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December 7, 2017

VIA E-MAIL ONLY

Honorable Jose Huizar, Chair
Honorable Members of the Planning Land
Use Management Committee of the
Los Angeles City Council
200 N. Spring Street
Room 395, City Hall
Los Angeles, CA 90012
Attn: Zina Cheng, Legislative Assistants

Re: **Case No. CHC-2017-2886-HCM / Council File: 17-1213**
106-108-1/2 South Kings Road, Los Angeles
Proposed Cultural Historic Monument Designation(s)
PLUM Hearing Date: December 12, 2017

Dear Chair Huizar and Honorable Members of PLUM Committee:

Our office represents Rimini LP, the owner of 106-108-1/2 South Kings Road, Los Angeles (the "Property"). On October 19, 2017, the City of Los Angeles ("City") Cultural Heritage Commission ("Commission") recommended that the City Council designate the Property as a Historic Cultural Monument ("HCM") based on the fact that Rudolf Ising is believed to have previously lived in the building for period of four years. In recommending designation based on such limited and unsubstantiated grounds, the Commission disregarded (a) the findings made by City staff that the Property does not warrant historic designation, (b) concurring opinions recommending against designation from established independent expert architectural historians, and (c) the HCM standards required under the Los Angeles Administrative Code ("LAAC"). The Commission also failed to consider the potentially offensive nature of Ising's works produced at the time he may have resided at the Property, including his characters known to be racially offensive and insensitive, including "Bosko," "Mammy Two Shoes," and his regular use of blackface.¹

In addition to our substantive objections to this nomination, we have also identified serious procedural infirmities that made it improper for the Commission to hear this

¹ See Gawker article "[The Bosko and Honey Revision: Warner Brothers' Attempt to Hide Sexism and Racism.](#)" September 18, 2010; and "[Racist Animated Characters that caused Controversy](#)" March 7, 2017, both attached hereto as **Exhibit A**.

nomination in the first place. During the Commission hearing on this nomination, we objected to the application's consideration based on the fact that the Commission did not hear it within the requisite 30 days after filing. By failing to hear the application within the requisite period, the application and the nomination should have been deemed denied pursuant to the LAAC. Accordingly, we oppose this nomination on both substantive and procedural grounds, and urge the City Council to defend the legitimacy of the HCM criteria - and new housing in our city - by denying this frivolous proposed designation.

BACKGROUND

In November of 2016, our client applied to the Department of City Planning for a Zoning Administrator's Adjustment ("ZAA") to permit redevelopment of the site with a new, nine (9)-unit apartment building (the "Project"). The existing building contains only three (3) units. The ZA conducted a public hearing on the application in April of 2017 and issued a letter of determination approving the Project in July of this year. The approved building elevations are attached hereto as **Exhibit B**.

On May 3, 2017, while this ZAA was in process, and without any notice to the owner, Project opponents applied to the Office of Historic Resources ("OHR") to designate the existing building as an HCM. Attached hereto as **Exhibit C** is a copy of the signed and dated application form. The application was eventually agendaized for review by the Commission on August 17, 2017. In preparation for the hearing, OHR staff prepared a thorough report that recommended **against** the Commission accepting the application for further consideration, finding that the **"property does not appear to rise to the level of significance to be individually eligible for designation as a Los Angeles City Historic-Cultural Monument."** (August 17, 2017, Staff Report, Page 3, **Exhibit D**.) The staff report also noted that the property was not identified in the City's recently conducted historic resource survey, SurveyLA, nor was it located within a potential historic district. After visiting the Property, and after reviewing additional information submitted by both the applicant and expert architectural historians, the staff recommendation remained unchanged in its opposition to the proposed HCM designation. In OHR staff's October 19, 2017 staff report, staff concluded once again that the "subject property **does not appear to rise to the level of historic significance to be individually eligible for designation as a [HCM].**" (October 31, 2017, Staff Report, Page 5, **Exhibit E**.)

Staff's recommendation was also consistent with the recommendation and analysis prepared by ESA's Historic Resources Director, expert architectural historian Margarita Jerabek, Ph.D. ESA's memorandum analyzing this nomination found that the facts "do not support the claims made in the [HCM] Application, both original and amended." (ESA Letter, October 2, 2017, **Exhibit F**.) After performing its own independent research and inspection, ESA found that the Property is not worthy of designation as an HCM because it: (i) is only incidentally associated with the long, productive life of Rudolf Ising, who had already reached the heights of his career before he lived there (Criterion 2); (ii) was a residence, and not where Ising did the work that made him notable in his field (Criterion 2); (iii) does not in any way represent Ising or his work (Criterion 2); (iv) is a simple, low quality, and heavily altered

example of the Streamline Moderne style (Criterion 3); (v) was not recognized by SurveyLA and was not included into the adjacent Beverly Square Historic District (Criterion 3); and, (vi) pales in comparison to much better, more intact examples both of the style and of engineer J.J. Rees's work—several of which are designated HCMs—that exist just one block east in an existing historic district, as well as across the city, (Criterion 3). **Based on these findings, ESA determined that the Property "is not eligible for HCM designation for being identified with [] Ising [] or as an example of the Streamline Moderne style or the work of engineer J.J. Rees []." (Id. Pg. 11.)** Thus, a strong consensus exists among City Staff, ESA, and those who advised the City during preparation of SurveyLA that the Property does not satisfy *any* of the required criteria set forth in LAMC Section 22.171.7 for designation as an HCM.

Realizing the application's complete lack of merit, the nominating applicant grasped for alternative justifications. During the prior Commission hearing, the nominating applicant generally abandoned his previous architectural arguments and instead focused almost exclusively on the claim that the building should be designated based of its alleged association with Rudolf Ising—a former illustrator and animator—who may have lived in the building for four years in the late 1930's. The last-minute nature of this change precluded a complete presentation to the Commission regarding Ising. As a result, the Commission did not receive crucial information about (i) the relative historic significance of Ising, (ii) other buildings better associated with Ising, and (iii) the racially offensive nature of some of Ising's work produced at the time he may have resided at the Property. The absence of this information prevented any meaningful consideration nomination in this regard.

Worse still, other completely irrelevant considerations were pushed on the Commission by the applicant, leading the Commission's to consider and rely on factors outside the criteria specified in the LAAC in making its recommendation. For example, substantial discussion during deliberation was devoted inappropriately to considerations of "neighborhood character," a concept that appears nowhere in the required HCM criteria or in historic preservation literature regarding a building's association with historic persons. Highlighting this, Commissioner Kennard – who made the motion to designate the Property – partially justified her motion to designated by stating that: "I'm really conflicted about this case... [but] there is no question in my mind *this is a question about neighborhood preservation*. This is about the neighborhood" (emphasis added).

The sole Commissioner who focused objectively on the relevant HCM criteria, Commissioner Kanner, emphasized the significant deficiencies in the nomination. In voting against the motion to recommend designation, Commissioner Kanner noted that there was no evidence presented by the applicant that would suggest that Irving ever did any of his actual work in the building. She further noted that given the tenuous (at best) connection between Ising and the Property, that, "it's a stretch to believe that this building should be recognized because of his association with it." Notwithstanding the absence of this critical evidence, the Commission voted 3 -1 to modify the name of the nomination from the "Aidlin-Rees Apartments" to the

"Rudolf Ising Residence," and to recommend the designation of the Property as an HCM based solely on its tenuous association with Rudolf Ising.

Now the City Council is presented with an unsupported and defective HCM nomination that fails to state or substantiate any connection to the relevant HCM designation criteria. The nomination also stands in the way of one of the City's most critical objectives, to provide expanded housing opportunities. The nomination was filed with the sole objective of thwarting the Project, and constitutes another example of how the HCM procedures are abused to oppose the City's housing objectives, and why the City must strictly apply the HCM criteria. But, motives aside, this nomination cannot stand, and we urge the City Council to overturn the Commission's recommendation for the reasons described below.

A. The Property does not meet the criteria required for HCM designation as set forth in LAAC § 22.171.7.

The LAAC sets forth specific criteria that may be considered in evaluating a properties' historic or architectural significance: the Property meets none of them. Specifically, § 22.171.7 defines an HCM as follows:

"Any site (including significant trees or other plant life located on the site), building or structure of particular historic or cultural significance to the City of Los Angeles, including 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 is identified with historic personages or with important events in the main currents of national, State or local history; or which embodies 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 or her age."

In this instance, the Commission has recommended the Property be designated as an HCM based on its association with a "historic person," i.e., Rudolf Ising. As detailed above, the Property's association with Ising is tenuous, at best. In fact, the only evidence that establishes Ising has any association with the Property are two phone book records which suggest that he and his former wife may have lived in the building for no more than 4 years. There are no photos of him on the Property, no references of the Property in his work, and no evidence on the actual Property that Irving had ever resided there.

The phrase "identified with" connotes a strong and substantial connection to a significant personage. The very recent case of the Bob Hope residence is instructive here. Earlier this year, Bob Hope's home, in which he resided for *decades*, was denied HCM designation by the Commission and ultimately the City Council based on the same criteria. Moreover, in those rare instances that a building has been determined to be historic based on its association with a historic person, it has nearly always been shown that the building itself has some *relevance* to the work and/or history of that person, or that the person was in some way

significantly connected to that building or structure during a period of significance. In this case, the only connection is two phone book entries. By all basic standards of reasonableness, and the context of other recent examples, the existence of two phone book records is wholly insufficient for designating a building as an HCM in connection with its "association" or "identification" with a person under the LAAC.

Published guidance for historic nominations of this type are similarly instructive. Attached as **Exhibit G** is a copy of the "National Register Bulletin" ("Bulletin"), issued by the U.S. Department of the Interior, which describes how the federal government evaluates potential cultural resources based on an association with a historic person. The Bulletin explains that when considering the eligibility of a resource based on its association with a historic person's life, there must be a showing that the person "directly associated with the nominated property." The Bulletin continues, noting that "[a]ssociations that, by themselves, would generally not be sufficient to qualify a property as an important representation of a person's historic significance include ownership, ownership by a relative or associate, a single visit, or other types of brief or tangential relationships." In this respect, the Bulletin elaborates how the National Register applies this standard:

Documentation must explain *how the nominated property represents an individual's significant contributions*. In addition to being directly associated with a person's productive life, a resource should represent the significant aspects of that productivity in some clear manner. If an individual is considered significant in the area of education, the nominated property should be associated with his or her educational accomplishments; if (s)he is important for contributions in the area of politics and government, the property should be related to his or her political activities. (Emphasis added.)(See Ex. F, Pg. 18.)

None of the associations required by the National Register are present in this nomination. As noted above, the nomination's only connection between Ising and the Property are two entries in a phone book, and both occurred outside the period during which Ising produced the work for which he is best recognized. There is no evidence that the Property is "directly associated" with any aspect of Ising's productive life, or that the Property "represent[s] the significant aspects of that productivity." Given the lack of any real connection between Ising and the actual Property, it would be an arbitrary abuse of discretion for the City to designate this Property as an HCM based on its association with Ising.

Allowing this nomination to go forward would also compromise the City's HCM criteria, by making nearly every building ever occupied by any celebrity or person of interest a possible HCM. In a city filled with celebrities and individuals of significance in the entertainment industry, such a standard would render nearly every building in the Hollywood as a potential HCM. Obviously, this is an unmanageable standard, and given the limited evidence presented to justify this HCM nomination, it must be denied.

B. Pursuant to LAMC 22.171.10(e).1, the application must be deemed denied as it was not heard by the Commission within the requisite 30 day period after the applicant's filing.

In addition to these substantive objections, we note the nomination occurred after the Commission lost its jurisdiction over the application. During the hearing held on this HCM nomination, we explained to the Commission that the nomination was deemed denied because it was not heard by the Commission within the LAAC's requisite 30 day period provided for the Commission to act. During the hearing, we brought to the Commission's attention LAAC Section 22.171.10(e).1, which states that the "[t]he Commission shall determine at a public meeting held within 30 days of the filing of a complete, verified application, as determined by the Director, whether to take a proposed designation of a Monument under consideration... If the Commission fails to act on an application within the time allowed by this section, the Commission shall be deemed to have denied the application."

We explained to the Commission that a complete nomination was filed by the applicant on May 3, 2017 - as evidenced by the signed application attached hereto as **Exhibit C**— and that the Commission did not hear the nomination until August 17, 2017, *more than 100 days after the application was filed*.² As the Commission failed to take an action on the application in the requisite 30 days, the application was deemed denied as of June 2, 2017.³ The Commission arbitrarily disregarded this objection, and improperly continued forward hearing the nomination.⁴

The Commission has historically recognized the limits of its authority and acted accordingly. On March 16, 2017, to the same issue arose during consideration of [Address], CHC-2017-4770-HCM. In that case, the nomination was filed on June 29, 2016, and a hearing wasn't held until January 19, 2017, more than 200 days after the application was filed. When this objection was raised before the Commission, the City Attorney appropriately advised that

² As we have been advised that the City is taking the position that the 30 days doesn't begin to run until the complete application is "deemed" complete by the Director, our office went to review the file to determine when in fact the application was actually reviewed by the Director and "deemed" complete. Of course, there is no indication of this date in the file. At the very least, we wanted to confirm when the staff report was received and signed by the Director, so we requested a copy of the signed original staff report/recommendation. Our office was advised that the signed original was apparently **lost** before copies of the files were made in order to comply with a previous public records act request submitted by the owner. We have subsequently requested that the City Attorney advise as to what date exactly the application was deemed complete, and have not been provided a response. Attached as **Exhibit H** is the email communication to the City Attorney requesting clarification on the nomination's "deemed accepted" date.

³ Although City policy is not to accept incomplete applications, we note the Permit Streamlining Act (Gov't Code § 65943) nevertheless provides that in the absence of a written notice to an applicant of any defect in the application, an application is deemed complete 30 days after submittal. As the record here contains no written notice to the applicant of any deficiency, the application/nomination was deemed complete as a matter of law on June 2, 2017. Even accepting this later date in arguendo, the application was still not heard by the Commission within 30 days of a theoretical deemed accepted date.

⁴ The LAAC provides that the 30 day time limit "may be extended by mutual consent of the applicant and the Commission," however, our review of the relevant public records shows no action by the Commission or applicant mutually agreeing to an extension.

the Commission could not act on the nomination because it was deemed denied prior to that hearing. The hearing minutes reflect this result in noting that the HCM "application is deemed denied pursuant to Los Angeles Administrative Code [Section] 22.171.10 E1." (March 16, 2017, Commission Meeting Minutes, Pg. 3.) Attached as **Exhibit I** is the Commission's letter of determination evidencing this result.

However, the Commission and Department of City Planning ("Department") staff have advanced a novel interpretation of the LAAC that allows the Commission to avoid being subject to this 30 day "time to act" requirement. This interpretation suggests that the 30 day time limit for hearing a nomination does not begin at the time a complete nomination is *filed*, but instead when the Director *deems* the application complete. In practice, this interpretation essentially renders the date of *filing* irrelevant, and thus the 30 day time to act requirement is delayed until the Director so chooses. As our office has argued vigorously in the past, this interpretation is inconsistent with the express language of the LAAC, which unambiguously states that the hearing must be "held within 30 days of the filing of a complete, verified application, as determined by the Director." It does not state, as this interpretation suggests, that a hearing must be held within 30 days of a "Director's determination that a filing is complete." The Department's interpretation of this requirement completely misrepresents the text of the LAAC.

