenses in Texas and the State of New York. I am also a currently licensed a California Landscape Architect #2182, also specially specializing in historic landscape restorations.

I have reviewed the plans for the proposed project at 4511 Russell (Case # DIR 2018-2764-SPP; ENV-2018-2765-CE) as well as the Planning Department's determination letter and staff report and find that the Planning Department's approval of the project represents a failure to uphold the Vermont/Western Transit Oriented District Area Specific Plan (SNAP) which was approved by the City Council " to guide all development, including use, location, height and density, to assure compatibility of uses..." (Purpose E).

The proposed project is inconsistent with the requirements, guidelines and intent of the SNAP for the following reasons:

1. The SNAP clearly states that "Buildings should be compatible in form with the existing neighborhood atmosphere." Yet the proposed building at 4511 Russell is not compatible with the existing neighborhood atmosphere. The predominant architectural style is early 1900's Craftsman homes. These homes have overhanging eaves, exposed rafters under the eaves, covered front porches, pillars lining the entry, low pitched roofs, single protruding dormers, wood clapboards and shingle siding. Yet the proposed project has none of these features. Therefore it is not compatible in form with the existing neighborhood atmosphere.
1. Furthermore, the proposed project is a full story taller than all the other buildings on the block and it will be the only building on the block with roof decks. It is also a rectangular box with no edifying architectural features. Therefore the proposed project is not compatible with existing neighborhood atmosphere and is not in compliance with the SNAP's Development Standards.

Date: 5-21-19
 Submitted in PWM Committee
 Council File No: 16-0185-S1
 Item No.: 9
 Deputy: Comments from Public

1. In order to achieve compatibility, SNAP's Development Standards and Design Guidelines require new construction to emphasize articulation and architectural features such as awnings, arbors, open porches, breaks in the roofline, and other components necessary to "promote development that enhances the quality of the environment and the living conditions of the residents." In my professional estimation this project has none of those features and therefore does not promote the quality of the environment and the living conditions of the residents.
1. The proposed project design lacks the required roofline articulation. SNAP's Development Standards require that all roof lines in excess of 40 feet in horizontal length be broken up through the use of gables, plant-ons, or other means. The proposed building design fails to satisfy this requirement. There is only a slight recess at the roofline of the west elevation that in no manner provides a true break in the plane, while on the east elevation there is no break in the roofline at all.

While the Planning Department said that the faux pitched overhangs are a nod to Craftsman architecture, this is not a feature of Craftsman architecture and therefore in no way attempts to incorporate Craftsman design. Furthermore these faux pitched overhangs do not in fact provide any break in the roofline. They might as well be painted on. If this is what suffices for architectural integrity in today's Planning Department, then they need a serious education in architecture.

The Specific Neighborhood Area Plan also requires that "deviation from the Design Guidelines must be justified or explained to the Director of Planning or his/her representative during the Project Permit application process." Where is the justification for the clear violations of the SNAP that this project represents?

By approving this project, Planning Staff has abused its discretion and failed to uphold the city's own regulations. Since the proposed building's non-compliance with SNAP is evidence that the Project will have a significant negative effect on the environment the building is not eligible for the Class 3 exemption for apartment complexes.

In addition, this project also received a Categorical Exemption from CEQA. This is also not appropriate because this neighborhood has a preponderance of early 1900's homes and is therefore a potential HPOZ. I have read the letter from well-respected historian Charlie Fisher and agree with his conclusion that the Project is not exempt from CEQA because of the following exception in CEQA Guidelines 15300.2:

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

This neighborhood is architecturally significant because of the predominance of intact Craftsman homes from early 1910s. The handcrafted and natural

materials and a high quality of craftsmanship reflected in these homes and the elegant, traditional and truly Californian atmosphere they bring to this neighborhood is what the SNAP was intended to preserve and should not be destroyed for the cheap architectural monstrosity that is the proposed project. The SNAP was created to preserve neighborhood integrity and this project is the very opposite of that.

Furthermore, SNAP's Development Standards and Design Guidelines require new construction to "promote development that enhances the quality of the environment and the living conditions of the residents." The fact that the city received nine appeals from nearby residents ought to be proof that the residents themselves are aware that this project will not enhance their living conditions nor the quality of their environment. Planning should take that into consideration and not try to strong arm residents who clearly understand their neighborhoods and their living conditions better than the Planning Department.

Please call if any questions or if you need any additional information.

Sincerely,

Edward Villareal Hunt, ASLA, AIA
Retired California Architect # 11,473
323-646-6287

Peter Gamble

#9

May 21, 2019

Date: 5-21-19

Submitted in PWM Committee

Council File No: 16-0185-51

Item No.: 9

~~Subject:~~ Comments from Public

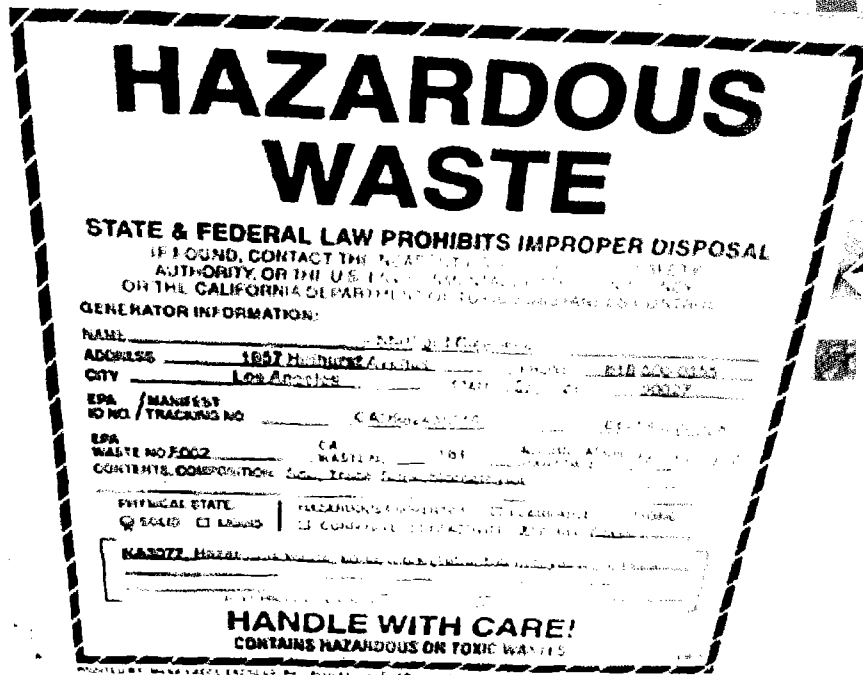
To Whom It May Concern:

I'm the previous tenant of 4513 Russell Avenue, the back house on the 4511 Russell property. Sadly Gevorak Affifi recently demolished both the house I lived in and 4511 Russell house which was the front house of the property.

While I was living there, the Afifis bought the 4511/4513 Russell property, and the property next door which is a mini mall and includes a Citibank and the dry cleaning business that Mr. Affifi had operated for many years.

For the most part, the Affifis were good landlords, but one of the things we had problems with was that their renovation of dry cleaning property next door which often happened until late at night, and we had new small children.

Shortly before we left the property, I came around the corner to see that part of the renovation included removing material labeled hazardous waste. There were several large orange plastic tubs filled with dirt, and wrapped tightly with plastic. Obviously, since we shared a wall with the property they were renovating, and had a garden in our back yard, we were extremely nervous about this, so I snapped a photo of it.



1717 N. Verdugo Rd., Glendale, CA 91208
Phone: 213-925-8880 - PeterGamble@att.net

Peter Gamble

After doing some research, it became clear that the soil had been contaminated with dry cleaning chemicals. When I heard that they were going to destroy the houses at 4511/4513 Russell, I became concerned. Because if there was contamination inside the dry cleaners, there was certainly a possibility that it would have spread across the six inch wall we shared into the property they were demolishing, and because I grew up in a family of developers, and spent my childhood working on construction sites, I know they are dusty places, and could spread any contaminants across the neighborhood.

I strongly lobbied the Afifis and the city to do environmental testing before they did anything to the property so that IF there was a problem, they could address it in a way that was environmentally responsible. The Afifi's refused to do this, and even had their lawyer imply that we made up/photoshopped the attached image of the toxic waste that was removed from their property.

As I said, my parents are developers. I don't have a problem with responsible development, but I think that it's reprehensible that the Afifis are aware that their actions as owners of the dry cleaners may have had environmental consequences, and that they are not willing to act responsibly to protect the people, including children, who live in their neighborhood.

Best,

Peter Gamble Robinson

Charles J. Fisher, Historian
140 S. Avenue 57
Highland Park, CA 90042
Phone: 323/256-3593 Fax: 323/255-0041
Email: arroyoseco@hotmail.com

9

May 20, 2019

City of Los Angeles
Planning and Land Use Committee
200 N. Spring Street, Room 340
Los Angeles, CA 90012

Date: 5-21-19
Submitted in PLUM Committee
Council File No: 16-0185-51
Item No.: 9
Deputy: Comments from public

Attn: Hon. Marqueece Harris-Dawson, Chair

RE: ZA 2014-3237 (CU)(SPP)
ENV 2014-3238-CE

Dear Chair Harris-Dawson and Honorable PLUM Committee Members,

I have reviewed the proposed project at 4511 Russell Avenue as well as the historic Craftsman homes at 4511 and 4513 Russell Avenue. The houses are contributing structures and their removal would undermine the ability of the area to qualify as a historic district. Moreover, the proposed replacement structure would undermine the eligibility of the historic district. Therefore, this project is not exempt from CEQA because of its negative impacts to historic resources.

The property is located in Croake and McCann's Gem of Hollywood Tract, which was subdivided in 1904. The early homes in this tract were mostly Craftsman in design. A majority of these early homes remain today, including the subject property. In recent years, homeowners have been investing in many of these properties, making the neighborhood a more desirable place to live. The current proposal is a giant step backwards in this trend.

The Gem of Hollywood neighborhood has a high concentration of historic housing, ranging from 1905 to the early 1960s. A historic resources survey conducted by the Los Feliz Improvement Association in 2011 (see attached survey form) found this property to be a contributor to the district which is a potential HPOZ.

The establishment of a Gem of Hollywood Historic Preservation Overlay Zone is being looked at as a means to help preserve the residential integrity of the neighborhood and the one hundred year old Los Feliz Improvement Association has been working towards that goal.

I have personally worked with hundreds of historic properties throughout Southern California, including the designation of over 160 Los Angeles Historic Cultural Monuments and the establishment of several Historic Preservation Overlay Zones, including the Highland Park-Garvanza H.P.O.Z., which is the largest in the city, covering a period of significance from 1885 to 1961. I have served on that H.P.O.Z. board for many years and have observed that community emerge as one of the more desirable places to live in Los Angeles over recent years.

I have also authored numerous reports that have been utilized by the planning departments of Los Angeles and other cities in making determinations on the historic merits of existing buildings and sites in dealing with the development process under the California Environmental Quality Act. Many of these reports were used for CEQA clearance for properties within the various Community Redevelopment areas in Los Angeles.

An H.P.O.Z. would be a boom to the Gem of Hollywood neighborhood, but the type of project that is envisioned at 4511-13 Russell Avenue is counterproductive for that future. Due to its scale and the lack of roofline articulation the project is also in violation of the requirements of SNAP, the specific plan. The project is oversized, architecturally incompatible with the surrounding homes and will irreparably damage the integrity of the overall neighborhood on Russell Avenue.

The 4511 house was nominated for Historic Cultural Monument status, but declined by the Cultural Heritage Commission by one vote. Two of the commissioners believed the home deserved monument status. The Commission did note that both homes on the property would have been considered contributors to a historic district or an HPOZ.

Because the demolition of these homes damages a historic resource this action requires review under the California Environmental Quality Act (CEQA) and is not categorically exempt from that review. Whatever benefits may come from this project are far outweighed by the loss of integrity to the community and the impact to the neighborhood of this project most probably cannot be mitigated. Furthermore, this project will not provide affordable housing, in fact it removes affordable rental housing for luxury condos.

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Therefore we are asking the appeal be upheld, the project be denied and the required environmental review be conducted.

Sincerely,

A handwritten signature in cursive script that reads "Charles J. Fisher".

Charles J. Fisher
Historian

Richard **BARRON** / Architects Inc

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Los Angeles, CA 90012
Tel: 213.475.1111
Fax: 213.475.1112
www.richardbarron.com

July 30, 2018

Los Angeles Planning Department
LA City Hall
200 N Spring Street
Los Angeles CA 90012

RE: Charles Fisher, Historic Consultant

To Whom It May Concern:

I have known Mr Fisher for over 30 years, I first met Charlies when we were both community activists in Highland Park. We worked together on creating the seventh & largest HPOZ in the city of Los Angeles.

I believe Mr Fisher has successfully been the applicant for more Cultural Monuments than any other consultant.

I realize that Mr Fisher does not have a degree in preservation. But he has over 30 years of experience working in the historic preservation field.

I have been on the Cultural Heritage Commission for 14 years and have worked with many people who are considered preservation professionals. It has been relatively recently that planning and architectural schools have offered education in building preservation. Many of the people I work with at the Commission do not have specific education in preservation. I for one, have a degree in architecture, but I never had a class in historic preservation. My office has won many awards in historic preservation. I like many have a fondness for persevering our architectural heritage and I learned on the job. I believe I am qualified to call myself a historic preservation professional.

I have no doubt that Mr Fisher is a qualified historic preservation professional and he has learned this craft by his love and devotion to the subject, which in my mind is more important than any degree.

When Charles called and asked for a letter of support, I was humored. I can think of so many successful people that are not degree holders that have made major contributions to our well being and culture. Charles Fisher is just another one on that list.

I support Mr Fisher as a Historic Consultant to the fullest degree.

Sincerely



Richard Barron

Cultural Heritage Commission, President

Los Feliz

IMPROVEMENT
ASSOCIATION



018-09

October 26, 2018

President

Standolyn Robertson

First Vice President

Amy Gustincic

Second Vice President

Mica Campbell

Communications Secretary

Donna Kolb

Resident Secretary

Mary Haberle

Donald Seligman*

Director

Marta Alcumbrac

David Bell

Dennis Chew

Marian Dodge*

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Ray Hovsepian

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Alex Kondracke

Chris Laib*

Deanne Paul

David Roberti

Joel Rochlin

Patricia Ruben

Debbie Simons

Mary Beth Sorensen

Angela Stewart

Mark Stong

**Past President*

Councilmember David Ryu
6501 Fountain Avenue
Los Angeles, CA 90028

Dear Councilmember Ryu,

The Los Feliz Improvement Association, a one-hundred-year-old residents' organization with over 2,000 members is dedicated to the preservation of our historic neighborhood. Croake and McCann's Gem of Hollywood tract, Maubert tract, Edgemont Terrace tract, and Broune tract (between the south side of Franklin Avenue on the north, Kingswell Avenue on the south and Vermont Avenue on the west and Hillhurst Avenue on the east) in what is now called the Los Feliz Village was the one of the first developments in Los Feliz and dates to the early 1900's. Eighty seven percent of the 121 parcels in this neighborhood date from 1903 to 1926 but most were built before 1920. (Please see the attached for a list of still intact contributing homes and dates they were built).

The Los Feliz Improvement Association has long hoped that a Croake and McCann HPOZ would be established. However, as contributing properties are demolished, the chances of this area becoming an HPOZ are increasingly diminished while destroying the historic quality of our beloved village. Therefore, we are requesting your help to protect these homes while we begin the lengthy HPOZ application process.

We believe the most effective way you can assist us in this important effort would be to implement a temporary emergency R2 Overlay Zone to prevent the demolition of any more HPOZ contributors and allow the residents of this area to prepare the necessary work for the a Croake and McCann HPOZ.

Thank you for your assistance in this important matter.

Sincerely,

Standolyn Robertson
President, LFIA

Below, is the list of addresses that should be included (and excluded) with their dates of construction and their tract: GH=Gem of Hollywood; MA=Maubert; ET=Edgemont Terrace; BT=Bourne Tract.

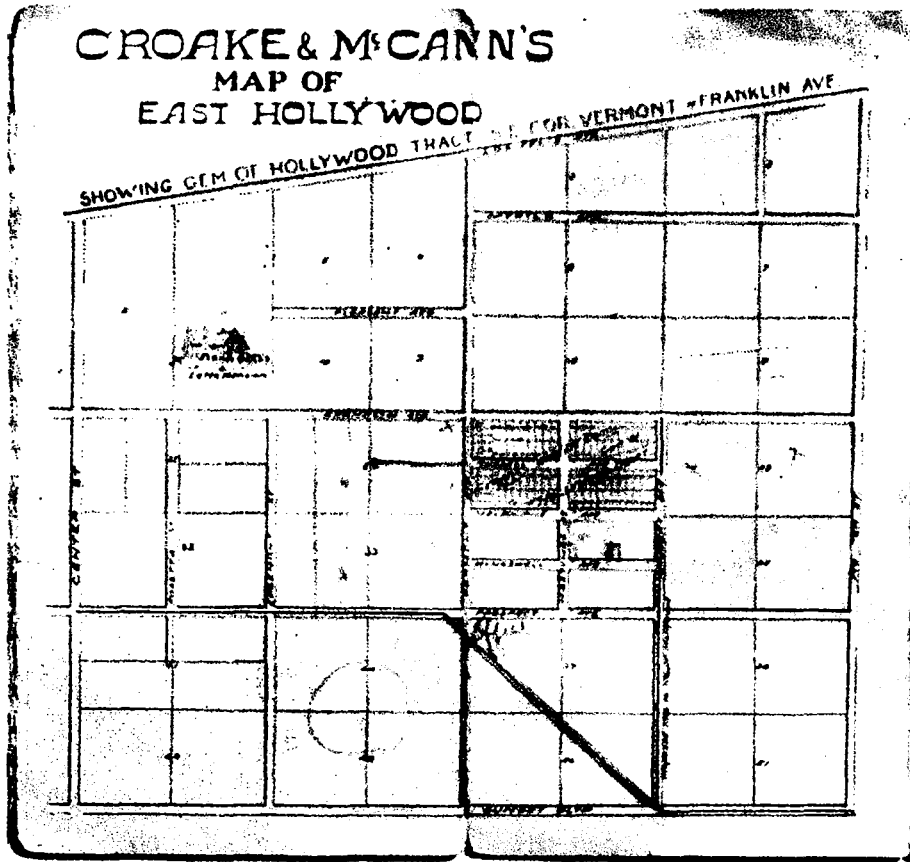
Franklin Avenue (south side only): 4524 (1912 GH); 4530 (1915 GH); 4534 (1921 GH); 4540 (1920 GH); 4544-44 1/2 (1907 GH); 4550-52-52 1/2 (1920 GH); 4600 (1904 GH); 4604-06 (1911 GH); 4612 (1906 GH); 4614-14 1/2 (1908 GH); 4616-18 (1908 GH); 4620 to 4624 1/2 (1921-1922 GH); 4626 to 4628 1/2 (19223 GH); 1936 (1920 GH). Excluded: 4514 (1958 GH); 4518-4520 (1995 GH).

Russell Ave. (north and south sides): 4511-13 (1922/1920 GH); 4514 (1911 GH); 4515 (1922 GH); 4520-4520 1/2 (1908 GH); 4521 (1923 GH); 4524-4526 (1909 GH); 4528-4530 (1921 GH); 4531-4533 (1905 GH); 4534 (1907 GH); 4535-4537 (1905 GH); 4538 (1907 GH); 4541-4543 (1905/1909 GH); 4544 (1907 GH); 4545 (1910 GH); 4550 (1914 GH); 4551 (1911 GH); 4554 (1911 GH); 4555 (includes 1850 N. Rodney; 1920 GH); 4600-4602 (includes 1821 N. Rodney; 1922 GH); 4609-4609 1/2 (1905 GH); 4611-4615 (1920 GH); 4612-4612 1/2 (1913 GH); 4618 (1912 GH); 4622-4624 (1916 GH); 4627 (1910 GH); 4632 (1908 GH); 4633 (1909 GH); 4636-4638 (1907 GH). Excluded: 4506 to 4512 (1970 GH); 4525 (1966 GH); 4608 (1988 GH); 4617 to 4625 (1988 GH); 4626 (1968 GH); 4637 (1964 GH); 4647 to 4655 (includes 1850-56 N. Vermont; 1940 GH)

Melbourne Avenue (north and south sides of street; only the north side is GH): 4506 (1908 MA); 4510 (1911 MA); 4516 (1911 MA); 4517 (1914 GH); 4520 (1908 MA); 4525-4527 (1903 GH); 4526 (1919 MA); 4528 (1905 ET); 4531 (1911 GH); 4534 (1908 ET); 4535-4535 1/2 (1905 GH); 4538-4538 1/2 (1911; ET); 4541-4541 11/2 (1902/1922 GH); 4543-4545 (19078 GH); 4544-4544 1/2 (1919 ET); 4548-4550-4552 (1913/1920 ET); 4551 to 4553 1/2 (1923 GH); 4555-4557 (1922/1924 GH including 1808 N. Rodney Dr.); 4556-4558 (1915/1920 ET including 1764 N. Rodney Dr); 4600 (1910/1921 BT, including 1765-1767 N. Rodney Dr.); 4601-4603 (1926 GH, including 1801 to 1811 N. Rodney Drive); 4606 to 4608 3/4 (1903 BT); 4607 (1914 GH); 4612 (1919 BT); 4618 (1907 ET); 4619 to 4621 1/2 (1915 GH); 4622 (1919 ET); 4623 - 4623 1/2 (1908/1914 GH); 4627 to 4629 1/2 (1915 GH); 4631 to 4633 (1909 GH); 4637 (1923 GH); 4645 to 4657 (1922 GH, including 1800-1802-1804 N. Vermont). Excluded: 4611 N. Melbourne Ave. (1990 GH).

Kingswell Avenue (north and south sides of street)--none are in the Gem of Hollywood tract: 4504-4506 (1906 MA); 4505-4507-4507 1/2 (1909 MA); 4510 (1904 MA); 4511 (1906 MA); 4514-4516 (1906/1923 MA); 4515-4517 (1910 MA); 4520 (1908 MA); 4522-4524-4526 (1911/1924 MA); 4525-4527 (1909/1924 MA); 4529-4531 (1906 ET); 4530-4532 (1909/1911/1923 ET); 4541-4543 (1926 ET); 4544-4546 (1913 ET); 4545-4547 (1908/1922 ET); 4550-4552 (1914 ET); 4554-4556-4558-4560 (1922 ET); 4555 (1907 ET, including 1760 N. Rodney Dr.); 4600 (1911 ET including 1715-1721-1725 N. Rodney Dr.); 4601 (1905/1911 BT; including 1761 N. Rodney Dr.); 4606-4610 (1923 ET); 4607-4609 (1907 BT); 4611-4613 (1909 BT); 4612-4614-4616 (1908 ET); 4615-4617-4619 (1917 ET); 4618 (1905 ET); 4620-4622

(1906 ET); 4621-4623 (1912 ET); 4625-4627-4629 (1912/1923 ET); 4628-4628 1/2-4630 (1922-1923 ET); 4631-4633 (1905 ET); 4647-to 4655 (1930 including 1748-1950-1952 N. Vermont). Excluding: 4500-4502 (1970 MA, including 1725 N. Hillhurst); 4521 (1981 MA); 4534-4536 ET (2009); 4535-4537 ET (1936); 4538-4530-4542 (1999 ET); 4549-4553 1/2 (1953 ET) 4632 (1989 ET).



