

ORIGINAL

TT-73626-CN-1A



APPLICATIONS:

APPEAL APPLICATION

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

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission
- City Planning Commission
- City Council
- Director of Planning

Regarding Case Number: TT-73626-CN-1A; CEQA: ENV-2016-1747-CE

Project Address: 1123-1129 SOUTH SHENANDOAH ST., LOS ANGELES, CA 90035

Final Date to Appeal: 02/23/2017

- Type of Appeal:
- Appeal by Applicant/Owner
 - Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved
 - Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): BEATRICE LEIGHTON-MARTIN; TIM MARTIN

Company: _____

Mailing Address: 1151 SOUTH BEDFORD ST.

City: LOS ANGELES State: CA Zip: 90035

Telephone: (310) 849-2904 E-mail: 2007beatrice@gmail.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self Other: _____

- Is the appeal being filed to support the original applicant's position? Yes No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

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

5. APPLICANT'S AFFIDAVIT

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

Appellant Signature: Brian Caw / [Signature] Date: 02/22/2017

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: \$89.00	Reviewed & Accepted by (DSC Planner): Brian Caw	Date: 2/22/17
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

**JUSTIFICATION/REASON FOR APPEAL TO CITY
COUNCIL**

TT-73626-CN-2A

Department/Deputy Advisory Agency, in order that the Proposed Project undergo rigorous environmental assessment, particularly in regards to its cumulative impacts, as required by CEQA. Appellants also request that the City Council require that all subsequent projects in the Pico-Robertson area undergo a proper CEQA evaluation prior to receiving their requested entitlements.

By bringing this appeal pursuant to LA Municipal Code Section 17.06.A.4, Appellants intend to exhaust their administrative remedies pursuant to the City's appeal procedures. Appellant reserves her right to seek judicial scrutiny of all City decision making in this matter, pursuant to applicable state law, including the administrative writ of mandate provisions set forth in CCP §1094.5 et seq.

Notwithstanding the serious arguments presented above, and in light of these reservations of rights, Appellant is willing to engage in substantive discussions with the City and/or the developer to explore whether an accommodation can be reached that would serve to mitigate Appellant's legitimate concerns regarding the impacts to their quality of life and to the neighborhood generally. Appellant's contact information has been provided on the appeal form that accompanies this statement.

Similarly, the Appeal Board Decision merely states as a conclusion, without providing any analysis whatsoever, that “there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.”

First, these self-serving statements by the Deputy Advisory Agency and the CLAAPC, respectively, are entirely conclusory and are not backed up or supported by any facts or evidence. In contrast, Appellants have personally witnessed the impacts of multiple construction projects in the immediate vicinity of the Proposed Project, and have set forth facts herein that provide substantial evidence of significant adverse impacts from these projects, both individually and cumulatively. Additionally, at least one other member of the public, a resident on Shenandoah St, also provided uncontroverted testimony that the Proposed Project foreseeably will have significant negative impacts on the community. Taken together, the information presented to date to the City (to both the Deputy Advisory Agency and CLAAPC) constitutes substantial evidence which has not been rebutted or controverted in any way by the City.

Even assuming for arguments’ sake that these various projects all completely adhered to “applicable building codes and regulated construction methods,” the City’s argument is legally irrelevant as full compliance with law does not obviate the need under CEQA to assess cumulative environmental impacts, if there is substantial evidence that significant impacts may result. To the contrary, CEQA can require the evaluation of cumulative impacts even when the projects being assessed all operate within fully legal parameters.

Also, the reality is that City enforcement of these projects has been extremely weak and uneven. Appellants have personally called City inspectors on multiple occasions regarding a variety of illegal and non-compliant activities undertaken by developers in the neighborhood (particularly relating to the project at 1209-1215 S. Bedford St.). Even after complaints were lodged with the City, violations by the developer/builder continued. Appellants have no confidence, based on the City’s performance in the neighborhood, that the Proposed Project will in actuality be constructed in a manner that fully complies with applicable standards (in particular, noise, dust, vibration, safety, traffic, etc.).

Appellants strongly believe that the City is in possession of substantial evidence that there is a high probability that the Proposed Project’s cumulative impacts is significant, when evaluated in light of other projects of the same basic type (all multi-unit residential) in the same place (the neighborhood bounded by Pico the South, Olympic to the North, Robertson to the East and La Cienega to the West), over time. The evidence that has been brought to bear by Appellants (and others) generates a “fair argument” that the City must require, at a minimum, that the Proposed Project be fully evaluated (i.e., at a minimum an Initial Study must be conducted pursuant to CEQA Guidelines, Section 15063. To do otherwise constitutes legal error and prejudicial abuse of discretion, and will subject the City to judicial scrutiny and reversal.