Second, the Department's interpretation eliminates any function of the 30 day "time to act" requirement and frustrates the clear intent of the LAAC for an expedited process that provides finality. As the City does not apparently have any other required timeline establishing when the Director must deem a filing complete, in applying this "interpretation," the 30 day time to act deadline seems to begin to start whenever the Director so chooses. Accordingly, when a completed application is received by the Department, whether or not it is complete when filed, the Department is of the opinion that the application can sit on a shelf until the Director in his sole discretion chooses to pick it up and in his sole discretion deem it complete at any time. This interpretation does not comply with the clear text and intent of the LAAC, which seeks to provide both applicants and property owners alike some certainty as to when properly filed applications must be heard by the Commission.

Accordingly, the LAAC is unambiguous in requiring HCM applications to be deemed denied if not heard by the Commission within 30 days of *filing*. It is improper, and illegal, for the City to ignore this requirement, and we demand the City (a) immediately cease processing the HCM designation for this Property, (b) and issue a determination finding the HCM nomination in case number CHC-2017-2886-HCM as deemed denied as of June 2, 2017. If the City fails to comply with this clear standard of the LAAC, we reserve our right to pursue any and all legal remedies available to our client to seek relief against the City in connection with this deemed denied nomination.

CONCLUSION

As described above, the action before the City Council is both procedurally and substantively defective, and occurred outside the Commission's jurisdiction. The Commission failed to properly apply the City's HCM criteria in recommending the designation of this Property, and allowed inappropriate and irrelevant considerations to influence its decision. As a result, this HCM nomination is not supported by substantial evidence, and is in conflict with the recommendations of the City's experts, independent experts, as well as the published guidance of the National Register's Bulletin. Accordingly, the City Council must deny this HCM nomination.

Sincerely,

A handwritten signature in black ink, appearing to read 'DRAFT' in a stylized, cursive font.

BENJAMIN M. REZNIK and
DANIEL F. FREEDMAN of
Jeffer Mangels Butler & Mitchell LLP

Enclosures

CC: Faisal Alserri, Senior Planning Deputy, City of Los Angeles, Council District 5
Jim Brickhart, Policy and Legislative Consultant, City of Los Angeles, Council District 5
Kevin Keller, Executive Officer, Department of City Planning
Ken Bernstein, Manager and Principal City Planner, Office of Historic Resources
Lambert Giessinger, Historic Preservation Architect, Office of Historic Resources
Melissa Jones, Planning Assistant, Office of Historic Resources

EXHIBIT A



The Bosko and Honey Revision: Warner Brothers' Attempt to Hide Sexism and Racism



Anderson Evans

09/18/10 09:30AM Filed to: SATURDAY MORNING CARTOONS



5.51K

Before Bugs and Daffy became the "Looney Tunes" icons that they are today Leon Schlesinger was trying to horn in on the success of Walt Disney and Al Jolson.

As any animation fetishist knows, a lot of cartoons that were made in the early days do not translate particularly well in today's world. The "banned" cartoon can range from World War 2 propaganda in which Bugs Bunny is saying pretty harsh things about the Japanese people to silver screen adaptations of "Little Black Sambo." Unlike the motion pictures in which real technical strides were made in the name of intolerance (i.e. The Birth of a Nation and Jazz Singer), the culturally inappropriate dated cartoon short just makes the modern audience member nauseous and squirmy. What's infinitely more interesting than going back and mulling over misinformed propaganda is looking at what strange lengths corporations would go to to fix mistakes from the "golden age" of animation. No example is more blatant than the original "Looney Tunes:" Bosko and Honey.





The Talk-Ink Kid (1929)

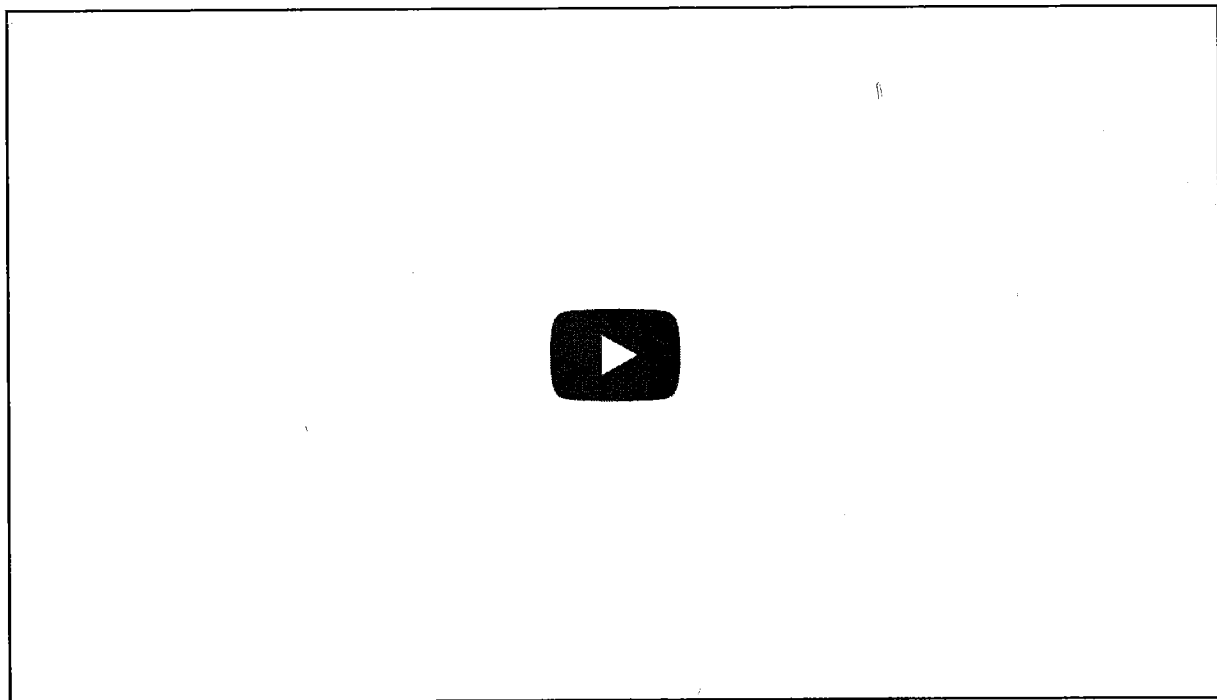
The preceding video is the first Bosko cartoon in which there are no strong themes of intolerance beyond an affectation of dialect and character design. The key concept to keep in mind is that this character is going to be known as the first Looney Tune, so even the mild trespasses of Bosko's origin can be seen as being responsible for political incorrectness latent in the schema.



Bosko at the Beach (1932)

By the time Bosko and Honey left Warner Brothers for MGM in the mid-thirties the racism at their root would become more blatant. The very derogatory illustration of poor black children would be the standard, though this fact is covered over online, good luck finding this video on YouTube in the U.S.

This brings us to the crux of this post, that being the **Tiny Toon Adventures attempt to revise our underlying notion of the very first Looney Tunes characters**. One can only speculate how this episode was arranged. Did Spielberg have an affinity for the old Bosko cartoons or was a clean-up crew asked to go in and change Generation Y's perspective of early Warner Brothers animation? The latter is the correct answer. What's even more interesting is that the new revised versions of Bosko and Honey would go on to get their own Spielberg produced show, The Animaniacs.



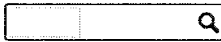
Fields of Honey (1990)Part 2



Bosco in Person (1933)



Animaniacs Opening



SHOP

MOBILE

MORE

SUBMIT

SAVE THE
INTERNET

Join Login

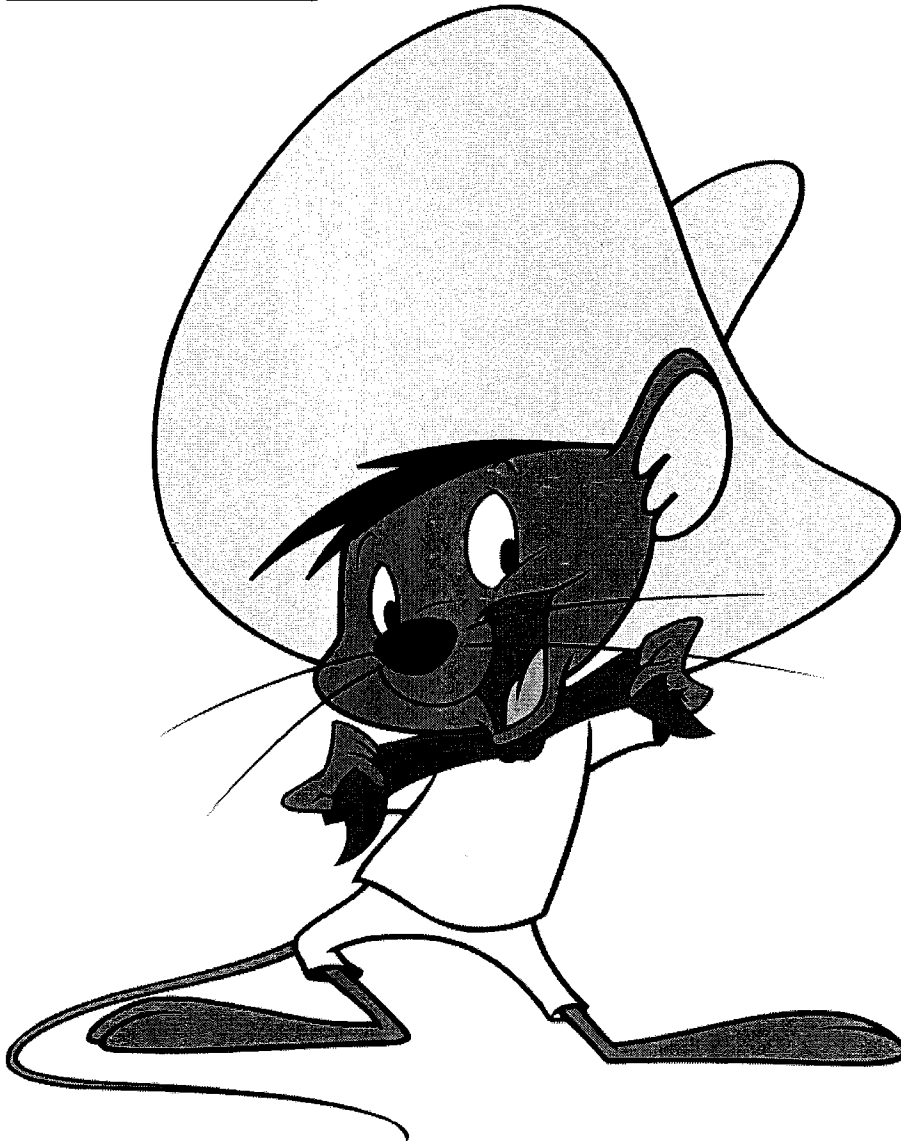


Racist Animated Characters that caused Controversy

by MaxGomora1247, Mar 7, 2017, 8:08:14 PM
Journals / Personal

WARNING: This list may contain content that is sensitive to some people. The point is not to mock or promote the racism presented, but instead to show other people how prevalent it was in our society a long time ago. We sometimes need to look back at these bad things because to not do so would be the same as pretending they never existed. Also, while this may be cheating, we will also be including some characters that may not have been intentionally racist, but still caused controversy nonetheless.

Speedy Gonzales (Looney Tunes)



We begin our list with one of the most popular characters in the Looney Tunes line up.

He made his first official debut on September 17, 1955 and since then, "The Fastest Mouse in all Mexico" has been in 46 cartoons.

However, Cartoon Network was concerned about these cartoons. They felt that Speedy's fellow Mexican mice were negative stereotypes, being portrayed as alcoholic, womanizing and stupid. When it gained exclusive rights to broadcast them in 1999, Cartoon Network shelved the cartoons.

However, they were surprised to find out that Speedy was actually very popular with Hispanics. They pointed out that Speedy himself was a positive role model and thousands of users registered their support of the character on the hispaniconline.com message boards. Thanks to these campaigns, Speedy went back

More from MaxGomora1247

YES!!!!!!!!!!!!!! FINALLY, AFTER 7 YEARS!!!!!!!!!!!!	Zodiac Showdown Alright Ladies and Gentlemen, it's time for my first Original Deviant Fighter!	Coming Soon..... Four users..... come together..... for the ultimate crossover!
Possible Future project..... Inspired by :iconsprite- genius: and others..... I	Revealing a possible future project..... Are you ready to see it? Ok, it is.....	Touhou Antinomy of Common Flowers: New Character? Remember how a while ago I
I agree..... You know what guys? I..... want this game. If the Capcom's DLC policy wasn't bullshit,	Antinomy of Common Flowers Info So as I've said a while ago, one of the next touhou games	You know, I've been thinking..... Marvel vs. Capcom Infinite is out now and what all of

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JR MYO CONTEST!!! - CLOSED!!! Edit: We are now closed for judging, any made after the	The Resource Roundup #2 The Resource Roundup is a regular feature showcasing some of the	[Tutorial 2]How to download and use Topaz Clean ? -Topaz Clean là gì ?!
COMMISSIONS SEMI-SKETCH [CLOSED] SEMI- SKETCH!	[Time-Lapse] Butterfly Bouquet Two videos each week! Every Wednesday	FAQ How did you get started? I've always sculpted as a hobby and am completely self
A Beginner's Guide to Offering Commissions Online *Edit: 06/29/2017* HI	MMD/PMX/PMD Editor Tutorials Update ***BROKEN LINKS WILL BE FIXED,	-UPDATED!!!- PAINT TOOL SAI 2 BETA EDIT: UPDATED VERSION HERE!!!

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Details

Submitted on March 7

Link

<http://fav.me/db1kfgq>

Thumb

:thumb667760714:

on the air in 2002 and he's still making appearances in Looney Tunes media since.

Bosko (Looney Tunes)



We continue with yet another Looney Tunes character, though one less well known and sadly, a bit more offensive than Speedy.

Before Bugs Bunny, before Daffy Duck, even before Porky Pig, Bosko was Looney Tunes' first big star. Created by Hugh Harman and Rudolf Ising, his first appearance was "Bosko, the Talk-Ink Kid" on April 19, 1929. He starred in 39 cartoons.

Although his looks were based on Felix the Cat, Bosko got his personality from the blackface characters of the minstrel and vaudeville shows popular in the 1930s. In keeping with the stereotypes of the minstrel shows, Bosko is a natural at singing, dancing, and playing any instrument he encounters. He even talked like a stereotypical African-American, saying things like "I sho'done likes picnics." and "Mmmm! Dat sho' is fine!". Leonard Maltin states that this early version of Bosko **"was in fact a cartoonized version of a young black boy... he spoke in a Southern Negro dialect... in subsequent films this characterization was eschewed, or perhaps forgotten. This could be called sloppiness on the part of Harman and Ising, but it also indicates the uncertain nature of the character itself."** Despite the parallels between Bosko and the blackface performers, Ising in later years would deny that the character was ever supposed to be a black caricature, and rather claimed he was supposed to be "an inkspot kind of thing." According to Tom Bertino, Harman and Ising never called attention to Bosko's racial status, and stayed clear of negative stereotypes involving dice and watermelon. Bosko instead received positive portrayals as a spunky and resourceful boy. An exception to this was a demeaning representation in Congo Jazz (1930). Bosko in a jungle setting is depicted standing between a chimpanzee and a gorilla. All three are depicted with virtually identical faces. The only things identifying him as human is his relative size and his clothes.