#9 - ENV-2018-2765-CE

Date: 5-21-19

Submitted in PLWH Committee

Council File No: 16-0185-S1

Item No.: 9

by: Comments from Public

Date: _____

Submitted in _____

Council File _____

Item No.: _____

Deputy: _____



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May 17, 2019

BY EMAIL AND U.S. MAIL

Honorable Marqueece Harris-Dawson, Chair
Planning Land Use Management Committee
Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

Re: **Case No. DIR-2764-SPP-1A; ENV-2018-2765-CE**
Location: 4511 Russell Street, Los Angeles 90027
CEQA Appeal
Hearing Date: May 21, 2019. Agenda Item No. (9)

Dear Chair Harris-Dawson and Honorable Members of the PLUM Committee:

Our office represents Mr. And Mrs. Afifi, the owners of the 4511-4513 Russell Avenue, Los Angeles, CA 90027 (the "Property") and the applicants for DIR 2018-2764-SPP, a Director of Planning approval for the development of a 4-unit residential building on the Property ("Project"). The Property is zoned for by-right multifamily uses, and is surrounded by commercial uses on three sides, and multi-family on the remaining side. The Director of Planning approved the 4-unit development on September 18, 2018. An unincorporated association which calls itself as the "Concerned Citizens of Los Feliz" (the "appellant") appealed the approval, which was unanimously denied by the Central Area Planning Commission ("APC") on November 27, 2019. This same group also filed an application with the City to designate what was a dilapidated duplex that has since been demolished on the Property as a Historic Cultural Monument ("HCM"). The HCM nomination was denied by the Cultural Heritage Commission not once, but **twice**, concluding that the Property "does not meet any of the four criteria for [HCM] designation," and is "ineligible for designation" as a historic monument.

Seeking to once again oppose the Afifi's efforts to develop the Property with housing, the appellant has filed the instant appeal of the Project's categorical exemption under the California Environmental Quality Act ("CEQA") as a means of rehashing its baseless claim that the Property is a historic resource. In doing so, the appellant has subjectively and falsely asserted that the Project, which is surrounded primarily by commercial uses, is somehow "incompatible with Russell Avenue's history and architectural aesthetic...." The appellant has even fabricated allegations that the Property was once used to store hazardous waste and that it is uniquely vulnerable to an unspecified seismic event. As detailed below, the appellant's protracted opposition to the Project is based upon blatantly erroneous contentions, is unsupported by

substantial evidence, and is revealing of an intent to bully and discriminate the Afifi's rather than to voice legitimate concerns over the negligible impacts this small Project may have on the Los Feliz community. For the reasons set forth below, and those our office will present at the May 21, 2018 hearing, we urge the City Council to deny this appeal, and uphold the categorical exemption as approved by the Director of Planning and the Area Planning Commission.

(1) The Project will not cause a substantial adverse change in a significant historic resource.

The primary basis for appellant's instant appeal is that the Project should not have been categorically exempted from CEQA because the Property supposedly maintained a historic resource that the Afifi's proposed to demolish. In support of this position, the appellant alleges that the Project "may cause a substantial adverse effect on [a] significan[t] ... historical resource," which they describe as a "textbook example of the Craftsman Architectural style." However, the appellant misrepresents not only the legal and technical standards applicable to designating a structure as a historic resource, but also the character of the building that was proposed for demolition – and which has since been demolished pursuant to duly-issued permits. This Property has already been denied designation as a historic resource by numerous City and independent experts on several occasions, and there is no basis for now concluding otherwise. The findings made by these City and independent experts are instructive:

- February, 2010:** Chattel Architecture, Planning & Preservation Inc. surveyed the street for the Community Redevelopment Agency ("CRA"). The CRA survey did not identify the Property as a potentially eligible resource.
- November, 2015:** SurveyLA completed a survey of potential historic resources in the area in November 2015, and again the Property was not identified as a potential resource.
- December, 2015:** In response to an HCM nomination, City experts recommended against considering the Property for HCM designation.
- January, 2016:** Qualified architectural historian Dr. Margarita Jerabek reviewed the HCM nomination and the Property, and similarly recommended against designating the Property as an HCM, finding it to be an "unremarkable example of a Craftsman bungalow."
- February, 2016:** An Office of Historic Resources report prepared for the Cultural Heritage Commission found that the Property represents a "simple craftsman bungalow" that "does not retain sufficient integrity to be a Historic Cultural Monument for its architectural style."
- March, 2016:** The City's Cultural Heritage Commission voted against nominating the Property as an HCM.

- September 2018:** The Director of Planning issued a Specific Plan Project Permit Compliance Review and corresponding CEQA clearance, and did not find the existing building to be a historic resource.
- November, 2018:** Sapphos Environmental, Inc. reviewed the appeal and Project and submitted its expert analysis to the Central APC, finding that the Property "is not a historical resource" under CEQA; the APC agreed with finding and denied appeal.

There may be no other property in the entire City that has achieved such unanimity amongst experts in the field that this Property is neither a historic resource nor a contributor to any historic district.

Notwithstanding the consensus among City staff and independent experts alike, the appellant still attempts to derail this tiny Project based upon the false premise that the Project's categorical exemption was improperly issued because the existing building is supposedly a historic resource. However, the City has already unequivocally determined, based on expert analysis and findings, that the Property is not a historic resource—a determination that is supported by substantial evidence in the record and is consistent with CEQA's standards and requirements. (See *Friends of Willow Glen Trestle v. City of San Jose*, 2 Cal. App. 5th 457, 471 (Ct. App. 2016) (a City's determination that a property is not historic shall be upheld if it is supported by substantial evidence.) The City's determination that the Property is not a historic resource is supported by multiple expert opinions, the findings and conclusions of the City's Cultural Heritage Commission, and the Director of Planning's analysis of evidence submitted to it by the appellant.¹ Accordingly, City Planning correctly found that the existing building is not a historic resource individually or as part of a district, and thereby approved this Project to proceed forward with the appropriate environmental clearance. On appeal, the APC agreed with the conclusion reached by both City Planning and the expert opinions.

Although the City Council already has at its disposal an overwhelming amount of evidence to affirm the Planning Department's and APC's decision, attached hereto as **Exhibit A** is a supplemental analysis prepared by Sapphos Environmental, which further confirms that the appellant has not submitted any new information capable of undermining the City's finding that the Project will not cause a substantial adverse change to any historic resource. Accordingly, we urge the City Council to deny the appellant's baseless appeal and uphold the APC's decision.

(2) The Project is not located on a toxic site listed by the California Environmental Protection Agency.

The appellant arbitrarily and incorrectly contends that the CEQA determination was inadequate because "a Phase 1 environmental analysis [would] allay concerns that any excavation

¹ Substantial evidence requires evidence of "ponderable legal significance... reasonable [], credible, and of solid value... drawn from evidence rather than... mere speculation as to probabilities without evidence." *Bowers v. Bernards* (1984) 150 Cal.App.3d 870, 873.

activity would disperse toxins..." The evidence the appellant used to support this "concern," is an unverified photo of a "Hazardous Waste" label which they contend was attached to a drum of soil excavated from a different property in 2013, and photos from 1978 of a gas station – also located on a different property - that used to be located near the Project site. This questionable evidence neither supports the appellant's contentions nor constitutes the Project is located on a toxic site.

Section 15300.2 of the CEQA Guidelines sets forth the grounds upon which concerns over toxic sites may render a categorical exemption improper. It specifically provides that a "categorical exemption shall not be used for a project located on [any] site" designated as a toxic site by the California Environmental Protection Agency. The Project site here **is not** included on any list compiled by the EPA or the Department of Toxic Substances Control. Moreover, there is absolutely no evidence presented that this small residential property includes any toxic substances. The appellant illogically contends that because some hazardous materials may have been located *nearby* the project site at some point that there are in fact toxic materials onsite. This is precisely the type of "[a]rgument, speculation, unsubstantiated opinion" that "shall not constitute substantial evidence" CEQA Guidelines Section 15064. Accordingly, the appellant has failed to demonstrate that the Project is located on a toxic site and has thus likewise failed to establish that the City erred in approving the Project's categorical exemption on this basis.

(3) No reasonable possibility exists that the Project may have a significant environmental impact because of unusual circumstances.

Finally, the appellant also contends that the Property's proximity to a fault line presents an unusual circumstance that requires "geological study" and additional environmental review. The appeal does not, however, provide any details about which fault line the appellant is concerned about, why this fault presents a unique issue for the Property, or in what way the Property's location is uniquely vulnerable to the adverse impacts of a seismic event as compared to other properties in the City. In determining if an "unusual circumstance" exists, an agency must first determine whether substantial evidence exists that the project presents unusual circumstances. If an unusual circumstance does exist, the next question is whether there is a reasonable possibility that a significant environmental impact will result from those unusual circumstances. *Berkeley Hillside Preservation v City of Berkeley* (2015) 60 C4th 1086, 1104. The City only considers the second prong if it first finds that some circumstance of the project is unusual. *Id.* Here, the appellant fails to establish even the first prong.

There is a high bar for establishing the existence of the "unusual circumstance," and courts have routinely declined to apply the unusual circumstances exception in situations like the present. See *San Francisco Beautiful v City & County of San Francisco* (2014) 226 CA4th 1012, 1025 (city's decision to allow utility boxes in urban environment that already contains thousands of such structures is not unusual in context of city's urban environment); *Wollmer v City of Berkeley* (2011) 193 CA4th 1329, 1351 (rejecting claims that location of infill project at crowded intersection was unusual circumstance, noting that this type of circumstance is expected in infill development context); *San Lorenzo Valley Community Advocates for Responsible Educ. v San Lorenzo Valley Unified Sch. Dist.* (2006) 139 CA4th 1356 (no evidence that traffic, parking, and access problems are unusual circumstances in context of school consolidations); *Santa Monica*

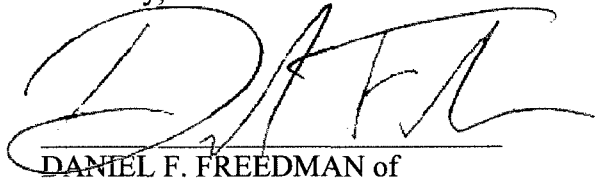
May 17, 2019

Page 5

Chamber of Commerce v City of Santa Monica (2002) 101 CA4th 786, 802 (city ordinance that created residents-only parking district involved normal and common considerations relating to municipal parking regulations); *Fairbank v City of Mill Valley* (1999) 75 CA4th 1243, 1260 (nothing about small retail and office building sets it apart from other small commercial structures built in urbanized area); *Bloom v McGurk* (1994) 26 CA4th 1307, 1316 (presence of comparable facilities in immediate area adequately supported agency's implied finding that there were no unusual circumstances precluding application of categorical exemption for ongoing operation of existing facilities to medical waste treatment plant); *City of Pasadena v State* (1993) 14 CA4th 810 (decision by State Department of Corrections to lease space in existing building in civic center for use as parole officer was not unusual circumstance given presence of other custodial and criminal justice facilities in immediate area); *Association for Protection of Env't'l Values v City of Ukiah* (1991) 2 CA4th 720, 731 (size, height, and hillside location of house not unusual in that area, and potential environmental impacts alleged are common in construction of single-family residence).

Consistent with these cases, the Project's location near commercial uses and/or alleged fault lines is not an "unusual circumstance," let alone a circumstance creating an environmental risk that does not generally exist for other in-fill projects. If appellant's position were to be validated by the City Council, every property or project in the City of Los Angeles would be deemed "unusual" given that there is a consistent seismic risk throughout Southern California. Clearly, this would lead to absurd and unintended results. In conclusion, the appellant has failed to present substantial evidence—let alone any evidence—that the Project presents an unusual circumstance. Accordingly, the Project's categorical exemption was properly approved, and the appeal must be denied. Thank you for your consideration.

Sincerely,



DANIEL F. FREEDMAN of

Jeffer Mangels Butler & Mitchell LLP

Enclosure

CC: Jennifer Tobkin, Deputy City Attorney, Office of the City Attorney
Parish Knox, Deputy City Attorney, Office of the City Attorney
Rachel Brashier, Deputy Chief of Staff, Councilmember Harris-Dawson, Chair
Andrew Pennington, Director of Land Use & Planning, Councilmember Blumenfield
Sherilyn Correa, Director of Planning, Councilmember Price, Jr.
Gerald Gubatan, Planning Director, Councilmember Cedillo
Hannah Lee, Chief of Staff, Councilmember Smith
Meg Greenfield, Planning Deputy, Councilmember Ryu

EXHIBIT A



May 16, 2019
Job Number: 2339-002
Peer Review for 4511-4513 W. Russell Avenue
Los Angeles, CA 90027

MEMORANDUM FOR THE RECORD

2.6 2339-001.M02

TO: Gevork George and Gohar Afifi

FROM: Sapphos Environmental, Inc.
(Ms. Carrie Chasteen)

SUBJECT: Peer Review for 4511-4513 W. Russell Avenue, Los Angeles, California 9027

ATTACHMENT: A. Resume of Key Personnel

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EXECUTIVE SUMMARY

This Memorandum for the Record (MFR) documents the peer review efforts undertaken by a Sapphos Environmental, Inc. architectural historian (Ms. Carrie Chasteen) in November 2018 and May 2019 for the property located at 4511-4513 W. Russell Avenue, City of Los Angeles, Los Angeles County, California (APN 5590-016-018) that resulted in a determination that the property is not eligible for inclusion in the National Register of Historic Places (National Register) or California Register of Historical Resources (California Register), for designation as an Historic-Cultural Monument (HCM), or for designation as a potential contributor to a potential Historic Preservation Overlay Zone (HPOZ). Ms. Chasteen meets the Secretary of the Interior's *Professional Qualification Standards* (PQS) in the fields of History and Architectural History (36 CFR Part 61) and meets the City of Los Angeles education and experience requirements to perform this work. The property owners propose to redevelop the site with a four-unit multi-family residential project. A single one-story Craftsman residence (4511) and a single one-story vernacular cottage (4513) are located on the subject property. The subject property was reviewed for SurveyLA and was not identified as significant individually as an HCM or as part of a potential historic district (HPOZ). This MFR summarizes a formal evaluation of the property addresses issues raised in the current appeal of the project review.

The appeal dated January 14, 2019, states the subject property was surveyed by the Los Feliz Improvement Association in 2011 and was found to contribute to a potential historic district. However, based upon the preponderance of evidence in the public record, this survey does not meet the requirements of Public Resources Code Section 5024.1(g)(4) and is not on file with the South Central Coastal Information Center, located at California State University, Fullerton. Furthermore, this appeal states impacts to these historical resources are not considered in the categorical exemption and impacts of the project to the potential historic district are not mitigated. Two HCM nominations were previously denied by the Cultural Heritage Commission because the subject property does not meet the eligibility criteria. Additionally, the subject property and its setting were vetted for inclusion in federal, state, and local historical registers by four qualified architectural historians and historians (36 CFR Part 61) and was determined ineligible for listing in a historical register because it does not meet one or more eligibility criteria and does not possess integrity. The buildings do not contribute to a potential historic district for these reasons. Additionally, the subject property's setting is ineligible for designation as a historic district because of infill multi-family apartment buildings of varying architectural styles. Based upon the preponderance of evidence, the subject property and its setting does not meet the definition of a "historical resource" pursuant to Section 15064.5(a) of the CEQA Guidelines. Therefore, the proposed project would not result in a substantial adverse change to a historical resource pursuant to Section 15064.5(b) of the CEQA Guidelines.

INTRODUCTION

This Memorandum for the Record (MFR) documents the peer review undertaken by Sapphos Environmental, Inc. (Ms. Carrie Chasteen; Attachment A, *Resume of Key Personnel*) for the property located at 4511-4513 W. Russell Avenue, Los Angeles, Los Angeles County, California (Assessor's Parcel Number [APN] 5590-016-018). A single one-story Craftsman single-family residence (4511) and a single one-story vernacular cottage (4513) are located on the subject property. The purpose of peer review was to assess the eligibility of the property, located at 4511-4513 W. Russell Avenue, City of Los Angeles, Los Angeles County, California (APN 5590-016-018), for inclusion in the National Register of Historic Places (National Register) or California Register of Historical Resources (California Register), for designation as an Historic-Cultural Monument (HCM), or for designation as a potential contributor to a potential Historic Preservation Overlay Zone (HPOZ). The peer review efforts were undertaken by Ms. Chasteen, who meets the Secretary of the Interior's *Professional Qualification Standards* (PQS) in the fields of History and Architectural History (36 Code of Federal Regulations [CFR] Part 61) and meets the City of Los Angeles education and experience requirements to perform this work. The work included review of the SurveyLA findings, a review of previously completed assessments, and an independent evaluation of the property in November 2018 and May 2019. This MFR was prepared for submittal to the City of Los Angeles for consideration of an appeal of the Planning Director's approval of a Categorical Exemption to allow demolition of the existing buildings on the subject property in order to construct small-scale multi-family residential buildings.

BACKGROUND

The consideration of the whether the subject properties constitute historical resources pursuant to California Environmental Quality Act (CEQA) was initiated by the project applicant in conjunction with preparation of a Categorical Exemption for the subject property in 2018 and has continued through the current City of Los Angeles Planning and Land Use Management (PLUM) hearing and two subsequent appeals initiated by the Los Feliz Improvement Association. The subject property was reviewed for SurveyLA and was not identified as significant individually as a Historic-Cultural Monument (HCM) or as part of a potential historic district (Historic Preservation Overlay Zone; HPOZ). An application to designate the subject property as an HCM was prepared by Concerned Citizens of Los Feliz. The HCM application was reviewed by the City of Los Angeles Cultural Heritage Commission on December 3, 2015. The staff recommendation was to decline the application; however, the commission voted to take the property under consideration.

A second hearing for the HCM nomination was held on February 4, 2016, and the Cultural Heritage Commission voted to decline further consideration of the HCM application prepared for the subject property because it does not meet the eligibility criteria. To support the 2016 hearing, PCR Services Corporation (PCR; now Environmental Science Associates [ESA]) prepared a peer review and evaluation memo of the HCM application for the subject property. The PCR memo was prepared by Margarita Jerabek, PhD, Amanda Kainer, and Virginia Harness, all of whom meet the Secretary of the Interior's PQS in the fields of History and Architectural History (36 CFR Part 61) and meet the City of Los Angeles education and experience requirements to perform this work, which are based upon the federal regulations. The PCR peer review memo supported the City of Los Angeles Office of Historic Resources' (OHR) finding that the application inadequately demonstrated the subject property is eligible for designation as an HCM. On September 18, 2018, the City of Los Angeles issued the Vermont/Western Neighborhood Area Plan (SNAP) Specific Plan Project Permit Compliance Review letter, which approved the project with conditions of approval and determined the project is exempt from the California Environmental Quality Act (CEQA)

pursuant to City of Los Angeles CEQA Guidelines Article III, Section 1, Class 3, Category 2 (apartments, duplexes, and similar structures designed for no more than six dwelling units in an urbanized area). There is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

On October 2, 2018, Concerned Citizens of Los Feliz filed an appeal of this discretionary action by asserting that the property is a historical resource and not eligible for a categorical exemption.

In November 2018, Sappho Environmental, Inc. (Ms. Carrie Chasteen), in response to the appeal, conducted a site visit to document the current conditions of the property and conducted independent research to assess the OHR and PCR eligibility findings. The appeal was reviewed by Area Planning Commission on November 27, 2018, and the appeal was denied.

The Los Feliz Improvement Association subsequently appealed the decision, which, at time of preparation of this MFR, is being reviewed by the PLUM Committee, and the appeal asserts the impacts to historical resources were not analyzed. The appeal dated January 14, 2019, states the subject property was surveyed by the Los Feliz Improvement Association in 2011 and was found to contribute to a potential historic district. However, based upon the preponderance of evidence in the public record, this survey does not meet the requirements of Public Resources Code Section 5024.1(g)(4) and is not on file with the South Central Coastal Information Center, located at California State University, Fullerton. Furthermore, this appeal states impacts to these historical resources are not considered in the categorical exemption and impacts of the project to the potential historic district are not mitigated. Two HCM nominations were previously denied by the Cultural Heritage Commission because the subject property does not meet the eligibility criteria. Additionally, the subject property and its setting were vetted for inclusion in federal, state, and local historical registers by four qualified architectural historians and historians (36 CFR Part 61) and was determined ineligible for listing in a historical register because it does not meet one or more eligibility criteria and does not possess integrity. The buildings do not contribute to a potential historic district for these reasons. Additionally, the subject property's setting is ineligible for designation as a historic district because of infill multi-family apartment buildings of varying architectural styles. Based upon the preponderance of evidence, the subject property and its setting does not meet the definition of a "historical resource" pursuant to Section 15064.5(a) of the CEQA Guidelines. Therefore, the proposed project would not result in a substantial adverse change to a historical resource pursuant to Section 15064.5(b) of the CEQA Guidelines.

REGULATORY SETTING

Federal

The National Historic Preservation Act of 1966, as amended, defines the criteria to be considered eligible for listing in the National Register:

The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

- A. *that are associated with events that have made a significant contribution to the broad patterns of our history; or*
- B. *that are associated with the lives of persons significant in our past; or*

- C. *that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- D. *that have yielded, or may be likely to yield, information important in prehistory or history (36 CFR Section part 63).*

In order to be considered eligible, a property must meet at least one of the above four criteria. According to *National Register Bulletin No. 15*, "to be eligible for listing in the National Register, a property must not only be shown to be significant under National Register criteria, but it also must have integrity." Integrity is defined in *National Register Bulletin No. 15* as "the ability of a property to convey its significance."¹ Within the concept of integrity, the National Register recognizes the following seven aspects or qualities that in various combinations define integrity: location, design, setting, materials, workmanship, feeling, and association. Location is the place where the historic property was constructed or the place where the historic event occurred. Design is the combination of elements that create the form, plan, space, structure, and style of a property. Setting is the physical environment of a historic property. Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. Association is the direct link between an impact historic event or person and a historic property.

State of California

Section 5024.1(c), Title 14 California Code of Regulations (CCR), Section 4852 of the California Public Resources Code defines the criteria to be considered eligible for listing in the California Register:

A resource may be listed as an historical resource in the California Register if it meets any of the following [National Register] criteria:

1. *Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
2. *Is associated with the lives of persons important in our past;*
3. *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
4. *Has yielded, or may be likely to yield, information important in prehistory or history.*

¹ National Park Service, U.S. Department of the Interior. 2017. *National Register Bulletin, How to Apply the National Register Criteria for Evaluation*. Available at: <https://www.nps.gov/nr/publications/bulletins/nrb15/>

In addition to meeting one of the four criteria above, to be eligible for listing in the California Register, a property must also retain sufficient integrity to convey its significance. Section 4852(C) of the CCR² defines integrity as follows:

Integrity is the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Historical resources eligible for listing in the California Register must meet one of the criteria of significance described in section 4852(b) of this chapter and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance.

City of Los Angeles

Historic-Cultural Monument. Section 22.171.7 of the City Cultural Heritage Ordinance defines an HCM:

For purposes of this article, an HCM is any site (including significant trees or other plant life located on the site), building or structure of particular historic or cultural significance to the City of Los Angeles. A proposed HCM may be designated by the City Council upon the recommendation of the Commission if it meets at least one of the following criteria:

- 1. Is identified with important events of national, state, or local history, or exemplifies significant contributions to the broad cultural, economic, or social history of the nation, state, city or community;*
- 2. Is associated with the lives of historic personages important to national, state, city, or local history; or*
- 3. Embodies the distinctive characteristics of a style, type, period, or method of construction; or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.³*

Unlike the National and California Registers, the City Cultural Heritage Ordinance makes no mention of concepts such as integrity or period of significance. Additionally, properties do not have to reach a minimum age, such as 45 to 50 years, to be designated as HCMs.

