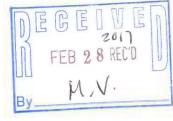
### #6

## Glaser Weil

February 28, 2017



333 S. Hope Street Suite 2610 Los Angeles, CA 90071 310.553.3000 TEL 213.620.5754 FAX

Timothy B. McOsker

Direct Dial 310.556.7870 Direct Fax 310.843.2670 Email tmcosker@glaserweil.com

VIA E-MAIL

Council President Wesson Los Angeles City Hall 200 North Spring Street Los Angeles, CA 90012 Honorable Members of the City Council Los Angeles City Hall 200 North Spring Street Los Angeles, CA 90012

### Re: <u>Historic Designation of 10346 Moorpark/Council File #16-1049/CHC-2016-3581-HCM</u>

Council President Wesson and Honorable Members of the City Council,

This office represents the Dolores Hope Trust/Bob and Dolores Hope Foundation (Property Owner) in opposition to the proposed historic cultural monument designation of the property located at 10346 Moorpark Street in Toluca Lake.<sup>1,2</sup>

We urge you to uphold the Cultural Heritage Commission's (CHC) determination that the property is not eligible as a Historic Cultural Monument (HCM) pursuant to Los Angeles Administrative Code Section 22.171.10, *et seq*. As detailed below, a Council action to reverse the CHC's decision would be: (1) a violation of the substantive and procedural due process rights of the Property Owner; (2) tainted by bias; (3) a violation of the requirement that quasi-judicial decisions be based on findings supported by substantial evidence; (4) arbitrary and capricious; (5) a violation of the Los Angeles Administrative and Municipal Codes; and (6) a taking of private property without just compensation.

On September 16, 2016, Mr. Ryu, Councilmember for the Fourth District, introduced a motion pursuant to Section 22.171.10 of the Administrative Code which provides for the Council to initiate consideration of a proposed site as a Historic-Cultural Monument (HCM).<sup>3</sup> The Office of Historic Resources (OHR) staff prepared a

<sup>&</sup>lt;sup>1</sup> The City refers to this matter as 10350 Moorpark.

<sup>&</sup>lt;sup>2</sup> The owner of the property is the Dolores Hope Trust. The Bob & Dolores Hope Foundation is the beneficiary of the Dolores Hope Residuary Estate.

<sup>&</sup>lt;sup>3</sup> The procedure for a "Council Initiated Designations" is as follows:

report recommending that the CHC find that the property was eligible as an HCM. On November 17, 2016, the CHC convened a public hearing on the designation. After a lengthy discussion, the CHC voted unanimously to deny the designation.

Los Angeles Administrative Code Section 22.171.7 sets forth the definition of an HCM. The CHC determined that the Property did not meet this criteria. As CHC Commissioner Barry Milofsky stated, "I have a hard time designating something that was never seen, never part of the public, or relevant in that way. .... As much as I appreciate the importance of documenting this type of estate, this type of importance in the San Fernando Valley, with that limited access, with that limit over time, the limited visibility, I don't see grounds for overruling a family's wishes." CHC Commissioner Buelna stated, "[Y]ou know usually when I hear something - a celebrity's home is going to be designated I feel - I always think oh there's going to be a museum, or there's going to be access to the public so the public can enjoy this, and I don't hear that today." CHC Commissioner Kennard stated that compared to the Del Rio home, "This house from the pictures that I'm seeing doesn't rise to that level, so I couldn't support the nomination." Following this discussion, the CHC voted unanimously to reject the designation.

The Planning and Land Use Management Committee of the City Council (PLUM) considered the CHC's report and declined to recommend to the City Council that the Property be designated as an HCM.

In designating a property as an HCM, the City Council acts as a quasijudicial/administrative decision maker. As such, the City Council must afford the Property Owner a fair and unbiased hearing and make its decision based on facts in the record, not on unsubstantiated opinions or bias. *Horn v. Cty. of Ventura* (1979) 24 Cal.3d 605, 612; *Nasha L.L.C. v. City of Los Angeles* (2004) 125 Cal.App.4th 470, 483, ([p]rocedural due process in the administrative setting requires that the hearing be conducted "before a reasonably impartial, noninvolved reviewer." [internal citations omitted].).

Procedure for Council-Initiated Designations. Upon receipt of any proposed designation initiated by the Council, the commission shall, pursuant to Section 22.171.8 of this article, inspect and investigate the proposed Council-initiated designation. The Director shall thereafter prepare a report and recommendation on the proposed designation. After receipt of the Director's report and recommendation, the Commission shall hold a public hearing regarding the proposed designation and determine whether the site, building or structure conforms with the definition of a Monument set forth in Section 22.171.7 of this article. After the Commission submits a report and recommendation, the Council may consider the matter. If the Commission recommends approval of a Council-initiated designation by a majority vote. If the Commission recommends disapproval of a Council-initiated designation, the Council may adopt the designation, the Council may adopt the proposed designation by a majority vote. If the Section by a two-thirds vote. The Council shall act within the time specified in Subsection (f) of this section. (Los Angeles Administrative Code (LAAC) Section 22.171.10).

Here, the CHC refused to recommend that the Property be designated. Thereafter, as described in our letter dated February 27, 2017, Mr. Ryu embarked on an intense campaign to convince his constituents and colleagues that the CHC had erred in its recommendation even though no substantial evidence supports designation. (See Enclosure 1). Mr. Ryu's actions have tainted the entire proceeding and any potential evidence with bias such that the entire proceeding is defective.

A City Council reversal of the CHC determination would violate the Property Owner's due process rights under the United States Constitution and related local laws, including, but not limited to, 42 USC section 1983. Both the California and U.S. Constitutions prohibit the City from depriving a person of property without due process of law. (Cal. Const. art I, §§ &, 15; U.S. Const. 5<sup>th</sup> Amend. & 14<sup>th</sup> Amend. § 1).

Mr. Ryu made his pre-determined decision on the property known in multiple public settings and made every effort to convince neighbors and other Councilmembers - based on false assertions, speculation, and personal opinion - that the property should be designated. Any process that Mr. Ryu now participates in, and any evidence that he cites to support the designation, is tainted with bias.<sup>4</sup>

When evidence in the record is based on bias, it is not substantial and cannot be relied upon in making findings. Moreover, Mr. Ryu's bias is imputed to the rest of the Council. "As *Nasha* made clear, allowing a biased decision maker to participate in the decision is enough to invalidate the decision." *Woody's Group, Inc. v. City of Newport Beach* (2015) 233 Cal.App.4th 1012, 1022, review filed (Mar. 11, 2015), review withdrawn (Mar. 20, 2015). That is the case here. As such, the Property Owner has been deprived of a full and fair evidentiary hearing, and has been deprived of its private property without just compensation.

Even if designation of the property is considered a "legislative action," which is not the case, the City would still be violating the Property Owner's constitutional rights. Substantive due process prohibits the City from acting in a manner that is arbitrary, discriminatory, or lacks a reasonable relationship to the legislative purpose. (Cal. Const., art. I, §§ 7, 15; U.S. Const., 14th Amend., § 1). Designation of the property would not advance public health safety or welfare, nor would it benefit the public. The property is screened from public view by landscaping today, and it always has been. It was designed to provide privacy for the family. The property was never open to the public. The structures have been substantially modified over time and have no architectural significance. The property does not embody characteristics of an architectural type specimen, nor is it the work of a master builder or significant

<sup>&</sup>lt;sup>4</sup> The Property Owner submitted a public records act request on February 23, 2017. Council District Four responded on February 24, 2017. (See Enclosure 2).

architect. For all of these reasons, designation of the property bears no reasonable relationship, real or otherwise, to the public health, safety, and welfare. Therefore, there is no rational basis to designate the property, and any such action would be an invalid exercise of the City's police power.

Based on the lack of substantial evidence, a designation would violate Los Angeles Administrative Code, Los Angeles Municipal Code, and applicable Charter provisions. Reversal of the decision below would also be an abuse of discretion, as there is no evidence to support findings to support such action. *Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506. Reversal of the CHC decision by the Council would be arbitrary and capricious and an abuse of discretion.

Designation of the property would also violate the Property Owner's equal protection rights because there is no rational basis for the property to be treated differently than similarly situated properties. The Property does not meet the criteria for an HCM. It appears that Mr. Ryu's sole purpose in nominating and designating the property is to stop a potential sale and future development (in accordance with the zoning code) of the property. If the City Council designates the property, it would be intentionally singling out the Property Owner for discriminatory treatment under the guise of historic designation. This denies the Property Owner equal protection under the law.

A reversal of the CHC's decision would result in a taking of private property for a public use without just compensation in violation of Article I, section 19 of the California Constitution and the Fifth Amendment to the U.S. Constitution. The City has intentionally interfered with the Property Owner's investment backed expectations with regards to the property. Specifically, Mr. Ryu has intentionally tried to stop the sale and future development of the property, in accordance with existing zoning law by using the HCM process, even though no substantial evidence supports designation. In addition, Mr. Ryu has been interfering in the sale of the property by speaking with potential buyers. Designation of the property would also deprive the Property Owner of reasonable beneficial economic use and marketability of the property. See *Penn Central Transp. Co. v. New York City*, (1978) 438 U.S. 104.<sup>5</sup>

<sup>&</sup>lt;sup>5</sup> Before the introduction of Mr. Ryu's motion, the property was under escrow. After Mr. Ryu's motion was introduced, the property fell out of escrow.