In 1933, Harman and Ising broke with Warner Bros. over budget disputes with Leon Schlesinger and took the rights to Bosko with them. They later went to work at MGM where they launched the Happy Harmonies cartoon series. At first, Bosko appeared in his original design and some of the old animation from the Looney Tunes series was even reused in those Happy Harmonies that featured Bosko. After only two cartoons, the character was redesigned into an identifiable black boy with an overactive imagination.

Stats

Views	2,008 (4 today)
Favourites	3 (who?)
Comments	6

x



This redesigned Bosko only starred in seven cartoons. The character's shorts received negative reception, possibly due to the use of black stereotypes in the cartoons. Eventually, Harman and Ising would discontinue the character and Bosko's career ended for good when MGM fired Harman and Ising due to cost overruns in the films they produced.

Bosko later appeared in an episode of *Tiny Toons Adventures*, but this time, he was redesigned as a dog-like funny animal similar to Yakko, Wakko and Dot of the later television series, *Anamanlacs*, presumably so as not to offend viewers with the original black-face characterizations.

Mammy Two Shoes (Tom and Jerry)

If you guys probably can't tell from all the comics I do, I freaking love Tom and Jerry. These cartoons are amazing.

However, like most cartoons from the 30's to 50's, Tom and Jerry featured racial stereotypes, most notably how Characters would turn into blackface stereotypes after explosions. Joseph Barbera, who was responsible for these gags, claimed that the racial gags in Tom and Jerry did not reflect his racial opinion; they were just reflecting what was common in society and cartoons at the time and were meant to be humorous.

Perhaps the most controversial element of the show was the character Mammy Two Shoes, a poor black maid who speaks in a stereotypical "black accent" and has a rodent problem. William Hanna and Joseph Barbera initially portrayed Mammy as the maid of the house, with the real owners unknown to audiences. Or at least her apron suggests she is a maid. Later, Hanna and Barbera seemed to suggest, through dialogue and occasional behavior, that she owns the house.

In the 1960s, the MGM animation studio, by then under the supervision of Chuck Jones, created censored versions of the Tom & Jerry cartoons featuring Mammy for television. These versions used rotoscoping techniques to replace Mammy on-screen with a similarly stocky white woman or a thin white woman and Randolph's voice on the soundtracks was replaced by an Irish-accented voice performed by actress June Foray.

The original versions of the cartoons were reinstated when Turner Broadcasting System acquired ownership of Tom & Jerry on August 4, 1986. But in 1992, the cartoons featuring Mammy were edited again; this time, to replace Lillian Randolph's voice with that of Thea Vidale, who re-recorded the dialogue to remove Mammy's use of potentially offensive dialect. These re-recorded versions of the cartoons are aired to this day on Cartoon Network.

Mammy reappeared in the 2006 series *Tom and Jerry Tales*, but this time as a White Woman named Mrs. Two Shoes.

Tijuana Toads



These two characters appeared in 17 theatrical cartoons produced by DePatie-Freleng and released through United Artists. The cartoons revolve around two toads, Toro and Pancho, who live in the Mexican city of Tijuana. Throughout the cartoon they try to eat their prey, but always get out-smarted. They would sometimes themselves be targeted by a bird, Crazylegs Crane, and would in turn always out-smart him.

The series introduced two characters who later got their own series. The Blue Racer first appeared in "Snake in the Gracias" before getting his own series in 1972. Crazylegs Crane also spun off to his own TV series on ABC in 1978.

When series began airing in 1976 as part of The Pink Panther Show, NBC redubbed Tijuana Toads and renamed it Texas Toads to make the series less offensive. Producer David H. DePatie later commented on the process: ***"When they went on television, we had to completely change them around and the series became known as the Texas Toads, and we had to redo all of the tracks that had any type of ethnic content and it really watered down the series down. We all thought it was a hell of a lot more funny when it was the Tijuana Toads, but at the time we had to do it in order to bring the thing on television."***

The characters returned for the 1993 TV series The Pink Panther. Like the original shorts shown on TV, they were rebranded as The Texas Toads and were redesigned as western sheriffs with oversized cowboy hats replacing their sombreros.

The Japanese Beetle (The Blue Racer)



Remember what I said in the Tijuana Toads segment about the Blue Racer? Well, one character that would later appear in the Blue Racer cartoons, the Japanese Beetle, also made his debut on Tijuana Toads in the cartoon "Hop and Chop".

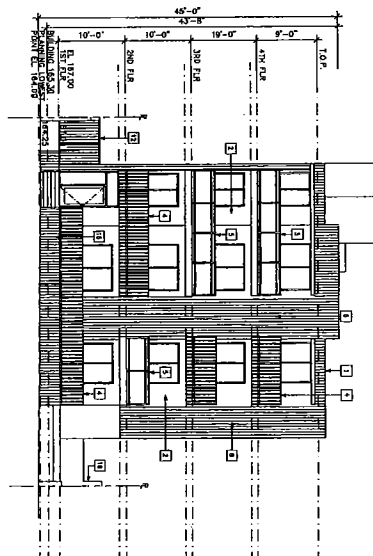
The Blue Racer was about a snake called the Blue Racer who would try to catch a Japanese Beetle, but fail. The beetle was an Asian stereotype, wearing glasses and sporting squinted eyes, buck teeth, an exaggerated accent and a black belt in Judo.

17 Cartoons were produced and the Beetle stopped appearing after the 8th cartoon Blue Racer Blues, possibly to avoid controversy.

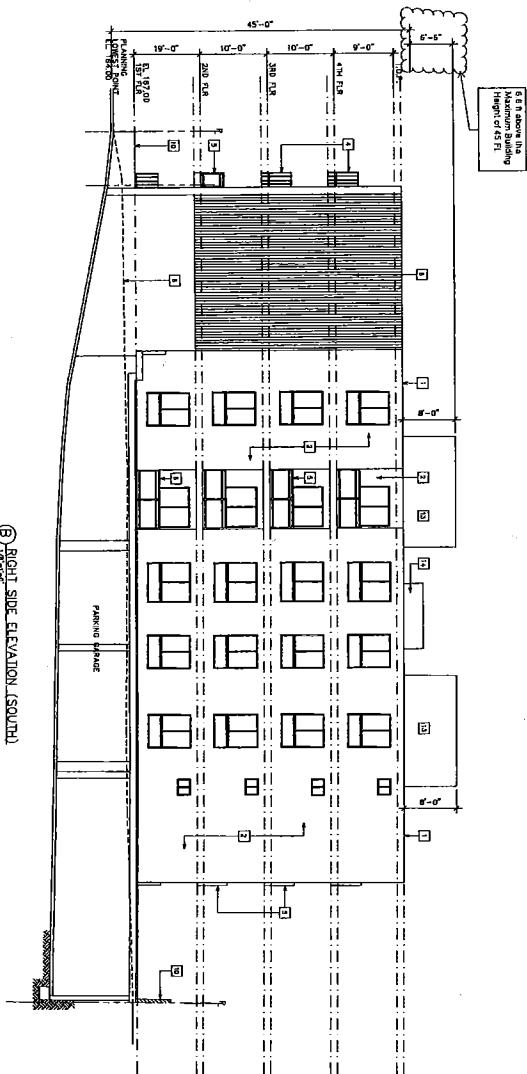
The Crows (Dumbo)

EXHIBIT B

These plans have been
REVISED
 Date: January 11, 2017



① FRONT ELEVATION (WEST)



② RIGHT SIDE ELEVATION (SOUTH)

- ELEVATION REFERENCE NOTES:**
- 1) 1/2\"/>

DATE	ISSUED FOR	DATE	REVISIONS



GURIU & ASSOCIATES
 ARCHITECTURE, PLANNING
 200 S. CALLE DE ALBA
 CHICAGO, ILL. 60606



PROJECT TITLE
 106 S KINGS ROAD

DATE
 01/11/17

PROJECT
 106 S KINGS ROAD

EXHIBIT C



HISTORIC-CULTURAL MONUMENT NOMINATION FORM

1. PROPERTY IDENTIFICATION

Proposed Monument Name: Aidlin-Rees Apartments		First Owner/Tenant	
Other Associated Names: Beverly Square Featured Apartments			
Street Address: 106 S Kings Road		Zip: 90048	Council District: 5
Range of Addresses on Property: 106-108 1/2 S Kings Road		Community Name: Wilshire	
Assessor Parcel Number: 5511016002	Tract: TR 10389	Block: none	Lot: 57
Identification cont'd:			
Proposed Monument Property Type:	<input checked="" type="radio"/> Building	<input type="radio"/> Structure	<input type="radio"/> Object
	<input type="radio"/> Site/Open Space	<input type="radio"/> Natural Feature	
Describe any additional resources located on the property to be included in the nomination, here:			

2. CONSTRUCTION HISTORY & CURRENT STATUS

Year built: 1936	<input checked="" type="radio"/> Factual <input type="radio"/> Estimated	Threatened? Private Development
Architect/Designer: Joseph J. Rees	Contractor: Samual Aidlin	
Original Use: Multifamily housing	Present Use: Multifamily housing	
Is the Proposed Monument on its Original Site?	<input checked="" type="radio"/> Yes	<input type="radio"/> No (explain in section 7) <input type="radio"/> Unknown (explain in section 7)

3. STYLE & MATERIALS

Architectural Style: Streamline Moderne		Stories: 2	Plan Shape: L-shaped
FEATURE	PRIMARY	SECONDARY	
CONSTRUCTION	Type: Wood	Type: Steel	
CLADDING	Material: Stucco, smooth	Material: Stucco, textured	
ROOF	Type: Flat	Type: Select	<input checked="" type="radio"/>
	Material: Rolled asphalt	Material: Select	<input checked="" type="radio"/>
WINDOWS	Type: Casement	Type: Select	<input checked="" type="radio"/>
	Material: Wood	Material: Select	<input checked="" type="radio"/>
ENTRY	Style: Recessed	Style: Select	<input checked="" type="radio"/>
DOOR	Type: Plank	Type: Select	<input checked="" type="radio"/>

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.

11/20/08	A small addition to the dining room of unit 108½ at the very rear of the building
1960s	Aluminum awnings over some windows
1960s	Casement windows replaced with jalousie windows; they are contained within the original frame

5. EXISTING HISTORIC RESOURCE IDENTIFICATION (if known)

<input type="checkbox"/> Listed in the National Register of Historic Places	<input type="radio"/> Contributing feature <input type="radio"/> Non-contributing feature
<input type="checkbox"/> Listed in the California Register of Historical Resources	
<input type="checkbox"/> Formally determined eligible for the National and/or California Registers	
<input type="checkbox"/> Located in an Historic Preservation Overlay Zone (HPOZ)	Survey Name(s):
<input type="checkbox"/> 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):

<input type="checkbox"/>	Reflects the broad cultural, economic, or social history of the nation, state, or community
<input type="checkbox"/>	Is identified with historic personages or with important events in the main currents of national, state, or local history
<input checked="" type="checkbox"/>	Embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for study of a period, style, or method of construction
<input type="checkbox"/>	A notable work of a master builder, designer, or architect whose individual genius influenced his or her age

CITY OF LOS ANGELES

Office of Historic Resources/Cultural Heritage Commission

HISTORIC-CULTURAL MONUMENT 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 attach 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: Steven Luftman	Company:	
Street Address: 1212 S Orlando Ave	City: Los Angeles	State: CA
Zip: 90035	Phone Number: 310-503-9958	Email: sluftman@yahoo.com

Property Owner

Is the owner in support of the nomination? ☐ Yes ☐ No ☒ Unknown

Name: ISAAC COHANZAD	Company: WISEMAN RESIDENTIAL LLC	
Street Address: 11601 Santa Monica Boulevard	City: Los Angeles	State: CA
Zip: 90025	Phone Number: (310)914-5555	Email:

Nomination Preparer/Applicant's Representative

Name: Steven Luftman	Company:	
Street Address: 1212 S Orlando Ave	City: Los Angeles	State: CA
Zip: 90035	Phone Number: 310-503-9958	Email: sluftman@yahoo.com

CITY OF LOS ANGELES

Office of Historic Resources/Cultural Heritage Commission

HISTORIC-CULTURAL MONUMENT 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. <input checked="" type="checkbox"/> Nomination Form | 5. <input checked="" type="checkbox"/> Copies of Primary/Secondary Documentation |
| 2. <input checked="" type="checkbox"/> Written Statements A and B | 6. <input checked="" type="checkbox"/> Copies of Building Permits for Major Alterations
(include first construction permits) |
| 3. <input checked="" type="checkbox"/> Bibliography | 7. <input checked="" type="checkbox"/> Additional, Contemporary Photos |
| 4. <input checked="" type="checkbox"/> Two Primary Photos of Exterior/Main Facade
(8x10, the main photo of the proposed monument. Also
email a digital copy of the main photo to:
planning.ohr@lacity.org) | 8. <input checked="" type="checkbox"/> Historical Photos |
| | 9. <input checked="" type="checkbox"/> 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.

- | | |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | 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. |
| <input checked="" type="checkbox"/> | 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. |
| <input checked="" type="checkbox"/> | I acknowledge that I have the right to submit or have obtained the appropriate permission to submit all information contained in this application. |

Steven Luftman

Name:

May 3, 2017

Date:

Signature:

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

EXHIBIT D

Los Angeles Department of City Planning

RECOMMENDATION REPORT

CULTURAL HERITAGE COMMISSION

CASE NO.: CHC-2017-2886-HCM
ENV-2017-2887-CE

HEARING DATE: August 17, 2017
TIME: 10:00 AM
PLACE: City Hall, Room 1010
200 N. Spring Street
Los Angeles, CA 90012

Location: 106-108-1/2 South Kings Road
Council District: 5 - Koretz
Community Plan Area: Wilshire
Area Planning Commission: Central
Neighborhood Council: Mid City West
Legal Description: Tract TR 10389, Lot 57

PROJECT: Historic-Cultural Monument Application for the
AIDLIN-REES APARTMENTS

REQUEST: Declare the property a Historic-Cultural Monument

OWNER(S): Rimini LP
11601 Santa Monica Blvd.
Los Angeles, CA 90025

APPLICANT: Steven Luftman
1212 South Orlando Avenue
Los Angeles, CA 90035

RECOMMENDATION That the Cultural Heritage Commission:

1. **Not take the property under consideration** as a Historic-Cultural Monument per Los Angeles Administrative Code Chapter 9, Division 22, Article 1, Section 22.171.10 because the application and accompanying photo documentation do not suggest the submittal warrants further investigation.
2. **Adopt** the report findings.

VINCENT P. BERTONI, AICP
Director of Planning

[SIGNED ORIGINAL IN FILE]

Ken Bernstein, AICP, Manager
Office of Historic Resources

[SIGNED ORIGINAL IN FILE]

Lambert M. Giessinger, Preservation Architect
Office of Historic Resources

[SIGNED ORIGINAL IN FILE]

Melissa Jones, Planning Assistant
Office of Historic Resources

Attachment: Historic-Cultural Monument Application

SUMMARY

The subject property is a two-story, three-unit Streamline Moderne-style apartment building with garages at the rear constructed in 1936 on Kings Road on the block between West 1st Street to the north and West 3rd Street to the south in the Beverly-Fairfax area of Los Angeles. It was built by engineer Joseph J. Rees for Samuel Aidlin, a local developer and contractor, as part of the Beverly Square residential development tract. This tract was originally owned and subdivided by the Merchants National Trust and Savings Bank in 1928 and was designed and marketed as an "ultra-modern" multi-family residential development.

