

Benjamin M. Reznik
bmr@jmbm.com

1900 Avenue of the Stars, 7th Floor
Los Angeles, California 90067-4308
(310) 203-8080 (310) 203-0567 Fax
www.jmbm.com

Ref: 78436-0001

January 13, 2019

BY EMAIL

Chair Marqueece Harris-Dawson
Members of the Planning and
Land Use Management Committee
200 N. Spring Street, Rm. 375
Los Angeles, CA 90012
Attn: Sharon Dickinson

Re: Council File 18-1169
ENV-2017-2681-CE
5717, 5717 1/2, 5719, 5719 1/2 Carlton Way
Response to CEQA Appeal
PLUM Hearing Date: January 15, 2019
Agenda Item 11

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

We represent Hollywood Views, LLC, the owner of the Property and applicant for the Project approved by the Director of Planning and affirmed by the Area Planning Commission ("APC"), and which enjoys community support. We respond to the sole appeal, filed by Ely Malkin. As described further below, the Project is fully compliant with the zoning for the Property, as modified by the Transit-Oriented Communities ("TOC") Affordable Housing Incentive Guidelines adopted by City voters and implemented by the Department of City Planning ("DCP"), and falls firmly within the four corners of the adopted Class 32 (urban infill) Categorical Exemption (the "CE"). The appeal's mischaracterizations of the impacts of the Project, the required scope of analysis, and the applicable legal standards—many of which appear to be virtual carbon copies of objections by others to other projects—are unavailing, and the PLUM Committee should affirm the decisions of the Director and the APC, and reject this appeal.

1. The Categorical Exemption More than Satisfies the Requirements of the California Environmental Quality Act.

The appeal relies upon several erroneous claims regarding the legal standards that govern CEs—most notably, though by no means exclusively, the standard of review—and offers purportedly factual claims regarding potential impacts of the Project that do not withstand scrutiny. Even assuming for the purposes of argument the law operates in the manner stated by the appeal (it does not), the appeal offers no evidentiary support for its assertions, though such evidentiary support is fundamentally required by law, as is an explanation of

any claimed evidentiary failure in applying the CE. The lack of evidence provided by the appeal is all the more striking when compared to the robust technical analysis supporting the CE.

(a) Substantial Evidence Supports the Director's and APC's Adoption of a Categorical Exemption for the Project.

Findings and an extensive, multifaceted technical study supported the Director's decision to adopt the CE.¹ The Determination included negative findings regarding the factors that might disqualify the Property or the Project from a CE. Further, and although not required, the CE included a mix of qualitative and quantitative analysis of potential project impacts, including cumulative impacts, and concluded no significant impacts would result.

The Director's and APC's Determinations each contained a detailed series of findings addressing the qualification of the Project and Property for a CE. This qualification comprises the factors provided in the State CEQA Guidelines:

- Consistency with applicable general plan and zoning policies and regulations;
- Location within city limits, on a site of five acres or less, surrounded by urban development;
- No habitat value for certain sensitive species;
- No significant effects related to traffic, noise, air quality, or water quality; and
- Adequate service by required utilities and public services.

(Guidelines §15332(a); Determinations, p. 18 of 23.) These findings and the supporting analysis and documentation provide more than substantial evidence—the evidentiary standard that governs a CE—that the Project qualifies. Thus, the appeal bears the burden to show error and/or a lack of evidentiary support for the CE.² He cannot and does not do so.

(i) The Project is Consistent with the General Plan and Zoning.

As described in both Determinations, the Hollywood Community Plan³ designates the Property for High Density Residential, and the zoning map designates the Property R4-2 (Multiple Residential, Height District 2). The regulations applied by these designations are modified by those for Subarea C (Community Center) of the Vermont/Western Station Neighborhood Area Plan (the "SNAP"), and by the TOC Guidelines.

¹ If a project is subject to a categorical exemption, no formal environmental evaluation is required. *City of Pasadena v. State*, 14 Cal. App. 4th 810 (1993).