Finally, the City's process allowing a Councilmember to introduce the nomination of an HCM while at the same time requiring that Councilmember to vote on the matter, which is quasi-judicial in nature, taints the entire nomination process with bias and does not meet the standard of review set forth Civil Code Section 1094.5.

This letter is submitted without waiving and we expressly reserve all legal rights and remedies.

Sincerely,

TIMOTHY B. MCOSKER of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

TBM:cp Enclosures

cc: Los Angeles City Council

# Enclosure 1

### **Glaser** Weil

February 27, 2017

#### VIA E-MAIL AND FIRST CLASS MAIL

Terry Kaufman-Macias Supervising City Attorney Land Use Division 200 N. Main Street, Room 800 Los Angeles, CA 90012 333 S. Hope Street Suite 2610 Los Angeles, CA 90071 310.553.3000 TEL 213.620.5754 FAX

Timothy B. McOsker

Direct Dial 310.556.7870 Direct Fax 310.843.2670 Email tmcosker@glaserweil.com

### Re: <u>Historic Designation of 10436 Moorpark/Council File #16-1049/CHC-2016-3581-HCM</u>

City Attorney Kaufman-Macias,

This office represents the Dolores Hope Trust/Bob and Dolores Hope Foundation in opposition to the proposed historic cultural monument designation of the property located at 10346 Moorpark Street in Toluca Lake (Hope Designation).<sup>1,2</sup> For the reasons described in this letter, we request that Councilmember David Ryu recuse himself from all future action on the Hope Designation and that this matter, if it is to be pursued at all, be referred to an impartial board.

#### 1. Background Information

This letter details Mr. Ryu's efforts regarding the Hope Designation. Mr. Ryu's heavy lobbying efforts came only after two City bodies refused to recommend a designation of the above-referenced property. These efforts clearly show Mr. Ryu's bias with regards to the Hope Designation.

#### a. Motion to Initiate Consideration

On September 16, 2016, Mr. Ryu, Councilmember for the Fourth District, introduced a motion pursuant to Section 22.171.10 of the Administrative Code, which provides for the Council to initiate consideration of a proposed site as a Historic-

<sup>&</sup>lt;sup>1</sup> The City refers to this matter as 10350 Moorpark.

<sup>&</sup>lt;sup>2</sup> The owner of the property is the Dolores Hope Trust. The Bob & Dolores Hope Foundation is the beneficiary of the Dolores Hope Residuary Estate.

Cultural Monument (HCM).<sup>3</sup> Mr. Ryu made no effort to contact the owners of the property before introducing the motion.

The next step in the designation process requires a full site visit by the Office of Historic Resources (OHR) and two members of the Cultural Heritage Commission (CHC).<sup>4</sup> Because the designation was initiated by Mr. Ryu, Council District Four was also invited to the tour. On November 3, 2016, Ken Bernstein and several members of the OHR staff toured the property along with Commission President Richard Barron and Commissioner Barry Milofsky. No one from Mr. Ryu's office was present.

#### b. Cultural Heritage Commission Hearing

After the tour, OHR staff prepared a report recommending that the CHC find that the property was eligible as an HCM. On November 17, 2016, the CHC convened a public hearing on the designation. Once again, no one from Mr. Ryu's office appeared at that meeting.<sup>5</sup> After a lengthy discussion, the CHC voted unanimously to deny the designation.

#### c. Planning and Land Use Management Committee Hearing

Over two months later, the item was agendized for the Los Angeles City Council's Planning and Land Use Management (PLUM) Committee. One day before that meeting, on February 6, 2016, Mr. Ryu's office sent an email blast inviting community members to the PLUM meeting where it would be "considering the inclusion of the Bob and Dolores Hope Estate, at 10350 West Moorpark Street (Toluca

<sup>4</sup> The CHC is a panel of experts made up of architects and preservationists. See http://preservation.lacity.org/commission/cultural-heritage-commissioners

<sup>5</sup> We did learn through the Commission discussion that Councilmember Ryu submitted a letter proposing a new position to his original designation motion. This letter was not submitted to the property owner and was not distributed to the public during the meeting.

<sup>&</sup>lt;sup>3</sup> The procedure for a "Council Initiated Designations" is as follows:

Procedure for Council-Initiated Designations. Upon receipt of any proposed designation initiated by the Council, the commission shall, pursuant to Section 22.171.8 of this article, inspect and investigate the proposed Council-initiated designation. The Director shall thereafter prepare a report and recommendation on the proposed designation. After receipt of the Director's report and recommendation, the Commission shall hold a public hearing regarding the proposed designation and determine whether the site, building or structure conforms with the definition of a Monument set forth in Section 22.171.7 of this article. After the Commission submits a report and recommendation, the Council may consider the matter. If the Commission recommends approval of a Council-initiated designation by a majority vote. If the Commission recommends disapproval of a Council-initiated designation, the Council may adopt the proposed designation by a two-thirds vote. The Council shall act within the time specified in Subsection (f) of this section. (Los Angeles Administrative Code (LAAC) Section 22.171.10).

11

Lake), in the City's list of Historic-Cultural Heritage Monuments." (See Enclosure 1). This email omitted the fact that the CHC denied any kind of designation on the property (be that designation for the entire property or just a portion of the property), and that the PLUM committee was considering CHC's unanimous vote to deny and exclude the property from the City's list of Historic Monuments.

During the PLUM Hearing, Mr. Ryu sent his staff member to speak on his behalf. The staff member explained that Mr. Ryu supported a historic designation of the property. The PLUM committee made no recommendation and scheduled the Council hearing for February 21, 2017. Thereafter, Councilmember Ryu began a vigorous campaign to garner support from his constituency and other Councilmembers for his decision to designate the property as an HCM.

#### d. Greater Toluca Lake Neighborhood Council #1

On February 13, 2016, the Greater Toluca Lake Neighborhood Council (GTLNC) gave notice of a "Special Meeting" to discuss the Hope Designation. That meeting could not be formally held because a quorum of the GTLNC were not present. Several community members came to the meeting to express their views and were upset that the GTLNC would send out an agenda but not be in attendance to formally convene the meeting. The GTLNC President then explained that the meeting was scheduled at the request of Mr. Ryu's office.

Community members asked why this item was not added to the regular Neighborhood Council meeting scheduled for February 21<sup>st</sup>. We notified those present that the Council had scheduled this item to be heard at the February 21<sup>st</sup> City Council meeting at 10:00 am. Although the meeting could not be held, the GTLNC's planning sub-committee had noticed a meeting for 7:00pm. The community members present were overwhelmingly against the designation and submitted their comments to the sub-committee during general public comment.

The following day, we learned that Mr. Ryu asked for a continuance of the item to February 28, 2017, so that he could speak to the Neighborhood Council and other community groups about the Hope Designation.

#### e. Toluca Lake Chamber of Commerce

On February 15, 2017, Mr. Ryu appeared at the Toluca Lake Chamber of Commerce and presented his arguments for why the property should be designated. The board voted to take no action.

#### f. Toluca Lake Homeowners Association

The next day, on February 16, 2017, the Toluca Lake Homeowners Association (HOA) convened a meeting to discuss the Hope Designation. The President of the HOA explained that Mr. Ryu was coming to speak to the group personally and asked if everyone could wait for his arrival. After waiting for one hour, Mr. Ryu did not appear, so a Council District Four staff member spoke on his behalf. The staff member explained that Mr. Ryu did not agree with the CHC's recommendation. The HOA discussed the item and voted to take no action.

After the meeting was formally adjourned, Mr. Ryu arrived at the HOA meeting location and expressed frustration that the meeting ended with the group taking no action. Even though the meeting had ended, he sat with the remaining board members and others still present in the room and gave an impassioned speech as to why this property must be declared as an HCM. He explained that he was a preservationist and spoke about his conversations regarding the Hope estate during his campaign. Mr. Ryu went on to say that he was not an expert on historic designations, and he left the decision up to the experts. However, Mr. Ryu then stated he was confused as to why the experts on the CHC denied the designation. He went on to describe how much people cared about the property and cited to one of his colleagues on the City Council that claimed his mother-in-law felt strongly about the Hope estate and the designation.

Mr. Ryu then turned his focus to Linda Hope, CEO and President of the Bob and Dolores Hope Foundation. Mr. Ryu directly asked her if a compromise could be struck in that public setting, with community members watching. Mr. Ryu even went so far as to tell Linda Hope that he was concerned about the advice she received from her consultants. During the conversation, Mr. Ryu attacked the credibility of Ms. Hope's attorney and her real estate broker, who were both present in the room.