The subject property has an irregular, L-shaped plan, a flat roof with a clay tile parapet cap, and is clad with non-smooth and combed stucco. The property features divided-lite corner windows, porthole windows, a decorative heavy wood horizontal screen and balcony railing that wraps the west and south facades on the second story, as well as a curved second story balcony on the south facing elevation. The front doors on all three units have two horizontal decorative stainless steel strips, a stainless steel kick plate, and half-round decorative stainless steel plate surrounding the door knobs. On the interior, the property exhibits original geometric handrails on the staircases, plaster crown moldings with an intricate geometric Art Deco pattern, and tile work in the kitchens and bathrooms.

The Streamline Moderne style emerged in the United States in the 1930s and is often considered to be a late branch of the Art Deco style. Where Art Deco was rich, brightly colored and highly ornamented, Streamline Moderne was sparse, stripped down and monochromatic. Rounded corners, horizontal bands, and smooth surfaces give Streamline Moderne buildings the appearance of being smoothed and rounded by aerodynamic forces. Other characteristic elements of the style include flat or nearly flat roofs, smooth stucco cladding, steel casement windows, horizontal moldings, continuous sill courses, and windows with no surrounds.

Alterations to the subject property over the years include: the replacement of original casement windows with jalousie windows and the addition of aluminum awnings over some of the windows in the 1960s; a small addition to the dining room of a rear unit in 2008; and the addition of screen doors and window security bars on some of the units at an unknown date. The building also appears to have been re-stuccoed at some point.

While the citywide historic resources survey, SurveyLA, did identify a potential district with boundaries that closely mirror those of the original Beverly Square development tract, the Beverly Square Multi-Family Residential Historic District, the subject property was not identified as a contributor nor individually eligible for historic designation at any level.

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.

DISCUSSION

The applicant argues that the Aidlin-Rees Apartments is eligible under one criterion of the Cultural Heritage Ordinance: it "embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for study of a period, style, or method of construction" as an excellent representative example of the Streamline Moderne architectural style as applied to a multi-family dwelling constructed during the mid to late 1930s.

Staff finds that the Aidlin-Rees Apartments does not appear to meet any of the Cultural Heritage Ordinance criteria. The subject property does not individually reflect the broad cultural, economic, or social history of the nation, state, or community. The new neighborhoods of the Beverly-Fairfax area of the Wilshire neighborhood were heavily marketed as discrete subdivisions and developed mostly from the mid-1920s to the early 1930s. They included a high number of multi-family residences, including numerous two-story duplexes and fourplexes in a variety of Period Revival and Modern styles like the subject property. The subject property exhibits a common typology for this time period and there is a plethora of 1930s multi-family residences extant in the Wilshire neighborhood and across the city.

The subject property is not identified with any historic personages or important historical events.

Though the apartment building retains original elements such as a flat roof, corner windows, porthole windows, and rounded corners typical of the style, the subject property is not a unique or outstanding example of the Streamline Moderne style. The Streamline Moderne style is applied to the subject property in a simplified manner and only on the front street-visible façade. Also, the addition of window awnings, security bars on some of the windows, and window box air-conditioners, as well as the non-smooth stucco cladding compromise the original design intent. Other more exemplary multi-family properties in the Streamline Moderne style that are already locally designated include the 844 South Plymouth Apartments (1936, HCM #970); Jacobsen Duplex (1938, HCM #796); the Richardson Apartments (1940, HCM #847); and the Hannah Schwartz Apartments (1947, HCM #1002).

Furthermore, the subject property is not a notable work of a master architect.

Staff finds that the property does not appear to rise to the level of historic significance to be individually eligible for designation as a Los Angeles City Historic-Cultural Monument.

FINDINGS

Based on the facts set forth in the summary, discussion, and application, the Commission determines that the property is not significant enough to warrant further investigation as a potential Historic-Cultural Monument.

EXHIBIT E

Los Angeles Department of City Planning

RECOMMENDATION REPORT

CULTURAL HERITAGE COMMISSION

CASE NO.: CHC-2017-2886-HCM
ENV-2017-2887-CE

HEARING DATE: October 19, 2017
TIME: 10:00 AM
PLACE: City Hall, Room 1010
200 N. Spring Street
Los Angeles, CA 90012

Location: 106-108-1/2 South Kings Road
Council District: 5 - Koretz
Community Plan Area: Wilshire
Area Planning Commission: Central
Neighborhood Council: Mid City West
Legal Description: Tract TR 10389, Lot 57

EXPIRATION DATE: October 31, 2017

PROJECT: Historic-Cultural Monument Application for the
AIDLIN-REES APARTMENTS

REQUEST: Declare the property a Historic-Cultural Monument

OWNER(S): Rimini LP
11601 Santa Monica Blvd.
Los Angeles, CA 90025

APPLICANT: Steven Luftman
1212 South Orlando Avenue
Los Angeles, CA 90035

RECOMMENDATION That the Cultural Heritage Commission:

1. **Not declare** the property a Historic-Cultural Monument per Los Angeles Administrative Code Chapter 9, Division 22, Article 1, Section 22.171.7
2. **Adopt** the report findings.

VINCENT P. BERTONI, AICP
Director of Planning

[SIGNED ORIGINAL IN FILE]

Ken Bernstein, AICP, Manager
Office of Historic Resources

[SIGNED ORIGINAL IN FILE]

Lambert M. Giessinger, Preservation Architect
Office of Historic Resources

[SIGNED ORIGINAL IN FILE]

Melissa Jones, Planning Assistant
Office of Historic Resources

Attachments: Commission/ Staff Site Inspection Photos—September 14, 2017
Historic-Cultural Monument Application

FINDINGS

- The Aidlin-Rees Apartments does not meet any of the four criteria of the Cultural Heritage Ordinance and therefore is ineligible for designation as a Historic-Cultural Monument.

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 subject property is a two-story, three-unit Streamline Moderne-style apartment building with garages at the rear constructed in 1936 on Kings Road on the block between West 1st Street to the north and West 3rd Street to the south in the Beverly-Fairfax area of Los Angeles. It was built by engineer Joseph J. Rees for Samuel Aidlin, a local developer and contractor, as part of the Beverly Square residential development tract. This tract was originally owned and subdivided by the Merchants National Trust and Savings Bank in 1928 and was designed and marketed as an "ultra-modern" multi-family residential development.

The subject property has an irregular, L-shaped plan, a flat roof with a clay tile parapet cap, and is clad with non-smooth and combed stucco. The property features divided-lite corner windows, porthole windows, a decorative heavy wood horizontal screen and balcony railing that wraps the west and south facades on the second story, as well as a curved second story balcony on the south facing elevation. The front doors on all three units have two horizontal decorative stainless steel strips, a stainless steel kick plate, and half-round decorative stainless steel plate surrounding the door knobs. On the interior, the property exhibits original geometric handrails on the staircases, plaster crown moldings with an intricate geometric Art Deco pattern, and tile work in the kitchens and bathrooms.

The Streamline Moderne style emerged in the United States in the 1930s and is often considered to be a late branch of the Art Deco style. Where Art Deco was rich, brightly colored and highly ornamented, Streamline Moderne was sparse, stripped down and monochromatic. Rounded corners, horizontal bands, and smooth surfaces give Streamline Moderne buildings the appearance of being smoothed and rounded by aerodynamic forces. Other characteristic elements of the style include flat or nearly flat roofs, smooth stucco cladding, steel casement windows, horizontal moldings, continuous sill courses, and windows with no surrounds.

Alterations to the subject property over the years include: the replacement of original casement windows with jalousie windows and the addition of aluminum awnings over some of the windows in the 1960s; a small addition to the dining room of a rear unit in 2008; and the addition of screen

doors and window security bars on some of the units at an unknown date. The building also appears to have been re-stuccoed at some point.

While the citywide historic resources survey, SurveyLA, did identify a potential district with boundaries that closely mirror those of the original Beverly Square development tract, the Beverly Square Multi-Family Residential Historic District, the subject property was not identified as a contributor nor individually eligible for historic designation at any level.

DISCUSSION

The applicant argues that the Aidlin-Rees Apartments is eligible under two criteria of the Cultural Heritage Ordinance. Firstly, that it “embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for study of a period, style, or method of construction” as an excellent representative example of the Streamline Moderne architectural style as applied to a multi-family dwelling constructed during the mid to late 1930s. At the August 17 hearing, the applicant provided additional research and presented the argument that the subject property also, “is identified with historic personages or with important events in the main currents of national, state, or local history” for its association with Rudolph Ising.

Staff finds that the Aidlin-Rees Apartments does not appear to meet any of the Cultural Heritage Ordinance criteria. The subject property does not individually reflect the broad cultural, economic, or social history of the nation, state, or community. The new neighborhoods of the Beverly-Fairfax area of the Wilshire neighborhood were heavily marketed as discrete subdivisions and developed mostly from the mid-1920s to the early 1930s. They included a high number of multi-family residences, including numerous two-story duplexes and fourplexes in a variety of Period Revival and Modern styles like the subject property. The subject property exhibits a common typology for this time period and there is a plethora of 1930s multi-family residences extant in the Wilshire neighborhood and across the city.

The subject property is not identified with any historic personages or important historical events. Rudolph Ising (1903-1992), who was best known as the co-founder of Looney Tunes (released 1930) and Merrie Melodies (released 1931) cartoons, moved into the subject property in 1936 and resided there until approximately 1939. While Ising also produced and directed a number of other animated films, some of which were during the time he resided at the subject property, the information provided does not substantiate him as an historic personage. Also, there is no evidence that Ising produced any of his films at the subject property and it is likely that the Aidlin-Rees Apartments was one of a number of places where Ising lived over the years.

Though the apartment building retains original elements such as a flat roof, corner windows, porthole windows, and rounded corners typical of the style, the subject property is not a unique or outstanding example of the Streamline Moderne style. The Streamline Moderne style is applied to the subject property in a simplified manner and only on the front street-visible façade. Also, the addition of window awnings, security bars on some of the windows, and window box air-conditioners, as well as the non-smooth stucco cladding compromise the original design intent. Other more exemplary multi-family properties in the Streamline Moderne style that are already locally designated include the 844 South Plymouth Apartments (1936, HCM #970); Jacobsen Duplex (1938, HCM #796); the Richardson Apartments (1940, HCM #847); and the Hannah Schwartz Apartments (1947, HCM #1002).

Furthermore, the subject property is not a notable work of a master architect. Neither Joseph J. Rees nor Samuel Aidlin were architects.

Staff finds that the subject property does not appear to rise to the level of historic significance to be individually eligible for designation as a Los Angeles City Historic-Cultural Monument.

BACKGROUND

On August 17, 2017, the Cultural Heritage Commission voted to take the property under consideration. On September 14, a subcommittee of the Commission consisting of Commissioners Barron and Kennard visited the property, accompanied by staff from the Office of Historic Resources.

EXHIBIT F

October 2, 2017



Hon. Richard Barron, AIA, Chair
Honorable Members of the Cultural Heritage Commission
Attn: Melissa Jones, Planning Assistant
City of Los Angeles
200 N. Spring Street, Rm. 559
Los Angeles, CA 90012

RE: CITY COUNCIL CASE NO. CHC-2017-2886-HCM, PROPOSED HISTORIC-CULTURAL MONUMENT DESIGNATION OF 106-108½ SOUTH KINGS ROAD; HEARING DATE: OCTOBER 19, 2017

Dear Chairperson Barron and Honorable Members of the Cultural Heritage Commission (CHC):

ESA was retained on September 7, 2017 by Wiseman Residential (Owner) to prepare this letter regarding the Aidlin-Rees Apartments located at 106-108½ South Kings Road ("Subject Property" or "Apartment") in tract 10389 of the Beverly Grove neighborhood of Los Angeles (City). The Subject Property was constructed in 1936 and built by engineer J.J. Rees for owner Sam Aidlin, a local contractor and developer.

The Owner retained ESA to peer review the original Historic-Cultural Monument (HCM) Application (Application) prepared and filed by Steven Luftman on May 3, 2017. On September 7, 2017, ESA participated in the CHC's site walk of the Subject Property and documented the Subject Property with digital photographs. ESA also conducted site-specific research utilizing building permits, Assessor records, Sanborn fire insurance maps, historic photographs, SurveyLA reports, Los Angeles city directories, articles from periodicals such as the *New York Times* and *Independent*, and websites such as IMDB.com, among others. Furthermore, it utilized the applicable Context/Theme/Property Type eligibility standards formulated for SurveyLA and evaluated the Subject Property based upon criteria used by the National Register of Historic Places, California Register of Historical Resources, and City of Los Angeles Cultural Heritage Ordinance. Professional qualifications of the relevant ESA staff are included in **Appendix A**, and photographs from the site walk which document the existing appearance of the Subject Property are included in **Appendix B**.

On August 17, 2017, the original Application was amended to include additional historical documentation regarding significant persons who resided at the Subject Property, specifically Rudolf Ising. At its meeting that day, the CHC voted to move forward with the process of designation. ESA peer reviewed the original HCM Application as well as its addendum and conducted additional historical research, including a review of the Subject Property's architectural features, the history of tract 10389, and the life of Rudolf Ising.

ESA respectfully disagrees with the Application's assertions, as the Subject Property fails to meet the applicable designation criteria. As will be explained briefly below, the Apartment neither embodies the distinguishing characteristics of the Streamline Moderne style (HCM Criterion 3) nor is truly associated with a historic personage or important events in the main currents of national, state, or local history (HCM Criterion 2). The Apartment is a simplistic example of the style and a poor example of engineer J.J. Rees's work, and does not rise to the level of design that other Streamline Moderne multi-family homes both in

Hon. Richard Barron, AIA, Chair
Cultural Heritage Commission, City of Los Angeles

tract 10389 and across the City. The above is illustrated by current photographs of the Apartment, taken by ESA, in comparison with better examples of the Streamline Moderne style. Moreover, the Apartment was home to Rudolf Ising for only four years of his long career (1936-1940), it was not where he did his work, and there are several extant properties in the Los Angeles area that are truly associated with his productive career. It is therefore not associated with the productive life of a significant personage.

HCM CRITERION 2: RUDOLF ISING

The amended Application argues that the Apartment's association with Rudolf Ising qualifies it for significance under HCM Criterion 2. Rudolf "Rudy" Ising was a significant animator and producer who had a long and prolific career, spanning from 1921 to 1976. Hailing from Kansas City, Missouri, Ising was an early hire of Walt Disney's. In 1921 he joined Disney's Kansas City Film Ad Company where he helped create the Laugh-O-Grams animated shorts for local stores.¹ He and creative collaborator Hugh Harman followed Disney to California in 1925 to continue to work for him. Ising's Disney years in California saw him working on the combined live-action/animated Alice in Cartoonland series and the Oswald the Lucky Rabbit series.² In 1929, Harman and Ising struck out on their own and created the Harman-Ising production company. It was there that Ising co-created the first talkie cartoon, "Bosko the Talk-Ink Kid."³ Ising and Harman then worked for Warner Brothers from 1930 to 1934, where they created the Looney Tunes and Merrie Melodies series.⁴ They joined MGM in 1934, close to the period of significance (1936, when the Apartment was built) for the Subject Property. After 1940, when he left the Subject Property, he continued to work for MGM until 1943, when he worked at Hal Roach Studios heading the training films unit for the U.S. Army Air Forces. Ising went into advertising after the war until his retirement in 1976.⁵

Out of this career of 55 years, however, fewer than four were spent at the Apartment. While 1936 to 1940 were notable years of Ising's career, the great majority of his work was done outside of this time period, according to IMDB.⁶ Most of Ising's productive life, by far, was *not* lived at the Apartment:

- 104 of the 136 works he produced were done outside of his time at the Apartment (77%)
- 79 of the 99 works he directed were done outside of his time at the Apartment (80%)
- All 45 works he animated were done before his time at the Apartment (100%)
- All 36 works in which he was cinematographer were done before his time at the Apartment (100%)
- 7 of the 12 works in which he acted were done his time at the Apartment (58%)
- 1 of the 2 of the works he wrote was done his time at the Apartment (50%)

Ising also had significant accomplishments before his time at the Apartment (1936-1940), indicating that his four years there are only part of his most noteworthy years. Some other achievements include, but are not limited to:

- Being nominated for an Oscar for the short "The Calico Dragon" (1935)⁷
- Animating "The Walrus and the Carpenter" segment of the *Alice in Wonderland* film (1933)⁸

¹ Denis Gifford, "Obituary: Rudolf Ising," *Independent*, August 11, 1992.