² We note the appeal's erroneous assertion that a CE applies only where its application is "indisputably clear." This language is not present in any provision of CEQA or the CEQA Guidelines pertaining to CEs. Rather, the standard for an agency's factual determinations in a CE is "substantial evidence." *C.f.*, *Berkeley Hillside Preservation v. City of Berkeley*, 60 Cal.4th 1086, 1105 (2015) (pertaining to determinations of unusual circumstances, but shifting the burden to a challenging party).

³ The land use provisions of the City's General Plan are implemented through a General Plan Framework Element, which delegates specific land use designations to the various Community Plans. The Hollywood Community Plan governs the area that includes the Property.

As stated in the Determinations (p. 18), the proposed multi-family use is consistent with the designation of the Community Plan. The zoning designations that correspond to the High Density Residential designation include the R4 designation for the Property. Thus, to the extent the Project complies with the applicable zoning regulations, as modified by the SNAP Subarea C regulations, it complies with the General Plan, as well. Further, the Community Plan recognizes the need for low- and moderate-income housing "in **all** parts of this Community." (p. HO-3.) The Project, in providing a range of housing opportunities that include units affordable to Extremely Low Income households, is consistent with the terms and intent of the Community Plan. Notably, a general finding of consistency with the Community Plan or General Plan does not require strict consistency with every policy or with all aspects of a plan. Land use plans attempt to balance a wide range of competing interests, and a project need only be consistent with a plan overall; even though a project may deviate from some particular provisions of a plan, the City may still find the project consistent with that plan on an overall basis. *See, e.g., Friends of Lagoon Valley v. City of Vacaville*, 154 Cal. App. 4th 807, 815 (2007). Because the Project would advance planning policies or schemes articulated in the Community Plan, the Project is consistent overall, even if inconsistencies existed with other particular policies. Despite this, the appeal fails to identify any such policies.

The Determinations also describe in detail the relationship of the Project to each of the regulations established by zoning and the SNAP. As part of the required findings for the Specific Plan approval ("SPP"), the Determinations discuss in detail each of the approximately 46 SNAP development standards and guidelines that apply to the Project (*see* paragraphs A to VV, inclusive, on pages 7-18 of the Determinations). As described in detail therein, the Project complies with each applicable criterion.

The Project complies with the zoning regulations that allow for development bonuses in exchange for providing affordable units. Section 12.22-A.31(b) of the LAMC and section V of the TOC Guidelines authorize density bonuses and incentives for TOC developments, including the Project, that exceed otherwise allowable zoning regulations, including the SNAP. Section 12.22-A.25(g)(2)(i)(c)(ii) of the LAMC specifically precludes a finding of conflict with a General Plan or zoning designation on the basis of the TOC bonuses and incentives. Section 12.22-A.25(g)(2)(i)(c)(ii) precludes denial of the bonuses and incentives absent a significant, unavoidable impact to public health or safety, a finding the State Legislature has recently declared "will arise **infrequently**."⁴ Therefore, the Director's grant and the APC's affirmation of that grant is consistent with the zoning, the General Plan, and the intent of State law.

(ii) The Project Occurs within City Limits on a Project Site of No More than Five Acres Substantially Surrounded by Urban Uses.

The Property is located in a highly urbanized area within the Hollywood community. The Property encompasses 8,749.9 square feet, or about 0.20 acres and lies wholly within the municipal boundary of the City of Los Angeles. (Determination, p. 18.) Commercial,

⁴ Govt. Code §65915.5(a)(3), as modified by AB 3194 (Ch. 243, Stat. 2018).

institutional and multi-family development of varying densities is present on all abutting properties, completely surrounding the Property with urban uses, and the Property itself currently contains two residential duplexes.

(iii) The project site has no value as habitat for endangered, rare or threatened species.