#### g. Greater Toluca Lake Neighborhood Council #2

On February 21, 2017, the GTLNC held its regularly scheduled meeting and noticed the Hope Designation on its agenda, in order to take a formal position. Mr. Ryu and his staff appeared at the GTLNC and passed out handouts with Mr. Ryu's position, as well as highlighted copies of the staff report that was rejected by the CHC. (See Enclosure 2). After listening to public comment that was overwhelmingly against the designation, Mr. Ryu welcomed the group and stated: "But I've got to tell you, the reason why I am fighting so hard and the reason why I am even initiating this process is because the Tolucans taught me the importance of Bob and Dolores Hope and taught me the importance of this house."<sup>6</sup> When asked a question of whether the

<sup>&</sup>lt;sup>6</sup> See Enclosure 3, Draft Transcript of Greater Toluca Lake Neighborhood Council Meeting, February 21, 2017. (Please note the enclosed copy is the draft version of the transcript. A final version will be submitted into the record as soon as it is available).

designation does actual good for the city, Mr. Ryu replied stated "Well, for me it means a lot. For me personally, it means a lot because, you know, this is history."<sup>7</sup> Later during the meeting, another community member asked what the benefit of designation is to the public. Mr. Ryu responded, "Because again it's a matter of opinion. I value it."<sup>8</sup> At the end of the public comment period, Mr. Ryu closed by asking for the GTLNC's support. He said to the GTLNC Board, "Thank you, no matter what happens, I really thank you for sitting through this and as your Council Member, I really would wish if I could have your support."<sup>9</sup> He later reiterated that sentiment and stated, "So I really appreciate your support. And as your Councilmember I—hopefully I could count on that." The GTLNC then debated the issue and voted to reject the designation of the property.<sup>10</sup>

Shortly after the GTLNC voted to reject the designation, flyers and petitions began to circulate throughout the Toluca Lake community. (See Enclosure 4). These materials include the time and place for the City Council's vote. In addition to blatant lies regarding future developments that were already addressed at the hearing, these materials also stated, "We have this one chance to be heard on what this site means to us. Support Councilmember Ryu's efforts to preserve what makes Toluca Lake special." The bottom of the page includes additional information and states, "His compromise is partial historical designation, leaving the two acres with the original house." The petition encourages people to, "Come out and support Councilman David Ryu on Tuesday."

#### 2. The Bob and Dolores Hope Foundation is Entitled to a Fair Hearing

The historic designation of a property is the application of an adopted ordinance (i.e. the Cultural Heritage Ordinance, LAAC Section 22.171, *et seq.*) to a specific property after analyzing the relevant facts and adopting findings that apply the relevant facts to the specific property. As such, action on an HCM is a quasi-judicial matter and is subject to the standard of review set forth in the Civil Code of Procedure section 1094.5.<sup>11</sup> (See *Sierra Club v. City of Hayward* (1981) 28 Cal.3d 840, 849). Civil Code Section 1094.5 demands that an inquiry be made as to whether there was a fair trial and whether there was any prejudicial abuse of discretion.

<sup>7</sup> See Id.

<sup>8</sup> See Id.

<sup>9</sup> See Id.

<sup>&</sup>lt;sup>10</sup> See Id.

<sup>&</sup>lt;sup>11</sup> Section 1094.5 (b) The inquiry in such a case shall extend to the questions whether the respondent has proceeded without, or in excess of, jurisdiction; whether there was a fair trial; and whether there was any prejudicial abuse of discretion. Abuse of discretion is established if the respondent has not proceeded in the manner required by law, the order or decision is not supported by the findings, or the findings are not supported by the evidence.

Given all of the above, it is undisputable that Mr. Ryu has made up his mind to designate the property before the City Council hearing. His interest in participating in this process increased dramatically after the CHC and the PLUM committee declined to recommend a designation of the property. Since February 7, 2017, he has repeatedly asked community groups to hold meetings on this item and made appearances at community meetings to advocate for his position. He even instructed his staff to reach out to the various community groups to agendize this item in the last few weeks, even though they had every opportunity to hold discussions since September of last year. Instead of appearing at these meetings to listen to the community's comments, he spoke at length as to why the site should be designated and advocates for the community groups to support his position. These attempts at lobbying seem to be geared toward increasing support for his pre-decided position, where little exists in the current Council File. Mr. Ryu has exceeded any reasonable level of participation for an elected official with a vote in a quasi-judicial matter.

In addition, certain individuals who support a designation in order to prevent future development are distributing materials that ask the community members to support Mr. Ryu. The Los Angeles Times published an article explaining that this matter is the between property owner and Mr. Ryu. (See Enclosure 5). Even the general public can understand that Mr. Ryu has taken a side.

Courts are clear that bias of a municipal decision maker is enough to show a violation of the due process right to fair procedure. *Woody's Group, Inc. v. City of Newport Beach* (2015) 233 Cal.App.4th 1012, 1022, review filed (Mar. 11, 2015), review withdrawn (Mar. 20, 2015). As stated in *Nasha L.L.C. v. City of Los Angeles* (2004) 125 Cal.App.4th 470, parties seeking to show bias must only establish an "...unacceptable probability of actual bias..."

There is no doubt that Mr. Ryu is biased on the matter of the Hope Designation. He has appeared not once, not twice, but three separate times in various community meetings to advocate for his position in this matter. He has made his position clear both verbally and in writing. The evidence showing Mr. Ryu's bias far surpasses the evidence relied on by the Court in *Nasha*. Mr. Ryu can no longer be considered an impartial party. Given that Mr. Ryu is a decision maker, this bias is imputed to the entire the City Council. As explained in the *Woody* case, "…when functioning in such an adjudicatory capacity, the city council must be "neutral and unbiased." *Id*. A biased City Council will deprive the Bob and Dolores Hope Foundation its procedural and substantive due process rights with regards to a fair hearing. In addition to the facts presented here, our client has submitted a public records act request seeking documents and communications that we believe further illustrate Mr. Ryu's bias in this matter.

#### 3. Conclusion

Given all the above information, we request that Mr. Ryu recuse himself entirely from the vote on the Hope Designation on February 28, 2017. In addition, we recommend that your office analyze the procedural and substantive due process and bias claims presented herein and recommend removal of this item to an impartial board. This letter is written without waiving and expressly reserving all legal rights and remedies.

Sincerely,

TIMOTHY B. MCOSKER of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

TBM:cp Enclosures

cc: Los Angeles City Council

# Enclosure 1

#### From: Alice Roth <<u>alice.roth@lacity.org</u>> Subject: Historic Designation of the Bob & Dolores Hope Estate Date: February 6, 2017 at 4:57:10 PM PST To: Alice Roth <<u>alice.roth@lacity.org</u>>

#### Dear All,

Please join us tomorrow, February 7th at 2:30 PM at City Hall for the City's Planning and Land Use Management Committee. The Committee will be considering the inclusion of the Bob and Dolores Hope Estate, at 10350 West Moorpark Street (Toluca Lake), in the City's list of Historic-Cultural Monuments.

#### PUBLIC COMMENT

If you wish to provide public comment, please arrive before the start of the meeting and complete a "speaker/public comment card." You may also submit a written public comment to: <u>Sharon.Dickinson@lacity.org</u> and/or <u>Zina.Cheng@lacity.org</u>.

#### PARKING

If you require parking, please email Steven Bautista at steven.bautista@lacity.org or call 213-473-7004.

Click here for the Committee's Agenda, and meeting time and location.

Please feel free to share with all interested.

Thank you.

Best, -Alice



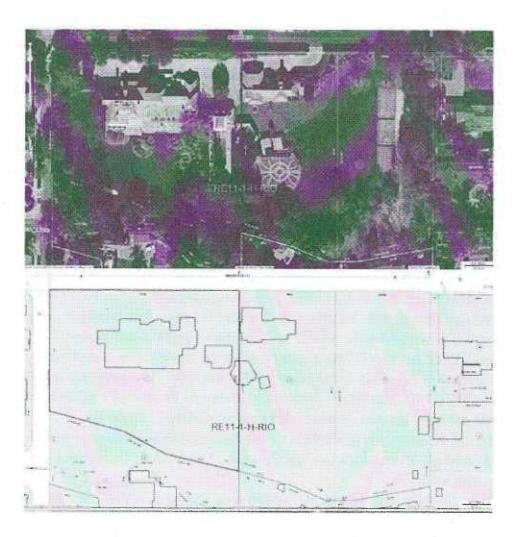
Alice Roth <u>Senior Deputy</u> City of Los Angeles Phone <u>818/728-9924</u> <u>alice.roth@lacity.org</u> www.davidryu.lacity.org

# Enclosure 2

#### **Bob and Dolores Hope Estate**

- Councilmember Ryu initiated Historic-Cultural Monument consideration of the Bob and Dolores Hope Estate in September 2016 in order to allow a discussion of this significant property prior to the proposed demolition of outlying structures on the property.
- Previously, the City had included this property in the City's Historic resources Survey identifying it as an architectural treasure and integral to the theme and context of the Toluca Lake neighborhood.
- Bob and Delores Hope custom built their home on Moorpark in 1939. They and their heirs are the only owners of the property. Bob and Dolores lived in it with their children for over seven decades until their deaths. For the entire period of Bob Hope's prolific career in film and television, this was their family home.
- The Planning Recommendation Report recommended to the Cultural Heritage Commission that the property be declared a HCM outlining in detail that the property is interwoven in both cultural and social history of our nation which includes association with historic events and people in our history.
- Planning Staff told the commission that the Hope home met a "high bar" for designating celebrity homes as landmarks. "This is truly an iconic historic personage."
- Our office agreed that the Estate, due to its association with Bob Hope was worthy of designation based on the criteria for designation which includes association with historic people or important events in our history.
- The Cultural heritage Commission denied the designation based on arguments of possible devaluation of the property. The property is located in the RE-11-1 zone which requires a minimum lot size of 11,000 sq. ft. The Hope estate is located on a lot with approximately 228,000 sf.
- After the hearing, the discussion of the designation continued at the Planning and Land use Committee in City Council. The Committee did not make a recommendation.
- The designation will be before the full City Council on February 28, 2017 at 10am.
- Councilmember Ryu's intention is to support the community and conservancy opinion that this treasure of Toluca Lake be designated as historic, but to not designate the outlying structures or acreage in order to minimize concerns over designation. Additionally, the designation should be limited to the exterior of those buildings located on the original properties.