4. APPELLANTS HAVE BEEN AGGRIEVED AND REMEDY REQUESTED

Appellants are aggrieved personally in light of the numerous negative impacts caused by the multitude of large residential construction projects that have been allowed to go forward by the City, without adequate environmental assessment and analysis required by CEQA. Appellants’ quality of life has been degraded due to the City’s inadequate oversight of these projects. Allowing the Proposed Project to become entitled, without requiring substantive CEQA compliance, will compound and exacerbate these many negative quality of life impacts.

Appellants request that the City Council remand this matter back to the Planning

at its looming, prison-like walls every day.

- Collectively, these residential projects have eliminated in excess of thirty (30) rent stabilized apartments which used to house families of moderate means. Instead, these units have been demolished and are being replaced by approximately eighty (80) apartments and condominiums which, on average, will cost more than 100% more than the units they replaced.

3. CITY FAILURE TO EVALUATE THE PROJECT'S CUMULATIVE IMPACTS WITH NUMEROUS NEARBY PROJECTS UNDER DEVELOPMENT VIOLATES CEQA AND CONSTITUTES ABUSE OF DISCRETION

CEQA is codified at California Public Resources Code §21000 et seq. Section 21084 of the Public Resources Code requires that the State of California provide a list of classes of projects which have been determined generally not to have a significant effect on the environment and, therefore, are exempt from the provisions of CEQA.

The so-called CEQA Guidelines, which are in fact codified at Title 14 of the California Code of Regulations, §15300 et seq. (the "Guidelines"), and which have the force of regulation, sets forth a number of specific classes of projects that are generally exempt from CEQA. For the Proposed Project, as with other projects in our neighborhood, the City's Approval relies on the exemption set forth in §15332. Section 15332 allows for an "In-fill development project" to be determined to be exempt from CEQA, as long as: a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.(c) The project site has no value, as habitat for endangered, rare or threatened species.(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.(e) The site can be adequately served by all required utilities and public services.

Neither the Appeal Board Decision nor the underlying Approval set forth substantive facts demonstrating that the mandatory findings of Section 15332 have been met. In particular, we strongly contend that the City has failed to make the finding required by § 15332(d), which requires that approval of the Proposed Project by the City "would not result in any significant effects relating to traffic, noise, air quality, or water quality." The personal observations confirming the severe negative impacts of the multitude of similar projects in the vicinity (see Table 1, attached) is uncontroverted by anything set forth in the Approval or by anything in the record for the Proposed Project. To the contrary, by its very nature, the City's choice to apply a categorical exemption to this case means that it did not perform any tangible environmental assessment of the Proposed Project's impacts.

Further, both the Appeal Board Decision and underlying Approval fail to address adequately the inapplicability of the exception to an application of a CEQA categorical exemption as set forth in § 15300.2(d). Specifically, this provision states that a CEQA exemption based on in-fill development (or any other categorical exemption) is "inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant." Rather, the Approval merely states that the Proposed Project "would not create a significant cumulative impact on the environment nor are any unusual circumstances anticipated, given that the project will be required to adhere to all applicable building codes and regulated construction methods."

than two months due to construction of the project at 1209-1215 S. Bedford St. (which apparently included major trenching by DWP and the installation of a traffic light system at Bedford and Pico by LA Dept. of Transportation). This work represented a major inconvenience to residents, which was compounded by the City's almost complete lack of communication to residents regarding the nature and duration of the work;