As described above and in the Determinations (pp. 8, 18, 19), the Property contains two duplexes and ornamental vegetation, and lies within an established, fully developed, medium- to high-density residential area proximate to a major commercial and mixed-use corridor. The Property does not contain any protected trees, any natural or sensitive plant community, or provide habitat area for a special-status species, and no such species have been identified on-site. The Project will redevelop an already developed site with urban, multi-family residential uses, open space with ornamental vegetation, and hardscape. Any nesting birds that may be present are already protected by the Federal Migratory Bird Treaty Act and section 3503 of the California Fish and Game Code. The Property also is not located adjacent to any sensitive natural area, such as a wetland or other habitat area. Therefore, the Project will not alter available habitat for endangered, rare, or threatened species.

(iv) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

Traffic: As discussed in the Determinations (p. 19), the Project will result in a net increase of 35 residential units on the project site. The Los Angeles Department of Transportation ("LADOT") published a threshold guide that lists various uses within the City and identifies thresholds that would require LADOT to complete or approve a study such as a technical memorandum or traffic impact assessment. As described in the Determination (p. 19) and reflected on the LADOT Referral Form, the Project is anticipated to generate 20 AM peak hour trips and 24 PM peak hour trips. The Project does not reach LADOT's published threshold of 43 peak hour trips that would warrant any further formal analysis. (*See City of Los Angeles Transportation Impact Study Guidelines*, p. 2.) Consequently, LADOT determined that the proposed project will not create any significant adverse impacts to traffic.

Noise: As described in the Determinations (pp. 19-20) and the CE supporting documentation (pp .3-4 and 10-12), the Project must comply with the City of Los Angeles Noise Ordinances, Nos. 144,331 and 161,574 and any subsequent ordinances, which limits the emission or creation of noise. During construction of the proposed project, the Applicant is required to comply with the City's Noise Ordinance No. 161,574, which regulates noise from demolition and construction activities. Section 41.40 of the LAMC prohibits construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, and between 6:00 p.m. and 8:00 a.m. on Saturday. All such activities are also prohibited on Sundays and all federal holidays.

Section 112.05 of the LAMC further specifies the maximum noise level of construction machinery that can be generated in any residential zone of the city or within 500 feet thereof. The project's compliance with the above ordinances and regulations results in no significant construction noise impacts.

Additionally, as an enclosed, multi-family residential structure, the project is not considered a significant operational noise source. Activities associated with occupancy of such structures does not cause significant noise impacts on the environment.

Air Quality: As described in the Determinations (p. 19) and discussed in detail in the CE supporting documentation (pp. 5-9 and attachments), the building construction phase includes the construction of the proposed building on the Property, connection of utilities, laying irrigation for landscaping, architectural coatings, paving, and landscaping the subject property. Appropriate dust control measures are required to be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the Project Site, and maintaining effective cover over exposed areas.

Best Management Practices ("BMPs") required by the Department of Building and Safety ("DBS") and the SCAQMD include, but are not limited to, the following:

- Unpaved demolition and construction areas shall be wetted at least three times daily during excavation and construction, and temporary dust covers shall be used to reduce emissions and meets SCAQMD Rule 403;
- All dirt/soil loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust;
- General contractors shall maintain and operate construction equipment to minimize exhaust emissions; and
- Trucks shall not idle, but be turned off.

The CE supporting documentation included modeling the emissions anticipated from Project activities, according to accepted professional practice and guidance published by the SCAQMD and upon which DCP relies. Modelling conducted for emissions on a regional level and according to adopted Localized Significance Thresholds demonstrated Project emissions will not result in significant impacts related to air quality because they fall below established numeric threshold levels.

Water Quality: As described in the Determination (p. 20) and the CE supporting documentation (pp. 4-5), construction activities would not involve any significant excavation near an identified water source. In addition, the project will be required to comply with various regulatory requirements, which would reduce stormwater flows off-site. The project would comply with Chapter VI Article 4.4 of the LAMC, Stormwater and

Urban Runoff Pollution Control, which require implementation of BMPs to reduce or prevent pollutant discharges. As a part of the building permit process for the Project, the Applicant will be required to eliminate or reduce non-stormwater discharges to waters of the nation, develop and implement a Stormwater Pollution Prevention Plan ("SWPPP") for project construction activities, and perform inspections of the stormwater pollution prevention measures and control practices to ensure conformance with the site SWPPP. Therefore, development of the proposed project would not degrade the quality of stormwater runoff from the site.