### Bob and Dolores Hope Estate



#### Los Angeles Department of City Planning **RECOMMENDATION REPORT**

#### CULTURAL HERITAGE COMMISSION

#### CASE NO .: CHC-2016-3581-HCM ENV-2016-3582-CE

HEARING DATE:	November 17, 2016	Location: 10350 Moorpark Street; 10302 Moorpark
TIME:	9:00 AM	Street; 10324 Moorpark Street
PLACE:	City Hall, Room 1010	Council District: 4
	200 N. Spring Street	Community Plan Area: Sherman Oaks - Studio City -
	Los Angeles, CA 90012	Toluca Lake – Cahuenga Pass
		Area Planning Commission: South Valley
EVDIDATION DATE	Nevember 20 2016	Noighborhood Council: Greater Toluca Lake

**EXPIRATION DATE:** November 30, 2016

Neighborhood Council: Greater Toluca Lake Legal Description: Lankershim Ranch Land and Water Co. Tract, Lot FR 217, 5-8

PROJECT: Historic-Cultural Monument Application for the BOB AND DOLORES HOPE ESTATE

> Hope, Linda COTR 10346 Moorpark Street

Declare the property a Historic-Cultural Monument REQUEST:

Dolores Hope Decd Trust

Toluca Lake, CA 91602

Los Angeles City Council; District 4

OWNER(S):

APPLICANT:

200 North Spring Street Los Angeles, CA 90012

PREPARER: City of Los Angeles Planning Department Office of Historic Resources 200 North Spring Street, Room 559 Los Angeles, CA 90012

RECOMMENDATION That the Cultural Heritage Commission:

- 1. Declare the subject property a Historic-Cultural Monument per Los Angeles Administrative Code Chapter 9, Division 22, Article 1, Section 22.171.7.
- 2. Adopt the staff report and findings.

VINCENT P. BERTONI, AICP **Director of Planning** 

#### [SIGNED ORIGINAL IN FILE]

#### [SIGNED ORIGINAL IN FILE]

Ken Bernstein, AICP, Manager Office of Historic Resources

Lambert M. Glessinger, Preservation Architect Office of Historic Resources

#### [SIGNED ORIGINAL IN FILE]

Melissa Jones, Planning Assistant Office of Historic Resources

Attachments:

Historic-Cultural Monument Application City Council Motion 16-1049

CHC-2016-3581-HCM 10350 Moorpark Street Page 2 of 4

#### FINDINGS

 The Bob and Dolores Hope Estate "is identified with historic personages or with important events in the main currents of national, State or local history" for its association with internationally known American entertainer Bob Hope.

#### CRITERIA

The criterion is the Cultural Heritage Ordinance which defines a historical or cultural monument as any site (including significant trees or other plant life located thereon) building or structure of particular historic or cultural significance to the City of Los Angeles, such as historic structures or sites in which the broad cultural, economic, or social history of the nation. State or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of national. State or local history or which embody the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period style or method of construction, or a notable work of a master builder, designer or architect whose individual genius influenced his age.

#### SUMMARY

The Bob and Dolores Hope Estate is located at 10350 Moorpark Street in the Toluca Lake neighborhood of Los Angeles and was originally constructed in 1939. The property was designed by noted local Hollywood architect Robert Finkelhor in the French Revival style with Tudor Revival influences for Lester Townes Hope, more commonly known as Bob Hope, and his wife Dolores. Throughout the 1950s and 1960s a series of remodels and expansions were completed on the subject property, some of which were designed by noted architect John Elgin Woolf.

Spanning over five acres, the Bob and Dolores Hope Estate consists of a two-story single-family dwelling measuring nearly 15,000 square feet; a two-bedroom guest house; two-bedroom staff quarters; detached four-car garage; par-three one hole golf course and putting green; indoor and outdoor swimming pools; and landscaped grounds. Irregular in plan, the main dwelling features stucco siding, a combination cross-hipped and mansard roof with composite shingles, dormer, and a massive brick chimney on the front façade. Also on the front façade, the fenestration pattern is mixed and includes divided-lite casement, single-lite casement, fixed, and bay windows. The rear façade exhibits aluminum ribbon windows. French doors with single-glazed lites, aluminum glass sliders, a trellis with glass insets covering the porch on the first floor, and a covered deck on the second floor.

Robert Finkelhor (1899-1957) designed and renovated numerous homes for the Hollywood icons of his day, including MGM executive Hunt Stromberg, MGM writer Irving Brecher, Barbara Stanwyck, Harpo and Zeppo Marx, and Norma Talmadge. Finkelhor favored Period Revival styles and commonly incorporated motifs such as stone veneer walls, false half timbering, multiple gabled rooflines and wood shake roofs. John Elgin Woolf (1908-1980) was known for his Hollywood-Regency style and focused primarily on residential designs. Clientele included Errol Flynn, Mae West, Greta Garbo, Katherine Hepburn, and Cary Grant. Elgin Woolf's works, which included both new construction and remodels of existing residences, were characterized by their glamorous yet functional designs, which often included mansard roofs and over-scaled front doors.

#### CHC-2016-3581-HCM 10350 Moorpark Street Page 3 of 4

Bob Hope (1903-2003) was an internationally known American entertainer whose career spanned nearly 80 years and every medium, appearing in over 70 films and shorts, countless television specials, radio broadcasts and theatrical productions. In 1934, Bob Hope married Dolores DeFina and the couple later adopted four children. In 1938, after signing with Paramount Pictures, Hope moved with his family to Hollywood from New York and shortly thereafter purchased the plot of land at 10350 Moorpark Street.

By the mid-1940s, due to both his popularity in radio and film, Hope had become one of the most popular and successful performers in America, a distinction he would hold for the majority of his career. He was proclaimed as the "Entertainer of the 20<sup>th</sup> Century" by multiple polls conducted by ABC-TV Network News, A&E Biography Viewers and several newspapers and magazines in 1999. Throughout his life, Hope was awarded over two thousand honors and awards, including 54 honorary doctorates and five honorary Oscars. In addition to his radio, film and television career, Hope made more than 57 tours, spanning 50 years providing entertainment for active service American military personnel for the United Service Organization (USO). Moreover, Hope served as the USO's Entertainment Coordinator from 1941-2001, retiring at the age of 98.

Alterations to the Bob and Dolores Hope Estate over the years include the addition of a twostory garage and studio building as well as a separate studio and watchman building in 1948; the addition of staff quarters, music room, breakfast room, and porch on first floor and addition of three bedrooms, nurse's room, work room, bath facilities, and deck on the second floor of the main dwelling, as well as a swimming pool in 1950; the enlargement of several bedrooms, the living room, library, and dining room, and the extension of the second floor deck on the main dwelling in 1951; the addition of a cabana building in 1956; the addition of a greenhouse building (not extant) in 1963; the addition of two studio rooms, a receiving room, and a record vault in 1968; addition of an elevator in 1997; and an interior remodel of the family room, master bathroom, powder room, billiard room, and hallway, as well the enclosing of the rear patio of the main dwelling and addition of a swimming pool and spa in 2000.

The citywide historic resources survey, SurveyLA, identified the Bob and Dolores Hope Estate as individually eligible for listing or designation at the national, state and local levels as the home of American entertainer Bob Hope.

#### DISCUSSION

The Bob and Dolores Hope Estate successfully meets one of the Historic-Cultural Monument criteria as being "identified with historic personages or with important events in the main currents of national, state, or local history" for its association with internationally known American entertainer Bob Hope. The property was custom built for Bob and his wife Dolores and was Bob Hope's primary residence for the entirety of his Hollywood career. Over the six decades that the Hope occupied the property, it underwent a series of alterations to fit the continuously evolving needs and lifestyles of him and his family. These alterations included the addition of large trees for privacy, par-three one hole golf course and putting green for both Bob and Dolores, avid golfers, to practice, and a 4,000-square-foot office building for the staff that managed the Hopes' successful radio, television, film and real estate business. Dolores Hope conceived many of the additions to the main dwelling throughout the years, eventually doubling its original 7,700 square feet footprint to nearly 15,000 square feet. Additionally, the couple acquired adjacent parcels of land, expanding the original two acres to over five. Both Bob and Dolores Hope continued to reside at the 10350 Moorpark Street property until they passed away in 2003 and 2011, respectively.

CHC-2016-3581-HCM 10350 Moorpark Street Page 4 of 4

#### CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") FINDINGS

State of California CEQA Guidelines, Article 19, Section 15308, Class 8 "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment."