- Sidewalk closures at multiple locations in the neighborhood, some lasting as much as a full year. These sidewalk closures significantly harm residents at the public generally, as they essentially prevent the free movement of pedestrians in our neighborhood. We often take our 3-year-old daughter out for a walk, and have routinely been prevented by the various construction projects in the neighborhood from safely waking with her due to sidewalk closures that go on for months or even years. We have personally witnessed elderly and disabled people who are literally put in danger because of these sidewalk closures that require them to cross the street at locations without crosswalks, etc., or who are forced to retreat and walk around the entire long block to go to their intended destination.
 - Recently the sidewalk directly across from the Proposed Project was dug up and blocked off completely from all pedestrian traffic. The negative cumulative impacts between these two Shenandoah St. projects (directly across from each other) are obvious. Neither the City nor either of the developers have proposed any measures to mitigate this readily apparent problem. How will residents even walk down this street?
- Frequent water service interruptions and shutdowns to entire blocks of residents in our neighborhood occur to service these private developers, without any warning being provided by the City. These shutdowns are at best highly inconvenient, and also cause damage to household piping and appliances;
- Substantial loss of street parking has occurred in an already very crowded neighborhood. From personal observation, we have seen our neighborhood become very difficult to park in, at least in part due to the multitude of construction projects. Each of these projects typically eliminate from 2-6 parking spaces for up to 2 years; with the observed cumulative effect that the neighborhood has increasingly suffered from a paucity of available street parking.
- Increased vehicular traffic on all streets in our neighborhood, which are already some of the City's most crowded, with little or no mitigation.
- Increased competition for on-street parking, which is already scarce on most blocks. While the project residents themselves may have underground parking, the projects individually and collectively drain the available spaces for many reasons (e.g., construction equipment, large metal debris containers parked on the streets for months at a time, utility work to service projects, which include digging up streets and using spaces, etc.)
- Changing the character of the neighborhood without appropriate City design oversight, leading to the construction of oversized, box buildings with no desirable architectural or aesthetic features.
 - The mostly built project at 121 Bedford St. is a literal monstrosity – a huge, grey, five-story box that towers over its neighbors. In fact, it is called “Bedford Towers” which serves as a literal slap in the face to those of us who have look

cumulative negative impacts of the Proposed Project, as did other members of the public. This testimony, together with the written documentation that we have timely submitted to support our appeal, set forth uncontroverted facts establishing that the multitude of large residential, development projects in our neighborhood over the past two and on-half years had and could continue to destroy quality of life in our neighborhood in many way. Of particular interest was the testimony of a resident (who lives on S. Shenandoah St.) who articulated his legitimate concerns (based on direct observation and experience) that the Proposed Project would excacerbate unavailability of street parking at and around the site. He also testified that the narrowness of S. Shenandoah St, would certainly be exacerbated by the Proposed Project, in light of another condominium project being constructed directly across the street.

Specifically, the CLAAPC was apprised, based on personal observation of Appellants and other community members who have had the misfortune to directly observe the sustained mayhem that has been caused over the last couple of years by a series of other similar projects in the immediate neighborhood, that the negative impacts from the Proposed Project would include:

- Loud noise from construction starting at 7am and continuing for 10-12 hours each day, six days per week for more than two full years. This noise has been deafening at times, and has literally forced us to leave our home for hours at a time. The noise frequently exceeds City Code limits on noise. Unfortunately, and despite complaints we have personally made to the City Department of Building and Safety, nothing has ever been done to control the dangerous and intolerable noise levels. At times, we have clearly heard and been disturbed by noise from more than one construction project simultaneously;
- Significant increase in large truck and construction vehicles on our street as well as all of the residential streets on our neighborhood. This vastly increased truck traffic has resulted in a variety of negative consequences for us and our neighbors, including, increased noise, increased exhaust, increased vibration, increased traffic circulation problems, blocked parking spots. We have personally witnessed negative cumulative impacts from multiple construction projects, whereby traffic blockages at or near one construction site compounds traffic flow and leads to truck blockages at or near the other construction sites;
- Traffic flow on our street and our neighborhood generally has suffered from these multiple projects occurring concurrently. This is caused by, among other things, an increase in truck traffic, street closures, blockages caused by construction vehicles, and large metal debris containers placed in the street effectively narrowing the street;
- Vibrations caused by construction activities and from trucks and other large vehicles frequently result on our residence shaking, which substantially interferes with our ability to utilize and enjoy our residence.
- Increased dust and particulate matter from construction activities has frequently led to the deposition of this material on our car and our home, as well as the vehicles and homes throughout the neighborhood;
- Numerous street closures on Bedford Street, Shenandoah and Whitworth Streets, as well as other neighboring streets, have occurred over the last two years, which has led to increased traffic blockages, as well as increased noise (due to the street construction, as well as from irate motorists honking due to closures as well as temporary street blockages due to large vehicles in the street, etc.). During Fall 2016, S. Bedford Street at Pico Blvd. was blocked on a daily basis for a period of more

cause a significant increase in the density of people living in the neighborhood, without a commensurate increase in the capacity of the City's infrastructure to accommodate these additional residents. These projects are also, both individually and collectively, leading to a major reduction of affordable, rent-stabilized rental units in the neighborhood, while increasing the stock of unaffordable condominiums and apartments. While these results may be acceptable (or even desirable) to City officials, they undoubtedly create negative impact those living next to or near the projects. Accordingly, the City is obligated to carefully weigh the costs and benefits of these projects, which flows in part from a careful evaluation of their environmental impacts. By performing the appropriate level of environmental evaluation, the City allows nearby residents to understand the individual and collective impacts of these successive, similar projects, and provide them with a real opportunity to be heard.