² Ibid.

³ Bruce Lambert, "Rudolf C. Ising, 80, a Cartoonist and Creator of 'Looney Tunes,'" *New York Times*, July 23, 1992.

⁴ Denis Gifford, "Obituary: Rudolf Ising," *Independent*, August 11, 1992.

⁵ Ibid.

⁶ IMDB. <http://www.imdb.com/name/nm0411208/>. Accessed September 27, 2017.

⁷ IMDB. <http://www.imdb.com/name/nm0411208/>. Accessed September 27, 2017.

⁸ IMDB. <http://www.imdb.com/name/nm0411208/>. Accessed September 27, 2017.

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- Creating Merrie Melodies (1931)⁹
- Creating Looney Tunes (1930)¹⁰
- Creating the first talkie cartoon "Bosko the Talk-Ink Kid" (1929)¹¹

Additionally, according to City Directories, the Subject Property is not the only site where Rudolf Ising lived or worked during his productive life.¹² The following sites where Ising either lived or worked are still extant:

- 9713 South Santa Monica Blvd., Beverly Hills (the location of Rudolf Ising Productions in 1956)



CREXI.com

⁹ The Big Cartoon Database. http://www.bcd.com/cartoons/Warner_Bros_/Merrie_Melodies/. Accessed September 27, 2017.

¹⁰ Bruce Lambert, "Rudolf C. Ising, 80, a Cartoonist and Creator of 'Looney Tunes,'" *New York Times*, July 23, 1992.

¹¹ Ibid.

¹² Los Angeles City Directories, 1927, 1931, 1940, 1956.

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- 200 South Doheny Drive, Beverly Hills (the home of Ising in 1940)



kbrents.com

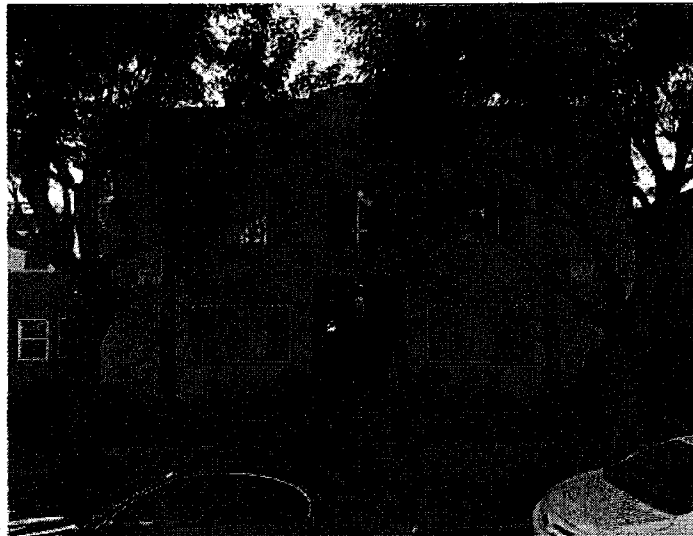
- 5460 West Santa Monica Boulevard, Los Angeles (the home of Ising in 1931)



Google Maps

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- 1801 North Alexandria Avenue, Los Angeles (the home of Ising in 1927)



Google Maps

During his time at MGM, it is unlikely that his work was done at the Apartment and there is no evidence for it. Animation production at a major studio is a highly collaborative endeavor, and as such his work was likely done with his team at MGM's studios in Culver City. Ising briefly lived at the Apartment for four years but his work—what potentially makes him a historic personage—was done elsewhere. Taking this and the aforementioned factors into account, it becomes clear that the Apartment does not meet the threshold to qualify for significance under Criterion B. It is only incidentally associated with Rudolf Ising and in no way represents him or his work. His brief time there represents only a fraction of his long career, which was already blossoming well before he lived there. Additionally, other residences and offices from his productive life are extant in the Los Angeles area.

HCM CRITERION 3: STREAMLINE MODERNE STYLE

The HCM Application identifies the Apartment's style as Streamline Moderne. Emerging in the 1930s, the Streamline Moderne (or Art Moderne) style represents, in the words of Virginia Savage McAlister, author of *A Field Guide to American Houses*, "another, more diffuse influence [affecting] the Modernistic style—the beginning of streamlined industrial design for ships, airplanes, and automobiles."¹³ The style is characterized by smoothness, curves, and horizontality, giving the feeling "that airstreams could move smoothly over them; thus they were streamlined."¹⁴ Furthermore, SurveyLA's criteria considerations for Streamline Moderne include "horizontal orientation; rounded corners and curved surfaces, emulating a 'windswept' appearance; flat or nearly flat roofs; speed lines at wall surfaces, such as horizontal moldings and continuous sill courses; smooth stucco cladding; metal, often steel casement, windows; unadorned wall surfaces, with minimal ornament; windows 'punched' into walls, with no surrounds."¹⁵

¹³ Virginia Savage McAlister, *A Field Guide to American Houses: The Definitive Guide to Identifying and Understanding America's Domestic Architecture* (New York: Alfred A. Knopf, Inc., 1989), 465.

¹⁴ *Ibid.*, 465-466.

¹⁵ SurveyLA, *Architecture and Engineering Context*. May 6, 2014. <http://preservation.lacity.org/news/surveyla-historic-context-outline-and-summary-tables-published>

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Considering the above, it is surprising that the Apartment should be regarded as a notable example of the Streamline Moderne style. It is a simple, non-architect designed building that only applies its style to the street visible facades. It has several features that are *not* characteristic of the Streamline Moderne style including:

- rough stucco cladding (including rough cladding that attempts to emulate speed lines between some second story windows)
- a lack of round windows
- a paucity of curved corners (as demonstrated by one curved balcony and corresponding steps)
- clay tile coping on the roof (not present on the original Apartment, according to Assessor records)

Compromises to its integrity as well as its potential significance under Criterion 3 include later alterations such as:

- aluminum awnings installed in the 1960s over some of the windows
- security bars over many first floor windows
- jalousie windows replacements for many windows
- air conditioning units in seven windows
- likely replaced garage doors
- a rear addition made in 2008
- rough stucco repair in many areas

The Apartment is clearly not a distinctive or unique example of the Streamline Moderne style. Validating this is SurveyLA, which did not identify the Apartment as potentially eligible individually in its 2015 Wilshire CPA survey. The Streamline Moderne apartment building at 8366 West 1st Street, across the street from the Subject Property, was recommended eligible at the national, state and local levels by SurveyLA as an "Excellent example of a Streamline Moderne apartment house in the area, designed by notable local architect Milton J. Black" that "retains all of the essential character-defining features of the style." As **Figure 1** demonstrates, SurveyLA also excluded the Apartment, along with the rest of its block, from the boundaries of the adjacent Beverly Square Multi-Family Residential Historic District (District). The District was identified because it is a concentration of "excellent examples of a 1930s multi-family residential district," with many multi-family residences designed by local architect Milton J. Black.¹⁶ SurveyLA excluded the Apartment because it did not meet SurveyLA eligibility thresholds and therefore did not qualify as a contributor to any potential district in the area.

Tract 10389 was originally subdivided by Merchants National Trust and Savings Bank of Los Angeles in July of 1928, according to the original tract map. The Depression seems to have brought development in the subdivision to a halt until approximately 1935, when it was rebranded Beverly Square and construction resumed in earnest until another economic lull in 1938.¹⁷ Numerous advertisements beginning in 1935 extol the Period Revival, Minimal Traditional, and Streamline Moderne apartments for sale, promising "a combination of home and income, through smart, new, ultra-modern studio apartments."¹⁸ As Survey LA's chosen boundaries for the District make clear, however, not all of these homes are of equal significance or integrity. Only 38 of the 104 parcels in the Beverly Square subdivision, centered mainly on 1st Street and Flores Street, were selected. Some apartments designed by Milton Black

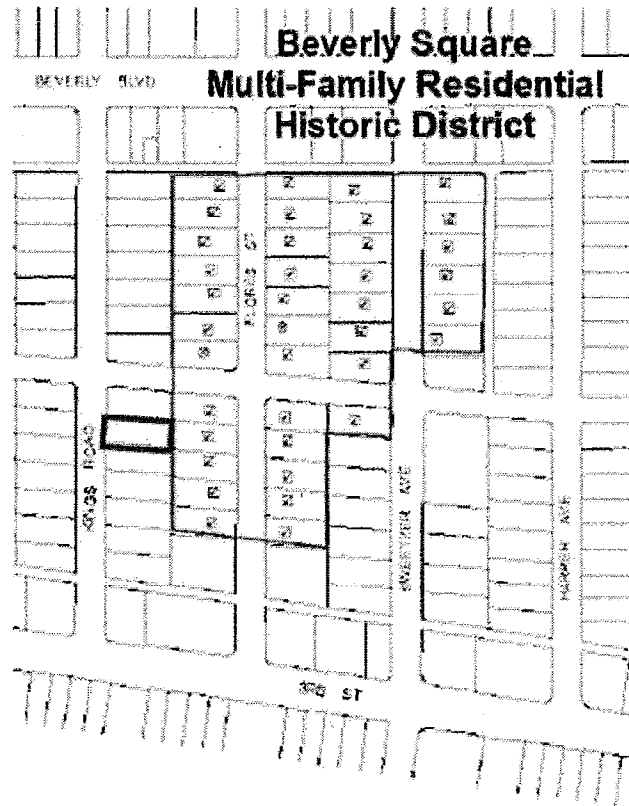
¹⁶ SurveyLA, *Historic Resources Survey Report: Wilshire Community Plan Area*. Prepared by ARG, Inc. for the City of Los Angeles. January 23, 2015. 123.

¹⁷ *Ibid.*, 122.

¹⁸ "One of Forty New Such Structures," *Los Angeles Times*, September 20, 1936.

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that are within the tract, but not the District, include 8366 West 1st Street, across from the Apartment, and 110-114 South Kings Road, immediately to the south of it.



Context 1:

Context:	Residential Development and Suburbanization, 1850-1980
Sub context:	Multi-Family Residential Development, 1910-1930
Theme:	Multi-Family Residential, 1910-1930
Sub theme:	Multi-Family Residential District, 1910-1930
Property type:	Residential Multi-Family
Property sub type:	Multi-Family District
Criteria:	C/ S/3
Status code:	35,305553
Reason:	Excellent example of a 1930s multi-family residential district containing a mix of multi-family property types, from duplexes to apartment houses. The Beverly Square developments showcased "modern" apartment house designs, many by noted local architect Milton J. Black.

106-108 1/2 S. Kings Road / DPWSMO1.HS

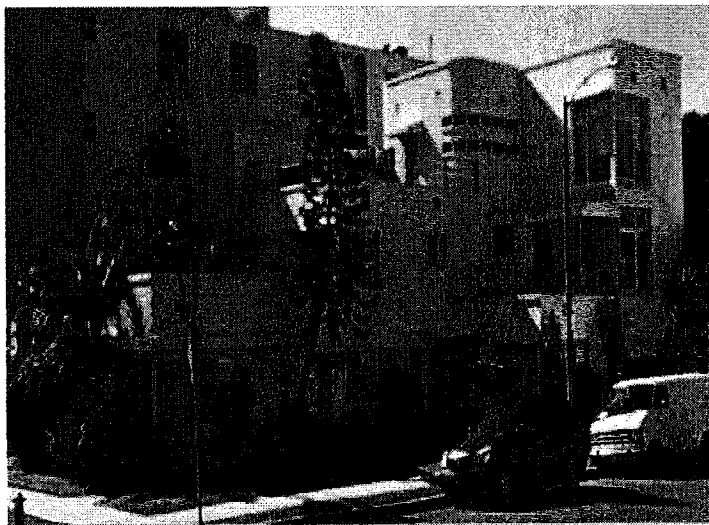
Survey/LA

Figure 1
Beverly Square Multi-Family Residential Historic District (Subject Property outlined in blue)

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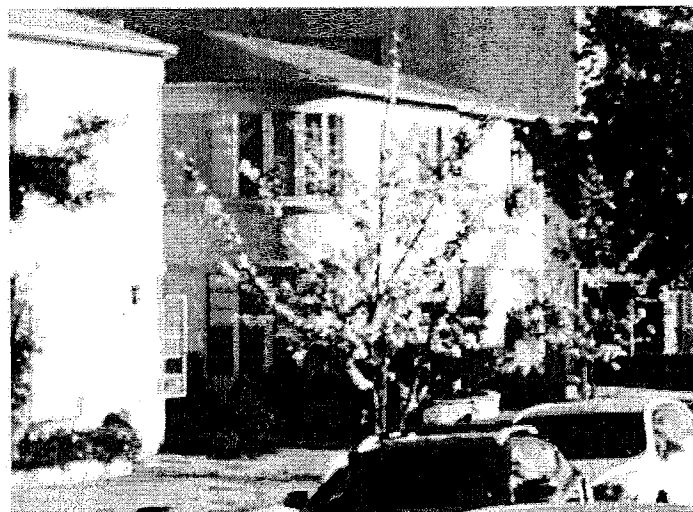
There are much better examples of multi-family Streamline Moderne properties in the tract and in the City as a whole. These examples demonstrate superior, more elaborate applications of the Streamline Moderne style—either pure or mixed with American Traditional style—and have more character-defining features present. J.J. Rees, the engineer for 106-108½ South Kings Road, was also the engineer for some of these examples, demonstrating that the Apartment is not an instance of his best work. Better examples in the tract include:

- 8366 West 1st Street (1936, identified as an individual resource in SurveyLA. Milton J. Black, architect.)



Google Maps

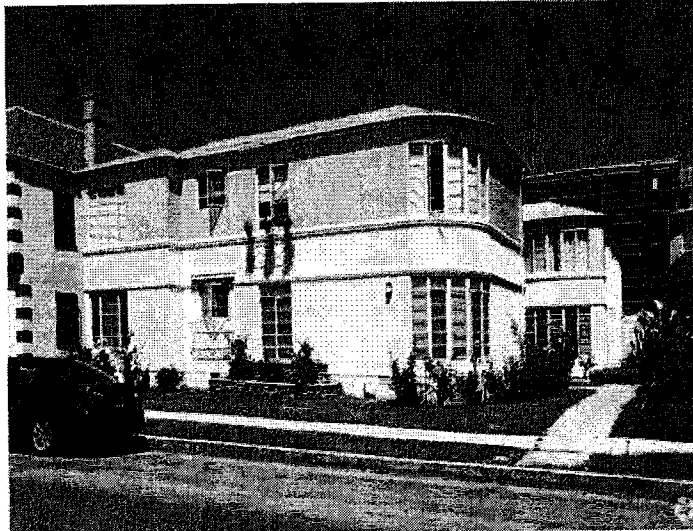
- 122 South Flores Street (1936, Contributor to SurveyLA Historic District. J.J. Rees, engineer.)