State of California CEQA Guidelines Article 19, Section 15331, Class 31 "consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic buildings."

The designation of the Bob and Dolores Hope Estate as a Historic-Cultural Monument in accordance with Chapter 9, Article 1, of The City of Los Angeles Administrative Code ("LAAC") will ensure that future construction activities involving the subject property are regulated in accordance with Section 22.171.14 of the LAAC. The purpose of the designation is to prevent significant impacts to a Historic-Cultural Monument through the application of the standards set forth in the LAAC. Without the regulation imposed by way of the pending designation, the historic significance and integrity of the subject property could be lost through incompatible alterations and new construction and the demolition of an irreplaceable historic site/open space. The Secretary of the Interior's Standards for Rehabilitation are expressly incorporated into the LAAC and provide standards concerning the historically appropriate construction activities which will ensure the continued preservation of the subject property.

The use of Categorical Exemption Class 8 in connection with the proposed designation is consistent with the goals of maintaining, restoring, enhancing, and protecting the environment through the imposition of regulations designed to prevent the degradation of Historic-Cultural Monuments.

The use of Categorical Exemption Class 31 in connection with the proposed designation is consistent with the goals relating to the preservation, rehabilitation, restoration and reconstruction of historic buildings and sites in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Categorical Exemption ENV-2016-3582-CE was prepared on October 31, 2016.

#### BACKGROUND

On September 16, 2016 the City Council initiated consideration of the subject property as an Historic-Cultural Monument worthy of preservation. On November 3, 2016, a subcommittee of the Cultural Heritage Commission consisting of Commissioners Barron and Milofsky visited the property, accompanied by staff members from the Office of Historic Resources.

COUNTY CLERK'S USE	2091	CITY OF LOS OFFICE OF THE NORTH SPRING S	CITY CLERK		999-999-999-999-999-999-999-999-999-99	CITY CLERK'S US
		OS ANGELES, CA				
		NIA ENVIRONN				
	NOTIC	CE OF E	EXEM	PTION		
	(California	a Environmental Q	uality Act Sect	tion 15062)		
Filing of this form is optional. If pursuant to Public Resources C starts a 35-day statute of limita results in the statute of limitation	Code Section 21152 tions on court chall	2 (b). Pursuant to lenges to the appr	Public Resource	ces Code Sectio	on 21167 (d	I), the filing of this notic
EAD CITY AGENCY						COUNCIL DISTRICT
City of Los Angeles Dep	artment of City	Planning				4
PROJECT TITLE Bob and Dolores Hope Estat	le				3	ERENCE 16-3582-CE 16-3581-HCM
PROJECT LOCATION					Awe an ada	
10350 Moorpark Street, Tolu						
DESCRIPTION OF NATURE, P Designation of the Bob and	a second a s			Aonument.		
NAME OF PERSON OR AGEN					ENCY:	
CONTACT PERSON Melíssa Jones		م	REA CODE 213	TELEPHONE 978-1192	NUMBER	I EXT.
EXEMPT STATUS: (Check On	e)					
		STATE CEGA	UIDELINES		CITY CEQ	A GUIDELINES
MINISTERIAL		Sec. 1526	B		AH 11	Sec. 2b
DECLARED EMERGE	- MAY	Sec. 1526				
						Sec. 2a (1)
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× CATEGORICAL EXEN	<b>IPTION</b>	Sec. 1530	0 et seq.		Art. III	. Sec. 1
Class 8	& <u>31</u> Categ	gory (City	CEQA Guidel	ines)		
OTHER (See Put	olic Resources Cod	e Sec. 21080 (b) a	nd set forth st	ate and City gui	deline provi	sion.
USTIFICATION FOR PROJEC consists of "actions taken by re- enhancement, or protection of t Class 31 applies "to mainlen esources in a manner consiste <b>3ob and Dolores Hope Est</b> of project review regulations base	egulatory agencies, the environment wh nance, repair, stab nt with the Secretar tate as an Historic-	as authorized by here the regulatory illization, rehabilita ry of Interior's Star -Cultural Monumer	state or local of process invol- ation, restorat idards for the nt will assure t	ordinance, to as ves procedures ion, preservation Treatment of His he protection of	sure the m for protection, or reconstoric Building the environ	aintenance, restoration on of the environment, instruction of historica ngs." Designation of the iment by the enactmen
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SIGNED COPY IN FILE]	RECEIPT NO.		REC'D. BY		DAT	E
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SIGNED COPY IN FILE] EE:	rk, (2) City Clerk, (3	3) Agency Record	REC'D, BY		DAT	E

DATE

HOLLY L. WOLCOTT CITY CLERK

SHANNON D. HOPPES EXECUTIVE OFFICER

When making inquiries relative to this matter, please refer to the Council File No.; 16-1049

#### City of Los Angeles CALIFORNIA



#### OFFICE OF THE CITY CLERK

Council and Public Services Division 200 N. SPRING STREET, ROOM 395 LOS ANGELES, CA 90012 GENERAL INFORMATION - (213) 978-1133 FAX: (213) 978-1040

> BRIAN E. WALTERS DIVISION CHIEF

CLERK LACITY.ORG

#### OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

September 16, 2016

Council File No.: 16-1049

Council Meeting Date: September 16, 2016

Agenda Item No.: Special 1

Agenda Description:

MOTION (RYU - WESSON) relative to an instruction to the Department of City Planning to initiate Historic-Cultural Monument designation proceedings for the Hope Estate located at 10350 West Moorpark Street, Toluca Lake, CA 91602

**Council Action:** 

MOTION (RYU - WESSON) ADOPTED FORTHWITH

Council Vote:

YES	BOB BLUMENFIELD	
YES	MIKE BONIN	
YES	JOE BUSCAINO	
YES	GILBERT A. CEDILLO	
YES	MITCHELL ENGLANDER	
ABSENT	MARQUEECE HARRIS-DAWSON	
ABSENT	JOSE HUIZAR	
YES	PAUL KORETZ	
YES	PAUL KREKORIAN	
YES	NURY MARTINEZ	
YES	MITCH O'FARRELL	
YES	CURREN D. PRICE	
YES	DAVID RYU	
YES	HERB WESSON	

day sutter

HOLLY L. WOLCOTT CITY CLERK

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

#### MOTION

Section 22.171.10 of the Administrative Code provides that the Council, Cultural Heritage Commission, or Director of Planning may initiate consideration of a proposed site, building, or structure as a Historic-Cultural Monument. After reviewing and investigating any such Council-initiated designation, the Cultural Heritage Commission shall approve or disapprove in whole or in part the proposed inclusion and submit a report upon such action to Council.

Council District 4's Toluca Lake neighborhood includes many buildings that are architecturally rich and worthy of preservation. One such historic treasure is the Hope Estate, located at 10350 West Moorpark Street. Toluca Lake, CA, 91602. The estate, approximately 15,000 square feet in size and set on a 5.2-acre site, was built in 1930 for Bob and Dolores Hope. The English traditional-style home was designed by architect Richard Finkelbor, who designed and renovated homes for numerous other Hollywood icons. In the mid-1950s; architect John Elgin Woolf, known for his Hollywood Regency-style, was commissioned to remodel and update the Hope Estate. The home was known to be a place for large gatherings and intimate visits from celebrity neighbors hike Bing Crosby and Frank Simatra.

In a report published in January 2013 for the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan Area, SurveyLA—the City's Historic Resources Survey—has identified the Hope Estate as an example embodying the theme of a residence of an important person in the entertainment industry, 1908-1980. Bob Hope had a prolific cateer as a comic actor, singer and dancer. He won five honorary Academy Awards and one humanitarian award.

It is imperative that the City's historic-cultural resources are celebrated and its historic architecture preserved for future generations. The Hope Estate, located on Toluca Lake's Moorpark Street, is an architectural treasure and integral to theme and context of the Toluca Lake neighborhood, as identified in SurveyLA.

1 THEREFORE MOVE that the Council determine, as provided in Section 54954.2(b)(2) of the Government Code, and pursuant to Rule 23 of the Rules of the City Council, that there is a need to take immediate action on this matter AND that the need for action came to the altention of the City Council subsequent to the posting of the agenda for today's Council meeting.

1 FURTHER MOVE that the Coancil initiate consideration of the Hope Estate, located at 10350 West Moorpark Street, Toluca Lake, CA, 91602, as a City Historic-Cultural Monument under the procedures of Section 22,171.10 of the Administrative Code, and instruct the Planning Department to prepare the Historic-Cultural Monument application for review and consideration by the Cultural Heritage Commission.

I FURTHER MOVE that after reviewing the application, the Cultural Heritage Commission submit its report and recommendations to the Council regarding the inclusion of the Hope Estate in the City's list of Historic-Cultural Monuments

PRESENTED BY:

DAVIDRYU

Councilmember, 4ª District

SET ONDED IN . - -

OTTO OF LOS PARCELES Gifture of Physionic Resources Cultural Plantace Commission HISTORIC CULTURAL MONUMENT NOMINATION FORM





Former residence of notable person(s)

Proposed Monument Name: Bob and Dolores Hope Estate Other Associated Names: Council District: 4 Zip: 91602 Street Address: 10350 W. Moorpark Street Community Name: Toluca Lake Range of Addresses on Property: Block None Los: FR 217 Tract Assessor Parcel Number: 2424021001

Identification cont'd: Lankershim Ranch Land and Water Co. Tract

Proposed Monument Natural Site/Open Space Building Structure Object . Feature Property Type: Describe any additional resources located on the property to be included in the nomination, here: Single-family dwelling;

guest house; staff quarters; garage; golf course; swimming pools and landscaped grounds.