Historic Preservation Overlay Zone. The City has established 36 HPOZs, or historic districts. City Ordinance No. 175891 amended Section 12.20.3 of the City's municipal code regarding HPOZs. The purpose of the ordinance was stated as follows:

² California Office of Historic Preservation. 1999. *California State Law and Historic Preservation*, 4853 (c), p. 66.

³ City of Los Angeles. 2018. Ordinance No. 185472, Section 22.171.7. Available at: <https://preservation.lacity.org/sites/default/files/Cultural%20Heritage%20Ordinance%2C%20Revised%202018.pdf>

It is hereby declared as a matter of public policy that the recognition, preservation, enhancement, and use of buildings, structures, Landscaping, natural features, and areas within the City of Los Angeles having Historic, architectural, cultural, or aesthetic significance are required in the interest of the health, economic prosperity, cultural enrichment, and general welfare of the people.

Contributing elements are defined as any building, structure, landscape, or natural feature identified in a historic resource survey as contributing to the historic significance of the HPOZ, including a building or structure which has been altered, where the nature and extent of the alterations are determined reversible by the historic resources survey.

HISTORIC CONTEXT STATEMENT

The subject property is located within the City of Los Angeles Hollywood Community Plan Area (CPA). The historic context statement for this CPA is found in SurveyLA Historic Resources Survey Report, which is necessary for the purposes of informing the evaluation.⁴

The subject property was evaluated using the Citywide Historic Context Statement developed for SurveyLA, specifically the Residential Development and Suburbanization context and Early Residential Development theme, and the Architecture and Engineering context and the Arts and Crafts Movement subtheme.

Vernacular buildings do not reflect a specific style or school of architecture. As such, eligibility standards, periods of significance, and integrity considerations have not been developed for vernacular architecture.

PROPERTY HISTORY

Construction History

The original building permit is not available for 4511 W. Russell Avenue. The garage was demolished at an unknown date.

The building permit for 4513 was issued for construction of a four-room residential building on April 22, 1920. The permit indicates that no architect designed the building; the building was constructed by the owner, "Mrs. Andrew Ott." The permit indicates the second residence will be located in the rear of the parcel behind 4511 W. Russell Avenue.⁵ Other permitted work is summarized in the HCM application, and permitted and unpermitted work are summarized in the PCR peer review memo. These summaries indicate both the interior and exterior of the buildings have been substantially altered over the course of time.

⁴ City of Los Angeles Department of City Planning, Office of Historic Resources. Los Angeles, CA. November 2015. "SurveyLA Historic Resources Survey Report, Hollywood Community Plan Area." Prepared by: Historic Resources Group, Inc., Pasadena, CA.

⁵ City of Los Angeles. Building Permit No. 5973. Issued April 22, 1920.

Tract History

The Croake and McCann's Gem of Hollywood Tract was recorded on November 16, 1904, by owners John A. Aldritt, P.W. Croake, and William F. McCann. Based upon a review of the historical *Los Angeles Times*, the tract owners were undistinguished real estate developers during a period of rapid residential development in the City of Los Angeles, based upon a lack of fanfare, awards, or other recognition.

Owner/Occupant History

The HCM application summarizes information pertaining to the previous owners of the property. The PCR peer review memo summarizes the previous occupants, occupations, and date of residence. The current owners are Gevork George and Gohar Afifi. It is noted that Forrest J. Ackerman rented 4511 W. Russell Avenue from 2002 to 2008. Ackerman was significant in the science fiction genre of literature and a collector of associated memorabilia beginning in the 1950s. As noted in both the HCM nomination and the PCR peer review, Ackerman resided at 2495 Glendower Avenue prior to retiring from his profession and relocating to 4511 W. Russell Avenue. The residence located at 2495 Glendower Avenue is extant. Ackerman's period of significance is from the 1950s, when he became known in the science fiction genre while owning the Glendower Avenue property, to 2002, when he sold the Glendower Avenue residence and much of his collection. The Glendower Avenue is associated with Ackerman during his period of productivity.

EVALUATION

Individual Resources

Because the National Register, California Register, and HCM eligibility criteria mirror each other, the subject property was evaluated utilizing the National Park Service National Register Bulletin, *How to Apply the National Register Criteria for Evaluation*.⁶

Criterion A/1/1

In order for a property to be considered for listing under this criterion, a property must be associated with one or more events important in the defined historic context. ... The event or trend must clearly be important within the associated historic context. ... Moreover, the property must have an important association with the event or historic trends, and it must retain historic integrity.

As described in the Hollywood CPA historic context, residential development exploded around the same time the property was developed in 1911. The subject property is associated with this historic trend of residential development. However, research and the record does not indicate this association is significant. The subject property was constructed after early suburban development began occurring within the City of Los Angeles with the development of the Boyle Heights and Westlake/MacArthur Park neighborhoods, and no singularly significant event is attributed to the property. The subject property does not represent a very early period of settlement/residential development in a neighborhood or community because it was developed eight years after Hollywood incorporated and is one of many extant residences constructed at that time. As

⁶ National Park Service, U.S. Department of the Interior. 2017. *National Register Bulletin, How to Apply the National Register Criteria for Evaluation*. Available at: <https://www.nps.gov/nr/publications/bulletins/nrb15/>

described in the Hollywood CPA historic context, many people migrated from the Midwest and points beyond to Hollywood during the early 1900s, and this act in itself is insignificant. Additionally, the buildings have been altered over the course of time and do not retain sufficient integrity to convey an association with a historically significant event or historical trend. Therefore, the subject property is ineligible for listing in the National Register, California Register, or for designation as an HCM.

Criterion B/2/2

Criterion B applies to properties associated with individuals whose specific contributions to history can be identified and documented. Persons "significant in our past" refers to individuals whose activities are demonstrably important within local, state, or national historic context. The criterion is generally restricted to those properties that illustrate (rather than commemorate) a person's important achievements. ... A property is not eligible if its only justification for significance is that it was owned or used by a person who is a member of an identifiable profession, class, or social or ethnic group. ... Properties eligible under Criterion B are those associated with a person's productive life, reflecting the time period when he or she achieved significance. Properties that pre- or post-date an individual's significant accomplishments are usually not eligible.

Of the previous owners and tenants, only Ackerman can be demonstrated to have made a specific contribution to history within the context of science fiction literature and associated memorabilia. However, Ackerman achieved significance while residing at the Glendower Avenue property. The Glendower Avenue property is more closely associated with Ackerman's productive life because Ackerman gained his fame while residing at that location and spent the majority of his working years at that property. The subject property is ineligible under this criterion as stated in the HCM nomination because the only justification for significance presented in the application is the property was used by Ackerman. As the National Park Service bulletin states, mere use by a significant person is insufficient for designation. It cannot be demonstrated that the previous owners and tenants made important contributions to the history of the nation, state, or region while residing at the subject property. Therefore, the subject property is ineligible for listing in the National Register, California Register, or for designation as an HCM.

Criterion C/3/3

This criterion applies to properties significant for their physical design or construction, including such elements as architecture, landscape architecture, engineering, and art work. To be eligible under Criterion C, a property must meet at least one of the following: Embody the distinctive characteristics of a type, period, or method of construction; Represent the work of a master; Possess high artistic value.

4511 W. Russell was constructed during the peak of popularity of the Craftsman style of architecture. However, the building is a common and low-style example of a Craftsman bungalow. The building does not exhibit quality craftsmanship because the exterior and interior features are common and utilitarian. The building is not an excellent example of the Craftsman style of architecture in Los Angeles for these same reasons. Because the building is a common and low-style example of a Craftsman residence, it does not embody the distinctive characteristics of a type, period, or method of construction and does not possess high artistic value. The original architect, if any, is unknown, and the building is therefore not the work of a master. Due to infill construction and alterations, the building does not possess integrity of design, materials, workmanship, feeling,

association, and setting. It has not been moved and possesses integrity of location. Because the building does not meet any eligibility standards and does not possess sufficient integrity, it is ineligible for listing in the National Register, California Register, or for designation as an HCM.

4513 W. Russell is a simple and common vernacular cottage with minimal architectural detailing. The building does not exhibit quality craftsmanship as a result. Therefore, the building is not an excellent example of a vernacular cottage in Los Angeles. The cottage does not embody the distinctive characteristics of a type, period, or method of construction and does not possess high artistic value for these same reasons. No architect designed this building; therefore, the building is not the work of a master. Due to infill construction and alterations, the building does not possess integrity of design, materials, workmanship, feeling, association, and setting. It has not been moved and possesses integrity of location. Because the building does not meet any eligibility standards and does not possess sufficient integrity, it is ineligible for listing in the National Register, California Register, or for designation as an HCM.

Criterion D/4

Certain important research questions about human history can only be answered by the actual physical material of cultural resources. Criterion D encompasses the properties that have the potential to answer, in whole or in part, those types of research questions. The most common type or property nominated under this Criterion is the archeological site. ... Criterion D has two requirements, which must both be met for a property to qualify: The property must have, or have had, information to contribute to our understanding of human history or prehistory, and the information must be considered important.

The subject property is ineligible for the National Register and California Register under Criterion D/4, as it is not anticipated to yield, or may be likely to yield, information important in prehistory or history.

HPOZ Eligibility

Although not approved by the City of Los Angeles at the time of this study, a potential HPOZ has been identified in Los Feliz. The Los Feliz HPOZ is roughly bounded by Griffith Park to the north, Riverside Drive to the east, Franklin Avenue to the south, and Los Feliz Boulevard to the west. The subject property is not located within the boundary identified for the Los Feliz HPOZ or other previously identified HPOZ. Properties neighboring the subject property include commercial properties constructed over the course of time, many of which are vernacular or substantially altered. Neighboring single- and multi-family residential properties were also constructed over the course of time and reflect a variety of architecture styles. Alterations such as inappropriate replacement windows and additions were noted in the 1400 block of W. Russell Avenue. The 1400 block of W. Russell Avenue does not possess the requisite greater than 50 percent of potential contributors to support an HPOZ application; therefore, the subject property is not located within a potential HPOZ. Furthermore, the subject property would not contribute to a potential HPOZ for the same reasons it is individually ineligible for listing in the National Register, California Register, or for designation as an HCM.

CONCLUSION

This peer review MFR summarizes the peer review and evaluation of the subject property for listing in federal, state, and local historical registers. The peer review conducted for the subject property demonstrates it is not associated with a historically significant event, is not associated with a historically significant person during their period of productivity, and is not architecturally significant or the work of a master. Therefore, the subject property is ineligible listing in the National Register, California Register, or for designation as an HCM as an individual resource. Additionally, this area of Los Feliz does not qualify for designation as an HPOZ due to infill construction of multi-family apartment buildings of varying architectural styles, and the subject property would not contribute to a potential HPOZ for these same reasons. Therefore, the subject property is not a historical resource pursuant to Section 15064.5(a) of the CEQA Guidelines, and demolition of the buildings located on the subject property would not result in a substantial adverse change to a historical resource (Section 1564.5(b) of the CEQA Guidelines). Therefore, the City of Los Angeles determination letter issued on September 18, 2018, remains valid.

Should there be any questions regarding the information contained in this MFR, please contact Ms. Carrie Chasteen at (626) 683-3547, extension 102.

***ATTACHMENT A
RESUME OF KEY PERSONNEL***

Carrie E. Chasteen, MS

Historic Resources Manager

Master of Science, (Historic Preservation), School of the Art Institute of Chicago, Chicago, Illinois

Bachelor of Arts (History and Political Science), University of South Florida, Tampa, Florida

- Cultural resource management and legal compliance
- History of California
- Architectural History
- Cultural History
- Identification and evaluation of the built environment
- Archival documentation
- Historic preservation consultation
- Certified Oregon Transportation Investment Act (OTIA) III CS3 Technical Lead
- Historic Preservation Commissioner, City of Pasadena
- Phi Alpha Theta National Honor Society

Years of Experience: 17

Relevant Experience:

- *Historic Evaluation for 54 Parks, Golf Course, and Arboreta Project*
- *Historic Evaluation and Design Review for Fries Avenue Elementary School*
- *Los Angeles Union Station Forecourt and Esplanade Project*
- *Los Angeles Music Center*

Ms. Carrie Chasteen has more than 17 years of experience in the field of cultural resources management and the built environment, including project management, agency coordination, archival research, managing large surveys, preparation of Environmental Impact Statement/ Environmental Impact Report (EIS/EIR) sections, Mitigated Negative Declaration (MND) and Initial Study (IS) sections, peer review, and regulatory compliance. She has served as Principal Investigator / Principal Architectural Historian on projects throughout Los Angeles County. Ms. Chasteen meets and exceeds the Secretary of the Interior's *Professional Qualification Standards* in the fields of History and Architectural History. She has extensive experience with the City of Los Angeles Office of Historic Resources (OHR), California Office of Historic Preservation, California Department of Transportation (Caltrans), County of Los Angeles Department of Parks and Recreation, and various other state, county, and local government agencies.

On behalf of the County of Los Angeles (County) Department of Parks and Recreation, Ms. Chasteen is managing the documentation and evaluation of 54 parks, golf courses, and arboreta. The historic evaluations assess County facilities that were identified as priorities due to the age of the facility, architect of record, or affiliation with event of importance to the history of development of Los Angeles County. The historic evaluations consider eligibility for listing on the National Register of Historic Places, the California Register of Historical Resources, the standards provided in CEQA, and the County Register of Landmarks and Historic Districts. The results documented in the historic evaluations were used by the County to address future projects in the facilities, alter plans as needed, and to inform a Cultural Resources Treatment Plan (CRTP) and Worker Environmental Awareness Program (WEAP) training.

On behalf of the Los Angeles Unified School District (LAUSD), Ms. Chasteen prepared a historical evaluation of the Fries Avenue Elementary School. The evaluation tiered off the historic context and registration criteria developed for the award-winning LAUSD Historic Context Statement, 1870 to 1969. The property was determined to be a historical resource pursuant to CEQA. As a result, Ms. Chasteen also reviewed the design of the proposed campus revisions to determine if the proposed project complied with the Secretary of the Interior's *Standards for the Treatment of Historic Properties*.

On behalf of the County of Los Angeles, Ms. Chasteen reviewed plans for the proposed renovation of the plaza at the Los Angeles Music Center. Design refinements were suggested and implemented in order to reduce impacts to the plaza and its character-defining features.

Ms. Chasteen is a member of the Society of Architectural Historians, National Trust, California Preservation Foundation, Los Angeles Conservancy, Pasadena Heritage, and currently serves as a City of Pasadena Historic Preservation Commissioner.

Concerned Citizens of Los Feliz re: 4511 Russell Ave

1 message

Angela Robinson <robinson.ang@gmail.com>
To: clerk.plumcommittee@lacity.org

Tue, May 21, 2019 at 1:50 PM








To Whom it May Concern:

I'd like to submit into record the following letter as well as transcripts supporting a pattern of behavior by the Planning Department and the city. This is in regards to item 7, 8, and 9 on the Planning and Land Use Management Committee meeting, today, May 21, 2019 at 2:30pm in Los Angeles, California.

Thank you,

Angela Robinson

7 attachments

-  **8-9-18 City Planning Commission Public Comment.pdf**
51K
-  **9-13-18 City Planning Commission Public Comment.pdf**
46K
-  **8-23-18 City Planning Commission Item 1.pdf**
64K
-  **8-23-18 City Planning Commission Item 7.pdf**
71K
-  **8-21-18 City Council Public Comment.pdf**
137K
-  **10-30-18 PLUM Item 13 - Case 18-0066.pdf**
128K
-  **CCLF LETTER re_4511 West Russell Avenue_Council File No. 16-0185-S1_ENV-2018-2765-CE.pdf**
844K

Anna Marcos: Your mind and your backside can rest easy knowing LA's own mayor and some community-minded vets and residents helped build it. I'm Anna Marcos for LA This Week.

Female Speaker 2: Is Los Angeles ready to make plastic utensils on demand? Councilmember Bob Blumenfield believes it's time for the city to act.

Rasha: How many of us are guilty of storing those plastic utensils in our kitchen drawers? Well, those may be the last ones you might be getting. Councilman Bob Blumenfield is taking the lead in adopting new environmental standards when it comes to reducing the use of plastic utensils. Plastic on demand is what he's calling it.

Bob: When it comes to plastic forks and knives and silverware, plastic ware, that it only be given on demand that did not just be given out with every takeout purchase and be the standard that it is that everyone gets this extra plastic.

Rasha: Plastic on demand is about creating awareness, reducing the amount of plastic flow of garbage coming from the city, and impacting the environment.

Bob: It's imperative to do it in LA because Los Angeles is where cutting-edge policy is made.

Rasha: 8 million metric tons of plastic ends up in our oceans each year, hurting our marine life. If plastic production isn't curbed, plastic pollution will outweigh fish pound-for-pound by 2050.

Bob: So you have this multiple problems with the excess plastics that we have. One, we're not recycling enough, two, they're impacting our landfills and three, they're impacting our oceans. Oceans full of plastics that are damaging and killing our marine life. This is all going to have an impact on the human race.

Rasha: So what can you do? Well, Councilman Blumenfield does recommend writing into your local council members to show them your support for the motion and on a personal level, try

using more silverware and Councilman Blumenfield, well this one's for you: I guess I'm a step ahead with my glass straw. In Los Angeles, I'm Rasha Goel for LA This Week.

Female Speaker 2: Do you know how to contact your a Councilmember? It's pretty easy. Check out the website. You can find out who your council member is, their phone number, email, and links to social media sites. Summer is in full swing and it's a hot one. How about hopping in a kayak at the LA River to cool off? Rasha Goel does just that.

Rasha: When we think of Los Angeles, we often think of Hollywood, Beverly Hills, the beaches, and the mountains but there's a beautiful hidden gem right here in our backyard and it's the LA River and today I'm about to take you kayaking if you haven't ever been.

[Music]

I had a chance to experience the LA River with LA River Kayaks, a company spearheaded by Dr. Jeffrey Tipton. The company rents kayaks and does some guided tours but mostly it's self-guided. [inaudible] boat on the LA River. Woohoo!

Male Speaker 1: I was one of the first people to go down the entire LA River to prove that it was a river so they would open it up for access because under the Clean Water Act, as long as the river is traditionally navigable, then it has to be protected and treated like a river. So that's kind of what happened. That was about nine, ten years ago and since and for the last eight years we've been both here and in Sepulveda basin near Encino renting kayaks.

Rasha: The entire route near Elysian Park is about two miles and takes roughly two hours. It's a one-way route that starts near Fletcher Avenue and ends at Confluence Park. Now I saw some wildlife that I didn't even know existed down there.

Male Speaker 2: From the path here you can't really see how much water and wildlife and trees are on the other side but in a kayak you get a pretty unique view and, yeah, it was fun. I didn't know this was all in my backyard.

Rasha: What I will tell you is to definitely make sure you're hydrated, use sunscreen and take a hat or sunglasses and be prepared to use your arms. It's a lot of fun and learning.

Male Speaker 1: It gets people to understand the relationship between water in LA and how and where it comes from, where it goes.

Female Speaker 3: This has been so fun. Yeah, there's way more rapids and water than I was expecting so it's fun.

Rasha: Why'd you do that? All right. This is something that you'd definitely, definitely have to come check out. I mean, it's so beautiful. It's easy. Of course, you got to get the swing of it first but if you've never been out to the LA River, I highly, highly recommend it. Reporting for LA This Week, I'm Rasha Goel.

Female Speaker 2: For more info, check out LARiverKayaks.com. Hurry up though. Most tours end in September. Kayaking is just one of the many cool things happening at the LA River. We caught it with the city's Bureau of Engineering about some of the projects and development on historic waterway. Gil Reyes has more.

Gil: Pedestrians and cyclists enjoying glistening views of the LA River tell us what they want to see next. More bridges to connect the great communities west of the water like Griffith Park to areas east of the water like Atwater Village. Janine Lorenzo wants to ride to the other side.

Janine: We love to just come and be outdoors and take the trails but this has always been blocked off to us.

Gil: But cycling across the river will soon be possible at several key points. Now you can see construction to one of those bridges taking place right now. The bridge here at North Atwater Park will link Griffith Park to the west to Atwater Village to the east and when completed, it will

be an equestrian bridge with room for horses. That's right, horses, as well as cyclists and pedestrians too.

Deborah: It connects all the stables in the Atwater Village area, all the riders into Griffith Park and they used to have to walk down into the river and then back up the river and it was somewhat slippery. Horses sometimes slipped on that.

Gil: Deborah Weintraub from Bureau of Engineering says the safety overpass will open next year and more bridges are coming. One at Taylor Yard linking Cypress Park to Frogtown and another linking Atwater Village to Silver Lake. In downtown, the upcoming sixth Street Bridge and park will add even more amenities.

Deborah: One of the unusual components of that Park will be an art plaza under the bridge which will take advantage of an existing pathway into the river. That will eventually connect to a bike path all through downtown. That metro is the project manager for--

Gil: Gear up for some big changes over the next several years and you'll have a say in how it will all look. Stay updated on the river's progress as well as community meetings at Eng.LACity.org. I'm Gil Reyes for LA This Week.

Female Speaker 2: For 50 years, Chuck Levin has been tirelessly working to get people register to vote. This week, he was honored by council at voter registration day.

Male Speaker 3: I declare Chuck Levin and voter registration day in the city of Los Angeles.

[Applause]

Chuck: In 1968, I started registering voters in Westwood Village. It stands donuts and I still do. Through 50 years, a week hasn't gone by that I haven't been registering voters somewhere in the streets of LA and I just believe in making voter registration as accessible as possible being out on

the street at a table or at a movie line answering questions, talking to people having conversations, discussing their right to vote, their privilege to vote and their responsibility to vote.

Male Speaker 3: It's my honor to have known Chuck Levin. Well, I'm pleased to call my dear friend for 45 years.

Male Speaker 4: Well, I'm very excited to have us declared both voter registration day and Chuck Levin Day. Chuck has been a volunteer voter registrar for over 50 years. He's registered over 14,000 people. His mother registered over 47,000 people in her lifetime.

Male Speaker 5: I'd be remiss if I didn't say a few words about Chuck and his incredible work. You inherited the family business and your mom passed down a recipe for democracy.

Male Speaker 5: And Chuck, it's unbelievable to me that you have been a volunteer registrar for 50 years. That's I think indicative of who he is.

Male Speaker 6: You should be inspired, inspired by what you've done, Chuck, and what all of you here who are engaged in registration are doing, inspired to register people to vote to change the world. That's how we do it. We register people to vote and we have warriors like Chuck Levin on the frontlines. Thank You Chuck for all you do and happy Voter Registration Day.

[Applause]

Female Speaker 2: Feeling inspired? You can register to vote online at registertovote.ca.gov. Libraries are more than just a place for books. There are community centers. Anna Marcos takes us to Durant Branch Library where celebrity stylists share their talents with those in need.

Anna: Get ready for the star treatment at this Hair Styling joint. The hairdressers are celebrity stylists. The setting, the back parking lot of the Durant Branch Library in Hollywood and the clientele are homeless residents.

Male Speaker 7: I'm going bald. I just like the way it looks.

Anna: This is the source program at the LA Public Library's Durant Branch. On the last Thursday of every month, celebrity stylists who often trimmed the locks of famous people come to give the A-list treatment to homeless folks in need of a haircut and some TLC.