Unfortunately, rather than carefully evaluating the environmental impacts of these multiple projects, it appears that the City has not performed any environmental evaluation or analysis whatsoever on any of the identified projects.² By granting each project an exemption from the California Environmental Quality Act ("CEQA"), the City has failed to adhere to its obligation under CEQA to provide decision-makers and the public generally with sufficient information by which to evaluate the environmental and related impacts of these projects' individual impacts, as well as their cumulative impacts, on the surrounding neighborhood. The reality is that the City is authorizing the wholesale redevelopment of our formerly quiet, relatively-affordable, medium density neighborhood without an even cursory evaluation of the potentially significant environmental impacts, as required by CEQA.

As with all of the high-density, residential projects entitled and authorized by the City in our neighborhood, the 15-unit condominium project proposed for 1123-1129 S. Shenandoah St., Los Angeles (Case No. TT-73626-CN) (the "Project") has also been granted an exemption from CEQA, as set forth in the December 23, 2016 Deputy Advisory Agency approval letter (the "Approval"). We believe that the City's decision to grant the Project a CEQA exemption constitutes a legal error and prejudicial abuse of discretion, as it continues the City's harmful policy of allowing a multitude of large, environmentally impactful residential projects to overwhelm a previously quiet, family-oriented and studiously religious neighborhood, without a shred of environmental assessment.

To the contrary, based on our personal observations as to the negative effects of the various residential projects in our neighborhood, we now present to the CAPC substantial evidence that the Project will foreseeably cause significant negative impacts on the surrounding neighborhood, both in terms of its individual impacts during the construction and operational phases, as well as its cumulative impacts due to the ongoing development and construction of multiple similar projects in the immediate vicinity.

2. FACTUAL BACKGROUND

At its January 24, 2017 meeting, the CLAAPC heard our appeal challenging the propriety of the Approval. I personally testified to the many foreseeable direct and

² The five nearby projects identified in both Exhibits A and B are the ones that we are currently aware of within an approximately 500-600 foot radius of the Proposed Project. This is not an exclusive list, and it is likely that one or more other similar projects will fall within the same general radius that have already been entitled by the City, or are in the latter stages of the planning process. The City's Planning Dept. is uniquely positioned to confirm this fact and act upon it appropriately. If confirmed, then the existence of additional projects in the same vicinity only adds to the substance of our position, namely that the cumulative impacts of these multiple, successive projects of similar type need to be thoroughly evaluated by the City prior to granting any more project entitlements.

BEATRICE LEIGHTON-MARTIN
1151 S. Bedford St.
Los Angeles, CA 90035

TO: LOS ANGELES CITY COUNCIL

FROM: BEATRICE LEIGHTON-MARTIN

DATE: FEBRUARY 22, 2017

SUBJECT: APPEAL OF FEBRUARY 13, 2017 CENTRAL LOS ANGELES AREA
PLANNING COMMISSION LETTER OF DETERMINATION SUSTAINING
THE DEPUTY ADVISORY AGENCY DETERMINATION TO APPROVE THE
CONDOMINIUM PROJECT LOCATED AT 1123-1129 SOUTH
SHENANDOAH ST., LOS ANGELES, CA 90035; CASE NO: TT-73626-CN

I. EXECUTIVE STATEMENT - REASON FOR THE APPEAL TO CITY COUNCIL

My husband and I (“Appellants”) are longtime residents of the Pico-Robertson community, north of Pico Boulevard and east of Robertson Boulevard. We reside well within the 500-foot radius from the 15-unit condominium project proposed for 1123-1129 S. Shenandoah St., Los Angeles (Case No. TT-73626-CN) (the “Proposed Project”). We constitute persons “adversely affected” in this matter, as discussed below, and have good standing to appeal the February 13, 2017 Central Los Angeles Area Planning Commission (“CLAAPC”) Letter of Determination (the “Appeal Board Decision”), which sustained the December 23, 2016 Deputy Advisory Agency determination approving the Proposed Project (the “Approval”). We intend for this statement of reasons, along with all other submitted written and oral communications, to become part of the administrative record for the Proposed Project.