#### 2. CONSTRUCTION HISTORY & CURRENT STATUS

Year built: 1939	<ul> <li>Factual</li> </ul>	Estimated	Threatened? Private Develop	oment			
Architect/Designer: Robert F	inkelhor		Contractor: Robert Finkelhor				
Original Use: Residence			Present Use: Residence				
Is the Proposed Monument o	n its Original Site?	• Yes	No (explain in section 7)	Unknown (explain in section 7)			

#### 3. STYLE & MATERIALS

Architectural Style	French Norman Revival	Stories: 2 Plan Shape: Irregular
FEATURE	PRIMARY	SECONDARY
CONSTRUCTION	Type: Wood	Type: Unknown
CLADDING	Material: Stucco, smooth	Material: Brick
0005	Type: Combination	Type: Flat
ROOF	Material: Unknown	Material: Rolled asphalt
WINDOWS	Type: Casement	Type: Floor-to-Ceiling
AA HAT/C AA 2	Material: Steel	Material. Aluminum
ENTRY	Style: Off-center	Style: Recessed
DOOR	Type: Double	Type: Paneled, glazed

#### CITY OF LOS ANGELES Office of Historic Resources/Cultural Heritage Commission HISTORIC-CULTURAL MONUMENT NOMINATION FORM



#### 4. ALTERATION HISTORY

List date and write a brief description of any major alterations or additions. This section may also be completed on a separate document. Include copies of permits in the nomination packet. Make sure to list any major alterations for which there are no permits, as well.

1939	Original building construction date and interior tile work
1940	Addition of shed
1948	Addition of garage, studio, and watchman bldg
1950	Addition of staff gtrs, music rm, breakfast rm, first flr porch, three bedrms
1950	Addition of nurse's rm, work rm, ba facilities, second flr deck
1951	Enlargement of several bedrms, living rm, library, and dining rm
1951	Extension of the second floor deck on the main dwelling
	Continued in separate document

#### 5. EXISTING HISTORIC RESOURCE IDENTIFICATION (if known)

Listed in the National Register of Historic Places

Listed in the California Register of Historical Resources

Formally determined eligible for the National and/or California Registers

Located in an Historic Preservation Overlay Zone (HPOZ)

Contributing feature Non-contributing feature

Survey Name(s): SurveyLA

Determined eligible for national, state, or local landmark status by an historic resources survey(s)

Other historical or cultural resource designations.

#### 6. APPLICABLE HISTORIC-CULTURAL MONUMENT CRITERIA

The proposed monument exemplifies the following Cultural Heritage Ordinance Criteria (Section 22.171.7):

Reflects the broad cultural, economic, or social history of the nation, state, or community

is identified with historic personages or with important events in the main currents of national, state, or local history

Embodies the distinguising characteristics of an architectural-type specimen, inherently valuable for study of a period, style, or method of construction

A notable work of a master builder, designer, or architect whose individual genius influenced his or her age

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#### NOMINATION FORM

#### 7. WRITTEN STATEMENTS

This section allows you to discuss at length the significance of the proposed monument and why it should be designated an Historic-Cultural Monument. Type your response on separate documents and attech them to this form.

A. Proposed Monument Description - Describe the proposed monument's physical characteristics and relationship to its surrounding environment. Expand on sections 2 and 3 with a more detailed description of the site. Expand on section 4 and discuss the construction/alteration history in detail if that is necessary to explain the proposed monument's current form. Identify and describe any character-defining elements, structures, interior spaces, or landscape features.

**B.** Statement of Significance - Address the proposed monument's historic, cultural, and/or architectural significance by discussing how it satisfies the HCM criteria you selected in Section 6. You must support your argument with substantial evidence and analysis. The Statement of Significance is your main argument for designation so it is important to substantiate any claims you make with supporting documentation and research.

#### 8. CONTACT INFORMATION

Applicant										
Name: City of	Los Angeles	Comp	ariy:	City of Los Angele	15					
Street Address:	200 N. Spring Street	City: L	os An	geles				State:	CA	
Zip: 90012	Phone Number: (213) 97	8-1192		Email: melissa.j	ones@la	city.or	ſ			
Property Owner		Is the owner in support	of the	nomination?	Yes	•	No		Unknown	
Name: Linda H	tope COTR Dolores Hope DECD Trust	Compa	iny:							
Street Address:	10346 Moorpark Street	City: 1	oluca	Lake				State:	CA	
Zip: 91602	Phone Number:			Email:						
Nomination Prep	arer/Applicant's Representative									
Name: City of	Los Angeles	Compa	iny:	City of Los Angele	35					
Street Address	200 N. Spring Street	City: L	os Ar	geles				State:	CA	
Zip. 90012	Phone Number (213) 978	8-1192		Email: melissa.jo	ones@lac	tity or	20			

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#### NOMINATION FORM

#### 9. SUBMITTAL

When you have completed preparing your nomination, compile all materials in the order specified below. Although the entire packet must not exceed 100 pages, you may send additional material on a CD or flash drive.

**APPLICATION CHECKLIST** 

1.	$\checkmark$	Nomination Form	5.	$\checkmark$	Copies of Primary/Secondary Documentation
2.	~	Written Statements A and 8	6.	~	Copies of Building Permits for Major Alterations (include first construction permits)
3.	$\checkmark$	Bibliography	7.	~	Additional, Contemporary Photos
4.	~	Two Primary Photos of Exterior/Main Facade (8x10, the main photo of the proposed monument. Also email a digitial copy of the main photo to:	8.	~	Historical Photos
		planning.ohr@lacity.org)	9.	~	Zimas Parcel Report for all Nominated Parcels (including map)

#### **10. RELEASE**

Please read each statement and check the corresponding boxes to indicate that you agree with the statement, then sign below in the provided space. Either the applicant or preparer may sign.

I acknowledge that all documents submitted will become public records under the California Public Records Act, and understand that the documents will be made available upon request to members of the public for inspection and copying.

I acknowledge that all photographs and images submitted as part of this application will become the property of the City of Los. Angeles, and understand that permission is granted for use of the photographs and images by the City without any expectation of compensation.

I acknowledge that I have the right to submit or have obtained the appropriate permission to submit all information contained in this application.

Melissa Jones Name:

11/4/201

Mail your Historic-Cultural Monument Submittal to the Office of Historic Resources.

Office of Historic Resources Department of City Planning 200 N. Spring Street, Room 620 Los Angeles, CA 90012

Phone: 213-978-1200 Website: preservation.lacity.org



## Enclosure 3

#### Rough Council Meeting.txt

#### UNEDITED UNCERTIFIED ROUGH TRANSCRIPT

20:45:38 1	THEY CAN JUST HOW THEY CAN AND CAN'T SELL THEIR	
20:45:42 2	PROPERTY, OKAY, WE CAN'T SAY THERE'S NO WAY FOR	
20:45:45 3	THEM TO EVEN IT'S NOT EVEN LEGALLY POSSIBLE FOR	
20:45:48 4	THEM TO SELL IT TO SOMEBODY WITH AN AGREEMENT THAT	
20:45:52 5	THEY WILL BUILD X AMOUNT OF HOMES BECAUSE THEY	
20:45:55 6	COULD JUST RESELL IT AGAIN.	
20:45:56 7	SO THERE IS NO THAT SHOULD NOT	
20:45:58 8	BE OUR DISCUSSION. THAT DISCUSSION WILL HAPPEN	
20:46:01 9	LATER. AS YOUR COUNCILMAN I WILL BE WORKING ON	
20:46:04 10	YOUR BEHALF FOR THE BEST THING TO HAPPEN IN THAT	
20:46:06 11	PROPERTY. BUT THAT SHOULD HAVE NO BEARING BECAUSE	
20:46:09 12	THIS IS ON ITS MERIT OF ON ITS OWN BOB AND DELORES	
20:46:14 13	HOPE'S HOME IS CULTURALLY SIGNIFICANT AND IT'S	
20:46:18 14	SAID BY THE L.A. CONSERVANCY, SAID BY THE OFFICE	
20:46:20 15	OF HISTORIC RESOURCES AND ALL MANY OTHER	
20:46:20 16	PROFESSIONALS.	
20:46:24 17	RYAN ALTOON: WE HAD A QUESTION	
20:46:26 18	OVER THERE, A YOUNG LADY OR SOMETHING.	
20:46:30 19	KATHY SALIBA: ACTUALLY HAD THE	
20:46:30 20	FORUM, BUT GET, I MEAN, THAT'S FINE.	
20:46:35 21	RYAN ALTOON: YOU WANTED TO SPEAK.	
20:46:45 22	(UNIDENTIFIED SPEAKER): I'M JUST	