Female Speaker 4: Well, when I was a kid, I was in the foster system and I was homeless at 13. You know, I'm just giving back to the community. I know what it's like to be down and out and I feel good when I do this. It actually warms my heart.

Female Speaker 5: it's important to help people out as much as possible.

Male Speaker 8: Hairdressing is my craft so I just love the art of hairdressing but more importantly the whole reason why I do it is just to help people.

Male Speaker 9: I think it's truly a blessing from God and it's a good thing that someone cares.

Anna: But hairstyling isn't the only thing going on here. Look at this. There is free food here. There are referrals to medical services and housing and even free cellphones.

Male Speaker 10: You learn that you're part of a community when you're part of the library and a big part of my community are people who need help like this.

Anna: And some of that help appears to be finger-lickin' good. Meanwhile Samantha Jackson and her three kids just arrived here from Ohio.

Samantha: I think it's awesome because it's a lot of people that need help. A lot.

Anna: And it seems that this library at least takes care of the dogs too. The source program is now at five LA Public Library branches and soon there will be two more which will mean a lot more homeless residents getting treated like VIPs. I'm Anna Marcos for LA This Week.

Female Speaker 2: Looking for a little art in your life this weekend? Check out All Lit Up at Chinatown's Blossom Plaza. The All Lit Up exhibit at the Eastern Projects Gallery in Chinatown is all about neon and what better medium to shine a light on our times? One exhibit called, "It's All About Selfie," reflects our own self-obsessed selfie culture.

Male Speaker 11: The mannequins were chosen for very specific reasons. They don't have facial features. They're completely blank and so that's just a statement about how people become when they're taking a selfie. They're just kind of mindless drones, essentially.

Female Speaker 6: The opening night, just to prove our point, our social experiment even more there was a gentleman who is I would say 35 years of age jumping into our installation to get a photo of himself in the installation and ended up breaking the neon. This is an example of no selfie control. There may be no selfie control but it sure takes a lot of skill to work with neon. We get a lesson on bending the tube as they call it. All kinds of gases, colored glass and coating help create the bright colors and pulse effects you see.

Female Speaker 7: I love the glow. I love the cast slide. After I feed the tube, I go up in the air and I've been freeform.

Male Speaker 11: I hope that more people come to Chinatown. There are many galleries here and there's each representational of different art movements.

Female Speaker 6: This installation focuses on symbolic objects that elicit emotions, candles, moons, flowers. Their inspiration? Think, "kaching!"

Female Speaker 8: Oh man, I grew up in Las Vegas Nevada, that's my home town. So I've been seeing these pretty things in my eyeballs all of my life and I think I just was always attracted to it.

Female Speaker 6: And while we're on the topic of neon, ever wonder who created the neon celebrate stamp? Well, one of the artists right here did. He not only created the neon installation. He photographed it and now we use it to mail our letters.

Anna: And that's not all to come out of this guy's whimsical creations.

Male Speaker 12: I made one of these for Katy Perry. She has one just like this.

Female Speaker 6: You did?

Male Speaker: Yeah.

Female Speaker 6: But back to that selfie exhibit, we caught some teens going all selfie on it.

Female Speaker 9: People stops, take pictures rather than just like admire things.

Female Speaker 10: Yeah. It's like more about like the person like you have to be in it now. Like whatever you're doing.

Female Speaker 6: So that's how you guys are doing that.

Female Speaker 10: Exactly. Well, we were trying to get like the lighting on the--

Female Speaker 9: We're just best friends. We just always do stuff like that. [laughter]

Female Speaker 6: You have a chance to take your own selfie with all the artwork by visiting the exhibit which runs through August 25th.

Female Speaker 2: More info at EasternProjectsGallery.com. Art isn't only in a museum. Those that ride the LA metro get a daily look at some of LA's finest on their commute. Now, Metro has taken it to new levels with regular community art events. Anna Marcos takes us to Metro Art Presents.

Anna: Transportation and art. The two don't sound like they would go together but at LA Metro, they do. The Metro Art Presents Event was one example of art taking on many forms drawing on people's arms, faces, bodies in this tribal pattern session provided some of the artsy entertainment.

Female Speaker 11: They create an awesome vibe for us to hang out have fun.

Anna: The event has been a joint partnership with radio KCRW for the past five years and it attracts hundreds of people, a mix of everyday train and bus passengers, and the more artsy trendy crowd.

Female Speaker 12: Some people are coming specifically because they heard about it and they love the arts and culture in Los Angeles and some people because this is a train station, are commuters or they're traveling someplace and so it's whoever happens to be passing through the train station. We're just surprising them with some arts and culture.

Anna: Besides the DJ spinning and body painting, there were photo booths, fun and games of all sorts, artwork, hula hooping, lots of hula hooping, and dancing. Even more of that, lots and lots and lots of dancing, probably the Hollywood hipster's artistic Coney Island.

Female Speaker 13: We are just in the community, just activating it with our DJs, bringing the fun, the games, the music.

Anna: And if you miss this art scene, don't worry. There are more of these events this month including an August event with twenty performance acts and artists on August 26.

Female Speaker 14: So it won't be one thing happening in one place but it'll be these little interventions throughout the station.

Anna: At this metro station, a trainer bus ride could well turn into a spin on a hula hoop or a journey of exploration into tribal tattoos and more. I'm Anna Marcos for LA This Week.

Female Speaker 2: Mayor Garcetti's Office of Economic Development is working hard to support local entrepreneurs by connecting them to city resources so they can thrive. One such company is Viva Bags where two local designers are crafting fine leather products right here in LA.

Female Speaker 6: Walk through a downtown alley and you open the door into a unique factory showroom that's been around for decades.

Stacie: This is Viva Bags Los Angeles.

Female Speaker 6: The two owners, Stacie Charlin, an LA native and Irma Castillo, a Mexican immigrant, have succeeded in keeping their high-end leather product business going through good times and bad.

Stacie: The people who were in business ten years ago are no longer in business and they were much bigger than we are.

Female Speaker 6: Castillo bought the business in the 90s after working for the company for many years.

Irma: The first time I touched the leather, I fell in love with it. Every meeting I had with them, "Please, if you, one day you want to sell Viva, please think about me.

Female Speaker 6: Castillo finally bought a piece of the American dream and went into business with Charlin. The first 10 years they say were great with accounts at Neiman Marcus, Saks, Nordstrom, then the economy went south and new trends hit, outsourcing, cheap knockoffs, and competition from celebrity designers.

Irma: You can see we have few people working right now because they're laid off.

Female Speaker 6: Viva bags has gotten creative by branching out. Besides handbags, the two partners are making private label products for other designers and leather earrings, bracelets, wine carriers, tote bags, they've reached out to the mayor's Office of Economic Development asking the city to push for more branding of made in LA products like theirs.

Stacie: We see that this city is in partnership with larger businesses but we don't want the city to forget about the smaller people.

Female Speaker 6: One of the Viva Bag owners' goals is to get on this LA City run website called LAoriginal.com and look at this website. It's all companies making products right here in

LA. Who knew? These ladies themselves are a true made in LA original. We get the feeling they'll be around for a long time to come.

Female Speaker 2: To learn more about how the city can help your local business, visit the LA business portal for details. Bolly High May Call You, a Bollywood dance party in downtown and we celebrate Barbarella turning 50 at Hollywood Forever. All of that in this week's Things To Do.

[Music]

Male Speaker 13: Relive Hollywood's golden era as the Marina del Rey Symphony performs Rodgers and Hammerstein's South Pacific as part of the staged version of the Academy award-winning classic. We'll travel back in time to once again enjoy an age of breathtaking majesty and musical masterpieces. The free performances run the evenings of August 23rd and 25th at the Burton Chase Park in the Marina. Visit ChasePark.com for more info.

Like to twirl the light fantastic? Then you won't want to miss the music Center's Dance DTLA 2018 at Grant Park, a recurring downtown dance party. Each event embraces a different theme. Friday August 24th, it's Bollywood. So get ready to have a great time. The free event happens at Grant Park, 200 North Grand Avenue, in downtown LA. For more information, visit GrantParkLA.org.

Male Speaker 14: Meet the most beautiful creature of the future. Her name is Barbarella.

Male Speaker 13: Take off on an intergalactic romp through the galaxy, as Cinespia presents the 50th anniversary of Barbarella at the Hollywood Forever Cemetery. Experience the Jane Fonda sci-fi classic as part of the annual Johnny Ramone tribute. A cinematic masterpiece, Barbarella forever changed the way mankind views outer space revealing an interplanetary playfulness that's still charming no matter which planet you live on. Barbarella screens Sunday August 26th at the Hollywood Forever Cemetery, 6000 Santa Monica Boulevard. For tickets and information, visit Cinespia.org. And that's a look at some things to do.

[Music]

Female Speaker 2: Finally, we'll close out this week's show at LAX where a team of volunteers held a special send-off for a local team.

Female Speaker 15: For 18-year-old Carlos Garcia, it's a dream come true. His life is about to be changed. Thanks to the Make-A-Wish Foundation.

Male Speaker 14: Just a lot of history nearby and I've always seen pictures of it. And it looks very nice so I decided why not and go dearlly.

Female Speaker 15: Carlos is battling cancer. Through his doctor, his parents found out about the Make-A-Wish Foundation and how it helps kids.

Male Speaker 15: He was in the hospital and the doctor gave towards the dates of condition that they can make kids' wish true so we fill out the information. We didn't-- I really-- I didn't thought they gonna call me but they did like they contact me when we was in the hospitals.

Female Speaker 15: The LAX' PUP also came out to share their love and support with Carlos. These adorable therapy dogs are part of LAX's Pets Unstressing Passengers program and help create a calm and stress-free experience at the airport.

Female Speaker 16: Today is a very special day. LAX and the PUPs are partnering with Make-A-Wish Foundation to grant some kids' wishes. We have a child today that's flying out to Italy. We found out that he loves dogs and so we thought what a great partnership to meet and welcome them.

Female Speaker 15: Make-A-Wish makes dreams come true for children with critical illnesses.

Female Speaker 17: And there's a common misconception that Make-A-Wish only serves children who are terminally ill but that's not the case. Most of our kids do go on to live healthy lives.

Male Speaker 16: I thank you to Make-A-Wish for everything that they've done for the whole trip. It makes what I've gone through way easier and hopefully the kids who are going through anything big, they could have something to look forward from Make-A-Wish.

Female Speaker 15: Some heartfelt words of gratitude from Carlos who's about to experience a trip of a lifetime. Arrivederci.

Female Speaker 2: Make A Wish says they currently have 500 kids in Los Angeles on their wait list. To get involved, visit wish.org/socal. That's gonna do it for this edition. I'm Umaima Rasheed and from all of us here at LA This Week, thanks for joining us. A reminder that you can catch us online at lacityview.org. You can also check out our newest social media feature LA This Minute. We'll see you back here next week for more of LA This Week.

[Music]

Male Speaker 17: [24:21] Need a recycling center? Call 3-1-1, the toll-free number for non-emergency services. 3-1-1, your One Call to City Hall.

[Music]

[Music]

[Music]

[Music]

Madam Clerk: [36:21] Harris-Dawson, Huizar, Koretz, Krekorian, Martinez, O'Farrell, Price Rodriguez, Roo, Wesson. 10 members present in quorum, Mr. President.

President: Thank you very much. First order of business.

Madam Clerk: Approval of the minutes.

President: Martinez move, Rodriguez seconds. Next.

Madam Clerk: Commendatory resolutions for approval.

President: Cedillo moves. Koretz seconds. That brings us where?

Madam Clerk: Mr. President, today is Tuesday and it's time for the flag salute.

President: Okay, if we'd all rise, I'd like to ask Mr. Huizar to lead us in our flag salute today.

Mr. Huizar: Thank you. Please all rise. Put your hand on your heart and begin. I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

President: Thank you so very much, Mr. Huizar. Madam clerk, let's go through the agenda.

Madam Clerk: Items 1 through 6 are items noticed for public hearing. Mr. President, there are cards on all items.

President: Continue.

Madam Clerk: Items 7 through 11 are items for which public hearings have been held.

President: Okay, let's prepare to vote on these items. Please open the roll. Close the roll. Tabulate the vote.

Female Speaker 18: Ten ayes.

Madam Clerk: Mr. President, there's a request for number 8 to go forthwith, sir.

President: So ordered. Continue.

Madam Clerk: Items 12 through 14 are items which public hearings have not been held. Ten votes are required for consideration.

President: Okay, so without objection, those items are now before this body. Do you have carts?

Madam Clerk: Yes, Mr. President, there are carts on 12 through 14, Sir.

President: Okay, then let's move on to the next section.

Madam Clerk: Items 15 through 17 are items scheduled for closed session. Would you like to hold them on the desk, Sir?

President: Okay. I'm gonna defer to the city attorney.

City Attorney: I believe these items can be addressed in open session unless any Councilmember wishes it's going to close.

President: Okay if you would, read those items, Madam clerk.

Madam Clerk: Item number 15 is the case entitled Joe Peraza et al. versus city of Los Angeles, there is a recommendation to expend \$150,000 in settlement. Item number 16, in the case entitled Helen [inaudible] et al. versus city of Los Angeles et al., there is a recommendation to expend \$1,950,000 in settlement. In item number 17, in the case entitled Maria Hernandez et al. versus city of Los Angeles et al., there is a recommendation to expend \$1,450,000 in settlement.

President: Okay. Let's prepare to vote on these items. Mr. Price has arrived. Mr. Buscaino.

Mr. Buscaino: Take these votes separately.

President: Okay.

Mr. Buscaino: Thank you.

President: Okay. Let's vote on item 15. Please open the roll. Close the roll. Tabulate the vote.

Female Speaker: 11 ayes.

President: Item 16. Open the roll. Close the roll. Tabulate the vote.

Female Speaker: 10 ayes, 1 No.

President: Item 17. Open the roll. Close the roll. Tabulate the vote.

Female Speaker: 10 ayes, 1 No.

President: Thank you. That brings us where?

Madam Clerk: Mr. president, that takes council back to public comment or presentations, Sir.

President: Mr. Walsh, if you'd please come forward. Items 1, 2, 3, 4, 5, 6, 13 and 14 and then your general public comment and you'll be followed by Miss McAllister. Miss McAllister, good to see you.

John: John Walsh, blogging at hollywoodhighlands.org. It goes through the agenda. Another boring agenda except for the settlements and I'll go right into the settlements with my minute of general public comment. \$1,950,000 because the LAPD beat the shit out of this woman. You know, every time the LAPD beats the shit out of a woman, of course, that's \$2,000,000 but does his new captain give a damn about it? No. Do you give a damn about it? No. Just throw \$2,000,000 at Hélène Toubayu[?] and everything will be fine.

I'm telling you right now at the tunnel, they want to build a homeless shelter with \$60,000,000, \$100,000,000 across the street here. That's what we need, a homeless shelter, so they can be in

here fighting us. We're trying to take a leak and they're shaving. I'm telling you right now, hollywoodhighlands.org.

President: Thank you. This vote on items 1 through 5 and item 14. Are you ready? Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 11 ayes.

President: Miss McAllister, please come forward. Give her two minutes. She has items 12, 13 and then her general public comment.

Miss McAllister: Thank you very much Mr. President. Item 12. Here, Mr. Huizar, he wants \$45,000 to put some lights on some trees but he hasn't used the millions of dollars to build the HHH housing on Skid Row. That's the man, that's responsible for Skid Row where 20,000 black people are laying on the street. No illegal aliens, no Mexicans down there. We want you to build that house. And we don't need any street lights on Skid Row, okay? We want you to take that money and build this housing. I'm getting tired of seeing him on these agenda items getting in 45,000, 100,000. We don't know where his money is. That's the same guy that wanted to give a clerk typist 100,000 a year in salaries.

President: Let's get on that topic.

Miss McAllister: Number 13, here you want various public maintenance efforts and services through our Council 8. That's Harris-Dawson, his friend. It's very vague. What do you mean various maintenance efforts? You want \$100,000. I went and looked at the description of this item, there's no breakdown of where this money is going. I think we need to hold the controller's office accountable. I'm seeing so much going on here and the controller, it has to go through their office first and they're just letting money slide through. I don't see any accountability. I'm gonna start requesting records. I want to see receipts. Receipts because the suits you guys are wearing are getting one more expensive. You're not making that kind of money.

President: Come on. [laughter]

Miss McAllister: The city attorney makes \$185,000. You don't make \$185,000. This guy right here, he's been with the city three years.

President: Let's please get on the topic.

Miss McAllister: Yes. Okay, let's go. Give me my public comment.

President: You got it. Give her one minute.

Miss McAllister: I have some handouts for the council I'm gonna give to you.

President: Sargeants. Could you please?

Miss McAllister: I went and did the investigation. When I did, I requested since the City Attorney's Office claimed they have 500 attorneys, I went and requested a list of all of them and then I went to the Bar Association. Took me a long time and I took those names and match them up and I found-- Wait, wait a minute wait, wait, wait. Bring that back. You get some of my stuff.

President: No. Keep talking. I'll get it back for you.

Miss McAllister: And I found-- I found-- Give me that back. You took my-- Excuse me. I found \$6,000,000 with lawyers don't work for the city. I've also matched up the dates. Thank you. The dates. Some of these lawyers are not lawyers. I'm going to the Bar Association. They're not lawyers. They're working for the city. I've got one. Some of them were practicing law eight years and got on the bar just two years within that eight years. So I found a lot of discrepancy and I'm gonna give you this handout. We're gonna take it to the bar association.

President: Thank you. Thank You. Thank you Miss McAllister. Okay. That concludes multi-public comment. Let's vote on and see you the next time Miss McAllister. Let's vote on items 12 and 13. Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 11 ayes.

President: We're gonna go to item 6. Do we have a Michael Shink or Shank? Michael? Michael? Do we have a Michael? Going once, going twice. No Michael. All right, let's prepare to vote on that item. Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 11 ayes.

President: Doug, come on down. Mr. Haynes. I'm sorry. General public comment, Mr. Haynes?

Mr. Haynes: I gave to the city clerk an item for distribution which I believe it's being passed out. My name is Doug Haynes. I have an appeal pending before the City Council. I addressed this matter and plum last week. The appeal regards the demolition of a 1919 meticulously-restored Craftsman home that was demolished without permits, notification, or any clearances from planning yet we can halfly go-- The developer began construction of his project. What I found out is that permits have been allowed to be issued by the Planning Department because they said that under sequel appeals, clearances are allowed because it would be unfair to the developer who filed an appeal hearing being set. The problem is there's no benefit to us as a community. There was no way for us to know when our people will be heard. There's no due process for us as an issue. This is an important matter for our community and we hope that our hearing will be scheduled soon or the permits will be stopped. Thank you.

President: Thank you, Doug. All right. So that will close our general public comment. So we've closed multi and general. Mr. Koretz, presentation.

Mr. Koretz: Good morning, colleagues. We're gathered here today to commemorate the life and work of Leonard Bernstein, the great American composer and conductor who dedicated his life to making classical music a vibrant part of American culture. He was a revered conductor and

pianist, the composer of ageless music, a compassionate teacher of inspiring insight, and a fervent battler for human rights and dignity. He was also a beloved contributor to the artistic soul of Los Angeles where he had a lifelong history of performing, teaching, and composing but don't take my word for it. We have a short video to show you.

[Music on Video Playing]

Video Female Speaker: I think there was a part of my father that believed that if he just wrote a good enough melody that maybe he could heal the world with his notes.

[Music]

Video Male Speaker: Leonard Bernstein is perhaps the single most important musical figure in all of American classical music.

Video Female Speaker: There were two things that he could not live without. One was people and the other was art.

Leonard: Well, the creative arts are the beating heart of our civilization.

Video Male Speaker: When he was eight or nine years old, he just touched one key and knew immediately he could make music on the piano.

[Music]

Video Female Speaker: He really believed and was passionate about what he did and he was willing to bring it, his love and his creativity to everyone.

[Music]

Video Female Speaker: He was this incredible educator, the young people's concerts on TV, Norton lectures at Harvard, his books, all these different things that he did to share his knowledge with the world.

Video Male Speaker: He was also a magnificent conductor, terrific pianist and a great humanitarian.

Video Male Speaker: Traditionally conductors were very staid and very hopper[?] in their presentation. He let it all hang out.

[Music].

[Applause]

Mr. Koretz: So today here in Council chambers, I'm pleased to be joined by Samuel Paul from the Leonard Bernstein office. Stacy Takaoka, Director Special Projects. Rita George COO, and Scott Goldman, Artistic Director, all from the Grammy Museum, and Jocelyn Tetel, Vice President of Advancement and Mia Cariño, Vice President communications and marketing from the Skirball Center.

The Leonard Bernstein Centennial is being celebrated on six continents with over 3,000 performances of his works being performed in places as remote as Jakarta with a concert on his actual 100th birthday next Saturday, August 25th. Closer to home, we've been celebrating since last fall. There have been dozens of performances by many of our great local institutions including the Los Angeles Philharmonic at Disney Hall and the Hollywood Bowl, LA Opera and the Skirball Cultural Center which is presenting Leonard Bernstein at 100, a magnificent celebration of his life and work that is running until September 2nd and by the way, you each

have a ticket for two to attend that. Here to tell you more about that is Scott Goldman, the artistic director of the Grammy Museum.

Scott: Thank You Councilmember Koretz for making this proclamation today and to all of the City Council members for your support of this remarkable milestone. As the artistic director of the Grammy Museum, I have the privilege really of overseeing and developing many of the museum's curatorial efforts. At the Museum, we take pride in celebrating all forms of music through our exhibitions, our public and education programs and over the years, we have actually curated centennial celebrations of iconic music figures including Woody Guthrie, Ella Fitzgerald, and John Lee Hooker among many others. It only made sense for us to work with the Leonard Bernstein estate and his three children to curate the official exhibition of the Leonard Bernstein Centennial celebrations Leonard Bernstein at 100. This effort was spearheaded by Bob Santelli. You saw him in the video, the museum's founding executive director, who along with our remarkable team created, built, and are currently touring this exhibition nationally. Through more than 150 objects including photographs, papers, scores, correspondence, costumes, furniture, films and interactive displays, the retrospective explores half a century of activity by the renowned American composer, conductor, and humanitarian, who dedicated his life to making classical music a vibrant part of American life. Leonard Bernstein at 100 is currently on view here in Los Angeles at the Skirball Cultural Center. As one of the leading Jewish cultural institutions in the country, the Skirball is truly a fitting partner for this LA engagement and while the Grammy Museum is about music, the Skirball's mission to celebrate core Jewish values and help build a better world is perfectly embodied in Leonard Bernstein, an engaged citizen of Jewish ancestry who lent his voice to many social causes. Leonard Bernstein at 100 is on view at the Skirball until September 2nd and will then tour the country through 2020. We hope that all of you will come visit this exhibition before it leaves Los Angeles and celebrate this important centennial milestone with us. Thank you.

President: Thank you.

[Applause]

President: Mr. Herman. Come on. Now, Mr. Herman just don't disrupt. Mr. Koretz, before you present the resolution, if I could just say, I guess, in everybody's life, things happen that affect you one way or the other for the rest of your life and the music which was played on the video from West Side Story which I was first exposed to at 11 years old has followed me for decades. I hummed those melodies today driving to and from work or sing those songs. It was probably the one collection of music that has moved me, believe it or not, the most. So this is really exciting, I know, for me personally and I'm sure for other members that are watching this on television and

the members of this council but I will probably be singing "There is a Place for Us" for the next three days because of what you've done, so anyway let's give him one more round of applause. [applause] His music was life-changing.