Google Maps

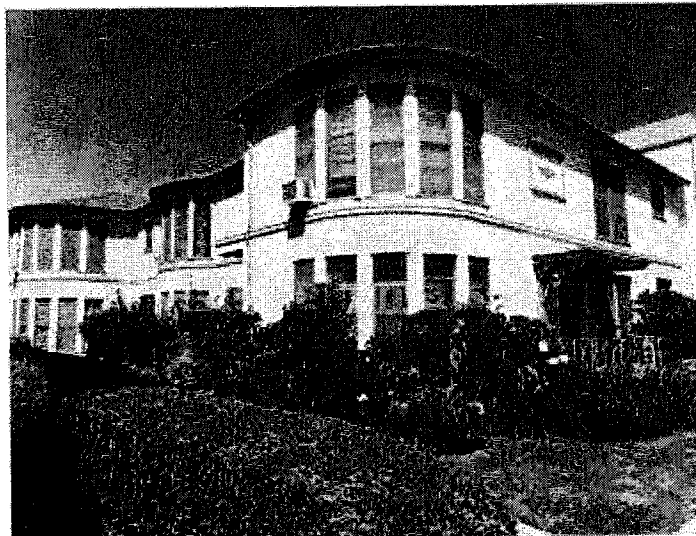
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- 118 South Flores Street (1940, Contributor to SurveyLA Historic District. J.J. Rees, engineer.)



Apartments.com

- 119 North Sweetzer Avenue (1948, Contributor to SurveyLA Historic District. J.J. Rees, engineer.)

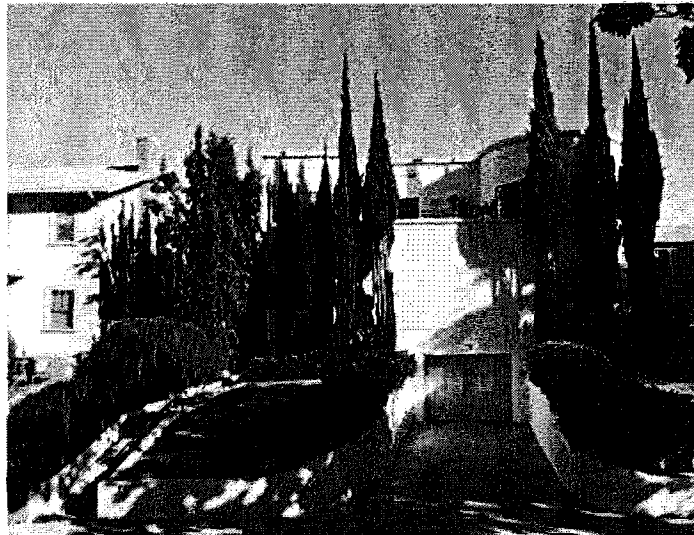


Realtor.com

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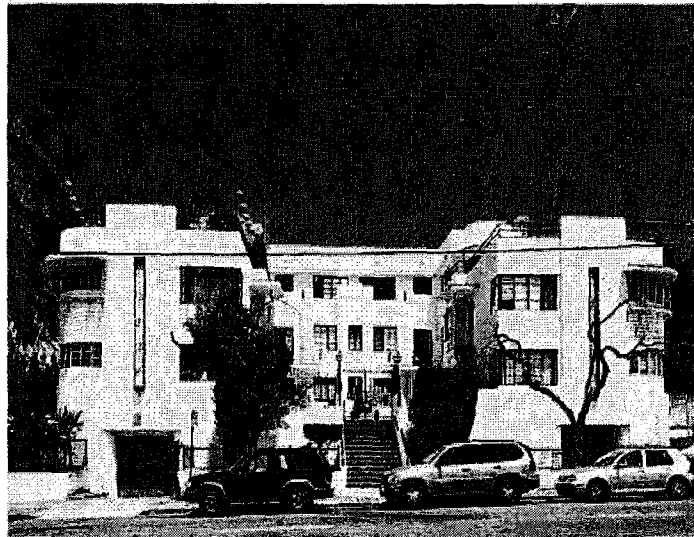
Better examples in the rest of City include, but are certainly not limited to:

- 844 South Plymouth Apartments (1936, HCM #970)



Google Maps

- Richardson Apartments (1940, HCM #847)



Pinterest

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CONCLUSION

ESA's survey of 106-108½ South Kings Road and extensive historical research do not support the claims made in the Application, both original and amended. The Subject Property:

- Is only incidentally associated with the long productive life of Rudolf Ising, who had already reached the heights of his career before he lived there (Criterion 2)
- Was a residence, and not where Ising did the work that made him famous in his field (Criterion 2)
- Does not in any way represent Ising or his work (Criterion 2)
- Is a simple, low quality, and heavily altered example of the Streamline Moderne style (Criterion 3)
- Was not recognized by SurveyLA and was not included into the adjacent Beverly Square Historic District (Criterion 3)
- Pales in comparison to much better, more intact examples both of the style and of engineer J.J. Rees's work that exist just one block east in the District and across the city, including designated Historic-Cultural Monuments (Criterion 3)

Therefore, ESA concludes that 106-108½ South Kings Road is not eligible for HCM designation for being identified with Rudolf Ising (Criterion 2) or as an example of the Streamline Moderne style or the work of engineer J.J. Rees (Criterion 3).

Sincerely,



Margarita Jerabek, Ph.D.
Director of Historic Resources

Appendix A: Professional Qualifications

Appendix B: Existing Appearance of 106-108½ South Kings Road

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APPENDIX A: PROFESSIONAL QUALIFICATIONS



Margarita Jerabek, PhD

Historic Resources Director

EDUCATION

Ph.D., Art History,
University of California,
Los Angeles

M.A., Architectural
History, School of
Architecture, University
of Virginia

Certificate of Historic
Preservation, School of
Architecture, University
of Virginia

B.A., Art History, Oberlin
College

30 YEARS EXPERIENCE

AWARDS

2014 Preservation
Award, The Dunbar
Hotel, L.A. Conservancy

2014 Westside Prize, The
Dunbar Hotel, Westside
Urban Forum

2014 Design Award:
Tongva Park & Ken
Genser Square, Westside
Urban Forum

2012 California
Preservation Foundation
Award, RMS Queen Mary
Conservation Management
Plan, California
Preservation Foundation

PROFESSIONAL AFFILIATIONS

California Preservation
Foundation

Santa Monica Conservancy

Los Angeles Conservancy

Society of Architectural
Historians

National Trust for
Historic Preservation
Leadership Forum

American Institute of
Architects (AIA), National
Allied Member

Margarita Jerabek has 30 years of professional practice in the United States with an extensive background in historic preservation, architectural history, art history and decorative arts, and historical archaeology. She specializes in Visual Art and Culture, 19th-20th Century American Architecture, Modern and Contemporary Architecture, Architectural Theory and Criticism, Urbanism, and Cultural Landscape, and is a regional expert on Southern California architecture. Her qualifications and experience meet and exceed the Secretary of the Interior's Professional Qualification Standards in History, Archaeology, and Architectural History. Margarita has managed and conducted a wide range of technical studies in support of environmental compliance projects, developed preservation and conservation plans, and implemented preservation treatment projects for public and private clients in California and throughout the United States.

Relevant Experience

Margarita has prepared a broad range of environmental documentation and conducted preservation projects throughout the Los Angeles metropolitan area and Southern California. She provides expert assistance to public agencies and private clients in environmental review, from due diligence through planning/design review and permitting and when necessary, implements mitigation and preservation treatment measures on behalf of her clients. As primary investigator and author of hundreds of technical reports, plan review documents, preservation and conservation plans, HABS/HAER/HALS reports, construction monitoring reports, salvage reports and relocation plans, she is a highly experienced practitioner and expert in addressing historical resources issues while supporting and balancing project goals.

She is an expert in the evaluation, management and treatment of historic properties for compliance with Sections 106 and 110 of the NHPA, NEPA, Section 4(f) of the Department of Transportation Act, CEQA, and local ordinances and planning requirements. Margarita regularly performs assessments to ensure conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and assists clients with adaptive reuse/rehabilitation projects by providing preservation design and treatment consultation, agency coordination, legally defensible documentation, construction monitoring and conservation treatment.

Margarita is a regional expert on Southern California architecture. She has prepared a broad range of environmental documentation and conducted preservation projects throughout the Los Angeles metropolitan area as well as in Ventura, Orange, Riverside, San Bernardino and San Diego counties. Beyond her technical skill, she is a highly experienced project manager with broad national experience throughout the United States. She currently manages PCR's on-call preservation services with the City of Santa Monica, County of San Bernardino Department of Public Works, City of Hermosa Beach, Los Angeles Unified School District, and Long Beach Unified School District.



Amanda Kainer

Senior Architectural Historian

EDUCATION

M.S., Historic Preservation (Emphasis: Conservation Science), Columbia University, New York, New York

B.S., Design (Emphasis: Interior Architecture), University of California, Davis

B.A., Art History, University of California, Davis, 2002

9 YEARS EXPERIENCE

PROFESSIONAL AFFILIATIONS

California Preservation Foundation

Los Angeles Conservancy

Santa Monica Conservancy

Docomomo SoCal

Association of Preservation Technology Western Chapter

Society of Architectural Historians

AWARDS

Joel Polsky Academic Achievement Award, American Society of Interior Designers

Amanda Kainer has more than eight years of professional and academic experience in the practice of historic preservation and architectural history. Amanda has conducted extensive archival research, field observation, recordation, and prepared survey documentation and assisted in database management for numerous historic resources projects. She has training and substantial experience in the evaluation and conservation of art and architecture and passion for interior design.

Relevant Experience

Amanda has completed and co-authored a wide range of architectural investigations including historic resources assessment and impacts analysis reports for compliance with CEQA, character-defining features reports, plan reviews, investment tax credit applications, Section 106 significance evaluations, and HABS documentations. She has also performed extensive research, survey work, and prepared numerous landmark and preliminary assessment reports as a part of ESA's On-Call Historic Preservation Contract with the City of Santa Monica.

She is involved a diverse set of projects and analyses. These include anything from a California Register nomination for the UCLA Faculty Center to a paint analysis for a Churrigueresque style 1920s commercial building in Santa Monica. She has co-authored Section 106 reports for the residential development in Thousand Oaks, Santa Monica Pier, Avalon Fuel Dock on Catalina Island, and a Mid-Century roadside motel in Bakersfield. For LAUSD, Amanda authored a character-defining features analysis for seven historic schools, provided historic analysis for an MND, and preliminary resource evaluations and plan reviews for various historic schools.

Historic Resources Assessments: Amanda has contributed to the research, site inspections, and report preparation of a number of historic resources assessments in the Los Angeles metropolitan area for compliance with CEQA. Amanda has evaluated a number of different types of potential historical resources, including single-family and multi-family residences, banks, commercial buildings, schools, hotels, and cultural landscapes in Beverly Hills, Venice, Los Angeles, and Santa Monica.

Large Scale Survey Experience: She was a contributing author for three major Community Redevelopment Agency of the City of Los Angeles— Adelante Eastside, Wilshire Center/Koreatown, and Normandie 5 Redevelopment Areas. Amanda also served as Survey Team Leader and co-author for the comprehensive survey of over 4,000 objects of fine and decorative arts aboard the RMS Queen Mary in Long Beach. Additionally, Amanda helped complete the district-wide survey and evaluation of the Long Beach Unified School District and a windshield survey of Hermosa Beach for the Historic Resources Chapter of the Hermosa Beach General Plan Update.



Max Loder

Associate Architectural Historian

EDUCATION

M.A., Public History
with a concentration in
Historic Preservation,
University of
California, Riverside

B.A, History,
University of
California, Los
Angeles

4 YEARS EXPERIENCE

Max Loder is an architectural historian with more than four years of professional experience performing field surveys and preparing DPR forms; preparing statements of significance; conducting historical analysis, composing architectural descriptions; and conducting necessary project research. He also has a year of public sector planning experience in design review. He has worked closely with private individuals, public officials, and large and small organizations to help work toward solutions to their historic and planning needs.

Relevant Experience

Department of City Planning, City of Los Angeles. *Historic Preservation Overlay Zones (HPOZ) Unit in the Office of Historic Resources.* Assisted HPOZ staff with client walk-ins, conducting design review, drafting casework letters/certificates, and public outreach/presentations regarding adoption of HPOZs. Conducted field surveys of several HPOZs, using photography and making note of historical elements. Corrected technical elements on databases of HPOZ properties and research historical patterns of neighborhood growth. Communicated with project applicants to improve their projects' conformance with preservation guidelines.

SR 710 North Project, South Pasadena, CA. *Architectural Historian.* Worked on a project-hire basis for a consulting firm on findings of no adverse effect related to the SR 710 North project. Specifically worked on the descriptions of historic properties and resources sections of the findings.

University of California, Riverside. *History Graduate Teaching Assistant.* Engagingly led three sections of approximately 25 undergraduates each. Prepared detailed lessons to review course material and primary sources in depth. Fielded student questions/concerns and evaluated students' examinations, papers and course performance.

The Young Oak Kim Center for Korean American Studies, UC Riverside. *Research Intern.* Researched primary sources to build list of Koreans present in Riverside around 1900. Assisted with oral histories of prominent Korean American individuals. Augmented and edited statement of historical significance for NRHP application for the Willows Airfield in Glenn County, California, a place of significance to the history of Korean American aviation.

VinCate & Associates Preservation Consultants, Riverside, CA. *Architectural Historian.* Completed successful application for City Landmark status for property in Riverside. Researched and composed statement of significance and architectural description. Completed necessary DPR forms. Liaised with City of Riverside planning staff to guide application to completion.

Dominguez Rancho Adobe Museum, Rancho Dominguez, CA. *Intern.*

Worked with the rare books collection, assessing storage needs and recommending solutions. Inventoried materials, using Past Perfect, and cared for three-dimensional objects in the collection. Catalogued and digitized aviation collection (print materials), using Past Perfect.

Santa Monica College, CA. *History Tutor.* Initiated tutoring service. Assisted students preparing for exams and quizzes. Proofread and advised students on paper drafts.

Santa Monica History Museum, Santa Monica, CA. *Research Volunteer.* Researched and composed articles on local history. Conducted historical research relevant to museum collections. Inventoried collections toward establishing museum relocation plan. Arranged for professional evaluation of an early eighteenth century French book I discovered in the archives.

Publications and Presentations

"Citrus, Modernism, & STEAM: The Three Lives of the Downtown Riverside Library," UC Riverside (2016).

"Paradoxical Continuity: Antimasonry as a Progression of Masonic Values." REHMLAC at Universidad de Costa Rica 5 (2013): 80-96.

Contributions to the "Justice for Janitors Online Archive," UCLA, Public History Seminar (Dr. Tobias Higbie) (2011).

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APPENDIX B: EXISTING APPEARANCE OF 106-108½ SOUTH KINGS ROAD

EXHIBIT G

NATIONAL REGISTER. BULLETIN

Technical information on comprehensive planning, survey of cultural resources, and registration in the National Register of Historic Places.