Page 65

Rough Council Meeting.txt

20:46:47 23	VERY CURIOUS, WHAT EXACTLY IS THE BENEFIT TO THE
20:46:51 24	PUBLIC OF DESIGNATING IT HISTORIC STATUS? THAT
20:46:54 25	YOU CAN'T SEE FROM THE STREET BECAUSE OF HEDGES
	UNEDITED UNCERTIFIED ROUGH TRANSCRIPT 59
20:46:56 1	IT'S BASICALLY JUST BEING NICE? LIKE, SAYING, OH,
20:47:03 2	YEAH, WE REMEMBER BOB HOPE. DOES IT DO ANY ACTUAL
20:47:06 3	GOOD FOR OUR CITY?
20:47:08 4	COUNCILMAN RYU: THAT IS VERY FAIR
20:47:10 5	QUESTION.
20:47:11 6	AND, YOU KNOW, AND WHEN WE SAY
20:47:13 7	2 ACRES IT'S POSSIBLY THAT THE HEDGES ARE ALSO
20:47:16 8	HISTORIC AS WELL BECAUSE EVERYBODY REMEMBERS THE
20:47:20 9	HEDGES AND I THINK YOUR OPINION IS VERY VALID. I
20:47:23 10	THINK YOUR OPINION IS VERY VALID WHY FOR YOU IT
20:47:26 11	MIGHT NOT MEAN ANYTHING.
20:47:28 12	WELL, FOR ME IT MEANS A LOT. FOR
20:47:30 13	ME PERSONALLY IT MEANS A LOT BECAUSE, YOU KNOW,
20:47:33 14	THIS IS HISTORY. THIS IS, YOU KNOW, BEFORE YOU
20:47:37 15	KNOW WHERE YOU'RE GOING YOU HAVE TO KNOW WHERE
20:47:39 16	YOU'RE FROM. BEFORE YOU DISCOVER YOURSELF, YOU
20:47:43 17	HAVE TO KNOW EXACTLY YOUR ROOTS, AND THIS IS
20:47:46 18	TOLUCA LAKE ROOTS, THIS IS CD 4.
20:47:49 19	I MEAN, I'M A HISTORIC
20:47:51 20	PRESERVATIONIST, NOT JUST FOR THE BOB HOPE HOUSE, Page 66

20:55:15 3	Rough Council Meeting.txt AM CERTAIN THAT THERE ARE OTHER INDIVIDUALS WHO
20:55:18 4	ARE MORE THAN WILLING TO PAY THAT PREMIUM,
20:55:20 5	ESPECIALLY KNOWING THE FACT THAT 100 PERCENT OF
20:55:23 6	THE PROCEEDS ARE GOING TO VETERANS FOUNDATIONS,
20:55:29 7	THAT THERE WILL BE SOMEONE THERE WHO WILL BE
20:55:32 8	WILLING TO MAKE THOSE OFFERS.
20:55:35 9	RYAN ALTOON: I'M SORRY, I'M GOING
20:55:36 10	TO HAVE TO TRY TO LIMIT THIS SO WE CAN HAVE A
20:55:39 11	REASONABLE TIME.
20:55:40 12	SO THIS YOUNG WOMAN HAS HAD HER
20:55:42 13	HAND UP FOR QUITE SOMETIME.
20:55:45 14	(UNIDENTIFIED SPEAKER): I'M SORRY,
20:55:45 15	I'M BRAND NEW TO THIS CONVERSATION SO I DON'T HAVE
20:55:47 16	ANY PREVIOUS OPINIONS TO, YOU KNOW, BASE IT IT OFF
20:55:51 17	BUT I DO WANT TO FOLLOW UP ON HER QUESTION.
20:55:53 18	WHAT IS THE BENEFIT TO THE PUBLIC
20:55:55 19	OF NAMING THIS SPECIFIC SITE AGAINST THE WISHES OF
20:55:58 20	HIS FAMILY AN HISTORIC DESIGNATION RATHER THAN
20:56:03 21	NAMING SOMETHING ELSE THAT, YOU KNOW, I MEAN, I
20:56:05 22	KNEW THAT HE LIVED AT TOLUCA LAKE BECAUSE THE
20:56:08 23	AIRPORT WAS NAMED AFTER HIM BECAUSE I WENT TO THE
20:56:10 24	AIRPORT VERSUS A HOUSE IN THE NEIGHBORHOOD THAT HE
20:56:12 25	LIVED IN WHICH I THINK I LIVED HERE FOR LIKE THREE
	UNEDITED UNCERTIFIED ROUGH TRANSCRIPT 67

#### Page 74

#### Rough Council Meeting.txt

20:56:16 1	YEARS BEFORE I KNEW THAT HE LIVED THERE. WHAT IS
20:56:18 2	THE BENEFIT OF THE TO THE PUBLIC OF DESIGNATING
20:56:20 3	THIS SPECIFIC SITE IN HIS HONOR VERSUS JUST NAMING
20:56:24 4	SOMETHING ELSE IN HIS HONOR MAYBE THAT WE USE LIKE
20:56:27 5	MORE FREQUENTLY.
20:56:29 6	COUNCILMAN RYU: BECAUSE AGAIN IT'S
20:56:30 7	A MATTER OF OPINION. I VALUE IT. BUT MORE THAN
20:56:32 8	THAT, THE VERY AIRPORT THAT YOU CITE, THE BURBANK
20:56:35 9	AIRPORT THAT WAS NAMED AFTER BOB HOPE WAS NAMED
20:56:39 10	BOB HOPE AIRPORT BECAUSE OF THE PROXIMITY TO HIS
20:56:41 11	HOUSE.
20:56:42 12	THAT IS A PERSONAL OPINION THOSE,
20:56:43 13	BUT NOT A GOVERNMENTAL DECISION.
20:56:45 14	SO WHICH IS AGAIN AND THIS
20:56:48 15	AND MAY BE ABLE TO NAME OTHER BUILDINGS, OTHER
20:56:50 16	PARKS, SQUARES, STREETS ALL AFTER BOB HOPE. WE
20:56:55 17	COULD DO THAT.
20:56:56 18	(UNIDENTIFIED SPEAKER): OKAY.
20:56:57 19	COUNCILMAN RYU: HOWEVER, THIS IS
20:56:58 20	THE ONLY HOUSE THAT HE AND HIS WIFE AND HIS FAMILY
20:57:01 21	LIVED IN, COMMISSIONED BY THEM, THERE IS NO OTHER
20:57:05 22	HOUSE IN THE WORLD
20:57:07 23	(UNIDENTIFIED SPEAKER): I
20:57:08 24	UNDERSTAND THAT, BUT WHAT'S THE BENEFIT TO THE Page 75

## Enclosure 4



#### SAVE THE BOB HOPE ESTATE THE BOB AND DOLORES HOPE ESTATE MAY SOON BE A PART OF OUR PAST!

Toluca Lake is well known for its association with the American entertainer and Icon Bob Hope and his wife Dolores who made this neighborhood their home for over six decades. Many Presidents, celebrities and neighbors enjoying Bob's Halloween treats have made this house a special and irreplaceable part of Toluca Lake.

Linda Hope would like to maximize revenue from the sale, which will go directly to the Hope Foundation. We support her efforts but this could be a win win. There is no need to destroy a significant piece of history in the process. Without the property being designated a "Cultural Resource" it will be lost through demolition, alterations and new construction of an irreplaceable historic site. The designation does NOT stop the sale, it just puts limits on what a developer may do with two of the five acres of the Estate. The house itself may also still be remodeled or restored.

There is already a pending permit for a partial demolition of outlying structures in process and as many as 19 single family homes can be built on the sight, replacing this historic icon of our community. We have this one chance to be heard on what this site means to us. Support Councilmember Ryu's efforts to preserve what makes Toluca Lake special. Show up in person and speak at the City Council meeting for just 1-3 minutes and send letters to Councilman David Ryu's office.

#### THANKS FOR THE MEMORIES!

#### SEND LETTERS

Send an email & attached letter with your thoughts to Councilman David Ryu

ATTN: alice.roth@lacity.org CC: sharon.dickinson@lacity.org

#### LET YOUR VOICES BE COUNTED!

#### **GET INVOLVED**

Consider speaking for 1 to 3 minutes, it's the only way your voice will be heard.

February 28th at 10:00 AM John Ferraro Council Chamber Room 340, City Hall 200 North Spring St Los Angeles, CA 90012

Please come out and support Councilman David Ryu's motion designating the Bob and Dolores Hope Estate as a "Historic-Cultural Monument" His compromise is a partial historical designation, leaving the two acres with the original house.

Please feel free to call Alice Roth 213-473-7004 or visit www.SaveTheHopeEstate.org for more information.

From: Bob Wexler <<u>bobwexler@gmail.com</u>> Date: February 25, 2017 at 1:48:33 PM PST To: Wexler Bob <<u>bobwexler@gmail.com</u>> Subject: Urgent: Bob Hope's Toluca Lake Estate - Send Letters and Attend the City Council Meeting on TUESDAY Feb 28th

#### Send Letters and Attend the City Council Meeting on TUESDAY Feb 28th

#### SHARE - You do not need to live in Toluca Lake

Please RSVP if you will be joining us!

Dear Neighbors,

#### The Bob and Dolores Hope Estate may soon be part of our past!

Linda Hope would like to maximize revenue from the sale, which will go directly to the Hope Foundation. We support her efforts but this could be a win win. There is no need to destroy a significant piece of history in the process. Without the property being designated a "Cultural Resource" it will be lost through demolition, alterations and new construction of an irreplaceable historic site.