Mr. Koretz: And now it's my honor to declare on behalf of the mayor and City Council Leonard Bernstein Day in the city of Los Angeles.

[Applause]

President: Mr. Huizar, are you next up? Okay, sergeants. Mr. Herman. Sergeants. Have a chat, Mr. Herman is the last time I'm gonna call your name today. If I call it again, you'll be removed.

Mr. Huizar: Thank you very much and colleagues today we recognize the 70th anniversary of the Nisei Week Japanese Festival. The annual festival takes place once a year Little Tokyo and just finished this Sunday. It is undoubtedly one of Los Angeles's most historic and cherished traditions packed with culture and history. It's simply an outstanding one-of-a-kind opportunity to experience Little Tokyo and the Japanese culture. My wife Richelle along with three of our four kids had a wonderful time participating in this year's grand parade.

First I would like to welcome the Nisei Week Court to council chambers. Welcome ladies and congratulations to all of you. [Applause] Next, I want to thank board member Ellen Ota and the rest of the Nisei Week foundation for all the hard work and time they invest to make the festival a treasure for all Angelenos. Their nonprofit aims to showcase of traditions and culture of the Japanese community through arts and cultural education and every year the Nisei Week Festival achieves those aims on a wide scale to the enjoyment of the entire city and visitors from all over Southern California and beyond. All members of the foundation are volunteers who are committed to their heritage and enriching the lives of those around them. It's amazing that this festival started in Little Tokyo way back in 1934 and continues to this day making it one of the longest-running ethnic festivals in the entire country and certainly Los Angeles has hosted one of the largest Little Tokyo's in all of the country and because of the hard work and traditions and events like this one, it continues to thrive and we continue to showcase our diversity here in Los Angeles. Los Angeles certainly wouldn't be what it is without Little Tokyo and the Japanese-American community who have contributed to the well-being of the city.

Now I would like to introduce this year's Nisei Week President, Mr. Cory Hayashi to say a few words. Welcome.

Corey: Thank you. Thank you all for having us and as Councilman Huizar just said we just wrapped up our 78th year which actually was brought up is about a third of our country's history so we really love to beat the fact that we're able to not only share our native Japanese culture but also celebrate a Japanese culture that is really developing. One of the great moments at the end of our ceremony, we had a closing dance in the street and the last dance we did, it was actually a combination that came from a collaborative event between Latino, African-American and Japanese cultural traditions. It's been our goal to celebrate our culture and our community with not just the Japanese-Americans but also with everyone in this diverse city so we couldn't do this without the support of the City Council and we thank you for everything you do for us.

President: Thank you.

Mr. Huizar: And finally it's my pleasure to introduce the 2018 Nisei Week Queen Miss Alice Marina Amano. I want to congratulate her for being selected as the Queen and she'll come up and introduce the court. Welcome.

Miss Alice: Thank you.

President: Your majesty.

Miss Alice: [laughter] Good morning everyone. My name is Alice Marina Amano and I'm honored to be the 2018 Nisei Week Queen and just on behalf of the Nisei Week Foundation and court, I just like to say thank you to all the council members for the amazing hospitality and thank you, special thank you to Councilman Huizar for representing Little Tokyo and for your continued support for Nisei Week. Unfortunately, the entire court could not be here today however I'd like to take the time to introduce the court to you. We have our first princess, Kelly Midori Tsunawaki Mock, we have Miss Tomodachi Juli Ann Drindak, Nisei Week Princess Tori Ai Kamada, Nisei Week Princess Marica Katie Snyder, and we have here Nisei Week Princess Lauren Rei Miyamoto.

President: Let's give Lauren a round. [Applause]

Miss Alice: Thank you so much for having us here today.

President: Thank you for coming.

Mr. Huizar: Thank you. On behalf of the mayor, the City Council, we would love to present this Nisei Week 2018 resolution to the foundation for your continued commitment and resolve to continue Little Tokyo thriving and the Japanese culture here in the city of Los Angeles. Congratulations. Thank you. [Applause] Thank you very much. [Applause]

President: All right. Thank you. Okay, Madam Clerk, can we have some 12 vote items? Was it 1 through 6?

Madam Clerk: Yes, Mr. President. 1 through 6, sir.

President: Why don't we vote on reconsideration? Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 14 ayes.

President: Okay. Also would like to reconsider items 15 and items 16 and 17. So if we could have this first vote on reconsideration. Items 16 and 17. Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 12 ayes, 2 No's.

President: Or that, no, no that's reconsideration. Okay, now we'll actually vote on the items. We will-- Mr. Herman. I have told you that the next time I called your name, we're gonna-- Sergeants let's show Mr. Herman the way out. Mr. Herman, public comment has already been satisfied. You are just disrupting this meeting. So Mr. City Attorney, he's continuing to disrupt the meeting.

Mr. City Attorney: Yes, in fact he came in disrupting the meeting, making noise.

President: Yes, he did. Yes he did. So what we're doing now is we're actually voting on the item. He's continuing. Mr. Englander we're actually voting on items 16 and 17. So on those items, in fact we'll do it separately. Let's vote on item 16. Let's open the roll, close the roll, tabulate the vote.

Female Speaker: 12 ayes, 2 no's.

President: Now let's vote on item 17. Let's open the roll. Close the roll. Tabulate the vote.

Female Speaker: 12 ayes, 2 no's.

President: Okay. That brings us where?

Madam Clerk: That brings council, there are motions for posting a referral.

President: Okay, they are posted. They are referred. Announcements, members, announcements. In fact we can then. We all rise. In fact members in the sports page today, if you want to have a good little cry, a happy cry, there's a story about a young man and he's on the USC football team. He's a big lineman and how he adopted his stepfather's name and how they met. Anyway it's a love story and it's a great story so if you you want to have a happy tear, read this story about, I believe, his last name is Clayton, or he changed it to Clayton but that's a good reading. It's a way to start off Wednesday. I'm looking to my left. Do we have adjourning motions? Mr. Cedillo.

Mr. Cedillo: Yes, Mr. President. I've been holding this because we've had a lot of prominent people passing. I didn't want to miss this opportunity but I'm here today to ask that we close in the memory of Consuelo Chaidez. When we run for office we go out and walk in people's neighborhoods and knock on their doors. Sometimes we get invited into their homes and it's one of the ways that we begin to get familiar with the community and with the neighborhood and we always invariably run into that community leader who has access to everyone. Consuelo was one of those persons. She had 13 kids. She walked me into her house and she showed me the pictures. She called her kids by numbers. [laughter] Her daughter who was my woman of the year a few years ago, Vera, and her sister showed up last week and I said, "What number were you?" She says "I was number three," and so with those 13 kids in Lincoln Heights they began to be one of those families that everybody knew. She was an incredible cook. I'm going off script here 'cause I'm gonna tell you what I had learned from her. She was smart. She was a public servant. She worked in hospitals but her biggest legacy is her family, an incredible family. She was one of the founders of the Ballet Folklórico and the events that they had with the PTA. She's very, very involved. Her daughter who was my Woman of the Year, Vera, she's an incredible leader and all the other siblings were the same. I really loved this woman when I met her and got to chat with her about food and family and they lived in this Craftsman style home in Lincoln Heights. Most of the kids were gone but we talked a lot about food and as you know, my wife passed and my mother, the incredible cook of Bora Heights passed and so I'm missing the certain foods. And so we talked about those, the Capirotada that we make, the bread pudding that we have during Easter holiday. I told her how much I missed that and I don't know if you remember but when Vera came, she brought me the Capirotada which was made very similar to the level of my mom's and it was just who she was, a leader, open, bringing people into her home, fed everybody. I mean this sounded like my mom, fed everybody, skip the part that she outed everybody which my mom would be happy to do but Consuelo was that person and she passed recently. We were able to send her flowers and the resolution and stuff but, you know. She survived by her sisters Socorro Martinez, her brothers Ernie Corral, Ray Corral, her children Vera, Connie, Lupe, Mary Lou, Norma, Hector, Sylvia, Gracie, Blanca, Arlene, Natali. I don't want to miss anybody, the numbers, and then there are 12 great-grandchildren and 22 grandchildren. What a legacy and so I just wanted to hold this one off until we had the opportunity for her to get the full attention she deserved because her legacy, her commitment to Lincoln Heights is well established and she was a great community leader and I was flattered to share in her food and her support so God bless her. I know she's up there cooking for everybody else.

President: Well, well said Mr. Cedillo. I'm now looking to my right side. I don't see any. Mr. Krekorian.

Mr. Krekorian: Thank you very much Mr. President. Members, we all have people in our district who don't necessarily get recognition for their leadership role as often as they should but each

and every day, they go out and they work for the improvement of their community and make a lasting difference that sometimes really is transformative of a community. And one of those people in my district was Lee Adrian who passed away in June and I'd like to ask that we adjourn this meeting in his memory. Lee was born in North Dakota in 1945 and grew up in a cattle farm. In 1966, he enlisted in the Air Force and served in Okinawa where he worked with computers and served our country honorably for seven years in the Air Force.

In the course of his service he found his way to Los Angeles and like so many others who come to California while serving our country, he decided to stay. He didn't want to go back to North Dakota and he continued working here in data processing for many years before he retired in 2012. He was extremely active as a volunteer in the community in the East Valley. He was a founding member and captain of the Strathern Neighborhood watch and a member of the Foothill Community Police advisory board. He and his wife worked together tirelessly to beautify our community. I first met him in connection with a Pocket Park that they really made happen for their neighborhood but his volunteerism didn't just stop in the East Valley.

We have so many of our constituents who ask us to do something about homelessness as they should. Well, Lee's response was not to just ask for somebody else to do something. His response was to pick up a hammer and he went to work for a number of Habitat for Humanity builds where he was actually building with his own hands homes for the homeless and other disadvantaged people. And he even went so far as to travel to Alaska to build homes in Alaska with Habitat for Humanity. When my office coordinated one of the largest mural paintings in the East Valley at the Whitsett Avenue Slope, when we created the vintage North Hollywood mural, it was Lee who really created, made it possible by creating an irrigation system and installing drought resistant gardening on both sides. It couldn't have happened without Lee's work and that was reflective of his deep love and respect and appreciation for nature. He was an active fisherman, actively involved in the Sierra Club for many years and Mr. President, Lee climbed Mount Whitney, the tallest point in the lower 48 three times all after the age of 60 so there's hope for all of us Mr. President, still.

When in 2014, when I started our Veteran of the Year ceremony here and I was thinking about who should be the very first veteran of the year that we would honor in CD 2, Lee Adrian was the obvious choice because of his service to our country and his immense service to our community, his care and concern for people in need and the indelible impact that he left on the East Valley and all of Los Angeles. I'm so proud to have known him. I'll miss him and I'm so glad that we could be joined today by his daughter Kelly and his granddaughter Amber. He's also survived by his wife, Maggie, as other children, Christopher and Jennifer, in total, seven grandchildren and three great-grandchildren. Lee Adrian made a significant impact that will last in our community for many generations to come. May he rest in peace.

President: Well said, Mr. Krekorian. Well said and our thoughts go with the family and friends. Are there any other adjourning motions? I don't see any members. This meeting is adjourned.

[Music]

[Music]

[Music]

Female Speaker 2: [75:35] I'm not just an environmentalist at work but I am an environmentalist at heart. 70% of the world's surface is covered by water. In order to see the world, you really have to be in the water. I was a scuba dive instructor and realized that I had a passion for the ocean and I needed to work as a marine biologist so when the position in water quality came up, I knew that was my job. As an environmental specialist at the Port of Los Angeles, I wear many hats. I primarily oversee storm water quality. I am the sustainability coordinator for the Port of Los Angeles and I oversee the management of a 15-acre endangered California Least tern nesting site. We, at the Harbor Department ensure that the birds are as successful as they can be. My job is to go around and visit all of our tenants from the large industrial operators to the rest--

[END]

Samantha: --comment item three. This is the period where we can address any matter that is not on the agenda. I have one speaker card for public comment. When your name is called, please approach. Doug Haynes.

Doug Haynes: Good morning. Do you only have one, I assume it's Carlos Montes, because I see here one.

Samantha: Okay. I also have Mister Montes. You will each have two minutes.

Carlos: Thank you very much. Good morning, my name is Carlos Montes. I graduated from Hollenbeck in middle school, I also went Rosinville. I live in Boyle Heights.

Samantha: Excuse me, can you speak into your microphone a little better?

Carlos: Yes, I'm trying not to break it.

Samantha: Just put your mouth right on it.

Carlos: Yes, all right. Yes, Good morning, my name is Carlos Montes. I am a community activist in Boyle Heights, attended in Rosinville and Hollenbeck. I still live there. I think you hear a lot about Boyle Heights in the news lately. My general issue and concern is pollution. We're still suffering from the exide battery recycling plant led pollution. There's a major clean up that's going slow and not really going anywhere. Some of the other issues we have is the high cost of rent. Our young folks are saying that it's gentrification, I agree with the young folks. Upper-class professionals are moving in, buying a property, throwing our folks out, evicting our folks and jacking up the rent and I know there's an organization that are more organized than professional deal with this kind of issue. I'm just making a general comment. There are things that we face that I think is part of the gentrification symptom is a large number of police killings of our young men. We've had 9 LEPD Hollumback police killings of our young men in Boyle Heights and some people say well its an issue that's different but in my view, it's an issue of gentrification. Our poor working class on document, the families are being harassed and forced to flee because once your son is killed, arrested, beat up, you don't have other choices but to leave, right? So, the other thing that I want to point out is that we have a shortage of parks and libraries. Any new property that is out there that's vacant, been knocked down, we need libraries. Our libraries are very old, overcrowded, the air conditioner is always broken down and our parks also are not -- [whistle] -- thank you very much.

Samantha: Thank you very much.

Carlos: Alright.

Samantha: Mr. Haynes, welcome.

Doug: Morning. My name is Doug Haynes. First, congratulations to new president Norman and also thank you to David Ambrose who point out that David started in the neighbor council system of this Hollywood neighborhood council. The former chair the planning committee is

here today, Alfredo Hernandez, it's kind of a reunion for us all. Earlier this year, I brought your attention to the issue of illegal demolitions in particularly Hollywood, a chair of two planning committees for two different neighborhood counsels, east Hollywood and Hollywood studio neighborhood council. At the time I passed out something that I'm redistributing to you today, showing the number of photos of 1118 North Hilly Troop where the house in this side in 1919 Resort Craftsman Bungalow was demolished without permits or notification by a developer and found any clearance from planning department. Building and safety then gave and after the fact demolition permit, we found any clearance from planning department then he did apply for project permit compliance review and he put in Google or photos showing the house as if existed before its demolished pretending that it was still there. We brought that attention to the planning department. Planning department instead of referring this to building and safety for this called self towardness because of the perjury, instead gave an after-the-fact approval with the house for demolition without even notifying anybody that the house is already gone. The reason I bring this up is that we to exhaust administrative remedies is required to file the sequel appeal which is not opening before the council and yet, this week he began development of the site. What I find out is that the planning department does not hold up permits when a sequel appeal is in place. This policy makes a mockery of the appellant process yet brings in the question, the finality of an appeal, when it starts and when it begins and it needs to be stopped. This development needs to stop right now otherwise, how can you have an appeal in place-- [whistle]-- while development is proceeding, it makes no sense whatsoever.

Samantha: Thank you so much, Mr. Haynes.

Doug: Thank you.

Samantha: Thank you. David Ambrose?

David: David Ambrose. I express concern about this last meeting. I'm a little concerned that this is on-going. I don't know the specifics assured by the applicant and we don't need to discuss it today but what I'm concerned about is this is a matter of practice that there's an in run around the demolition process in this historic neighborhoods so I'd love the staff the next meeting to request to get a-- understand of what's going on here and pursue and then interim the full abilities to the department to control the situation.

Kevin: Thank you, I'm Kevin Keller. I'm not going to speak to the issue with them, we do appreciate the heads up but we are working with this individual to make sure we understand the situation. I will point the commissions attention to the next meeting, August 23rd. We'll have the item on the agenda as a policy matter, legislative matter. I'm looking at clarifying the sequel appeals process which I will present at that time, and there is going to be some proposed legislation that the commission can review at that time so I'll just highlight the August 23rd valley meeting, that is our next meeting and we will be presenting at that time.

Samantha: Thank you.

David: The one thing that I appreciate, Mr. Haynes bring us to our attention again and this reinforces one of the concerns I've raised that I know the department senior staff is looking into

and will be getting back to us on and that is enforcement and what we can do to make sure that all the work that we do here that staff does to try to plan out a better city for all of our citizens and residence actually exist without people just flagrantly flouting the laws and I look forward to hearing more about that. It's not just signage, it's not just demolition. It's so many things that happen. We have a case today coming towards us. We won't talk about that now. Where some entitlements were not followed and we need to make sure that what we do here is something that is enacted when it's passed by council and it's followed through by staff, not just the staff but the entire city.

Samantha: Thank you. Moving on to item number---

[END]

May 21, 2019

VIA EMAIL

Los Angeles City Council
c/o Los Angeles City Clerk
Los Angeles City Hall
200 N. Spring Street, Room 532
Los Angeles, CA 90012

**Re: Development Project Located at 4511 West Russell Avenue (Council File No. 16-0185-S1);
(*Los Feliz Improvement Association v. City of Los Angeles et al.* (Case No. 19STCP00567) and
ENV-2018-2765-CE**

To Marqueece Harris-Dawson and committee meeting members:

On January 11, 2019, Concerned Citizens of Los Feliz and the Los Feliz Improvement Association each filed CEQA appeals for the property at 4511/4513 Russell Avenue. The Los Feliz Improvement Association also filed a lawsuit against the owners of the 4511/4513 Russell Avenue property. Yet while the CEQA appeals were still pending, the city issued a demolition permit for the two historic homes on the property and the homes were destroyed in the middle of the night. This is a clear violation not only of CEQA and the city's stated policies but of due process.

During the August 14, 2018 Planning and Land Use Management hearing, regarding the case of a property where demolition had occurred when a CEQA appeal was pending, Councilmember Huizar said during public comment, "That should not be happening unless Building and Safety has an explanation... On its face it doesn't seem appropriate that Building and Safety would allow excavation when an appeal is still pending." (see exhibit A)

Furthermore, the city chose to remedy the problem of demolitions occurring while appeals were still pending with the proposed ordinance of September 26, 2018 to the California Public Resources Code Sections 21151(c) and 21155.2(b)(5). This proposed ordinance was meant to establish authority and a process for the City to revoke or withhold permits, including but not limited to building permits, to ensure a Project has not been improperly segmented for purposes of review under the California Environmental Quality Act (CEQA).¹

The proposed ordinances all contain provisions counter to the Planning Departments policy that issues demolition permits with pending appeals. These ordinances were approved by both the city planning commission on August 23, 2018 and this committee on October 30, 2018 – but no further action has been taken on the September 26, 2018 ordinance since committee voted

¹ http://clkrep.lacity.org/onlinedocs/2018/18-0066_misc_09-27-2018.pdf

to continue the item for a date to be determined to request the City Attorney to prepare the final ordinance.² Despite this and further commentary from the prior chair of the committee, the Planning Department has continued to allow a pattern of practice of denying due process by issuing clearances for demolition and development projects to proceed as noted in a letter submitted to you by attorney, Mr. Jamie Hall, on May 21, 2019.

The city has been following its stated policy. For example in the 3314 N. Lugano Place case, the city issued a stop work order to prevent the demolition of 3314 N. Lugano Place. This is evidence that the city is aware of how it should behave (see exhibit B).

Therefore the city's stated policy is that demolition permits shouldn't be given by the Planning Department while there is a pending CEQA appeal. Yet, in the case of 4511/4513 Russell Avenue, despite the fact that there was not only a pending CEQA appeal filed January 11, 2019 and a CEQA lawsuit filed on February, 25, 2019, the city issued a demolition permit and the homes were demolished. Not only does this contradict the city's stated policies and practices but it also robs the citizens of the city of Los Angeles of their right to due process and reveals the contempt of the Planning Department to the rights of the citizens of this city.

Thank you,

Sincerely,

Angela Robinson

Concerned Citizens of Los Feliz

² <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=18-0066>

EXHIBIT A

Planning and Land Use Management Committee
August 14th, 2018

Councilmember Huizar: Thank you, Doug Haines.

Doug Haines: Okay [inaudible]

Councilmember Huizar: Welcome sir.

Doug Haines: Hi. Before I begin and my time starts, I did give to the sergeant at arms – yes – so does everyone--?

Councilmember Huizar: They're right here.

Doug Haines: You know, I waited two and a half hours so if I can go over my one minute a little bit it would be helpful.

Councilmember Huizar: Sure.

Doug Haines: My name's Doug Haines. I have an appeal pending before this body and yet last week the developer began construction. And what we found out is permits were issued by LADBS because the Planning Department gave clearances for those permits. And what we found out further is that the Planning Department has a policy that if you file a CEQA appeal which we had to do in order to exhaust our administrative remedies, then they don't withhold permits. They allow it to happen. Which means essentially the appeal process is futile and it's a mockery of our due process. So I have an appeal pending and yet construction is going forward, a foundation is being poured this week. When does the appeal begin and when does the appeal end if construction's proceeding? What is the administrative record? I've asked that those appeals—that the permits be revoked, repeatedly. I spoke before the city planning commission. We sent a letter to the city attorney. This is not a fair process.

Councilmember Huizar: Whose district is this?

Doug Haines: This is, um, district 13.

Councilmember Huizar: [inaudible]

Doug Haines: And we've approached our council member. Again, this is before you. We're waiting for the appeal to be heard.

Councilmember Huizar: Can you – if you don't mind, if could you bring that to the direction of my planning director Shawn Cook –

Doug Haines: Absolutely.

Councilmember Huizar: Tomorrow or day after. Because as a policy, if something needs to be fixed, we would certainly look into that. That should not be happening unless Building and Safety has an explanation. A valid explanation. But it—

Doug Haines: Their explanation is that planning gave clearance.

Councilmember Huizar: On its face it doesn't seem appropriate that Building and Safety would allow excavation when an appeal is still pending. So if you could get the address and we'll ask the questions for you to the departments and get some clarification.

Doug Haines: Thank you, I'd really appreciate it.

Councilmember Huizar: Thank you.

EXHIBIT B

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OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

May 2, 2018

Michael S. Swischuk, The Savage Swischuk Trust
2153 Groveland Dr.
Los Angeles, CA 90046

NOTICE TO STOP WORK AND NOTICE OF INTENT TO REVOKE BUILDING PERMIT NO. 17010-10000-03334 FOR A NEW 3-STORY SINGLE FAMILY DWELLING AND ATTACHED GARAGE AND 3 UNCOVERED PARKING STALLS, 17020-10000-02484 FOR NEW RETAINING WALL, AND 17030-10000-05959 FOR EXCAVATION OF BASEMENT AND RETAINING WALL AT 3314 N. LUGANO PLACE.

On April 2, 2018, the Department of Building and Safety (LADBS) issued Building Permit No. 17010-10000-03334 for a new 3-story single family dwelling and attached garage and 3 uncovered parking stalls, 17020-10000-02484 for new retaining wall, and 17030-10000-05959 for excavation of basement and retaining wall at 3314 N. Lugano Place.

The approval of the permits was contingent upon the Department of City Planning's (DCP) approval of the Hollywood Land Specific Plan Project Permit Review and Design Review, Planning Case No. DIR-2017-1001-DRB-SPP on the LADBS clearance summary worksheet on March 28, 2018.