Within the last two and one-half years, a multitude of large, residential projects have been entitled or otherwise authorized by the City of Los Angeles (the “City”) in our immediate neighborhood. These projects are all currently under construction (or with construction expected shortly). We have identified with specificity for the purposes of this appeal several of these projects, and have described some of the adverse impacts on the neighborhood that these projects have generated (See Table 1 and Map 1, which are both attached to this statement).¹

These multiple projects are all being developed and constructed during the same time period. As a result, both individually and collectively, these projects have created significant, negative impacts on our neighborhood, and have degraded the quality of life for our family and for many of our neighbors. Based on our own personal observations, as well as conversations we have had with many of our neighbors, we identify below many of the adverse impacts to our quality of life that have occurred and will almost certainly continue to occur.

Also, once these projects are completed, the individual and cumulative effects will

¹ This information has been updated, to the best of our ability over the last six weeks, since we submitted (on or about January 3, 2017) our appeal of the Deputy Advisory Agency’s December 23, 2016 determination approving the Proposed Project. We attach our January 3, 2017 appeal package to our appeal to the City Council, and expressly incorporate its substance by reference herein.

TABLE 1**OTHER PROJECTS UNDER CONSTRUCTION/APPROVED IN CLOSE PROXIMITY TO 1123-1129 S. SHENANDOAH ST. PROJECT (NON-EXCLUSIVE LIST)**

ADDRESS	ENTITLEMENT	APPROVAL DATE	STATUS (OBSERVED IMPACTS TO NEIGHBORHOOD)
1209-1215 S. BEDFORD ST.	VESTING TENTATIVE TRACT MAP 21 UNIT CONDOMINIUM W/ DENSITY BONUS (NOTE: APPARENTLY SWITCHED TO AN APARTMENT BUILDING POST-APPROVAL)	MAY 2014	<ul style="list-style-type: none">• MODERATE INCOME TENANTS KICKED OUT OF AFFORDABLE UNITS ON 2 ADJACENT PARCELS IN EARLY 2014;• PROJECT WAS UNDER CONSTRUCTION FOR MORE THAN 2 YEARS, WITH ALMOST CONSTANT NEGATIVE IMPACT TO NEIGHBORS;• 5-STORY, GREY BOX STRUCTURE TOWERS OVER NEIGHBORHOOD (MOSTLY 2-STORY BUILDINGS);• ADVERSE IMPACTS TO NEIGHBORHOOD HAVE BEEN ENORMOUS AND CONSTANT, INCLUDING, SUSTAINED LOUD NOISE FOR UP TO 12 HOURS PER DAY, 6 DAYS PER WEEK FOR MORE THAN 2 YEARS,• A SIGNIFICANT INCREASE IN TRUCK TRAFFIC, REGULAR IDLING TRUCKS CAUSING SIGNIFICANT INCREASE IN AIR POLLUTION,• VIBRATIONS SHAKING NEARBY RESIDENCES, DUST,• NUMEROUS AND LONG LASTING STREET AND• SIDEWALK CLOSURES FOR MANY MONTHS ON END,• CONSTRUCTION WORKERS LOITERING IN FRONT OF RESIDENCES,• REGULAR WATER SERVICE INTERRUPTIONS,

