

**TO:** PLUM COMMITTEE

CouncilMember Jose Huizar

CouncilMember Mitch Englander

CouncilMember Marqueece Harris-Dawson

CouncilMember Gil Cedilla

CouncilMember Curren Price

**CC:** sharon.dickinson@lacity.org, etta.armstrong@lacity.org

**RE:** Hermitage and Weddington St. VTT 73704 + ENV-2015-2618-MND

Dear Honorable Members of the PLUM Committee,

I would like this letter to reflect testimony from someone who was present at the South Valley Planning Commission hearing for this matter. There are many instances that took place that the PLUM Committee needs to be made aware.

Commissioner Janny Kim seems to be under a very different impression of what her purpose is on the Commission. The State of California Office of Planning and Research defines the APC as "an alternative for people to exercises control over the physical development of their communities." **The Commission holds public hearings to hear evidence that forms the basis of its decisions.** The Commissions job is **to hear and determine appeals where it is alleged there is error or abuse of discretion in any order.**

**The Commissioners are supposed to make their decision BASED ON THE FINDINGS IN THE ENTIRE RECORD.**

Commissioner Kim states "whats before the commission isn't really about the parking or trying to change the aesthetics..What comes before us and what we're able to make a decision on is very specific and in this case, I mean, I've said this before I mean its about, I mean we can't just ignore property rights..."

The PLUM Committee must understand how this is an absurd perspective - It reveals how Ms Kim clearly neglected to read the appeal. If she or any of the Commissioners would have read the appeal they would have learned that **the APPLICANTS DO NOT OWN ONE OF THE THE PROPERTY'S!** WHAT RIGHTS DOES JANNY KIM FEEL THEY DESERVE? **NOT TO MENTION AVOIDING ALL EVIDENCE IN THE RECORD.**

Parking and aesthetics along with compliance with the elements of the General / Specific plans and compliance with CEQA - THESE ARE THE GUIDELINES ONE MUST IN ORDER FOR THEM TO BE ABLE TO PROCEED. **THE AREA PLANNING COMMISSIONS PURPOSE IS TO REVIEW THE EVIDENCE THAT EXISTS IN THE RECORD THAT PROVES WHERE THE PLANNER ERRED AND/OR ABUSED ITS DISCRETION.**

The reason the Commissioners must live within the district of the area to which they hold their hearings is so members of their own community - the people who reside in these communities have participation in how their neighborhood evolves - to make sure it makes sense. To make sure it is the appropriate decision.

We have evolved into this movement where the public citizens have been forced to study the laws so they can submit them to the city employees. You would think this tactic need not go all the way up the ladder but unfortunately - it does.

In closing, the appellants have not spent all of their own time, their own money, their own countless hours of work for their evidence to end up at the bottom of a pile. Each page gives you what you need to see clear as day what everyone else sees.

This was nothing but a back door deal made with no public process or procedure followed. This committee has the power to show the voters you are not part of it. Please support this appeal.

Sammy

Valley Village Resident for 13 years

**From:** San Fernando Valley Neighborhood Coalition <info@sfvnc.com>


**Subject:** **FWD: Case Numbers VTT 73704-SL, ENV-2015-2618-MND, DIR-2015-2697-SPP**

**Date:** October 6, 2016 10:27:21 AM PDT

**To:** Sharon Dickinson <sharon.dickinson@lacity.org>, etta.armstrong@lacity.org

**Cc:** councilmember.huizar@lacity.org, councilmember.harris-dawson@lacity.org, councilmember.cedillo@lacity.org, councilmember.englander@lacity.org, councilmember.price@lacity.org

**Bcc:** Richard Abrams <abramsrl@gmail.com>

▶  1 Attachment, 130 KB [Save](#) [Quick Look](#)



[2016 Sep23....pdf \(130 KB\)](#)

Dear Sharon Dickinson and members of the PLUM Committee,

Please accept the attached letter from STATE ASSEMBLYMEMBER PATTY LOPEZ to be included into the administrative record for the following case numbers:

VTT 73704-SL

ENV-2015-2618-MND

Thank you very much.

James J.