After issuance of the above mentioned permits, LADBS received written communication from DCP on May 1, 2018, that staff inadvertently approved the clearance for Planning Case No. DIR-2017-1001-DRB-SPP prior to City Council acting on the CEQA appeal.

Therefore, LADBS has determined that Building Permit Nos. 17010-10000-03334, 17020-10000-02484, and 17030-10000-05959 were issued in error and intends to revoke the permits. The authority to revoke permits is stipulated in Section 98.0601 of the L.A.M.C., which reads:

Chairman: ...to the multiple items speaker cards. This is an opportunity for individuals who wish to speak on more than one item, to sign up and speak for two minutes. Do we have any multiple? I don't see him out here, can you?

Male Speaker 1: Who's first?

Chairman: Okay, Michael Shilstone and Susan Hunter.

Michael Shilstone: Signed up to speak on both 12 and 13. Should I wait for each of those to speak individually on those?

Chairman: Pardon me? You could hold this time, please? Sorry, what was that?

Michael: Signed up to speak on both items 12 and 13, should I speak before those or you want me to keep going from there?

Chairman: No. Yeah, the way this works is if you sign up to speak on two or more items, you speak upfront even before they come up, and you have two minutes to use however you want to speak on those items that you signed up for.

Michael: Okay.

Chairman: Okay, thanks.

Michael: Good afternoon. I'm Michael Shilstone with Central City Association. We represent over 400 businesses and nonprofits in LA, and we're strong advocates for more investment in housing and amenities for the residents and workers who call downtown home. We're here today to support the proposed project by Career Lofts which will replace parking and vacant lots with the mixed-use housing, hotel and retail development in the Central City West neighborhood. The project's hundreds of new housing units will provide more opportunities for many people to live near where they work. Its 126 hotel rooms will support the city's record tourism levels and the more than 19 million visitors that come to the downtown annually. Additionally, the project will add more lodging options near the convention center which is critical for keeping LA's convention industry internationally competitive and bolstering the local economy and tax base. Project is supported by its neighbors, the 1100 Wilshire, HOA, and we encourage you to support this project as well. Thank you. Regarding the CEQA appeals ordinance, we first want to thank the staff for their work on this ordinance and for incorporating many of the comments heard at City Planning Commission and throughout the review process. We have concerns about sections E and F regarding CEQA segmentation which was added recently and should be more fully vetted. Instead of including Section F in this ordinance, we suggest addressing the issue of CEQA segmentation within the processes and procedures ordinance currently under public review. We agree that improper segmentation should be prohibited, but we are concerned that the current language is unclear as to what qualifies as segmentation and could result in unintended punitive consequences. Addressing segmentation in the processes and procedures ordinance would avoid potential inconsistencies between the two ordinances while allowing the CEQA appeals ordinance to continue moving forward in a timely manner. Thank you for your

consideration, and we look forward to continuing to work with you guys.

Chairman: Thank you. Susan Hunter.

Susan Hunter: Thank you so much. Susan Hunter, I'm with the Coalition to Preserve Los Angeles. Firstly, on number 10, the project does not meet the qualifications of being labeled as sustainable communities project, we have deep concerns about that. Again, overall, we're not looking at the true environmental impact of projects that are deemed for, needed for housing usage but then they're actually hotel usage. We have too much of a saturation of hotel usage in one area. This is detrimental to that industry as well as our jobs, and we are asking that you please take into consideration, determine if we actually need this project or not in Hollywood. My big concern today is number 13. So one of the bigger issues is that you're asking us to appeal and have our CEQA appeals made within 15 days after a determination is made, but yet a developer has no sunset clause on the entitlements. So there's no fair rationale between, "I have 15 days, but a developer can wait 10 years before making a project go through", these need to be more aligned. So I should be able to appeal environmental all the way up until a bulldozer is on that property knocking down or demolishing a building, because a lot can change in environment from three years or 10 years or 15 years. If they're selling entitlements to another developer and they're changing the entitlements and re-entitling, am I still going to be able to appeal on the original entitlements? You're also creating a situation where we're forced to file a lawsuit before all administrative options have been heard in regards to concerns on a property because now you have a 90-day time limit, but yet CEQA appeals can sit around for two years, so we don't have consistent timelines. We're asking that you simply just make things more fair and that if you can give the benefit to the developer to be able to not have to do anything on a project with entitlements for 10 years, we should be able to not to be able to file a CEQA on that same timeline. Thank you for your time

Chairman: Jorge Castaneda. Jorge Castaneda here? Yeah, okay. Mickey Jackson after Jorge Castaneda.

Jorge Castaneda: Hi, Thank you. Jorge Castaneda with the Coalition to Preserve Los Angeles, also at item 10 and 13. So there's a concern in the community that there isn't sufficient environmental impact study being done for this potential loss of this historic resource, not to mention the added congestion and displacement that can follow. On item 13, it seems to me, to echo with one of the other speakers mentioned, 15 days is far too insufficient amount of time to address environmental impacts. We're living in a time where we're getting reports from agencies saying that the environment is in a very precarious state, not to mention the cultural resources and all the other things that are involved with being able to allow instead of exclude constituent participation. That's quite troubling and it sets a pattern that most people can't really get behind. We're going to come together in partnership with our elected leaders, we expect a little bit of, as community members, a little bit of inclusion, a little bit of respect and to have our voices heard. Thank you

Chairman: Mickey Jackson.

Mickey Jackson: Mickey Jackson, with Coalition to Preserve Los Angeles. I am concerned about

similar issues in both item 10 and item 13. I adopt the previous objections raised by other speakers on both items. One problem is when we bum rush the public. The public, we work, we do other things, we don't have time to sit and do nothing but put in CEQA reports. When you cut the time down, you are exemplifying and following a trend that is extremely troubling in our government which is to exclude the public, to make the public nothing. The public's value is in writing a check and voting if they're voting for whichever politician wants to be voted for, and the public is increasingly being shut out of the whole process. The environmental laws and the CEQA laws were a door to let the public in, and it seems to me, I mean, I see things to eliminate it all to do anything. It's like open season on public participation and it's very, very troubling, and at our local level, it's even more troubling. The Amoeba Records building itself was from 1999, but we will recognize cultural importance as well as historic importance in our monuments. I hope we will consider making Amoeba a monument based on its cultural significance. Hollywood has long been one of the major incubators and sources for music and music culture in this country. Amoeba is the last outpost where the public comes in, it interacts, they can buy media, they can support and get information, performers perform there, it has tremendous cultural significance. Thank you.

Chairman: Thank you. Okay, now we will turn to the consent calendar. Item number two, we will approve on consent without any objections. Items number three, we will continue to December 11th, 2018. Item number four, we will approve the item. There's a speaker card here, item four. Do you wish to speak or do you want to waive your time, we're approving that consent? Okay. So we'll approve the item four on consent with no objection. Item number five, we will continue to November 27th. Item eight, continue to November 27th. Item 10, continue to November 6. That is the consent calendar, now we will turn to our action items. Item number one is a report from the Director of Planning, Mr. Bertoni, welcome.

Vince Bertoni: Thank you, Chair, with our members of the committee. Vince Bertoni, Director of Planning. Just a few things, we're going full steam ahead in our plan to update all of our community plans, all 35 plans by 2024. So this on Saturday, October 20th, we were in the Southwest Valley working on our-- going out and having a workshop on our concepts, plans, so that went for that Saturday, October 20th. Also in Saturday, October 20th, not in the valley but towards the other side of the city, we're in the Harbor area within, doing open house event for Harbor Gateway, Wilmington and Harbor City Community Plan updates. Then on October 22nd, we were back in the valley, in the Southeast Valley, working on the-- doing public outreach and having community meeting on our North Hollywood-Valley Village, Sherman Oaks plans. Then on Thursday, October 25th, we were in the west side of Los Angeles hosting our fourth and final kickoff event for those community plan updates. So we were in all over the South Valley, on the west side of Los Angeles, as well as in the Harbor over the last few weeks on our community plan update, going out and listening to the communities and getting input in terms of how we can shape those plans for the future. So with that, I conclude my report and I'm happy to answer any questions.

Chairman: Great, thank you. Any questions? No questions. We will receive and file this item. Item number six, if we could call that to order, please?

Clerk: Sure. Item six, councilmen, this is a motion of Wesson-Ryu. It's instructing Planning to

prepare a Historic-Cultural Monument application for the property. We have the address on the agenda but the property is located at 1074-1076 South Genesee Avenue in CD 10.

Chairman: Okay, so we are just initiating the motion here. We are inclined to support this. Are there any public speakers on this? There are no public speakers, right? No. No, okay. Any public speakers on item six? It's not coming, there's a glitch on our computer here. No? Okay. So we will move this item, adopt the motion without objection, thank you. Refer this to staff, right?

Clerk: Yes.

Chairman: Yeah, okay. Item number seven.

Clerk: Item seven, councilmen, it's a motion of Wesson-Ryu. This is again a Historic-Cultural Monument instruction to the City Planning Department. The agenda or rather the motion contains a typographical error which needs to be corrected. The correct address is 1080-1082 South Genesee rather than 1078-1080.

Chairman: Okay. We have one speaker on this item, Elizabeth Carlin.

Elizabeth Carlin: The clerk correctly said what I was going to say, we just need the address changed, please.

Chairman: Okay, great.

Elizabeth: Thank you.

Chairman: That was a representative from Council District 10 on this side, and we will adopt the motion and refer it to staff with the correction made by our chief legislative analyst that the correct address is 1080-1082 South Genesee. Any objections? Seeing none, so ordered. Thank you. Item number nine.

Clerk: Item nine, councilmen, this is a report from the Planning Department. It's identifying various affordable housing options for the Warner Center, a project located in CD 3, and this was initiated by a motion by Councilman Blumenfield.

Chairman: Okay. Welcome. Would you like to speak first, Mr. Blumenfield or have a staff report?

Blumenfield: Maybe I'll set this up a little bit. This is about housing affordability. It is one of the most important issues that we face as a city today. The lack of affordable housing makes our city less competitive, less desirable, it creates, it exacerbates issues like homelessness and economic decline. The Warner Center 2035 Plan, while it's no longer the most current specific plan, it had that title for a while, it is the greenest and most progressive and looked-at model for good transit-oriented planning, and I'm very proud of the plan that we put together. It's also one of the most permissive plans in the city which helps in a big way for our housing needs, and I want to lay some of this out because since its adoption in 2013, the plan has seen thousands of units entitled

and many more thousands in the pipeline and under consideration. Currently, there are 2,000 units under construction in the Warner Center. I want to repeat that, there are 2,000 units under construction. In the West Valley, we are doing our share to meet the housing needs, however, much more needs to be done and can be done. But the biggest problem we've seen is that out of those 2,000 units, not a single one of them is affordable. There are no affordable housing units in the pipeline right now. As the preeminent regional center in the San Fernando Valley, the Warner Center needs a diverse population to thrive. We already employ a diverse number of Angelenos, from service workers to machinists to office workers to CEOs, they all need housing. But a lot of them do not have the opportunity to live in the area where the Warner Center is. This, as we know, exacerbates other issues like traffic, because we've got to create the long commutes for more affordable neighborhoods and cities. For the Warner Center to be truly transit and pedestrian-oriented as is the set-out goal, and to thrive in an economically diverse area, we need an economically diverse population. We need to rectify this issue and find ways to increase affordability options in the Warren Center.

When the Warner Center Plan passed in 2013, I was in my first couple of months in office, and I got to take that plan over the finish line. Affordable Housing was not as much in most of our vocabularies then. We were talking about how do we improve this plan, how do we do the final tweaks on it, and really, we focused on the clean and green aspects and we made it LEED silver, and we did some great things to it to get this plan over the finish line. But as we've seen in the intervening years, we've had this homeless crisis occur, or getting much worse, and we've seen the affordability of housing become a crisis. This demands our attention. I look forward to working with Planning in the coming months on this amendment and request that they work closely with the communities, the business owners, our neighborhood councils in the area to further help change this needed policy. I know it's going to take a little bit of work for us to get affordable housing and inclusionary housing specifically into this, but I think it is work that is important. It's also important that we do it quickly, quickly and thoughtfully. I say quickly because there's a lot of things happening and if we don't get on this train soon enough, we're going to miss out on the opportunities for affordable housing, and the train will pass us by. I say thoughtfully because the plan is always a balance, and we need to maintain a proper balance to continue to have this be the plan that incentivizes the development that's happening. In a good way, we want that to be incentivized, but we want to make sure that we get the affordable housing. You have a number of options and I should just say, and I'm looking forward to the staff report about it, I'm very keen on the first option, which is the inclusionary. I have a little, some concerns about the tier-based incentives in terms of what that could mean. The same thing with community benefits, we already have a lot of community benefits, I'm not sure what we would we add. I'm not closed to those ideas, but I think the real answer is inclusionary housing. That's where I would like to see the most focused. Then in the end we'll see, we can talk about how that could work, or could play along with the inclusionary.

But the other piece to this and then I'll stop talking on it, is when we were considering the Warner Center Plan, we weren't allowed to do inclusionary housing. So even if somebody had the foresight to think about it, one of the reasons we didn't think about it is because it was prohibited under state law. Well that prohibition has been lifted in the intervening years, so now we have the opportunity to right a wrong, to fix this and make the plan better and take advantage of the fact that that prohibition has been lifted. So with that, I will turn it over to the staff. Sorry

if I stole some of your thunder about what it's about, but you can give us the real details on how this would work.

Tom Glick: Thank you, Councilman, and hello, honorable councilmen. My name is Tom Glick, I'm joined by Blake Lamb, Principal City Planner in the Valley, and Delia Esmeralda Arriaga, she is the project manager. She will be working on this and working with the community. But as the councilman said, which was my first two paragraphs, but I appreciated what I wanted to augment on this was, in the interim, linkage fee has been adopted. So linkage fee will now, which now applies to Warner Center projects that have not been exempted under the linkage fee, so projects in the future will be subject and Warner Center will be subject to the linkage fee, but that's also part of the issue. Linkage fee is a citywide linkage fee, and I think what the councilman in his motion was trying to achieve beyond linkage fee and he can correct me, but we've talked about this, was to create that mixed-income or that middle that is missing in Warner Center to achieve mixed-income developments. There are opportunities in the future with future developments coming and I think, Warner Center, when it was adopted had an estimate of 20,000 units to be adopted over the life of the plan which was 2035. That plan, I think we all understood, was going towards that trajectory under market conditions, probably would have achieved 20,000 units before 2035. Linkage fee came in and I think changed the trajectory. What we're trying to outline in this memo and what we want to go out with to the community is also get their ideas, because part of our recommendation at the end there, is that these are just ideas, these are just options, but we want to go out to the community and hear what they have to say about this. But beyond that, what we are trying to do is try to capture some of that market back, because I think if we can go between linkage fee and what the market conditions were with this, I think everybody would be well served by what we propose.

So we've outlined in our report the four options. One which was a straight inclusionary, which was not available at the time the Warner Center Plan was adopted, and then a base inclusionary housing requirement with incentives provided, which would bring this base down to a lower base or higher base. Then a base inclusionary house requirement with public benefits provided, which bring the base lower, and then a tailored linkage fee for Warner Center. All of these would be in lieu of linkage, either in lieu of linkage or reduced linkage fee. It's all up in the air, but at the end, our report literally was recommending, and I think that's really what we were asked to do, was to recommend a focused study and an outreach program where we will go out to the community with focused outreach and get the public's pulse on what they want to see. We also recommend that part of this, since Warner Center was a market-based plan since it had an economic study, whatever we propose here would also need an extra study and some kind of economic analysis, just so we're making sure that the fundamental components of the plan are going to continue to work the way they were initially foreseen to work under the plan in 2013. With that, I will leave to questions, leave open for questions.

Chairman: Mr. Blumenfield?

Blumenfield: Thank you. Thank you and I do have a couple of questions. But first, I'm not going to correct anything you said because like you suggested, but rather, I want to underscore exactly what you said, which is this is about the mixed use. This is about trying to get a variety of level of income, the lowest and finding that missing middle that we're really struggling with it that

here presents that opportunity. So a couple of questions. You mentioned the nexus study. Can the nexus study for the affordable housing linkage fee be utilized and amended to help expedite the analysis of the inclusionary housing in Warner Center?

Blake Lamb: This is Blake Lamb. We can look into whether or not we can utilize that existing nexus study, but we are also, we have funding available through the budget to do some additional economic analysis. So we could try and piggyback on the existing or if not, we could conduct a new economic analysis for the different concepts that we've outlined.

Blumenfield: Yeah, and underscoring in the timing is critical to get this done. Speaking of that, how fast you think we could get this code amendment done if we were to line up all our ducks?

Tom: With the assumption that we have linkage fee there right now as kind of a safety net, I can't put a time frame on it because we're talking about public outreach. We all know when we have to go out to the public, there are time-sensitive, while they're time-sensitive things, public outreach is not necessarily something you can do quickly. I mean, I think there are-- you and I know just as well who the constituency we have in the West Valley, who would be interested in what we would be doing with the Warner Center Plan. I think Warner Center, when we did the original plan took seven years, over a hundred CAC meetings. I don't necessarily think if we're going to go out to the public for this, I don't think it's necessarily something that can be done quickly, but we can try to do the public outreach as quickly as possible. I can't put a time frame on.

Blumenfield: I agree and you are surely, you are the guru of all things. Warner Center want to give you the guru credit because you really helped get it through.

Tom: Okay, I appreciate that.

Blumenfield: But of course, this isn't the whole plan. We don't need another hundred meetings. We wanted the expectations to be clear that we want to have public input and thoughtful input, but this needs to happen quickly and the expectations need to be such that it's not the same thing as the CAC, it is a very narrow piece to it. So I just put that out there. You don't have to--.

Tom: I totally agree with you. I'm going to underscore what I suggested too, which was again, the market was doing its thing in Warner Center. Linkage fee came in and, I mean, I think I'm not part of the project planning world anymore. Blake, if she can, she might be able to say how many filings we've had since linkage fee came in Warner Center, but I think it's zero. We've had zero filings. But before that, we had, as you suggested, 2,000 units that are under construction now. So I think it's probably safe, with empirical evidence, to say that linkage fee has probably put some stops to development at Warner Center. But regardless, what we're trying to suggest here is that we capture back something towards the market trajectory. I think what we're proposing here will take us back, so I do agree that it might be faster to go out to the public if we are coming in with something that's trying to approach back to what Warner Center envisioned.

Blumenfield: Great. The incentive part type, what type of incentives could be offered to encourage the building of affordable housing into Warner Center? It seems hard to think about that because with the plan was so permissive to begin with, that there's not a lot left on the table.

Tom: Yes, I think it's a marketplace plan. Permissive is a term that's been used, but I do think there are provisions of the plan. We have gone out for preliminary discussions with some housing developers in Warner Center who have some frustrations with certain parts of the plan that they would like to see changed. Trip fees could be looked at, public accessible open space, the amount we require for open space, the amount of landscaping we require, parking. FAR, I agree, we've given a lot of FAR, we've given height, but there are central provisions of the plan. Remember the plan, while I'm the grower of the plan, the plan was prepared by a lot of people in the community, it wasn't prepared lightly. There are a lot of public benefits within that plan that the community would like to see included, including a lot of a very robust TIMP or Transportation Improvement Management Plan. There are provisions in there public benefits that could be either incentivized to do more or reduced to do less. But either way, the four options that we're proposing all have a base in there. You won't get away from doing some kind of affordable into your future development. You will have to put that in the mixed income. If you want to get more incentives under the plan, then you would provide more. If you want to bring your base down, then you would do that too. But in reality, we are suggesting that the plan put in basic affordables within developments, affordable requirements, and I think that's the heart of this. Now, reason we're asking for the nexus study and the economic analysis is we want to see what's the right mix.

Blumenfield: Right. I just worry on the incentives that it's just, it's a very delicate balancing act, because we don't want to lose some of the critical things that got people to the table with the Warner Center Plan when it comes to traffic mitigation and those kinds of things. Those are important, or open space. Open Space is a very important issue. That's why that one, just putting it out there gives me a lot of pause. Everything's on the table but that gives me a lot of pause as does the community benefits wanted to see what kinds of things were you envisioning as possible community benefits that could be done in lieu of because I'm--

Tom: More bundled parking is one.

Blumenfield: More what?

Tom: More bundled parking, a developer could provide more parking within their development that could be available to other developments. Hold on for a sec, I had the list, I apologize.

Delia?

Delia Esmeralda Arriaga: Some of what we were thinking was some of the cultural amenities fees. We were thinking about other possibilities for like the open space. I know that that's important in Warner Center to make it more transit oriented. So there were other community benefits that we're thinking, so in that case, the needle would start high for affordable housing, and the developer could then decrease that needle with community benefits put in place. Again, we're thinking of a base, so it could be anything that the community identifies as something that's valuable in the housing.

Blumenfield: I hear that on the table, but--

Tom: Can I? There's another fundamental that this-- when you talk about public benefits and incentives, it's the same coin but just different sides of it. But one thing I do know, developers are frustrated with under this plan, and it is the one central provision of the plan that I think we all agree. People who developed the plan would agree that it is probably the central provision, is the graduated FAR table, the table that requires developers to set aside a certain percentage of their project for commercial purposes, and, thus, they can't build a complete residential development. They have to set aside a portion under that graduated table. The problem, and it's not a problem, but from the developer's point of view, I think that's probably where we should be looking at providing the incentive and/or the public benefit, which is to allow a developer if they provide more affordable to maybe be relaxed from how much commercial they have to set aside. That could be that or the public benefit could be, if you want to get out of affordable, or you want to do less affordable based on what we're suggesting, then you build more commercial in your phase one. That to me, I think that is really the only thing in this plan that I believe developers at a community are really solidified against. Some developers, when we deal with them, they're very concerned about the commercial set aside, and then the community's concern that they'll never see commercial built. So I think maybe that's the answer to our initial incentive benefit coin, that we look at that as our way of approaching this. I'm going to leave that up to you. It was just a thought.

Blake: This is Blake Lamb. I think what we hope to get out from today is some direction on permitting us to go out and really do some studies to really investigate and explore all of these different concepts through some economic analysis.

Blumenfield: That's definitely got a series of direction, and that's definitely all part of it that we were hoping to unleash you guys into the world to do and I appreciate that. One other random, not random, but the in-lieu payment option. Is that a requirement in lieu? Do you need to have an in-lieu option?

Tom: No, we don't need to have one.

Blake: This is Blake Lamb. I think that we would appreciate the opportunity to explore the in-lieu option as part of our studies, so not a requirement, but I do think it is something that we really would like to explore. Maybe it's a partial waiver or an in lieu, but leaving it open is something that, so that we can really understand the issue better.

Blumenfield: I can see it having a role, but I just didn't know if there was an actual legal requirement or something that there had to be, so it doesn't. In theory, we could do option one, have no in lieu for flexibility...

Blake: That's correct.

Blumenfield: ...and for making it all balanced out, we may want to have some in lieu for some portion of it, but it's not a requirement.

Blake: It is not a requirement.

Tom: Sorry. Councilmen, this is Tom Glick, I want to apologize. Your motion was introduced in May, asked us to work with HCIDLA, Housing Community Development Department. I'm sorry about that. We have them here. They worked with us very closely on what we recommended and they are also here. When you asked the in-lieu question, she kind of made a noise, so I assume that you want to--

Blumenfield: Yeah, oh, please. Go, please. I'd be happy to hear from each of you. Go ahead. With the Chair's indulgence, thank you.