			<ul style="list-style-type: none"> • LOSS OF PARKING SPOTS ON STREET FOR 2+ YEARS, • LARGE DEBRIS BIN PLACED ON STREET FOR 18 MONTHS CAUSING TRAFFIC FLOW PROBLEMS DAILY; • CUMULATIVE IMPACTS OBSERVED IN RELATION TO NEWER CONTRUCTION COMMENCED IN 2016 AT 1064-1070 S. BEDFORD ST, INCLUDING EXCACERBATING NOISE AND TRAFFIC PROBLEMS IN NEIGHBORHOOD.
<p>1220-1226 S. SHENANDOAH ST.</p>	<p>DIRECTOR'S DETERMINATION FOR DENSITY BONUS ON-THE-MENU FILING TO DEVELOP A 21 APARTMENT DEVELOPMENT</p>	<p>NOVEMBER 2015</p>	<ul style="list-style-type: none"> • TENANTS IN THE PROCESS OF BEING FORCED OUT OF AFFORDABLE UNITS – CONSTRUCTION ANTICIPATED SHORTLY – • FORESEEABLE NEGATIVE IMPACTS TO NEIGHHBORHOOD DURING CONSTRUCTION PHASE WILL INCLUDE: SUSTAINED LOUD NOISE FOR UP TO 12 HOURS PER DAY, 6 DAYS PER WEEK FOR MORE THAN 2 YEARS, A SIGNIFICANT INCREASE IN TRUCK TRAFFIC, REGULAR IDLING TRUCKS CAUSING SIGNIFICANT INCREASE IN AIR POLLUTION, VIBRATIONS SHAKING NEARBY RESIDENCES, DUST, NUMEROUS AND LONG LASTING STREET AND SIDEWALK CLOSURES, CONSTRUCTION WORKERS LOITERING IN FRONT OF RESIDENCES, REGULAR WATER SERVICE INTERRUPTIONS.

<p>1064-1070 S. BEDFORD ST.</p>	<p>NOTE: NATURE OF ENTITLEMENT UNCLEAR – NO INFORMATION AVAILABLE ON ZIMAS</p>	<p>UNCERTAIN</p>	<ul style="list-style-type: none"> • FORMER TENANTS HAVE BEEN KICKED OUT OF AFFORDABLE UNITS ON TWO ADJACENT PARCELS. • LARGE CONSTRUCTION PROJECT UNDERWAYSINCE FALL 2016 ON TWO ADJACENT LOTS. • CURRENTLY DEMOLITION AND EXCAVATION HAS BEEN COMPLETED – SITE APPEARS TO BE UNDERGOING ENVIRONMENTAL REMEDIATION, WITH SOIL VAPOR EXTRACTION VESSELS OBSERVED TO BE IN PLACE AT SITE AND DISCHARGE TO ADJACENT STORMWATER DRAIN OBSERVED; • SIGNIFICANT DISRUPTION TO NEIGHBORHOOD ALREADY EXPERIENCED, INCLUDING STREET BLOCKAGES, MAJOR INCREASE IN LARGE TRUCK TRAFFIC ON ALREADY CROWDED, NARROW RESIDENTIAL STREETS. • FORESEEABLE NEGATIVE IMPACTS TO NEIGHBORHOOD WILL INCLUDE, SUSTAINED LOUD NOISE FOR UP TO 12 HOURS PER DAY, 6 DAYS PER WEEK FOR MORE THAN 2 YEARS, A SIGNIFICANT INCREASE IN TRUCK TRAFFIC, REGULAR IDLING TRUCKS CAUSING SIGNIFICANT INCREASE IN AIR POLLUTION, VIBRATIONS SHAKING NEARBY RESIDENCES, DUST, NUMEROUS AND LONG LASTING STREET AND SIDEWALK CLOSURES, CONSTRUCTION WORKERS LOITERING IN FRONT OF RESIDENCES, REGULAR WATER SERVICE
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			<p>INTERRUPTIONS, LOSS OF PARKING SPOTS ON STREET;</p> <ul style="list-style-type: none"> • POOR CONSTRUCTION HOUSEKEEPING PRACTICES HAVE BEEN OBSERVED AT THIS SITE, INCLUDING LEAVING GATE WIDE OPEN OVER THE WEEKEND, WITH A LARGE PIT ACCESSIBLE TO ANYONE – POSES A POTENTIAL HZARD TO CHILDREN!
<p>1128 S. SHENANDOAH ST.</p>	<p>NEW 6-UNIT CONDO PROJECT WITHIN 4-STORY BUILDING</p>	<p>FEBRUARY 2015</p>	<ul style="list-style-type: none"> • FORMER TENANTS HAVE BEEN KICKED OUT OF AFFORDABLE UNIT ON ONE PARCEL; • CONSTRUCTION PROJECT UNDERWAY - CURRENTLY DEMOLITION AND UNDERGROUND PARKING EXCAVATION HAS BEEN COMPLETED; • NOTE: THIS PROJECT IS LOCATED DIRECTLY ACROSS THE STREET FROM THE PROJECT BEING APPEALED; • SIGNIFICANT DISRUPTION TO NEIGHBORHOOD ALREADY EXPERIENCED, INCLUDING STREET BLOCKAGES, MAJOR INCREASE IN LARGE TRUCK TRAFFIC ON ALREADY CROWDED, NARROW RESIDENTIAL STREETS. FORESEEABLE NEGATIVE IMPACTS TO NEIGHBORHOOD WILL INCLUDE, SUSTAINED LOUD NOISE FOR UP TO 12 HOURS PER DAY, 6 DAYS PER WEEK FOR MORE THAN 2 YEARS, A SIGNIFICANT INCREASE IN TRUCK TRAFFIC, REGULAR IDLING TRUCKS CAUSING SIGNIFICANT INCREASE IN AIR POLLUTION, VIBRATIONS SHAKING NEARBY RESIDENCES, DUST,