Authorized representative for the  
San Fernando Valley Neighborhood Coalition

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0039  
(916) 319-2039  
FAX (916) 319-2139

DISTRICT OFFICE  
302 SOUTH BRAND BOULEVARD, SUITE 212  
SAN FERNANDO, CA 91340  
(818) 365-2464  
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E-MAIL  
Assemblymember.Lopez@assembly.ca.gov

# Assembly California Legislature



**PATTY LÓPEZ**  
ASSEMBLYWOMAN, THIRTY-NINTH DISTRICT

COMMITTEES  
AGING AND LONG-TERM CARE  
ENVIRONMENTAL SAFETY  
AND TOXIC MATERIALS  
HOUSING AND COMMUNITY  
DEVELOPMENT  
HUMAN SERVICES  
LABOR AND EMPLOYMENT  
PUBLIC SAFETY  
RULES  
WATER, PARKS AND WILDLIFE

SELECT COMMITTEE  
FOSTER CARE

September 23, 2016

Assemblymember Adrin Nazarian  
6150 Van Nuys Blvd, Suite 300  
Van Nuys, CA 91401

RE: Case Numbers VTT-73704-SL, DIR-2015-2697-SPP, ENV-2015-2618-MND / AFFECTED ADDRESSES: 5261, 5263, 5303, 5305 Hermitage Ave., 12300, 12301, 12302 Weddington St., Valley Village, CA 91607

Dear Assemblymember Nazarian,

Earlier this month, I met with a group of my constituents as well as your constituents regarding the matter of a street vacation which was triggered by a request to change a tract map. As the residents and affected area fall within your Assembly District, I wanted to take the time to voice the concerns that were raised during the aforementioned meeting.

On September 6<sup>th</sup> I met with about 14 people who all were visually upset and frustrated that a developer has applied for a small lot subdivision and as a result of this development project the community's public street will be vacated. Residents in the affected area have followed and participated in the process with strong opposition by submitting opposition letters, meeting with local and state government officials, attending all public hearings, and lastly filed an appeal on the decision to grant this development project and street vacation. Furthermore, residents contend that this project conflicts with the Valley Village Specific Plan and that some state laws have been violated.

Residents are concerned and opposed to this development for several reasons because loss of the street means loss of its use. Residents of this community state that they have submitted evidence which outlines the active use of this street for parking and numerous types of community gatherings. Young residents also use the sidewalk to safely ride their bikes, to play, and explore the local wildlife living in the trees. Additionally, residents are concerned about this development because it removes existing affordable housing, destructs open and green space, which is home to wildlife and mature trees, and lastly it will forever change the community identity and neighborhood character.



On behalf of my constituents, I will continue to support their opposition to this development project and urge the City Council and the Planning and Land Use Management Committee to thoroughly consider the community's request to appeal the project's approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Patty López". The signature is fluid and cursive, with the first name "Patty" written in a larger, more prominent script than the last name "López".

Patty López  
Assemblywoman, 39<sup>th</sup> District

CC: Los Angeles City Council Members  
Los Angeles City Council Planning and Land Use Management Committee

October 3, 2016

TO: Los Angeles PLUM Committee

Members of the Los Angeles City Council  
sharon.dickinson@lacity.org, etta.armstrong@lacity.org,  
councilmember.huizar@lacity.org, councilmember.harris-dawson@lacity.org,  
councilmember.cedillo@lacity.org, councilmember.englander@lacity.org,  
councilmember.price@lacity.org

RE: DIR-2015-2697-SPP | VTT 73704 | ENV-2015-2618-MND

Our public sidewalks and city streets are not for sale. Our city trees that have helped to shape and identify the neighborhoods in which we live are not up for grabs for the means of profiteering.

In 1928 Los Angeles Times published a section titled COMMUNITY DEVELOPMENT. Realty experts had pronounced this area to be one of the most unique community areas in Los Angeles.

*COMMUNITY DEVELOPMENT: STREAM PIVOT IN CITY'S PLAN ARTISTIC CANAL ...*

*ProQuest Historical Newspapers; Los Angeles Times; Sep 2, 1928 pg. F4*

In 1985 Los Angeles Times pronounced the increasing number of residents who have discovered the architectural heritage of their neighborhoods, if not just the ambiance and value that pleasant, streetscapes and have rallied to protect their homes from insensitive city officials and mercenary developers.