(v) The Project Will Not Result in Significant Cumulative Impacts, and the Impacts Claimed by the Appeal are Speculative.

During the APC hearing, DCP staff clarified that no project satisfied the narrow cumulative project criteria set forth in the CEQA Guidelines for CEs; that is, the nearest project at 5750 Hollywood Boulevard is a mixed-use project and therefore not of the same type as the Project for which this CE was adopted, and does not require analysis as part of a cumulative development scenario. Notwithstanding this determination, and in addition to the project-specific impacts discussed above, the CE supporting documentation specifically included a detailed, phase-by-phase analysis of potential cumulative impacts of the Project and development at 5750 Hollywood Boulevard. (ZMassociates, pp. 10-13, including the table on p. 12.) That analysis concluded no significant cumulative impact would occur.

However, the appeal incorrectly asserts the City also must speculate regarding the intent of other property owners in the vicinity, and use that speculation as a further basis for a cumulative impact assessment. The law dictates otherwise. The appeal's argument appears based on the incorrect premise that the Project somehow represents something other than what any developer could build under the applicable regulations at any time. The City did not amend any planning requirement or remove some obstacle to development. (See CEQA Guidelines §15162.2(d), addressing growth-inducing impacts.) Rather, the City applied an established regulatory framework: the zoning, as modified by the SNAP and the TOC Guidelines—that has been and remains available to any developer within a designated TOC area. In doing so, the City merely incorporated the otherwise ministerial provisions of the TOC Guidelines (the Project requested no relief from any of its provisions) into the discretionary process for the Project, in accordance with sections 12.22-A.31 and 12.22-A.25 of the LAMC.

To extrapolate from that to whether, where, when, and in what form other zoning-compliant development might occur for the purposes of generating a cumulative scenario requires pure speculation, in contravention of CEQA. Although CEQA requires consideration of "reasonably foreseeable indirect physical changes in the environment," a change that is "speculative or unlikely to occur" is not reasonably foreseeable. (CEQA Guidelines §15064; see also §15145.) Therefore, CEQA does not require the City to simply guess at future development that may or may not occur. Further, the definition of a cumulative impact for the purposes of qualification for a CE is narrower than in the general sense for CEQA. *Robinson v City & County of San Francisco*, 208 Cal. App. 4th 950, 958 (2012) (the phrase "in the same place" should be interpreted to refer to the area where the environmental

impact will occur). As described above, the City identified the sole nearby project of a similar type to the Project here, and evaluated cumulative impacts with respect to that development. The appeal provided no evidence, let alone substantial evidence, of any particular foreseeable development the City failed to consider. Consequently, the appeal's argument necessarily fails.

(vi) The site can be adequately served by all required utilities and public services.

The site is currently and adequately served by the City's Department of Water and Power, the City's Bureau of Sanitation, the Southern California Gas Company, the Los Angeles Police Department, the Los Angeles Fire Department, Los Angeles Unified School District, Los Angeles Public Library, and other public services. These utilities and public services have continuously served the neighborhood for more than 70 years. In addition, the California Green Code requires new construction to meet stringent efficiency standards for both water and power, such as high-efficiency toilets, dual-flush water closets, minimum irrigation standards, LED lighting, etc. As a result of these code requirements, the proposed project will not create any impact on existing utilities and/or public services and the new 39-dwelling unit development will be adequately served by the existing infrastructure.

(b) The Appeal Failed to Provide Any Substantial Evidence to Support Its Erroneous Claims.