Claudia Monterosa: It's okay. Good afternoon, Claudia Monterosa with the Housing and Community Investment Department. To answer your question, councilmember, there is a requirement for an in-lieu fee option for inclusionary zoning policies, and it could be a variety of things that you do need to have some sort of economic feasibility study for that. Statewide, what was allowed is to do up to a 15% set aside for inclusionary zoning without triggering a nexus study. After that, you do have to provide some options to developers, and that can come in the form of an in-lieu fee or to basically do units outside of the project itself, but it would have to be within the certain radius or within the specific plan. So that's an option that could actually be considered for inclusionary zoning kind of policies.

Blumenfield: So the in-lieu payment could be lockboxed into the Warner Center?

Claudia: That's correct. The in-lieu fee would have to be for the Warner Center Specific Plan for this situation. Now, when we are considering a citywide inclusionary zoning, that's another.

Blumenfield: Different story. In many ways, this could be the pilot for the city, and it makes sense in some regards because this is a permissive plan that this could have implications for the city down the road, but what we're talking about now is only on the specific plan. Just to clarify, so you said it is a requirement, is that state law? What is making it--

Claudia: It's not that it's state law but it is, all the inclusionary zoning policies that exist in the state of California have an option for an in-lieu fee or to do units outside of the building but still doing within a radius, so you need to be able to provide some options. Ideally, what inclusionary is trying to achieve is to have the units placed and built on the project, right? And that's the way to--

Blumenfield: Absolutely, that's the goal.

Claudia: That's the goal, yeah.

Blumenfield: Get them on site in the Warner Center. We want to have a variety of housing levels in the Warner Center, that's the bottom line. That's what this is all about.

Claudia: Correct. And I also wanted to just kind of go back a little bit in terms of the citywide affordable housing linkage fee. So that is not in lieu. It should not be in lieu of not doing an inclusionary zoning unit because the amount will never equal to that. So the in-lieu fee option will be the closest thing to incentivize the creation of the affordable housing units on site.

Blumenfield: Right, in lieu has to be obviously higher.

Claudia: Right. So what we are going to be doing is looking at the balance issue, when is the affordable housing linkage fee applicable that conforms to the citywide ordinance? When it's not within the Warner Center, for example, we will be coming up with another, we're working with Council District 1 as well for the Central City Specific West Plan, and there is already an in-lieu fee option there. So that is actually moving forward kind of concurrently, so there is that as an example that we can also look at as we go into the Warner Center. So I think the one thing that where HCID believes that we could expand funds and time, is to do the feasibility study for what the in-lieu fee would be. Right now you can basically enact an inclusionary zoning with very little extra work, and we do have a lot of the studies that were done for the citywide affordable housing linkage fee and also for the TOC program. We'd actually conducted a feasibility study that set the fee for the TOC for the in-lieu fee, and that's actually part of the TOC.

Blumenfield: Could you delinked them and run the inclusionary on a fast track, get that done and then figure out the in-lieu fee on a slower track? I only say that because I'm as, you know, eager to get something done because I fear we're going to, there's going to be a lot of missed opportunity if we don't act quickly on affordable housing.

Claudia: I think that's an option that we can, we're happy to continue to work with the Planning Department to see how we can expedite that since we are also, just from an affordability crisis perspective, eager to also gather and get as many affordable housing units in placed in the Warner Center since we do have so many online and potentially a big growth area for that specific plan.

Blumenfield: Then just the last question for HCID, I didn't quite understand the answer about where the requirement comes from. You said it's from the zoning, all the different local zoning codes that require the--

Claudia: No, this is based on the review of different inclusionary zoning policies throughout the state of California. All of them have it in-lieu fee and I can come back, we can come back with a more definite answer but everything, every inclusionary zoning policy has had an in-lieu fee option. So we would have to look at what the state code is, but really what happened with the Palmer Fix, it was an administrative fix that allowed for the misinterpretation of the court ruling that prevented, for instance in the city of LA, to continue implementing its inclusionary zoning law for the Central City Specific West Plan. So now all localities can actually continue and move forward or create their own inclusionary zoning policies.

Blumenfield: Okay, it was interesting. It may end up being an academic point, I don't know. But it's interesting if it is that way because that's the way it's been in the west, it's the way it is, but it's not necessarily the way it legally has to be.

Claudia: So we can do more research to give you for sure answer.

Blumenfield: Okay, great.

Tom: This is Tom Glick, and I'm just going to add our option four, is a tailored linkage fee for Warner Center that would be spent only in Warner Center. Because we understand, I know you and I, we've talked about this, the history of the funds in Warner Center and how they've been spent and as we talked with HCIDLA about this, I think they will agree the best way to achieve this is to cut out the middleman and have the developer put the affordable housing units. I think that's ultimately what we're trying to suggest, or not suggest, but we're trying to look into in the future is to try to get in some way the developer to do it.

Blumenfeld: You guys have it. I mean, everything you're saying, you're exactly on target of what the goal is, and then this process will help us figure out how to get there. So I'm really appreciative of the work you've already done and the work that you're proposing ahead. So with that, Mr. Chair, I know we have some public comment and then I had some direction for the team at the end.

Chairman: Okay, we'll go to the public comment now, item number nine, Brad Rosenheim, Matt Majeski, Dan Macdonald.

Brad Rosenheim: Good afternoon, Mr. Chairman, committee members. My name is Brad Rosenheim, I'm here on behalf of the Warner Center Association. We're very happy to engage in further conversation on this question, but one option that wasn't considered is in light of the recently implemented but untested affordable housing linkage fee which provides funding or on-site affordable housing. Why don't we see how that actually works before we go and start messing around with the community and possibly kill the goose that has the potential to lay the golden egg. So I'd ask that this be deferred and or that there be an option number five to be considered as part of this analysis. Thank you.

Chairman: Thank you.

Matt Majeski: Hello, my name is Matt Majeski. I work for California Home Builders. We're a local LA-based business within Canoga Park, LA for 25 years. I believe we're the most active builder right now in the Warner Center. We have currently a little over 500 units under construction, and we've got close to another 600 that are in the process of being entitled. I can say with a hundred percent certainty that all of the units that you're currently intending to build would not be built if there were an inclusionary zoning requirement. That's not because we don't want to build inclusionary zoning units, it's because the economics simply don't work. We have huge concerns with what's being proposed because we know from our own experience that these units are not going to be built. If the market rate units aren't built, that means the inclusionary units aren't going to be built. So I'd like to basically leave you with that. We have serious concerns about what's being proposed and we'd like you to consider other options. The current options at the table are really one option, inclusionary zoning. One or...

Chairman: Thank you.

Matt: ...three or four different options, but they're all essentially one form of inclusionary zoning.

Chairman: Thank you very much. Dan Macdonald, Christine Rangel, Violet Coker.

Dan McDonald: Good afternoon. Dan McDonald, I represent the 50,000 members of the Southwest Regional Council of Carpenters. Councilman Blumenfield, I'd like to commend you on considering including affordable housing in the Warner Plan because the carpenters who have done the concrete formwork, the wood framing and the drywall on the 2,000 units that have already been constructed in vast majority are 1,099, they're being paid cash and they're living two families to a two or three-bedroom apartment in Van Nuys or Arleta or Huntington Park or South LA. It is our position and we believe that any community benefits program ought to include a workforce agreement which requires apprenticeship training, which requires local hire and requires that women have an entry into the trades and into a construction workforce. It's something that we would ask to be considered in community benefits program. Thank you.

Chairman: Thank you.

Christine Rangel: Good afternoon, Christine Rangel, BIA. Over the last two years the building industry has seen exponentially increased park fees, a linkage fee, and Measure JJJ. All of these have added costs which means that a number of projects have been financially infeasible, which means that the city has missed out on adding affordable housing, and yet there's not been a single ordinance aimed at making it easier or less costly to build. This proposal is no different. It already assumes that the low market units can be provided before the study is done. I'm here to tell you today that the market at Warner Center cannot absorb this. Prior to the linkage fee, places like Warner Center had naturally occurring workforce housing. You can't just add \$30,000 to the cost of a home and expect that working-class people in the valley will still buy that home or rent that home. Look at the city's application numbers put out in the city's own report. The numbers are right here. They have plummeted after JJJ and the linkage fee. Is adding another cost to housing production really going to produce affordable housing? Thank you.

Chairman: Thank you.

Violet Coker: Good afternoon, council members and staff. My name is Violet Coker, public affairs representative for the Carpenters/Contractors Cooperation Committee. We support affordable housing provisions in the Warner Center Specific Plan and are appreciative of this policy effort. The Quad C is committed to quality development by holding law-violating contractors responsible for wage theft and promoting good construction jobs. Unfortunately, we regularly find construction workers are exploited and become victims of wage theft even on affordable housing projects. Obviously, this exacerbates the affordable housing crisis even further. Yes, more housing units are necessary to fix the affordable housing crisis, but wages are equally important solution. We believe good-paying construction jobs are an excellent community benefit to be considered in this affordable housing policy. The discussion on concept three, community benefits, we like to highlight the importance of workforce agreements and specific hiring requirements as a menu option. The Warner Center is going to create thousands and thousands of construction jobs. We hope they're good for the economy and not exploiting workers. Thank you.

Chairman: Thank you. Okay, that concludes public comment. Mr. Blumenfield.

Blumenfield: Thank you very much, Mr. Chair. I'm going to ask that we direct planning in coordination with HCID and LADOT to draft and present an ordinance mandating an affordable housing component within the Warner Center 2035 Plan that will create mixed-income housing opportunities. I further ask that we direct planning in coordination with HCID and LADOT to, one, commence outreach to stakeholders and work with local neighborhood councils to help further shape this legislation; two, to update any necessary market analysis or nexus studies as was mentioned; three, to determine any incentives for affordable housing above and beyond the mandated level equal to what is required under the affordable housing linkage fee, however, with a mixed units by affordable levels; and four, an exemption to the linkage fee for projects in the Warner Center; and five, if an in-lieu option is determined to be desirable, then a mechanism to ensure that those funds do remain within the Warner Center. With that, I would ask for your aye vote to direct them to move in that direction.

Chairman: Okay, we'll move your motion. Any objections? Seeing no objection, so ordered. Thank you. Item number 11.

Clerk: Item 11, councilmen, this is a report from the Planning Commission. It's a resolution, a General Plan Amendment, Vesting Zone Change. It's for 99 small lot homes in CD 6 which include very low-income units.

Chairman: Okay, before we begin, is there any public comment on this item? Did anybody sign up for item 11? Okay. Okay, staff from CD 6 here? Staff from CD 6 is not here? Oh, there you are. Okay. Okay. Okay, thank you, go right ahead.

Female Speaker: Good afternoon, council members. Before you today is a request for a General Plan Amendment to the Sun Valley La Tuna Canyon Community Plan land use designation from low residential to low medium to residential on a portion of the project site in a concurrent zone change from R1-1 CUGU to TQRD 1.5-1 CUGU, to develop 99 small lot single-family homes. On July 26th, 2018, the commission approved the density bonus increase to achieve a 64 unit multi-family residential apartment building with a five very low-income units, a site plan review and adopted conditions of approval. Today, the Planning Department is requesting your approval on the following items: one is the modified T conditions to correct a typographical error; second is modified Q condition number two to clarify the condition; and three is to correct a technical error based on lot area and density calculation modified Q condition number two to change the affordable set aside from 7% or four units to 10% or five units, and the percentage of density bonus from 25%, 13 units to 32.5% which is 17 units to achieve the total 64 units on the multi-family residential apartment building. No other modifications are requested from the commission action taken at its July 26th meeting. I'm happy to answer any questions you may have. Thank you.

Chairman: Thank you, CD 6.

Male Speaker 2: Good afternoon, council members. [inaudible] here from CD 6 in support of the project. Thank you guys for considering the CBC action here and the collection submitted by the planning staff. Thank you guys for the work and happy to answer any questions you may have.

Chairman: Okay, thank you. So on this item number 11, we will move the item and approve it. Is that correct, Mr. Mejia?

Mejia: Yes, along with the modifications, the technical modifications made by staff.

Chairman: Will incorporate the modifications made by staff. Any objections? Seeing no objection, so ordered. Thank you. Item number 12, I was told that CD 1 and the applicant wish to continue this item for a week.

Allan Abshoz: Allan Abshoz on behalf of the applicant, Career Lofts LLC, that's correct.

Chairman: Okay, so we will continue item number 12 for one week. Any objections? Seeing no objection, so ordered. Item number 13.

Clerk: Item 13, councilmen, this is a report from the Planning Commission. It's a proposed ordinance relative to the environmental clearance process and the appeal period to file for underlying decisions before it goes to council and staff is present.

Chairman: Welcome, staff.

Tom Rothmann: Good afternoon, council members.

Chairman: Good afternoon.

Tom: My name is Tom Rothmann from the Planning Department. I'm here to present an ordinance, a citywide ordinance. On October 30th of this year, the City Planning Commission approved an ordinance to codify a process for appealing CEQA clearances. The ordinance codifies state law requiring that CEQA determinations be appealable to the city council whether the council had reviewed that land use entitlement or not. Currently, this is the practice, but the code is silent on this matter. Additionally, the ordinance would require that any project having its CEQA clearance appealed must be stayed until the city council acts or up to 75 days. The ordinance will also permit hearings required for the adoption of a new type of CEQA clearance referred to as a SCEA, a Sustainable Communities Environmental Assessment, to be held by the City Planning Commission. State Law requires currently that only the city council approve with a public hearing, a SCEA clearance, but does allow other legislative bodies such as a commission to conduct the hearing instead if it's allowed by a local ordinance. Since the commission's action in August, the department had continued to refine the ordinance for better alignment with state law and had recommended two additional changes to address piecemealing of projects in a variety of ways. I know that there had been some speakers who had taken issue with some of the sections regarding that additional provision. That concludes my presentation.

Chairman: Thank you. We will go to public comment and then we'll open it up for discussion. Doug Carstens, Jim Arnone, Beve Bill and Bill Delvac.

Doug Carstens: Good afternoon. My name is Doug Carstens, I'm an attorney with Chatten-Brown & Carstens. On this item. I just wanted to reiterate and support the comments that were made earlier about the shortness of the appeal period not being sufficient, just a short wanting to lodge my objections, and I think it would make sense to revise it and maybe adopt it later but not as it is now. Thank you very much.

Chairman: Thank you. Jim Arnone.

Jim Arnone: Good afternoon, Jim Arnone of Latham & Watkins. I'm not here representing any client today, but I'm here on behalf of my partners at Latham who had some concerns about the draft as it was written. Our concerns were about section E and F that go to processes, and we think that it would be better for this process to be handled through the process and procedures ordinance process and not through this. We're a bit concerned because it's newer language that we haven't had a chance fully to vet. Some of the provisions could be read as having unintended consequences about potentially putting into doubt the finality of some CEQA determinations after the time to challenge has passed and could also be read as creating additional city legal requirements that could potentially conflict with CEQA case law. So to be able to make sure that those unintended consequences don't occur, we would request that E and F be pulled from this ordinance and then the rest proceed. Thank you.

Chairman: Thank you. Somebody named Beve Bill and then Bill Delvac. I think, yeah, I suspect you screwed up on the first one and just gave up and then put your real name.

Bill: Council members, I just want you to know that you should not ask a senior citizen to have to type in his name at the back of the kiosk. That first figure was, unfortunately, mine. Bill Delvac of Armbruster Goldsmith & Delvac. We're very supportive of the plan to have an appeal process. I shared Jim Arnone's and other's concerns about the sections E and F and the fact that while those are all intended to be something that operationalizes CEQA, we think you could benefit from some clarification. Also the whole point of this ordinance started with being able to ensure that the approval of SCEAs could be delegated to the Planning Commission. The staff report, I don't think says it can't, but nothing in the ordinance says SCEAs shall be or may be delegated to Planning Commission. I believe that's what the overall effect of the ordinance is because the state law says if there's an ordinance that allows appeal, it can be delegated, but I just think it would benefit from a little more clarity. Thank you very much.

Chairman: Thank you. Okay, staff, can you respond to the issues raised by the speaker's on E and F in particular to unintended consequences and need for more clarification?

Tom: Yes, Tom Rothmann. I think there is a lot of valid points. We did add these provisions E and F later on in the process, so we're more than happy to remove them now and let them travel on a separate path while the core goals of this ordinance, which was to codify this new process and this new entitlement and the new CEQA clearance can move forward. So if E and F is problematic, we are happy to have those sections removed while we work on them and fine-tune them with a separate ordinance.

Chairman: So you rather--

Tom: Let the remainder of the ordinance without E and F travel by itself because that is the core part of the goal.

Chairman: You looking at me like you're going to say something. No? Okay.

Kevin Keller: I just wanted to add that, this is Kevin Keller City Planning, E and F is also included in our forthcoming process and procedures ordinance which will be coming into this committee in about a month or two or three. So we're happy to work on that language and give people opportunities to fine-tune that and that process as well.

Chairman: Okay, so let's do this. Any discussion on this, Mr. Blumenfield?

Blumenfield: The time period for appeals, is it comparable to other entitlement appeals?

Kevin: Yes, it is. In the time, I know that I had heard earlier when there were stakeholders speaking on multiple items, had expressed concern about the 15 days being too short. But I do want to make it clear that that 15 days is after all the other appeals and other land use approvals or whatever, have been exhausted. So the 15 days is after everything has been determined through the land use, the regular appeals, and then they have 15 days to appeal the CEQA clearance and the city council has to act within 75 days of that which is consistent with most of our other processes.

Blumenfield: That's important to know and I appreciate that. I had a question and I think one of the speakers earlier, I think in the multiple comment kind of raised this. If a CEQA document is not appealed but an entitlement document is, can the CEQA document be appealed after the original appeal has been acted on?

Kevin: Yes.

Blumenfield: So the ZA decisions appealed but the mitigated negative declaration is not. The appeal of the ZA decision is adjudicated at the Planning Commission and denied. Is it possible for CEQA to then be appealed even if the APC decision was final?

Kevin: Yes, but it can't be appealed until after those original appeals have been decided upon.

Blumenfield: Right, but they don't lose that option?

Kevin: No, no, not at all. It's just codifying it. Right now the code is, the zoning code is silent on CEQA, virtually. So this is really providing a platform to have a meaningful discussion on when they can appeal CEQA and when they cannot.

Blumenfield: I think that's important and makes sense to me. Thank you, Mr. Chair.

Chairman: Thank you. So let's do this. Let's hold E and F and we'll move the remainder of the ordinance forward and get those clarifications even if it's coming up in the additional platform. We should have the issues raised today, see if we could clarify those as well. Any--

Mejia: So, councilmen, you may wish to request the city attorney to prepare the final ordinance and remove E and F.

Chairman: Okay. That will be the motion as stated by Mr. Mejia.

Mejia: Thank you.

Chairman: Any objections? Seeing none, so ordered. Next item.

Clerk: That concludes the agenda.

Chairman: Thank you and congratulations to you, Mr. Mejia, Cal beats number 15 Washington this weekend, big upset.

Mejia: Big upset.

Chairman: You must be happy.

Mejia: Go Bears.

Chairman: Go Bears, you must be very happy, sir. Thank you, that concludes this meeting.

[END]

Moderator: ...three general public comment. This period is your time to address any matter that is not on the agenda. When your name is called, please approach the podium and you will have two minutes to speak. First speaker card is Daniel Wright and the second speaker card is Doug Haines.

Daniel Wright: Good morning commissioners, Daniel Wright of the Silverstein Law Firm. Commissioners, on June 14th, I rose to bring to your attention a recent change in the hearing notices for advisory agency and hearing officer hearings. Without review or approval of this commission, planning staff has tried to import almost wholesale into these notices this commission's document submittal rules. At that time, I pointed out these procedures were inconsistent with the advisory agency hearing officer process. Mr. Ambrose directed staff to report on this critical problem at the next meeting. To the best of my knowledge, no correction of this problem has occurred and in part, it has triggered the need to continue at least one hearing which is on today's agenda. I am also submitting to the record today more information about Relevant Group's apparent manipulation of Dream Hotel building permits in order to remove all of the parking. The entitlement that they had was for 77 parking spaces, today there are none. This was processed through a supplemental building permit and increased the FAR of the building without a discretionary approval, and there's been no adequate explanation by the planning staff to community members asking questions about this critical issue. This commission continues to approve a series of hotels and restaurants along Selma Avenue. Recently, this commission approved the Selma Hotel. You'll recall that Commissioner Dake said, "I can see what you did here in terms of piecemealing." After wagging her finger, she voted for it. So that is what happens in this city, no consequences. It is time for this commission to wake up about the piecemealing mess along Selma and take action. Thank you.

Moderator: Thank you. Mr. Haines? Welcome.

Doug Haines: Thank you very much. My name is Doug Haines, so I will try to be really brief. At your August 23rd meeting, I was present when you passed the proposed ordinance for CEQA appeals and a stay on any planning department approvals until appeals are heard by the council on those matters. I just wanted to bring to your attention and I distributed to you a letter regarding this continuing issue of the planning department's continuing policy of allowing permits to be issued even though CEQA appeals are pending despite your vote on this matter. I wanted to bring to your attention in particular, another CEQA appeal we have regarding the 1916 Craftsman duplex that the demolition has been approved for, for a service parking lot at 20 stalls that is going to be temporary staging for a large parking structure for Hollywood Presbyterian Hospital. After which, the parking lot will no longer be allowed because SNAP restricts the number of parking spots. In other words, they are going to demolish this beautiful home that has much potential and has not really been assessed in any way for its historic resources for a temporary parking lot and have already evict all the tenants in those buildings. The attitude by the planning department is that, if something is non-SurveyLA, it can't be historic. I brought to your attention also, a home that was recently demolished at 215 North Wilton Place that was non-SurveyLA. However, it was non-SurveyLA because SurveyLA did not reassess buildings that are in national historic districts, which this was, it was rated at 2D2. Because it looked at the form and planning and said it's not on SurveyLA, they did not bother research and find out that was part of a historic district and it was a critical resource, and so that has been lost also. I ask

that you demand at the director planning, be sensible on this and stop all these permits that are proceeding during CEQA appeals. Thank you.

Moderator: Thank you.

[END]

Commissioner Samantha Millman: Item No. 7 is Case No. CPC2018 2657 CA with the Environmental ENV2018 2658 CE. This is a city-wide proposed ordinance related to the CEQA appeals. At this time, we will hear from Azeen Khanmalek. Did I pronounce that correctly?

Azeen Khanmalek: You did, thank you.

Commissioner Millman: Thank you. Please proceed.

Azeen Khanmalek: Good morning Commissioners, my name is Azeen Khanmalek with the City Planning Department and this is the proposed CEQA appeals code amendments. As a bit of a background, as the Commissioners may know, state law requires that all discretionary actions taken by a lead agency such as the local government, have a CEQA clearance. CEQA clearance is that you may have seen many times in the past include categorical exemptions, negative declarations, mitigated negative declarations and environmental impact reports. State law also requires that the CEQA clearances when made by a decision maker other than a legislative body such as a zoning administrator or a planning commission be appealable to the legislative body which, in our case, is the City Council.

Currently, our zoning code is completely silent on the matter of CEQA appeals; however, we do follow state law and allow CEQA appeals to go to the City Council. As you heard earlier, this causes a not insignificant amount of confusion and in clarity around the topic for both staff and the general public. In addition, in 2008, California Senate Bill 375 was passed into law. SB 375 created a new type of CEQA clearance called a Sustainable Communities Environmental Assessment or SCEA. SCEA is similar to an MMD however, only for transit priority projects as defined in the law amongst the host of other requirements. To approve a SCEA, SB 375 requires a hearing and a vote for approval by a City Council, by the City Council; however, SB 375 also states that a planning commission can approve SCEA if local ordinances affirmatively provide for appeals of CEQA clearances to the City Council, which is currently missing from our zoning code.