			<p>NUMEROUS AND LONG LASTING STREET AND SIDEWALK CLOSURES, CONSTRUCTION WORKERS LOTTERING IN FRONT OF RESIDENCES, REGULAR WATER SERVICE INTERRUPTIONS, LOSS OF PARKING SPOTS ON STREET;</p> <ul style="list-style-type: none"> • SIDEWALK IN FRONT OF THIS PROJECT OBSERVED TO BE CLOSED TO PEDESTRIAN TRAFFIC.
<p>1063 W. WOOSTER</p>	<p>NOTE: NATURE OF ENTITLEMENT UNCERTAIN- NO INFORMATION AVAILABLE ON ZIMAS</p>	<p>UNCERTAIN</p>	<ul style="list-style-type: none"> • FORMER TENANTS HAVE BEEN KICKED OUT OF AFFORDABLE UNIT ON ONE PARCEL. • CONSTRUCTION PROJECT UNDERWAY FOR MANY. CURRENTLY DEMOLITION AND UNDERGROUND PARKING EXCAVATION HAS BEEN COMPLETED; • SIGNIFICANT DISRUPTION TO NEIGHBORHOOD ALREADY EXPERIENCED AND ANTICIPATED TO CONTINUE DURING CONSTRUCTION PHASE

01/02/2017

ZIMAS PUBLIC



Generalized Zoning



Address: 1127 S SHENANDOAH ST
APN: 4332018042
PIN #: 132B169 614

Tract: TR 7171
Block: None
Lot: 51
Arb: None

Zoning: [Q]R3-1-O
General Plan: Medium Residential

 = Known Other Projects (see Exhibit A)
 = 1123-29 S Shenandoah St.



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**FEBRUARY 13, 2017 CENTRAL LOS ANGELES
AREA PLANNING COMMISSION LETTER OF
DETERMINATION**

TT-73626 -CN-2A



CENTRAL LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: FEB 13 2017

Case No.: TT-73626-CN-1A
CEQA: ENV-2016-1747-CE
Plan Area: Wilshire

Council District No.: 5 – Koretz

Project Site: 1123-1129 South Shenandoah Street

Applicant: Itzhaki Investment, LLC & Reuven & Evelyn Itzhaki Revocable Trust
Representative: Elizabeth Fonvergne, Advanced Engineering & Consulting

Appellant: Beatrice Leighton-Martin

At its meeting of **January 24, 2017**, the Central Los Angeles Area Planning Commission took the actions below in conjunction with the approval of the following project:

The merger of two lots for the subdivision and construction of a 15-unit condominium building with 32 parking spaces on a 12,718 square-foot site in the [Q]R3-1-O Zone.

1. **Determined** based on the whole of the administrative record, the Project is exempt from CEQA pursuant to CEQA Guidelines, Article III, Section 1, Class 32, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies;
2. **Denied** the appeal and **Sustained** the Deputy Advisory Agency determination to approve Tentative Tract Map No.73626-CN;
3. **Adopted** the attached Conditions of Approval; and
4. **Adopted** the attached Findings.

This action was taken by the following vote:

Moved: Oh
Seconded: Chemerinsky
Ayes: Brogdon
Absent: Chung-Kim and DelGado

Vote: 3 -0

Renee Glasco, Commission Executive Assistant I
Central Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The Central Los Angeles Area Planning Commission's decision is appealable to the Los Angeles City Council within 10-days from the mailing date on this determination letter. The Deputy Advisory Agency's decision will become final unless an appeal is filed within the timeframe. All appeal not filed within the 10-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE: **FEB 23 2017**

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Deputy Advisory Agency Determination Letter dated December 23, 2016

c: Nicholas Hendricks, Senior City Planner, Deputy Advisory Agency
Courtney Shum, Planning Assistant