Any claim of a significant impact requires the support of substantial evidence. The California Environmental Quality Act ("CEQA") defines substantial evidence as "fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact." Public Resources Code Section 21080(e)(1). The law is clear that "argument, speculation, unsubstantiated opinion or narrative" **do not** constitute substantial evidence. *Id.* at subdiv. (e)(2); CEQA Guidelines §15384; *see also, Newberry Springs Water Assn. v. County of San Bernardino*, 150 Cal. App. 3d 740 (1984). Further, courts have well established that testimony, even by an expert, is not substantial when the party proffering that evidence is not qualified to render an opinion on the subject. *Cathay Mortuary, Inc. v. San Francisco Planning Comm'n*, 207 Cal. App. 3d 275 (1989). This is particularly true where, as here, the argument that a significant impact could occur is not supported by any expert testimony and consists of nothing more than suppositions and assertions, not supported by facts, that certain things would occur. *See, e.g., Apt. Assn. of Greater Los Angeles v. City of Los Angeles*, 90 Cal. App. 4th 1162, 1175-76 (2001). The appeal simply fails to provide any substantial evidence of any significant project-specific or cumulative impact (as defined in §15300.2(b)), and his claims are actually contradicted by evidence in the record.

Thus, all of the evidence in the record demonstrates that any potential impacts to biological resources are less than significant, and contradicts the unsupported assertions in the appeal.

(c) No Historical Resource Abuts the Property, and Substantial Evidence Does Not Support Any Claim of Impacts to Historical Resources.

The appeal erroneously and misleadingly claims the Property is located adjacent to historical resources and on that basis claims the Project would directly impact those resources. However, as discussed in the staff report to the APC (p. A-3), neither property cited by the appeal (5727 and 5731 Carlton Way) is actually adjacent to the Property. Thus, the Project would not directly affect any historical resource (no such resources are located on the Property itself) **and** would not develop a property adjacent to such resources, but would remain separated from the nearest historic resources by existing development. As with the appeal's claim regarding cumulative impacts, this assertion is entirely unsupported: substantial evidence in the record does not support it, and in fact refutes it.

As the Property is not itself designated as historic, is not located within a historic district or overlay zone, and would not compromise any historic structure, no claim of any significant impact related to historic resources would occur or is supportable by substantial evidence.

(d) The Community Redevelopment Agency Confirmed the Unit Count and Base Density for the Project.

The appeal its argument—discredited on multiple occasions—that the base density for the Project was incorrectly calculated. The staff report to the APC, on page A-2, succinctly disposes of this argument. As stated therein, the base density for the Property, according to the R4-2 zone, SNAP, and TOC Guidelines, is 23 dwelling units.⁵ The Successor Agency to the Community Redevelopment Agency of Los Angeles (the "CRA") confirmed by email on December 7, 2017, that the density for the Project was correct and allowable. Staff of CRA subsequently confirmed and reconfirmed this density via emails dated June 20, 2018 and September 27, 2018, respectively, and provided a building permit clearance on December 12, 2018. The emails were attached to the staff report to the APC as Exhibit "E," and are attached as Exhibit "A" to this letter, with a confirmation of the building permit clearance.

(e) Speculative Impacts to Land Value are Not Impacts on the Environment and are Not Cognizable under CEQA.

The appeal urged the APC, and now urges the City Council, to reject the CE on the basis of a speculative impact to his land value, and "quality of life" for residents of his apartment building. For the reasons described on page A-3 of the staff report to the APC, these impacts are not environmental impacts, and therefore are not cognizable under CEQA.

CEQA does not require any analysis of potential effects on property values, no matter how potentially severe those effects might be. *Porterville Citizens for Responsible Hillside Development v. City of Porterville*, 157 Cal. App. 4th 885, 903 (2007). Further, purely

⁵ The area of the Property itself is 8,749.9 s.f., plus the half-width of the alley (50ft x 5.79ft = 289.5 s.f.), for a total of 9,039.4 s.f., divided by 400 s.f. (the R4 zone permits a density of 1 dwelling unit per 400 s.f. of lot area), yields 22.59 dwelling units, which rounds to 23 dwelling units.

socioeconomic impacts are outside the purview of CEQA. *See, e.g., Gabric v City of Rancho Palos Verdes*, 73 Cal.App.3d 183, 200 (1977) (effects on neighborhood character are socioeconomic and not within the purview of CEQA). The key question under CEQA is whether a project will affect the environment of persons **in general**, not whether a project will affect particular persons. *Association for Protection etc. Values v. City of Ukiah*, 2 Cal.App.4th 720, 734 (1991). Therefore, even though environmental analysis to support the CE is not required, the analysis provided in the supplemental documentation was properly limited to the potential effects of the Project on the environment in general, with some refinement for more localized effects, such as air quality.