*Preservation: Major Redevelopment Resource;pOg.lldl Buildings Getting New Lease on Life*

*ProQuest Historical Newspapers; Los Angeles Times; May 12, 1985 pg. 11*

In 1987 Los Angeles Times pronounced that rather than standby by while outside forces causing displacement by razing, the locals are, in a growing number of cases restoring, recycling and continuing to use the buildings themselves. The key to this is **recognizing those buildings and streets that are or once were special**. These are the structures we must struggle to retain.

**A building is much more than an architectural accomplishment—it is the reflection of a community's history and personality. Thus, reasons for preserving buildings must sometimes reach beyond the purely architectural.**

*OBSERVATIONS: DESIGN THE OLD VERSUS THE NEW ARCHITECTURAL STRATEGIES FOR RECYCLING AGING BUILDINGS*

*ProQuest Historical Newspapers; Los Angeles Times; Aug 30, 1987 pg. A36A*

In 1989 Los Angeles Times pronounced that NOT ALL HOME BUYERS IN THE SAN FERNANDO VALLEY ARE LOOKING FOR NEW SPARKLING SUBURBAN SUBDIVISIONS. Buyers PREFER old Victorian or Craftsman bungalows; people are seeking a vintage house.

*A historic home can be hard to find*

*ProQuest Historical Newspapers: Los Angeles Times; Apr 30, 1989; pg. VY\_C1*

CEQA exists to ensure proposals such as the one before you have been well examined by experts - experts who are not retained and compensated by the project applicant.

CEQA also reminds us that BUILDINGS ARE NOT REQUIRED TO HAVE HISTORICAL STATUS TO BE CONSIDERED SIGNIFICANT ENOUGH TO PRESERVE.

This would mean that every building from our past would need historical designation to be protected which just is not reasonable. Instead, we are supposed to be preserving our cultural resources. Our irreplaceable and priceless structures that house low-income and disabled residents - both of which the proposal fails to provide.

Our history and culture are disappearing at an accelerated rate - not by natural causes. For the sole reason of human hands giving them their death sentence so they can make money.

The elected officials that have been in office the last 2 years I promise you - each and every one of them will have created their legacy to be the officers who destroyed Los Angeles. For the rest of time.

Imagine an up and coming news story that read - PLUM Committee sustains an appeal! First one sustained in more than 10 years!

Prior to this appeal reaching your desk it has provided an overwhelming amount of evidence proving it is nothing but a dirty scam by an applicant whose resume is nothing but getting sued by communities and engaging in illegal activity in hopes of getting what they want.

Armenian developers flood the second district because Kerkorian issues approvals like candy to his "people." This is a sad truth - but still a truth it is.

The proposal has made it this far into the process due to private meetings, scams, manipulations, bribes, meddling, threats, interference and probably the worst of all - the developers placing squatters on one of the properties to try and force tenants out, making their lives absolutely unlivable. This is what you would be approving.

Please sustain this appeal. There are more legal grounds than you even need to do so.

Regards,  
rogerthat@graduate.org

**ADMINISTRATIVE RECORD**  
**CASE NUMBERS: VTT-73704-SL, DIR-2015-2697-SPP, ENV-2015-2618-MND**

TO: LOS ANGELES PLUM COMMITTEE  
RE: 5261, 5263, 5303, 5305 Hermitage Ave., 12300, 12301, 12302 Weddington St.

LA City Council Members of the PLUM Committee,

I was greatly taken back and quite disturbed upon hearing news that the corner of Hermitage and Weddington in Valley Village is subject to extermination.

This corner has been instrumental in countless film, video, commercial and other various types of shoots in the industry. It has become more and more difficult for location scouts to track down unique locations that are still left in their original state. This makes our work incredibly difficult when we cannot achieve the natural settings that these locations such as this corner provide.

As big as Los Angeles is, this should not be the case.

This is an incredibly valued corner by many of us in the industry, but also by the neighbors and residents. They have been able to accomplish there what so many others would like to, but not fortunate enough to have such a space in the community to take advantage of.

It is with great objection that I disprove any project proposing to alter or eliminate the current and natural state of the Hermitage Weddington corner. There is a small handful of cultural and unique pockets left in our city. This is one of the most important ones the valley has. The Department has a responsibility to ensure they are protected and well preserved.