U.S. Department of the Interior
National Park Service
Interagency Resources Division

Guidelines for Evaluating and Documenting Properties Associated with Significant Persons



Sequoyah



Lucretia Mott

Example #4; Not acceptable:

The Governor Robert E. Pattison House . . . reflected the style and grace that became Overbrook Farms, . . . one of the more exclusive nineteenth century suburban developments in [the city]. . . .

Initially pursuing a career in law, Pattison's eloquence and public presence led him to enter the world of politics. . . . His name was . . . placed in nomination . . . for City Comptroller. At the time, this office was rife with corruption, and in populis [sic] revolt against official mismanagement, Pattison was elected by a wide margin. . . . Under his administration, major reforms were instituted and the City's financial situation greatly improved. The Governor's new found reputation as a reformer and smart businessman insured his re-election by a large popular vote.

Pattison's success . . . brought him the Democratic nomination for Governor in 1882, a position he won handily. . . . Again, his business acumen prevailed and the State's financial situation improved during the Governor's term in office. Pattison returned to private life . . . and his years as a private citizen proved to be as illustrious as his public life. . . . Again, in 1890, Pattison was nominated to the office of Governor on a reform platform, winning by a state-wide margin. His second term was, however, marred by labor strikes and bank closings.

At the end of his second term, Pattison made plans to retire to an elegant new home . . . in Overbrook Farms.

Comment: This is the house to which Pattison retired after accomplishing the significant achievements discussed in the nomination. There is no information on Pattison's activities while living in the house, and no information on the existence or strength of associations of Pattison's homes during his active political career. In order to demonstrate eligibility under Criterion B, the nomination would have to show that Pattison's retirement home represents his productive life, or an important aspect of his life or career not represented by other properties; or that this house is important as the only, or the most important, remaining property with integrity that represents Pattison's life.

8. Documentation must explain how the nominated property represents an individual's significant contributions.

In addition to being directly associated with a person's productive life, a resource should represent the significant aspects of that productivity in some clear manner. If an individual is considered significant in the area of education, the nominated property should be associated with his or her educational accomplishments; if (s)he is important for contributions in the area of politics and government, the property should be related to his or her political activities. An office might best represent an individual's professional career, a laboratory or studio might represent a person's scientific or artistic achievements, and a community center, city park, or other gift might represent his or her important charitable contributions. A person's home at the time (s)he achieved significance will usually represent any significant accomplishments that occurred while the individual was living in that home.

Sometimes it may be appropriate to recognize both the home and the workplace of a significant person. For example, James J. Hill's home in St. Paul, Minnesota, a National Historic Landmark, represents the period of Hill's life after he had achieved wealth and prominence. The railway company shops (see Example #2, p. 11) represent an important aspect of Hill's early career, prior to the time he constructed the house now recognized as a landmark.

Example #1; Acceptable:

The farm is associated with one of the most important national political figures to come from Illinois in the early 20th century—Henry T. Rainey. Rainey gave thirty years of service to his district, state, and country in a national legislative capacity from 1903-1934—providing leadership in such areas as conservation of natural resources, determination of tariff and tax rates, waterway transportation, and establishment of programs beneficial to farmers, laborers, and veterans. . . . The entire Rainey farm is significant since it served as the basis for Henry T. Rainey's development as champion of the American farmer and American agriculture. Farming activities at Walnut Hall [Rainey Farm] such as the demonstration of scientific agricultural techni-

ques, diversification of farm production, and the fostering of self-help programs among farmers all provided Rainey with the perspectives he needed to assume agricultural leadership in Congress.

Congressman Henry T. Rainey was one of Illinois' most influential, national political figures in the first third of the twentieth century. As a 15 term congressman from Illinois (1903-1934), he skillfully influenced major legislation in a number of key areas. In 1916, a national voters' organization said that Rainey was one of the 10 percent of Congress who controlled the legislative process. He gained a reputation as a reformer, skilled debater and orator, muckraker, and a fiercely partisan Democrat. . . .

He helped draft some of the nation's first laws controlling dangerous drugs, and sought and won adoption of a commission to set tariffs. The commission replaced politics with scientific principles in setting tariff rates. Agricultural aid programs and flood control, especially for his Illinois constituents, were other of his priorities. . . .

For fourteen years, Rainey was involved in the promotion of water conservation legislation, culminating in the passage and signing into law by President Wilson on June 11, 1920 of the Water Power Act of 1920. The passage of the act inaugurated a new policy of continuing public ownership and federal trusteeship of water power sites. . . .

Rainey's greatest political success was an [sic] instigator and promoter of the Great Lakes to Gulf of Mexico waterway, which provided transportation and flood control along the Illinois and Mississippi Rivers. Rainey said he wanted to "bind the corn fields of the north to the cane fields of the south" and fought for the waterway from the start of his term in Congress until it was completed in 1933. . . .

Rainey's ownership of his Carrollton farm, along with a large rural constituency, were key factors in his involvement in the national agricultural issues of the 1920's. It was during this era that farm leaders fought to achieve two principal objectives; wresting control of agricultural policy from representatives of the industrial community, and a national



Henry T. Rainey Farm, Greene County, Illinois (Dowd Sullivan).

policy commitment to equalize agriculture with manufacturing interests.⁴ Since Rainey represented the largest agricultural district in the state, he became deeply involved in the farmer's plight for a better rural economy and political power. . . .

Rainey's farm operation was a showplace of modern agriculture and he became an enthusiastic supporter of purebred livestock and improved farming techniques. . . . The farm was also used by the University of Illinois College of Agriculture as administration center for scientific agriculture. . . .

Rainey was also instrumental in the establishment of the Greene County Farm Bureau and the Bureau's newsletters were filled with references to his activities on behalf of local agricultural issues.

Comment: The documentation shows the importance of the farm in understanding Rainey's significance by explaining both how operation of the farm gave Rainey useful perspective on farm issues and influenced his actions in Congress, and how his operation of the farm contributed to local and state agricultural practices.

Example #2; Acceptable:

The Bonniebrook Homestead is significant as the one site chiefly [associated with] the life and work of Rose O'Neill, the world-famed author, artist, sculptor, illustrator, and creator of the Kewpie doll. . . . Rose O'Neill always considered the Bonniebrook Homestead to be

"home." The majority of her years were lived there; at no time was she long absent. . . . No buildings are extant upon the site, although subsidiary structures survive.

The Bonniebrook Homestead was the Ozark home of Rose O'Neill. Here she created the illustrations and artwork that made her famous and the highest paid female illustrator in the world. . . . Rose . . . was taken by the natural beauty of the area when she first saw Bonniebrook [in 1894]. . . . From Bonniebrook, she launched her career as an illustrator, sending her drawings to New York publishers. . . .

Rose O'Neill's writings were affected by the national beauty of the surroundings at Bonniebrook. Her career as an illustrator continued after she moved from New York to Bonniebrook in 1894. In her unpublished *Autobiography* she described how the Enchanted Forest influenced her illustrations. . . .

Not counting her *Autobiography* and her Kewpie books, she wrote four other major works. Two of them were written at Bonniebrook and influenced by her surroundings. Her serious drawings . . . were influenced by nature and the rugged rocks near her home. She displayed these drawings to critical acclaim in Paris in 1921 and in New York in 1922. . . .

Perhaps her best description of the effect of the Bonniebrook Homestead on her life and works is contained in a statement she made to a friend one

day standing in the front lawn of Bonniebrook:

"I love this spot better than any place on earth. Here I have done my best work. Among my lovely hills I want to live and die and be buried out there beneath the big oak tree"

The property was rustic when the O'Neills arrived there, and it is rustic now. . . . The clearing is exactly the same as it was when the O'Neills lived there. . . . The beautifully-described stream . . . is just like it was when the O'Neills were there. The beautiful woods have not been cut, the landscape lawn of the mansion is still maintained by a neighbor. . . . The "physical integrity" of the property is remarkable for the time that has passed since the O'Neills left. The reason is that they did not encroach much on the woods, the stream, or other natural features. . . .

There are many ways in which (the) property today reflects the work and life of Rose O'Neill. . . .

Comment: Although the house in which Rose O'Neill lived burned in 1949, the nomination describes in great detail the natural setting of the property, both historically and today, and documents, through numerous quotes from the author's works and other sources, the way in which the natural features of the nominated property are associated in a significant way with the career of this author and illustrator.

Example #3; Not acceptable:

The Sanford (Conant) Hotel is significant . . . in the area of social/humanitarianism by its direct association with its developer and owner, internationally known ophthalmologist and locally prominent philanthropist, Dr. Harold Gifford. . . .

The seven story Sanford Hotel . . . was built in 1916-17 at a cost of \$140,000 for its owner and financier Dr. Harold Gifford. Dr. Gifford (Oct. 18, 1858 - Nov. 28, 1929) was known internationally as a pioneer in ophthalmology and locally as a kind, generous man of medicine and lover of nature. . . .

Dr. Gifford achieved international recognition for his efforts in diagnostic evaluation, clinical research and eye surgery. . . . Equally significant, Dr. Gifford helped found one of Omaha's largest medical

EXHIBIT H

Freedman, Daniel

From: Freedman, Daniel
Sent: Tuesday, November 28, 2017 11:40 PM
To: 'Lucy.Atwood@lacity.org'; 'Terry.Kaufmann-Macias@lacity.org'
Cc: Benjamin M. Reznik Esq. (BMR@JMBM.com)
Subject: FW: Daniel Freedman's Oct. 26, 2017 letter re: 106-108-1/2 S. Kings Road/Council File 17-1219/CHC-2017-2886-HCM/Proposed Cultural Historic Monument Designation(s); DEMAND FOR DEEMED DENIAL DETERMINATION [JMBM-LA.FID1706509]
Attachments: Daniel Freedman's Oct. 26, 2017 letter-Demand for Deemed Denial Determination.PDF

Terry, Lucy: I hope all is well. On this deemed denial issue, as you know I will be maintaining our position that the application was deemed denied 30 days after the complete application was received the CHC on May 3, 2017, and as a result the application should never have been put forward to a CHC consideration hearing. (see attached for reference) As I realize that Planning is taking the position that the 30 days doesn't toll until the complete application is "deemed" complete, and not "filed" complete, I went to review the file to determine when in fact the application was actually reviewed by Planning and "deemed" complete by the Director. Of course, there is no indication of this date in the file. At the very least, I wanted to confirm when the staff report was received and signed by the Director, so I looked for the original staff report/recommendation. I wanted to see this, because the posted staff report notes that there is a "[Signed Original in File]" for the staff report. Of course, I could not find any "Signed Original" in the file. When I asked staff to provide a copy of it, I was told that it has been lost. Given these facts, is the City taking a position on a date as to when the application was "deemed complete"? and if so, is there any evidence of this action occurring on this date? Thank you in advance.

Sincerely,
Daniel

Daniel F. Freedman | Attorney at Law
Government, Land Use, Energy & Environment
Jeffer Mangels Butler & Mitchell LLP | JMBM
1900 Avenue of the Stars, 7th Floor, Los Angeles, CA 90067
O: (310) 203-8080 | D: (310) 785-5391 | E: DFreedman@JMBM.com
[VCARD](#) | [BIO](#) | [BLOG](#) | [LINKEDIN](#)



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From: Ibaraki, Kathlyn S.
Sent: Thursday, October 26, 2017 1:11 PM
To: 'Terry.Kaufmann-Macias@lacity.org'
Cc: Lucy.atwood@lacity.org; khuangfu@buchalter.com; faisal.alserri@lacity.org; kevin.keller@lacity.org; Ken.Bernstein@lacity.org; lambert.giessinger@lacity.org; melissa.jones@lacity.org; Zina Cheng; Reznik, Benjamin M.; Freedman, Daniel

Subject: Daniel Freedman's Oct. 26, 2017 letter re: 106-108-1/2 S. Kings Road/Council File 17-1219/CHC-2017-2886-HCM/Proposed Cultural Historic Monument Designation(s); DEMAND FOR DEEMED DENIAL DETERMINATION

Dear Ms. Kaufmann-Macias,

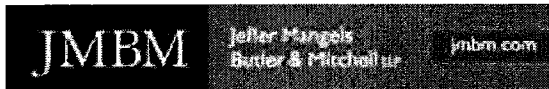
Please find attached Daniel Freedman's October 26, 2017 letter regarding the subject matter. Thank you.

Kathlyn Ibaraki | Secretary to attorneys Benjamin M. Reznik and Daniel F. Freedman

Jeffer Mangels Butler & Mitchell LLP | JMBM

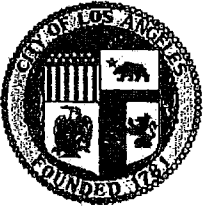
1900 Avenue of the Stars, 7th Floor, Los Angeles, CA 90067

T: (310) 203-8080 x6427 | F: (310) 203-0567 | E: ki2@JMBM.com



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EXHIBIT I



LOS ANGELES CULTURAL HERITAGE COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300

www.planning.lacity.org

LETTER OF DETERMINATION

RECEIVED

MAILING DATE: MAR 31 2017

APR - 4 2017

Jeffer, Mangels, Butler & Mitchell LLP

CASE NO.: CHC-2017-4770-HCM
CEQA: ENV-2017-4771-CE

Council District: 5 – Koretz

Property Address: 423-427 North Hayworth Avenue
Owner: Hayworth Abbey LLC c/o Isaac Cohanzad
Applicant: Dee Ann Newkirk
Re: **SPINNING WHEEL APARTMENTS**

At its meeting of **March 16, 2017**, the Cultural Heritage Commission took no action on the above-referenced matter because, pursuant to Section 22.171.10(e)(1) of the Los Angeles Administrative Code, the application had already been deemed denied.


Etta M. Armstrong, Commission Executive Assistant I
Cultural Heritage Commission

Attachment: Cultural Heritage Ordinance

c: Councilmember Paul Koretz, Fifth Council District
Faisal Alserri, Planning Deputy, Fifth Council District
Ken Bernstein, Principal Planner
Lambert Giessinger, Architect

CHAPTER 9

DEPARTMENT OF CITY PLANNING

Article

1 Cultural Heritage Commission

ARTICLE 1

CULTURAL HERITAGE COMMISSION

Section

22.171 Purpose of the Commission.

22.171.1 Composition of the Commission and Term of Office.

22.171.2 Members' Compensation.

22.171.3 Organization of the Commission.

22.171.4 Appointment and Duties of the Commission Secretary.

22.171.5 Quorum and Actions of the Commission.

22.171.6 Duties of the Commission.

22.171.7 Definition of Monument.

22.171.8 Inspection and Investigation.

22.171.9 List of Monuments.

22.171.10 Procedures for Designation of Monuments.

22.171.11 Preservation of Monuments.

22.171.12 Temporary Stay of Demolition, Substantial Alteration or Removal Pending Determination to Designate a Monument.

22.171.13 Notice of Designation and Subsequent Actions.

22.171.14 Commission Review.

22.171.15 Time for Objection by the Commission.

22.171.16 No Right to Acquire Property.

22.171.17 Rules and Regulations of the Commission.

22.171.18 Cooperation with the Commission.

Sec. 22.171. Purpose of the Commission.

The Cultural Heritage Commission (Commission) shall perform those functions relating to historic and cultural preservation of sites, buildings, or structures that embody the heritage, history, and culture of the City.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.1. Composition of the Commission and Term of Office.