2. The PLUM Committee Should Affirm the Decisions of the Director and the Area Planning Commission and Uphold the Categorical Exemption.

The standard of review for a CE is whether substantial evidence supports its adoption, and the **appellant bears the burden of proof** to demonstrate a CE's inapplicability. (*Berkeley Hillside, supra*, 60 Cal. 4th at 1105.) This is consistent with the State Legislature's determination that categorically exempt projects may have effects that are typical of such projects, but are not considered significant for the purposes of CEQA. *Id.* Here, **the appeal has failed to provide any evidence** of a significant impact.

Further, as described above, not only has the appeal failed to provide evidence, but the evidence in the record contradicts the appeal's claims. Simply put, the appeal has failed to meet its burden, and the record for the Project cannot support a rejection of the CE at issue here. Therefore, we urge the PLUM Committee to reject the unfounded claims of the appeal, deny the appeal, and uphold the adoption and affirmation of the CE for the Project.

Very truly yours,



BENJAMIN M. REZNIK and
NEILL E. BROWER of
Jeffer Mangels Butler & Mitchell LLP

BMR:neb
Enclosures

cc: Hon. Councilmember Mitch O'Farrell, Council District 13 (via email)
Craig Bullock, Council District 13 (via email)
Nuri Cho, DCP

Exhibit A

5717 Carlton

14 messages

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
To: gabrielrabbanian@gmail.com, Jacob Rabbanian <jacob.rabbanian@gmail.com>

Wed, Nov 29, 2017 at 8:35 AM

Hello Gabe,

It was nice to speak with you on the phone today. As we discussed, please respond to this email and provide information regarding your final unit count and what the zone and TOC bonus allows.

Regards,

Jiim Urquhart

CRA/LA Permit Counter**CRA/LA, a Designated Local Authority**cra-lapermitcounter@lacity.org

Gabriel Rabbanian <gabrielrabbanian@gmail.com>

Wed, Dec 6, 2017 at 4:42 PM

To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>, Jacob Rabbanian <jacob.rabbanian@gmail.com>

Hello Jim,

The final unit count is 39 Units, of which, 10% or 4 units (3.9 units rounded up) will be set aside for extremely low income tenants.

The property falls in Tier-3 of the TOC program. Tier-3 of the TOC program allows for a 70% increase in density. This project does not ask for any additional incentives that the TOC program offers.

Zoning allows for 22.86 (or 22) units; however, under the TOC guidelines all decimals are rounded up.

The TOC program allows for 40 units to be built. This project calls for 39 units. $(23 \text{ base units}) \times (1.7 \text{ density}) = 39.1$ rounded up to -- 40 units.

The project is not in any way asking for any variance and is being development by right and in line with the code and zoning for the site.

[Quoted text hidden]

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
To: Gabriel Rabbanian <gabrielrabbanian@gmail.com>
Cc: Jacob Rabbanian <jacob.rabbanian@gmail.com>, Planning <planning@crala.org>

Thu, Dec 7, 2017 at 5:06 PM

Hello Gabriel,

Because the number of units that exceed that which is allowed by the TOC density bonus, the CRA will allow that density to supersede the restriction laid out in the Hollywood Redevelopment Plan. There is no land use conflict between the CRA designation and the Zone. This project does not require a discretionary approval by the CRA. I see you have obtained your demo permits back in 2016. We are prepared to review your building plans over the counter.