Respectfully,

Alex Berechet  
P: 818-554-8940  
F: 818-990-0387  
alexberechet@me.com

**TO: LOS ANGELES CITY COUNCIL MEMBERS PLUM COMMITTEE:**

*October 5, 2016*

Councilmember Jose Huizar,  
Councilmember Marqueece Harris-Dawson,  
Councilmember Gilbert Cedillo,  
Councilmember Mitchell Englander  
Councilmember Curren Price

**CASE: DIR-2015-2697-SPP, VTT 73704, ENV-2015-2618-MND**  
**COUNCIL FILE: 16-1048-S1**

Dear PLUM Committee,

**Councilmember Huizar:** You were instrumental in the committee pushing forward the single-use plastic bag ban and working to expand recycling efforts for apartment buildings. *This tells us you care about the environment.*

You also have a history of working to preserve open space and improve parks, especially in park-poor areas of the City. *This tells us that you care about the citizens and understand the importance of open space and green areas.*

You also authored a motion to help extend the Mills Act and have worked on expansions of HPOZ's. *This tells us you care about our history and understand how important it is.*

You clearly have the understanding of what these things mean - - - which means you also understand what it means to lose them.

The Hermitage / Weddington proposal promises to permanently destroy all of these things + more. Much much more.

There is a place for proposals such as this one. I am certain there is an appropriate location out there specifically to accommodate such proposal.

However, this is not it.

Small Lot Subdivisions were intended to be INFILL. As I am sure you are aware by now this has been severely abused and misused. It is UNNECESSARY and DAMAGING to the public, to the residents, to the neighbors, to the environment to grant approval of something like this at this location.

The only people within the city who had no problem acknowledging these facts were South Valley Area Planning Commissioners Mathers and Beatty, as they were the only two individuals who had actual and physical knowledge of exactly what existed on this corner and how inappropriate this proposal was. Planners do not make site visits to see what is actually there making decisions without understanding their impact.

How many times do we have to repeat this patten before it all blows up?

Respectfully, on behalf of my neighbors, we urge you to support this appeal. We urge you to meet with the members of this community and to learn about what took place in this neighborhood, on this corner and the activities that exist here to benefit the community.

Use this case to be the example - show us you are actually listening. Show us you are actually reading this appeal and all of the evidence that exists which is your ticket to doing what is right.

Sincerely,  
Stacey W.  
Resident of Valley Village



COUNCIL FILE# 16-1048-S1

TO: PLUM COMMITTEE

CouncilMember Jose Huizar

CouncilMember Mitch Englander

CouncilMember Marqueece Harris-Dawson

CouncilMember Gil Cedillo

CouncilMember Curren Price Jr.

CC: sharon.dickinson@lacity.org, etta.armstrong@lacity.org

RE: Hermitage and Weddington St. VTT 73704 + ENV-2015-2618-MND

Beginning on page 51 of the document submitted to the APC, more than 117 letters, more than 81 individual documents, pages of substantiating evidence, studies, statistics, true and correct data, confirmation, verification - cold hard proof of non compliance exists. This is in addition to what has ALREADY existed in the case file / Administrative Record.

Collectively, this has amounted to a few thousand pages.

Remarkably - no staff member, no director, not one city employee, BOE, no employee within the DCP and 3 APC Commissioners - none have applied one piece of evidence throughout thousands of pages, that would demonstrate the error and abuse in discretion that exists. Not one piece of evidence is recognized as serving its purpose in demonstrating the fair argument that DOES EXIST - that THIS PROJECT may have a significant effect on the environment. The Department has abandoned all responsibility to examine the WHOLE RECORD as required by STATE LAW.

CEQA GUIDELINES Section 15384. Substantial Evidence.

Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

(b) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

I respectfully request the PLUM Committee to take the time to read the evidence in the record; it is there you will take notice of why we are before you today. It is there you will see mountains of evidence everyone thus far has neglected to apply.

Here is an example:

**CA Government Code §66474.61 states: “the advisory agency or appeal board, shall deny approval of a tentative map if any ONE of the findings is made:**

- (a) That the proposed map is not consistent with applicable general and specific plans...
- (b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (c) That the site is not physically suitable for the type of development.
- (d) That the site is not physically suitable for the proposed density of development.
- (e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- (f) That the design of the subdivision or the type of improvements is likely to cause serious public health problems.
- (g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the legislative body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.”