So, this creates workflow inefficiency that is visualized for you right now. On the top of your screen, you can see a standard zoning administrator's case with an MND, the step for which includes staff reviewing the case, preparing CEQA determination, preparing the case for hearing, at which point the case is heard, and a determination was issued. However, a standard zoning administrator's case with SCEA would require the staff to review the case, prepare SCEA and then schedule the SCEA for hearing at City Council, at which point, the City Council would consider the SCEA, approve the SCEA and then the case will go back down to the staff level to continue through the rest of its case processing. This inefficiency does create the need for excess time and money and resources on the part of staff and applicants.

So, the proposed code amendment before you today, creates a new section of our zoning code, establishing a process for CEQA appeals. Appellants must first exhaust all administrative appeals on the entitlement case before filing the CEQA appeal. There will be an appeal period of 15 days after final project approval which is in line with the heavy majority of our other appeal timelines including for zoning administrative cases, directors determination cases, density bonus cases, things like that. The City Council will then have 75 days to act on a CEQA appeal and all

building permits will be stayed during the time that the CEQA appeal is being considered. In addition, fees will be capped at \$500. I would like to stress that, at this point, no appeal fees are changing in any way. The \$500 fee cap is taken directly from state law which already caps fees for CEQA appeals at \$500 and we are simply incorporating that cap into our zoning code. However, fees for all appeals including CEQA appeals will remain approximately \$110.

So, in conclusion, the CEQA Appeals Code Amendment codifies a process for CEQA appeals which brings transparency and predictability to the process for the general public and also rectifies an inefficient workflow which leads to ineffective and unproductive use of resources and time on the part of the staff and applicants. Thank you very much and I'm available for your questions.

Commissioner Millman: Thank you very much. We will now open public testimony for this item. Each speaker who has filled out and turned in their speaker card will have one minute to speak. Please line up behind the podium as soon as you hear your name called. Marian Dodge, Shane Phillips, Doug Haynes, and Wayne Fermencino. When you get to the podium, please say your name and your time will begin. Thank you. Welcome.

Marian Dodge: Good morning. I'm Marianne Dodge, I'm chairman of the Hillside Federation. The Hillside Federation has frequently spoken before CPC and other city agencies. If the \$500 CEQA appeal fee is passed, the Federation and many other organizations and individuals' ability to participate in a public process will be greatly limited. Only developers would be able to afford appeals. The Federation objects to the CEQA Appeal Ordinance as proposed because it does not allow the public process. The fee for appeals by non-applicants should be retained at their current level to assure that the public, general public, can continue to have a voice in the public process. The time to appeal should be extended to 30 days to give community groups time to respond. Thank you for your consideration.

Commissioner Millman: Thank you. Welcome Shane.

Shane Phillips: Good morning, Commissioners. Shane Phillips with Central City Association. We first want to thank staff for their work on this ordinance and for incorporating many of the comments from the hearing we had back in June. The biggest remaining issue in this ordinance is with what happens if the Council fails to hear an appeal within the 75-day time frame. Without a clause deeming an appeal denied if not heard within that 75-day window, a project applicant's only recourse if no appeal hearing takes place, is to sue to force the city to hear it. Filing a lawsuit to foresee hearing is an expensive and time-consuming process and it is especially harmful for affordable and permanent support of housing projects that depend on time-sensitive tax credit funding. Adding the clause still leads appellants with legal recourse if their appeal is deemed denied because a denied appeal can be addressed by a court and it ensures that applicants don't get stuck in a kind of legal limbo that can kill a project. These kinds of provisions are regularly included in the code and we ask the CPC added to this ordinance as well. Thank you.

Commissioner Millman: Thank you. Mr. Haynes welcome.

Doug Haynes: Good morning. My name is Doug Haynes, I'm here actually to speak on behalf of the Hollywood Studio District Neighborhood Council, I submitted a letter to you. I think the letter is pretty self-explanatory. Basically, our questions are related to density bonuses. If you have a density bonus, you have separation of appellant rights, proximity determines that. So, one group is able to exhaust its administrator remedies by filing a density bonus appeal. However, if you're not in proximity to the project site, you only have the option of a CEQA appeal. If there is a 15-day limitation, there's confusion about your exhaustion. So does that mean the people who are proximate to the project site, they would file the appeal to this commission of the density bonus. At the same time, people who are a [one-home?] over, they would have to file a CEQA appeal. How is that going to work? That is why we propose a 30-day limitation on this so that you can determine whether or not someone else has already appealed this. Again, this is for the Hollywood Studio District Neighborhood Council. Sorry that I asked for a little bit of additional time.

Commissioner Millman: Do you have a community impact statement?

Doug: Well, I have submitted it to you as a letter and it was part of your package.

Commissioner Millman: I think it is a certified letter or certified impact statement that provides extra time. Can I get clarification from staff on this, please?

Doug: It was submitted previously and is part of your packet, and I submitted to you again today.

Commissioner Millman: Yeah, okay.

Doug: So I don't think there's any confusion on that matter.

Commissioner: We can-- yes, I see.

Doug: The second issue--

Commissioner: We can have another minute, thank you.

Doug: -- is as far as the fee, we understand state law restricts it to \$500, we will just ask that there be something clarified within your determination today that ensures that the fee for the CEQA appeals be consistent with other appellant fees. Thank you very much.

Commissioner Millman: Thank you. Welcome back. Please go ahead.

Male speaker: I have to refer to my expert. Yes, so we're wholeheartedly in support of this. It's unfortunate the appeal fee is only \$500, it should be \$10,000. But if we're limited by state law, fuck it. So also, you heard what the distinguished developer said about having to sue the city, yes, we should shorten the timeline even more so that we can ram through all these projects, tear down more rent-controlled properties faster, faster, faster, faster. So the goal is to bulldoze all of these shit and build skyscrapers so that we can get entitlements and affordable housing tax

credits so we can sell them to Wall Street. So, when they go bankrupt, then we can sell them for 10 cents on the dollar. God bless corruption. God bless President Trump. But of course, fuck you. Thank you so much.

Commissioner Millman: Thank you for that. Staff, do you have anything you'd like to respond to in that testimony?

Azeen Khanmalek: Yes. Thank you, Commissioner.

Commissioner Millman: Before you get started, I'm going to close public testimony. Please go ahead.

Azeen Khanmalek: Thank you, Commissioner. With respect to fees, staff would again like to stress that fees are in no way changing and appeal fees for CEQA appeals are currently the same as all of our other fees for appeals. I believe they are \$89 plus fees. Fees are, in our code, in Article 9 of our code and any amendment to those fees would require a code amendment and can be considered at that time. So, the staff does not believe that anything more is necessary within this code amendment to address the issues of fees and with respect to density bonus appeals. Yes, please.

Phyllis Nathanson: Phyllis Nathanson, Code Studies. With respect to the fees, we included the cap in the ordinance just to add a suggestion but if the Commission wishes to remove that from the ordinance, that would be fine.

Commissioner Millman: Thank you.

Azeen Khanmalek: Very quickly with respect to density bonus appeals, the individual rules for density bonus appeals are their own, unique, and individual issue. While staff understands the frustrations that may be experienced with those rules, that is not within the scope of this current amendment as this is dealing with CEQA appeals individually. Thank you.

Commissioner Millman: Thank you. Commissioners, does anyone have any questions? Anyone who would like to pick us off? I have a question. One of the thing that was brought up in public testimonies, what happens if it is not heard within 75 days? The appeal.

Azeen Khanmalek: I suppose the appeal would be deemed denied but perhaps the city attorney can--

Donna Wong: Donna Wong for the City Attorney's Office. Right now, as written, there is no jurisdictional consequence in the language, you would need to expressly provide for that. Just kind of to explain what could possibly happen if there is no-- if there is noncompliance with the time period is that a interested party could go to court and seek a court order for the decision maker to hold a hearing and make a decision within a certain indefinite time frame. So, that's the next logical possibility based on the current language.

Commissioner Millman: Thank you.

Commissioner Dake-Wilson: This is Renee Dake Wilson. I think it's important that we know what happens in 75 days if-- I mean, I think that we all agree that we want projects to move along but we also want the appeals to move along so that these things can get resolved. I think that we would really look towards a recommendation for what is a good result if we don't have a 75-day act-- an action within the 75 days.

Kevin Keller: This is Kevin Keller of City Planning. I think the majority of our appeals go to the Area Planning Commission. This would follow-- and we can add that clarification-- would follow the same general clause that at the expiration of the appeal period, if there is no decision-- I'm sorry, the time to act period-- if there is no decision, the underlying decision stands. We have had situations in the past where there have been hearings, there have been multiple hearings, a board has heard it, many times has deadlocked, not been able to be resolved one way or the other, and we do revert back to the underlying decision. There have been some times where within 75 days, no board has been able to convene and hear it, and in those cases based on past practice and advice to the City Attorney, we normally extend that time to allow our board to meet to hear it once. But in the event, a board, or in this case the City Council, is deadlocked and cannot reach decision after hearing it, we would recommend that we probably follow other processes to revert back to the underlying conditions. We can make that clarification if the Commission would advise us to do that.

Commissioner Dake-Wilson: That seems like-- I mean, if that's a way it happens in other cases, I think that seems reasonable but I think that we need to be explicit about what happens then so I'm acceptable if that's how it is being resolved elsewhere. I'm also cognizant that we're not adjusting the fees. I think it's fine to have your statement in there about the maximum of the fees as long as it doesn't-- the only reason I'm moving on to a new topic right now. So in your ordinance, you talk about the fees. I'm reluctant to refer to them because that state law may change and will be referring to something that's out of date and this ordinance does not affect the fees in any way. That's dealt with through another ordinance. So, I don't want to be referring to something that's gone away and something bureaucratic because this potentially will, this ordinance will be around for a while. So, that would be my reason for removing the reference as Phyllis stated. I'm fine with the appeal period being the 15 days for the SCEA as it's stated in the staff report would be the other thing I would say.

Commissioner Millman: Thank you. Marc?

Commissioner Mitchell: I'm okay with Staff's recommendations.

Commissioner Millman: Veronica?

Commissioner Padilla Campos: Nothing [unintelligible].

Commissioner Millman: Caroline?

Commissioner Choe: I'm okay with Renee's recommendations. I also agree with Phyllis on what she said about the potential of removing the \$500 just because it could change and we don't want

to have something in there that may change over time. So with that, I look forward to improving staff's report.

Commissioner Millman: David?

Commissioner Ambroz: I concur with Renee.

Commissioner Millman: Vahid?

Commissioner Khorsand: I too, concur with Renee.

Commissioner Millman: This is Samantha Millman. I, too, concur with Renee and with that would Renee like to make a motion.

Commissioner Dake Wilson: Boy would I. This is Renee Dake Wilson. I'd like to approve Staff's recommended actions with the following modifications to take the suggested action from Vince Bertoni regarding the 75-day time-- Oh, that was actually from Kevin Keller, regarding the 75-day time frame appeal period actions about it going to the recommended body or reverting to the previous decision unless the recommended body has not been able to meet, in which case we shall allow an extended time if it's just because the body hasn't been able to meet. That's a mess up. We need to get those bodies showing up and meeting and making good decisions. That's number one. The second thing is to remove references to fees regarding state law.

Commissioner Millman: Is there a second?

Commissioner Choe: Caroline Choe, second.

Commissioner Millman: James, we have a first and a second. Will you please call for the vote.

James: Certainly. Commissioner Dake-Wilson.

Commissioner Dake-Wilson: Yes.

James: Commissioner Choe.

Commissioner Choe: Yes.

James: Commissioner Ambroz.

Commissioner Ambroz: Yes.

James: Commissioner Khorsand.

Commissioner Khorsand: Yes.

James: Commissioner Mitchell.

Commissioner Mitchell: Yes.

James: Commissioner Padilla-Campos.

Commissioner Padilla-Campos: Yes.

James: Commissioner Millman.

Commissioner Millman: Yes.

James: The motion carries.

Commissioner Millman: Before you leave, Azeen, I hear this is your last meeting with us.

Azeen Khanmalek: Oh, wow! Yes it is, unfortunately.

Commissioner Millman: Thank you for your service to the Planning Department.

Azeen Khanmalek: Most certainly.

Commissioner: We look forward to seeing you in your new capacity.

Azeen Khanmalek: Thank you very much. I look forward to this as well and I appreciate it.

Commissioner Millman: Thank you. And with that, seeing no other business, we are adjourned at 10:25 AM. Don't get used to it.

[end]

Samantha Millman: ...meeting. Today is Thursday, August 23rd 2018, the time is 8:37 AM and we are in Venice Council Chamber. Commissioners present are Renee Dake Wilson, I am Samantha Millman, Vahid Khorsand, Caroline Choe and David Ambroz. This meeting is being recorded, therefore, we ask everyone to speak close to the microphone and that we speak one at a time. Please state your name everytime you speak. We'll be following the agenda in order. The agendas are located at the entrance of the room to my left, over here, along with speaker cards for each agenda item. If you wish to speak before this commission, please fill out the appropriate speaker card and turn it into James or Cessie. Also, please note that public comment period is for any item that is not on the agenda. If you wish to speak during that time, again, fill out the speaker card and turn it into James or Cessie. At this time, please check to make sure that your cellphone is silenced so that we do not disrupt our proceedings. Disruptions will not be tolerated. If you disrupt the proceedings, you'll receive one warning. If you continue disruptive behavior, you'll be escorted from the meeting by law enforcement. So we're going to start with agenda item number one which is the Director's Report. Planning Director Vince Bertoni is present, Mr. Bertoni, do you have a report?

Vince Bertoni: Yes. Thank you, President Millman and members of the City Planning Commission. I just have a couple of items for the report. The first item, I'd like to turn over to Shana Bonstin, principal planner for project planning. It is really a follow up to questions that the commission had on a particular item and then I have one other item after that.

Shana Bonstin: Good morning, commissioners. So bear with me, I have some details and a timeline to go through, but at your August 9th meeting, and this is Shana Bonstin, Principal City Planner, a public comment was made raising some questions as to the status of 1118 North Heliotrope Drive in Hollywood where demolished bungalow and a CEQA appeal pending before council. A number of actions and communications between the city and the property owner and representatives have occurred on the site, so I'm going to go through a timeline to give you an update. It begins two years ago, July 27th of 2016, the applicant representative contacted the Department of City Planning to seek information on filing a case for a project permit compliance in the Vermont Western SNAP, which is our specific plan, the Station Neighborhood Area Plan. The next day, July 28th 2016, a code enforcement complaint is filed with the Department of Building and Safety for illegal demolition of the bungalow. In August of 2016, Department of Building and Safety issued an order to comply. The remedy for the order is to get approval for the demolition, which the applicant pursues through the Building and Safety but not through Planning. In March of 2017, as part of the demolition approval through DBS, the owner signs a form. This is a common form called the Notice and Owner's Declaration related to CEQA and project work scope. That declares the proposed demolition was not part of a larger project that could be captured under CEQA. Such a statement, as you may imagine, is in conflict with our facts but at that point, planning is not aware of the applicant's work with DBS to this end and that that has been signed.

In April of 2017, Building and Safety issues a demolition permit for the existing single-family dwelling but does saw an error as it is without a SNAP clearance from our department, and that would be required for any demolition within that plan. The Planning Department, again, is unaware. Move forward to June 2017, the applicant files a case with us, DIR 2017 7481 SPP, for the demolition of a single-family dwelling and the construction of two new duplexes within the

SNAP. On the planning application form and in the application materials, the applicant described the site conditions as still having the single-family dwelling and that the demolition would be part of the request they are asking. However, in the course of the review, project site information and details, and because the neighborhood council reached out to the project planner and advised us, we realized the single-family dwelling had, in fact, already been demolished under the aforementioned permit improperly. By October 2017, to meet our own deadline and because there's no remedy with the demolition, Planning issues a letter of determination for this case. The demolition and the new construction is approved, findings were readily made for the approval of the demolition based on the merits of the case and not based on the fact that the removal had taken place. However, the report incorrectly described the site as presently having the building, which is in fact, already been demolished. The report should've described the site as being vacant and referencing an after-the-fact demolition.

This gets a little complicated because, note that CEQA has to analyze from a pre-demolition baseline, so it gets a little confusing describing the actual circumstance on the site and what we're looking at in terms of CEQA.

Doug Haines then files an appeal of that case in November of 2017. Planning advises the applicant to file for a supplemental permit which he does, and this enables the new demo permit to be held until a final planning action is obtained. In January of 2018, the Central APC hears the case and approves the project denying the appeal, except for the part to modify the letter of determination findings to correctly reference the existing site conditions and the after-effect demolition. February of this year 2018, a CEQA appeal is filed by Mr. Haines and that resolution is pending council action. Then to bring us to this month, a public record at request is submitted to the Planning Department by the Silverstein Law Firm for documents related to this project. Let me add a little bit of context, so meanwhile, while this is happening in the spring of this year, the department met internally to determine a consistent way to treat circumstances where a CEQA appeal is filed. So in practice, sometimes they are filed after demolition or construction has occurred or even after construction is completed. So there's no existing deadline for the filing of the CEQA appeal and they run separate from our case files and appeal process, and can be filed at a much extended time frame. Because of this, there's a lot of complications and confusion and given this complexity, it's not our current practice to impose stays or revoke permits while the due process occurs because as I mentioned, it commonly has in fact already occurred. Notably, the applicants proceeded at their own risk. So out of those department discussions, came a desire to codify our process and you will hear about the legislative change proposed in agenda item number seven today under CEQA appeals process. So this addresses the broader concern that provides for a time limit for the filing of a CEQA appeal but also allows us to consistently impose a stay and halting the further action until the CEQA appeal is resolved. With that, I'm happy to answer any questions if I--

Samantha: Thank you, Shana. David?

David Ambroz: Maybe this is for the city attorney as well. Is there anything within our power or purview to assert jurisdiction over this project?

Shana: Over this project in particular, the one in Heliotrope?

David: Correct.

Shana: None off the top of my head but that would require further inquiry, but nothing obvious would jump out.

David: Would you further inquire?

Shana: Sure.

David: I think that it's disgusting with the developer in this instance did, I mean the system. If there's anything in our arsenal, I'd like to know what that is if there is anything. That was very helpful explanation as the one who asked for it last meeting and I appreciate that, walking us through that. It seems barring any insight there that we in this body don't have power or authority other than to fix the systematic problem that you raised, so I'm glad that has been raised, but it's very frustrating to have seen the Building and Safety Department issued the demo permit in this instance seems incorrectly. So thank you for that homework and then explanation, and I look forward to hearing an answer. Thank you.

Samantha: Thank you. Do any other commissioners have questions? Seeing none. Vince, do you have anything further?

Vince: Thank you, President Millman. Just one other thing and it's on the good news side, the California Chapter of the American Planning Association announced their award winners for planning excellence this year, and the City of Los Angeles won three awards, so we're really excited about that. One of them was shared with planning and for cannabis regulation on the Diversity in Social Change Award. It was Award of Excellence for the Development and Adoption of the Cannabis Social Equity Program. That was a program really that was trying to raise that issue of what you do in communities that have been disadvantaged with the disproportion number of people who have been incarcerated early in their lives for, quite frankly, crimes that are no longer crimes or much lesser crimes. So how do you use this ability through this new venue to provide some social equity? So we won that as an award of excellence so we're really happy and proud about that. The second one is for the South and Southeast Los Angeles community plans, so that's Award of Excellence for Comprehensive Planning for Large Jurisdiction. This commission worked really, really hard on that. I remember the meeting we had in South Los Angeles and this commission wanted to be particularly, is very important to this commission that we hold the hearing in South Los Angeles. It was something that's also very important to every commissioner like Commissioner John Mack, it was something very near and dear to his heart, so that's a special award that we're really excited about. Then, the third is Outstanding Planning Agency to the Planning Department. So all three of those awards are awards of excellence which is their highest award, and it's going to be, they'll be given out at the State Conference in San Diego and I believe that's on, I think, October 8th is when it is, and it's later in the afternoon or evening. So we welcome everyone's participation who can join us and we'll give you the details later on that because I think they're all special awards for the city and everyone. This is a real team effort where everyone worked really hard on. So thank you.

Samantha: Thank you, Vince. Do any commissioners have any comments or questions?

Male Commissioner: I just want to say congratulations. We see the work that everybody puts in, people who attend these commission meetings see the finished product or very close to the finish line, and there is a lot that goes in to getting there and there are a lot of people in this. I've been on this commission 18 months or so, I had no idea how many people are in the Planning Department and how many people work on all of these projects all of the time. So the testaments for the work you guys do, and I just wanted to say congratulations.

Samantha: Here, here. David?

David: I want to echo that. It's based on the excellence of the department and I was very proud to be part of those two community plans. I think that was precedence having for us to think about prospectively when we have the community plans to be actually hearing those in the community to carry on that tradition might be something to consider for us as a body.

Samantha: Thank you. We'll note for the record that Commissioner Marc Mitchell has arrived, thank you. Deputy City Attorney Donna Wong, do you have a report?

Donna Wong: No, we do not. Thank you.

Samantha: Thank you. Commissioners, please look at your advance calendars and note any planned absences. I will draw your attention to our next commission hearing which is on September 13th. It is a very robust agenda and I would recommend clearing your schedule for the day, on the 13th in the evening. You have before you the minutes for the meeting of August 9th 2018. Has everyone had an opportunity to review those minutes? I'm seeing head nods. Are there any changes to note or do we have a motion?

Renee Dake Wilson: This is Renee Dake Wilson, I'll make a motion to approve those minutes of dated August 9th 2018.

Vahid Khorsand: This is Vahid Khorsand, I'll second.

Samantha: James, we have a first and a second, will you please call for the vote?

[silence]

Samantha: It appears that we have a general public comment for item number one, so perhaps we need to postpone the vote. It is for item number one.

[background conversation]

Samantha: It is for item number one.

Donna: Donna Wong for the City Attorney's Office. We recommend you take the comment before voting.

Samantha: Okay. So I will call up William Argot. You will have one minute for public comment on this item.

William Argot: Yes, very good. We oppose the whole thing here. We don't like your activities. Is the goddamn mic on? Yes. Yes, we oppose your reports on your activities because you're not being completely thorough in what you're telling the commission. See, what you're doing is that you're tearing down all of the affordable housing that's still available and then giving it to the developers as bonuses. So please file and receive that for the record. If you out there, and there's not too many of you today because nobody gives a shit anymore except me, if you live in a rent controlled apartment, look to moving to another state very soon because these gentlemen here are going to be coming and tearing down your building and leaving you in a tent or in one of those RVs out there. So just please be put on notice. Thank you so much.

Samantha: Thank you. Do we need to remake the motion or can we vote on the motion?

James: We have a motion and a second.

Samantha: Great. Please call for the vote.

James: Certainly. Commissioner Dake Wilson.

Dake: Yes.

James: Commissioner Khorsand.

Khorsand: Yes.

James: Commissioner Ambroz.

Ambroz: Yes.

James: Commissioner Choe.

Choe: Yes.

James: Commissioner Mitchell.

Mitchell: Yes.

James: Commissioner Millman.

Samantha: Yes.

James: The motion carries.

Samantha: Thank you.

[END]