(a) **Qualifications.** The Commission shall be composed of five members who are qualified electors of the City of Los Angeles. Each Commissioner shall be appointed, and may be removed in accordance with Charter Section 502. The Commissioners shall have a demonstrated interest, competence or knowledge of historic preservation. To the extent feasible and legally permissible, at least two of the Commissioners should be professionals who meet the qualifications for various disciplines outlined by the U.S. Secretary of the Interior, Code of Federal Regulations, 36 CFR Part 61. These disciplines include history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that these professionals are available in the community.

(b) **Term.** The term of office for each Commissioner shall begin with the first day of July and shall be a term of five years. An appointment to fill a vacancy on the Commission shall be for the period of the unexpired term.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.2. Members' Compensation.

The members of the Commission shall be paid \$25.00 per meeting for each Commission meeting attended, but not to exceed \$125.00 in any one calendar month.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.3. Organization of the Commission.

During the last meeting of July of each year, the Commission shall elect a President and Vice President, which officers shall hold office for one year and until their successors are elected, unless their membership on the Commission expires sooner. The Commission may at any meeting fill any vacancy for any unexpired term occurring in the office of President or Vice President.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.4. Appointment and Duties of Commission Secretary.

The Director of Planning (Director) of the Department of City Planning (Department), or his or her designee, shall assign an employee of the Department, other than the Director, to be the Secretary of the Commission and assign duties to the employee, which shall be in addition to the duties regularly prescribed for that employee.

The Secretary shall attend Commission meetings and keep a record of the proceedings and transactions of the Commission, specifying the names of the Commissioners in attendance at each meeting and the ayes and noes upon all roll calls. The Secretary shall post and publish all orders, resolutions and notices, which the Commission shall order to be posted and published, and shall perform any other duties imposed by this chapter, or by order of the Commission.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.5. Quorum and Actions of the Commission.

A majority of the members of the Commission must be present at any meeting to constitute a quorum.

The powers conferred upon the Commission shall be exercised by resolution or motion and adopted by a majority vote of its members and recorded in the minutes with the ayes and noes. The action shall be attested to by the signature of the Secretary of the Commission.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.6. Duties of the Commission.

In addition to the duties set forth in this article, the Commission shall perform those duties imposed on it by Los Angeles Municipal Code Section 12.20.3 relating to Historic Preservation Overlay Zones.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.7. Definition of Monument.

For purposes of this article, a Historic-Cultural Monument (Monument) is any site (including significant trees or other plant life located on the site), building or structure of particular historic or cultural significance to the City of Los Angeles, including 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 is identified with historic personages or with important events in the main currents of national, State or local history; or which embodies 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 or her age.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.8. Inspection and Investigation.

The Commission, a sub-committee, or the staff of the Department acting on behalf of the Commission shall inspect and investigate any site, building or structure, including but not limited to, touring, or reviewing photographic or videographic records of the site, building or structure, in the City of Los Angeles, which it has reason to believe is or will in the future be a Historic-Cultural Monument. Inspection and investigation shall also include soliciting opinions and information from the office of the Council District in which the site, building or structure is located and from any department or bureau of the City whose operations may be affected by designating the site, building or structure a Monument.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.9. List of Monuments.

The Department shall compile and maintain a current list of all sites, buildings and structures, which have been designated as Historic-Cultural Monuments (List of Monuments or List).

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.10. Procedures for Designation of Monuments.

A site, building or structure may be designated as a Monument in accordance with the procedures set forth in this section.

(a) **Initiation.** The City Council, the Commission, or the Director, may initiate consideration of a proposed designation of a site, building or structure as a Monument. Any initiation by the Council or the Commission shall be by majority vote. The Council or the Commission shall forward the proposed designation to the Director for a report and recommendation.

(b) **Application.** Any interested individual may apply for a proposed designation of a Monument. The applicant shall complete the application for the proposed designation on a form provided by the Department, include all information required, pay the required fee, if any, and file the application with the Department.

(c) Action on the Initiation or Application.

1. **Authority.** The Commission may recommend approval or disapproval in whole or in part of an application or initiation of a proposed designation. Unless otherwise specified, the recommendation shall be made to the Council for its action pursuant to the procedures set forth in this section. No designation of a site, building or structure as a Monument shall be effective unless the designation has been adopted by the Council.

2. **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, the Council may adopt the 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.

3. **Procedure for Commission- or Director-Initiated Designations.** After initiation of a proposed designation by the Commission or the Director, the Commission shall, pursuant to Section 22.171.8 of this article, inspect and investigate the proposed designation. The Director shall thereafter prepare a report and recommendation on the proposed designation. After receipt of the Director's 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. If the Commission recommends approval of a Commission- or Director-initiated designation, the Commission shall submit a report and recommendation to the Council. The Council may consider the matter and may approve the recommendation by a majority vote. If the Commission disapproves the proposed designation, the Commission's decision is final.

4. **Procedure for Applications for Designations.** Once a complete application is received, as determined by the Director, the Commission shall determine at a public meeting whether the proposed designation merits further consideration. If the Commission determines to take the proposed designation under consideration, it shall conduct an inspection and investigation pursuant to Section 22.171.8 of this article. The Director shall thereafter prepare a report and recommendation on the proposed designation. After receipt of the Director's report and recommendation and conducting its inspection and investigation, 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 as set forth in Section 22.171.7 of this article. If the Commission recommends approval of an application for a proposed designation, the Commission shall submit a report and recommendation to the Council. The Council may consider the matter and may adopt the designation by a majority vote. If the Commission disapproves the proposed designation, the decision is final.

(d) **Notice.** Notice shall be given as set forth below.

For the purpose of this article, the owner of the site, building or structure shall be deemed to be the person appearing as the owner of the property on the last Equalized Assessment roll of the County of Los Angeles and appearing as the owner of the property on the records of the City Clerk. If the records of the City Clerk and the County Assessor indicate the ownership in different persons, those persons appearing on each of those lists shall be notified.

1. **Initiation of a Proposed Designation by the Council, Commission or Director.** The owner of record of a property and the owner's representative, if any, shall be notified forthwith in writing of: any determination by the Council, Commission or Director to initiate a proposed designation; and the Temporary Stay pursuant to Section 22.171.12 of this article. The Notice shall be sent via Certified Mail, Return Receipt Requested.

2. **Commission Action to Take Under Consideration Proposed Designation by Application.** The owner of record of a property and the owner's representative, if any,

shall be notified forthwith in writing of: the Commission's decision after the Commission determines to take a proposed designation under consideration; and the Temporary Stay pursuant to Section 22.171.12 of this article. The Notice shall be sent via Certified Mail, Return Receipt Requested.

3. Commission Action on Proposed Designation by Initiation or Application. The time, place and purpose of the public hearing on the proposed designation shall be given by mailing written notice at least ten days prior to the date of the hearing, to the applicant, if any, and to the owner of record of a property or the owner's representative, if different from the applicant or if the designation was proposed by initiation. Notice to the record owner or the owner's representative shall be sent via Certified Mail, Return Receipt Requested.

4. Council Action on Proposed Designation by Initiation or Application. The time, place and purpose of the public hearing on the proposed designation shall be given by mailing written notice at least ten days prior to the date of the hearing, to the applicant, if any, and to the owner of record of a property or the owner's representative, if different from the applicant or if the designation was proposed by initiation. Notice to the record owner or the owner's representative shall be sent via Certified Mail, Return Receipt Requested.

(e) Time for the Cultural Heritage Commission to Act.

1. Action on Application. The Commission shall determine at a public meeting held within 30 days of the filing of a complete, verified application, as determined by the Director, whether to take a proposed designation of a Monument under consideration. This time limit to take a proposed designation under consideration may be extended by mutual consent of the applicant and the Commission. After providing all notice required under this article, the Commission shall hold a public hearing on the proposed designation. The Commission shall, pursuant to Section 22.171.10 of this article, make a report and recommendation on the application within 75 days of the meeting where the proposed designation was taken under consideration. If the Commission fails to act on an application within the time allowed by this section, the Commission shall be deemed to have denied the application.

2. Action on Initiation. If the proposed designation of a Monument was proposed by initiation rather than application, the Commission shall, after providing all notice required under this article, hold a public hearing on the proposed designation. The Commission shall, pursuant to Subsection (c) of this section, make a report and recommendation on the application within 75 days of the date of the receipt of the proposed initiation. If the Commission fails to act on the initiation within the time allowed by this section, the Commission shall be deemed to have recommended denial of the proposed designation.

(f) Time for Council to Act. The Council may approve or disapprove in whole or in part an application or initiation for a proposed designation of a Monument. The

Council shall act within 90 days of the public hearing held before the Commission on the proposed designation. The 90 day time limit to act by the Council may be extended by the Council for good cause for a maximum of 15 days. If the Council does not act on the application or initiation within this 105-day total time limit, the application or initiation to designate a Monument shall be deemed to have been denied. The Council may override a Commission recommendation of denial of a Council-initiated designation by a minimum of ten votes.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.11. Preservation of Monuments.

The Commission shall take all steps necessary to preserve Monuments not in conflict with the public health, safety and general welfare, powers and duties of the City of Los Angeles, or its several boards, officers or departments. These steps may include assistance in the creation of civic citizens' committees; assistance in the establishment of a private fund for the acquisition or restoration of designated Monuments; and recommendation that a Monument be acquired by a governmental agency where private acquisition is not feasible.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.12. Temporary Stay of Demolition, Substantial Alteration or Removal Pending Determination to Designate a Monument.

Upon initiation by the Council, the Commission or the Director of a proposed designation of a Monument, or upon the Commission's determination that an application for a proposed designation merits further consideration, no permit for the demolition, substantial alteration or removal of that site, building, or structure shall be issued, and the site, building or structure, regardless of whether a permit exists or does not exist, shall not be demolished, substantially altered or removed, pending final determination by the Council that the proposed site, building or structure shall be designated as a Monument. The Commission shall notify the Department of Building and Safety in writing not to issue any permits for the demolition, alteration or removal of a building or structure. The owner of the site, building or structure shall notify the Commission, in writing, whenever application is made for a permit to demolish, substantially alter, or remove any site, building or structure proposed to be designated as a Monument.

The Council shall act on the proposed designation within the time limits contained in Section 22.171.10(f) of this article. If, after the expiration of the final period of time to act, the Council has not taken an action on the application or initiation to designate a

Monument, then the demolition, alteration or removal of the site, building or structure may proceed.

EXCEPTION: If the Commission determines that the site, building or structure proposed to be designated does not meet the definition for Monument set forth in Section 22.171.7 of this article, then the temporary prohibition on the issuance of a permit to demolish, substantially alter or remove the site, building or structure and the temporary prohibition on demolition, substantial alteration or removal of the site, building or structure shall terminate, except when the designation of a site, building or structure as a Monument was proposed by Council-initiation.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.13. Notice of Designation and Subsequent Actions.

The Commission shall notify the appropriate Department and Board, if any, and the owner of each site, building, or structure in writing that his or her site, building or structure has been designated a Monument, and shall give the owner as defined in Section 22.171.10(d) of this article, written notice of any further action, which it takes with respect to the Monument. Notice shall be mailed to the address shown on the Assessment Roll or the City Clerk's records, as applicable, as soon as practicable after the property is designated or the Commission takes any further action regarding the site, building or structure. The designation shall be recorded with the County Recorder.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.14. Commission Review.

No permit for the demolition, substantial alteration or relocation of any Monument shall be issued, and no Monument shall be demolished, substantially altered or relocated without first referring the matter to the Commission, except where the Superintendent of Building or the City Engineer determines that demolition, relocation or substantial alteration of any Monument is immediately necessary in the interest of the public health, safety or general welfare.

(a) **Standards for Issuance of a Permit for Substantial Alteration.** The Commission shall base a determination on the approval of a permit for the substantial alteration of a Monument on each of the following:

1. The substantial alteration, including additional buildings on a site containing multiple buildings with a unified use, complies with the Standards for Rehabilitation approved by the United States Secretary of the Interior; and

2. Whether the substantial alteration protects and preserves the historic and architectural qualities and the physical characteristics that make the site, building, or structure a designated Monument; and

3. Compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq.

(b) **Standards for Issuance of a Permit for the Demolition or Relocation of a Site, Building or Structure Designated a Monument.** The Commission shall base its determination on the approval of a permit for the demolition or removal of any Monument on the following:

1. A report regarding the structural soundness of the building or structure and its suitability for continued use, renovation, restoration or rehabilitation from a licensed engineer or architect who meets the Secretary of the Interior's Profession Qualification Standards as established by the Code of Federal Regulations, 36 CFR Part 61. This report shall be based on the Secretary of the Interior's Standards for Architectural and Engineering Documentation with Guidelines; and

2. Compliance with the California Environmental Quality Act, Public Resources Code Section 21000 et seq.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.15. Time for Objection By the Commission.

Where any matters subject to Section 22.171.14 of this article are referred to the Commission by its staff, the Commission shall have 30 days from the date of the referral to object to the proposed demolition, substantial alteration or relocation. If no objection is filed with the appropriate Department or Board within 30 days, all objections shall be deemed to have been waived. If the Commission objects to the proposed demolition, substantial alteration or relocation, it shall file its objection with the appropriate Department or Board.

Any objection by the Commission shall be set for a public hearing. The objection and the fact that the matter will be scheduled for a public hearing by the Commission shall be noted by Commission staff on the clearance worksheet utilized by the appropriate Department or Board for the issuance of the permit. The filing of an objection shall suspend the issuance of any permit for the demolition, substantial alteration, or relocation of the Monument (Stay) for a period of not less than 30 nor more than 180 days, during which time the Commission shall take all steps within the scope of its powers and duties as it determines are necessary for the preservation of the Monument to be demolished, altered or relocated.

At the end of the first 30 days of the Stay, staff of the Department shall report any progress regarding preservation of the Monument to the Commission, which may, upon review of the progress report, withdraw and cancel its objection to the proposed demolition, substantial alteration or relocation. If the Commission determines, upon the basis of the progress report to withdraw and cancel its objection, it shall promptly notify the appropriate Department or Board concerned of its action. Upon receipt of notification of withdrawal of the objection, the permit may be issued and the Monument may be demolished, altered or relocated. If the Commission does not withdraw and cancel its objection, the Stay shall remain in effect.

If the Commission, or the staff of the Department acting on the Commission's behalf, finds at the end of the first 100 days of the Stay that the preservation of the Monument cannot be fully accomplished with the 180-day Stay period, and the Commission determines that preservation can be satisfactorily completed within an additional period not to exceed an additional 180-day Stay, the Commission may recommend to the City Council that the Stay be extended to accomplish the preservation. No request for an extension shall be made after the expiration of the original 180-day Stay.

The Commission's recommendation for an extension of the Stay shall set forth the reasons for the extension and the progress to date of the steps taken to preserve the Monument. If it appears that preservation may be completed within the time extension requested, the City Council may approve the request for extension of the Stay not to exceed an additional 180 days for the purpose of completing preservation of the Monument.

No request for an extension of the Stay shall be granted where the Council determines, after consulting with the appropriate Department or Board, that granting an extension is not in the best interest of the public health, safety or general welfare.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.16. No Right to Acquire Property.

The Commission shall have no power or right to acquire any property for or on behalf of itself or the City, nor shall it acquire or hold any money for itself or on behalf of the City.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.17. Rules and Regulations of the Commission.

The Commission may adopt rules and regulations necessary to carry out the purpose and intent of this article.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.

Sec. 22.171.18. Cooperation with the Commission.

All boards, commissions, departments and officers of the City shall cooperate with the Commission in carrying out the spirit and intent of this article.

SECTION HISTORY

Added by Ord. No. 178,402, Eff. 4-2-07.