Pages 6 through 36 of a document titled THEPUBLIC.PDF has broken down each Element of the cities General Plan to provide very clear descriptions of where this proposal fails to meet each Element thereby providing findings that allow you to DENY THE PROPOSAL.

So you see, this information is already there awaiting your review.

Here is another example:

**The Bureau of Engineering Manual** states: *“The Council’s findings are necessary for the final map because public rights to easements are being relinquished. For a subdivision project in which the subdivision or the proposed street merger is an issue of controversy, the Bureau of Engineering should recommend the Advisory Agency not approve the merger...”*  
*All other uses for a public street are secondary. Secondary uses must give way where they interfere with the primary use of the street.”*

To say the very least, this matter has indeed been an issue of public controversy. The most valued public street in the neighborhood, one which is a MAJOR CONTRIBUTOR TO THE CHARACTER AND ORIGINALITY OF THE NEIGHBORHOOD is threatened with REMOVAL. THIS IS NOT AN ISSUE THE PUBLIC TAKES LIGHTLY DUE TO THE FACT THAT CITY STREETS ARE NOT YOURS TO GIVE AWAY. PLENTY OF PHOTOGRAPHS HAVE BEEN SUBMITTED, LETTERS, DOCUMENTATION THAT PROVE EXTREME USE OF THIS STREET. This proposal wishes to REMOVE 14 PARKING SPACES FROM MY NEIGHBORHOOD WHERE RESIDENTS ARE ALREADY FORCED TO WALK BLOCKS TO LOCATE A SPOT. MOTHERS WITH STROLLERS, CHILDREN BICYCLING, SKATEBOARDING.. - **LIFE IS LIVED ON THIS STREET.**

So you see, use has been proven. The issue IS AN ISSUE OF CONTROVERSY.

One of the paragraph's in a report titled "Are Effects of the Environment on People Subject to CEQA? Yes!" state "These provisions clearly confirm that CEQA is concerned not only with changes in environmental conditions caused by a project, but also with environmental impacts caused by exposing the project and people to adverse environmental conditions. We note that for both types of effects, a physical change to the environment (i.e., development of a project) is the cause of the impact."

Substantial evidence review includes **the duty to determine whether the agency committed errors of law in applying the facts before it.** (Berlinghieri v. Department of Motor Vehicles, supra, [33 Cal. 3d 392](#), 395; Apte v. Regents of the University of California (1988) [198 Cal. App. 3d 1084](#), 1092-1093 [[244 Cal. Rptr. 312](#)], mod. 199 Cal. App. 3d 1099c; San Marcos Mobilehome Park Owners' Assn. v. City of San Marcos (1987) [192 Cal. App. 3d 1492](#), 1499 [[238 Cal. Rptr. 290](#)].)

So you see, there **WAS** and **REMAINS DUTY TO APPLY THE FACTS THAT EXIST IN THE RECORD TO THIS CASE.**

It's an awful waste of resources and a big waste of so many people's time that it must go through all of these stages to get to your Committee. But we are here and can only ask that you review everything for yourselves and see the facts for what they are.

Research has shown the DCP denies appeals before they are even filed completely.

Why bother putting everyone through the process if it is just set up to make the citizens look like fools.

You are our elected officials WE selected after being given a choice. We chose you because at some point you announced your commitment to the community; to the residents; to the voters. Promising to make decisions based on listening to US and the needs of our community. You were elected because your campaign did not include your promise to make backroom deals with developers, or be swayed by lobbyists or your campaign contributors. You earned the vote of the constituents who voted for you by looking enough of them in the eye promising to make decisions that are in THEIR best interest based off what THEY expressed to you.

At the end of the day, your backroom deals are long gone, the projects you approve fall through, people go bankrupt, buildings are already demolished all for nothing.. The only thing that stuck and will NEVER GO AWAY IS THE DECISION YOU MAKE ON A CASE LIKE THIS WHERE THE EVIDENCE IS BLACK AND WHITE BEFORE YOU - THE PEOPLE HAVE SHOWN YOU PROOF, EVIDENCE OF A STAINED CASE BY DEVELOPERS WHO PLAY SO DIRTY THEY NEVER SEE A PROJECT THROUGH. We reach the end of this letter - and what is it there is to still think about.

Very Respectfully,

Jake S.

Corteen resident in Valley Village