Since Toluca Lake is known for its association with Bob Hope, this will directly affect the cultural heritage of Toluca Lake as Bob and Dolores made this neighborhood their home for over six decades. There is already a pending permit for a partial demolition of outlying structures and as many as 19 or 20 single family homes can be built on the sight, replacing this historic icon of our community.

The LA Conservancy <u>https://www.laconservancy.org/</u> continues to advocate for the designation and protection of this irreplaceable part of both Hollywood and San Fernando Valley history. Councilman David Ryu has offered a compromise asking that only the exterior of the main house and two of the surrounding five acres be considered a landmark. The exterior could certainly be restored to its original style or even razed through a review process where a single family home on two acres would remain.

I urge you to send letters and sign the <u>attached petition</u> today. Come out and support Councilman David Ryu on Tuesday.

We need as many people as possible to speak in support of Councilman Ryu's Motion at the City Council Meeting this Tuesday February 28th at 10:00 AM.

Parking at City Call and Transportation to the Meeting will be provided departing from the CD 4 Office: 10116 Riverside Drive.

Reply to this email if you require parking information or wish to go on the bus. (assuming we have enough people)

Please let me know if you have any questions or require additional information?

Bob Wexler (818) 261-5600

http://www.savebobhopeestate.org

Enclosure 5

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## Fate of Bob Hope estate pits the family against an L.A. councilman

With the Hope family and preservationists at odds, the property's future is unclear. (Genaro Molina / Los Angeles Times)

#### **R.** Daniel Foster

Fading memories might be all that remain of a 1939 Toluca Lake estate that Bob and Dolores Hope owned for six decades.

That would suit the late couple just fine, according to daughter Linda Hope.

In a familiar fight between property owners and preservationists, Linda Hope is pitched against Los Angeles City Councilman David Ryu, who in September introduced emergency legislation to declare the property a historic-cultural monument — after a buyer in escrow obtained a demolition inspection permit for the property's outlying buildings.

Ryu argues that the estate — which lies within his District 4 and is owned by the Dolores Hope Trust — harbors deep cultural import, given that the Hope name is synonymous with the area: "He was pretty much known as the unofficial mayor of Toluca Lake."

Hope, however, contends that her parents wanted the five-acre property to be sold expediently, with proceeds going to the Bob and Dolores Hope Foundation. "It was to be their living legacy," the producer and writer said. Residential monuments are largely bought and sold like other homes but require review for proposed alterations, which Hope said is a headache and narrows the field of buyers who desire to make more unrestrained decisions. Even monuments can be razed, but it's difficult because the city can initiate an up to 360-day review stay on issued demolition permits.

The L.A. City Council is scheduled to vote on monument status Feb. 28, although the vote has previously been delayed.

The ensuing historic review of the 14,876-square foot property has tanked one sale and scared off potential buyers, Hope said. The house and nearly 3 acres are listed for \$12 million, with the remaining 2 acres priced at \$10 million. The estate was put on the market in 2013 for an original asking price of \$27.5 million.

In a setback to Ryu, the city's Cultural Heritage Commission voted against granting monument status in November, after Hope stated her parents' desire to use estate proceeds to fund the foundation, which serves the underprivileged and veterans. The decision reverted back to the City Council.

Ryu said he was "dumbfounded" by the decision, noting that the city's Office of Historic Resources said the property meets a "high bar" for landmark status.

He has since offered a compromise, proposing that only the exterior of the main house and two of surrounding 5 acres be deemed a landmark, which the City Council will also consider on Feb. 28. The Greater Toluca Lake Neighborhood Council also voted against the historic designation Feb. 21.

Hope's response: "Why does he want to preserve the house when his own commission felt it's not worthy to be preserved? Is it fair for the city to do as they see fit with my family's property, and disregard my dad's wishes?" All parties seem to agree that the English traditional-style home has limited architectural significance, despite being designed by Robert Finkelhor, with a 1950s remodel mastered by John Elgin Woolf. Decades of design changes have largely erased the native look.

"My mom would tear down this wall or the other, add a room here or there," Hope said. "My dad used to joke that when he would go away, he needed a road map when he returned, just to find the bedroom."

Over the years, the Hope home hosted Hollywood luminaries and at least one president: Richard Nixon, who landed Marine One on the back lawn. The only public view of the estate is of an 8-foot fence fronted by bushes, Hope said.

Hope said she believes the numerous places and programs named for her father in the region are sufficient to preserving his memory.

Bob Hope's lengthy career in theater, radio and film produced scores of films and television specials; he also entertained military troops via hundreds of USO shows. Hope died in 2003 at 100, and his wife, Dolores, died in six years ago at 102.

#### hotproperty@latimes.com

# Enclosure 2

### **Glaser** Weil

February 23, 2017

VIA E-MAIL

Councilmember David Ryu 200 North Spring Street, Rm.425 Los Angeles, CA 90012 councilmember.ryu@lacity.org 333 S. Hope Street Suite 2610 Los Angeles, CA 90071 310.553.3000 TEL 213.620.5754 FAX

Timothy B. McOsker

Direct Dial 310.556.7870 Direct Fax 310.843.2670 Email tmcosker@glaserweil.com

Re: Public Records Act Request/Advocacy Material on the Bob Hope Designation

Councilmember Ryu,

As you are aware, the City Council will be considering the historic cultural monument designation of 10350 Moorpark Street in Toluca Lake on February 28, 2017, (herein after referred as the "Bob Hope Designation").

Pursuant to the California Public Records Act (Government Code Section 6250, et seq.), this office requests copies of records in the control of any officer, agent or employee of Council District Four, as specified below.

A "public record" includes any "writing" relating to the public's business prepared, owned, used, or retained by the local agency regardless of physical form or characteristics. (Government Code Section 6252(e).) A "writing" covered by the Act includes any "handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." (Government Code Section 6252(g).)

Records Requested:

- 1. Any and all communications and/or correspondence by and between any official, agent, or employee of Council District 4 and any person, organization, non-profit, or charitable entity regarding the Bob Hope Estate Designation from January 1, 2017 to the present;
- Any and all fact-sheet, position paper, template support letters or similar document relating to the Bob Hope Designation from January 1, 2017 to the present;

- 3. Any and all communications and/or correspondence by and between any official, agent, or employee of Council District 4 and any Toluca Lake community group or members, including but not limited to, Toluca Lake Chamber of Commerce, Greater Toluca Lake Neighborhood Council, Toluca Lake Homeowners Association and the Toluca Lake Property Owner Association, from January 1, 2017 to the present;
- 4. Any and all communications, including, but not limited to, contracts entered into by Council District 4 regarding audio visual media content regarding the Bob Hope Designation, from January 1, 2017 to the present; and
- 5. Any and all audio visual content created for the Bob Hope Designation from January 1, 2017 to the present.

Please provide a response to this request within 10 days of receipt. (Government Code Section 6253(c).) If you determine that any or all of the records requested qualifies for an exemption from disclosure, notify us whether the exemption is based on the exercise of discretion and any other bases for the claimed exemption. If you provide any redacted records in response to this request, notify us whether the redaction is based on an exemption calling for the exercise of discretion and any other justification for the redaction. In any event, please provide a response citing legal authorities for any records you have determined are exempt from disclosure. (See Government Code Section 6255.)

Sinceret

TIMOTHY B. MCOSKER of GLASER WEIL FINK HOWARD AVCHEN & SHAPIRO LLP

#### TBM:cp

cc: Terry Kaufman-Macias, Supervising City Attorney, Land Use Division Renee Stadel, Supervising City Attorney, Ethics, Elections, & Governance Section From: CD4 PRA <<u>cd4.pra@lacity.org</u>> Date: February 24, 2017 at 2:43:53 PM PST To: <<u>tmcosker@glaserweil.com</u>> Subject: CPRA Request: Bob Hope Designation

Dear Timothy,

Thank you for reaching out to the Office of Councilmember David Ryu. This email serves as confirmation that we have received your CPRA request for:

1. Any and all communications and/or correspondence by and between any official, agent, or employee of Council District 4 and any person, organization, non-profit, or charitable entity regarding the Bob Hope Estate Designation from January 1, 2017 to the present;

2. Any and all fact-sheet, position paper, template support letters or similar document relating to the Bob Hope Designation from January 1, 2017 to the present;

3. Any and all communications and/or correspondence by and between any official, agent, or employee of Council District 4 and any Toluca Lake community group or members, including but not limited to, Toluca Lake Chamber of Commerce, Greater Toluca Lake Neighborhood Council, Toluca Lake Homeowners Association and the Toluca Lake Property Owner Association, from January 1, 2017 to the present; 4. Any and all communications, including, but not limited to, contracts entered into by Council District 4 regarding audio visual media content regarding the Bob Hope Designation, from January 1, 2017 to the present; and 5. Any and all audio visual content created for the Bob Hope Designation from January 1, 2017 to the present. As stipulated by Government code §6250, our office will respond within 10 days of receipt notifying you as to whether we possess identifiable records not exempt from disclosure. Thank you again and please don't hesitate to reach out with any questions. Best,