Best regards,

CRA/LA Permit Counter

CRA/LA, a Designated Local Authority

cra-lapermitcounter@lacity.org

[Quoted text hidden]

Gabriel Rabbanian <gabrielrabbanian@gmail.com>
To: Simon Park <sp@sspstudio.net>, Jacob Rabbanian <jacob.rabbanian@gmail.com>

Thu, Dec 7, 2017 at 5:26 PM

----- Forwarded message -----

From: **CRA LA Permit Counter** <cra-lapermitcounter@lacity.org>

Date: Thu, Dec 7, 2017 at 5:06 PM

Subject: Re: 5717 Carlton

[Quoted text hidden]

gabrielrabbanian@gmail.com <gabrielrabbanian@gmail.com>
To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
Cc: Jacob Rabbanian <jacob.rabbanian@gmail.com>, Planning <planning@crala.org>

Thu, Jan 4, 2018 at 4:24 PM

Thank you.
I will come by for sign offs.

[Quoted text hidden]

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
To: Gabriel Rabbanian <gabrielrabbanian@gmail.com>
Cc: Jacob Rabbanian <jacob.rabbanian@gmail.com>, Planning <planning@crala.org>

Wed, Mar 21, 2018 at 11:59 AM

Hello Gabriel,
we are prepared to approve your project, however, I do need to look at the plans.

Regards,

CRA/LA Permit Counter

CRA/LA, a Designated Local Authority

cra-lapermitcounter@lacity.org

[Quoted text hidden]

Jacob Rabbanian <jacob.rabbanian@gmail.com>
To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
Cc: Gabriel Rabbanian <gabrielrabbanian@gmail.com>, Planning <planning@crala.org>

Wed, Mar 21, 2018 at 3:29 PM

Hello Jim,

Thank you for your time today. Please see the requested plans for review in order to approve the project at 5717 Carlton Way.

Also, as we spoke today, the specific plan planner is lagging on giving us a demolition clearance. We will not have a clearance before the expiration date. We would need to extended it.

Thank you

[Quoted text hidden]

--

Best,
Jacob Rabbanian
Tov Equities
Partner

9454 Wilshire Blvd, Penthouse
Beverly Hills, CA 90212
Direct: 310.504.2183
Cell: 310.866.8321
Fax: 213.627.5692



Carlton ARCHITECTURAL PLANS.PDF
9293K

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Thu, Mar 22, 2018 at 9:38 AM

To: Jacob Rabbanian <jacob.rabbanian@gmail.com>

Cc: Gabriel Rabbanian <gabrielrabbanian@gmail.com>, Planning <planning@crala.org>

Hello Jacob,

we will approve the extension because the demo permit has already been approved by us. let me know when you need us to sign off.

Regards,

CRA/LA Permit Counter

CRA/LA, a Designated Local Authority

cra-lapermitcounter@lacity.org

[Quoted text hidden]

Jacob Rabbanian <jacob.rabbanian@gmail.com>

Thu, Mar 22, 2018 at 9:49 AM

To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Cc: Gabriel Rabbanian <gabrielrabbanian@gmail.com>, Planning <planning@crala.org>

Thank you.

Did you receive the copy of our plans?

[Quoted text hidden]

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Thu, Mar 22, 2018 at 2:13 PM

To: Jacob Rabbanian <jacob.rabbanian@gmail.com>

yes

CRA/LA, a Designated Local Authority

cra-lapermitcounter@lacity.org

[Quoted text hidden]

Jacob Rabbanian <jacob.rabbanian@gmail.com>

Tue, Apr 17, 2018 at 5:29 PM

To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>, Gabriel Rabbanian <Gabrielrabbanian@gmail.com>

Hello Jim,

I hope all is well by you.

I wanted to follow up with you and see if you had a chance to look over the plans for 5717 Carlton Way.

Please feel free to call me if you have any questions.

[Quoted text hidden]

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Wed, Apr 18, 2018 at 2:46 PM

To: Jacob Rabbanian <jacob.rabbanian@gmail.com>

Jacob,
what is the 15-digit permit application number for this project? Ready to approve.

Thanks

Best regards,

Jim Urquhart

CRA/LA Permit Counter
CRA/LA, a Designated Local Authority
cra-lapermitcounter@lacity.org

[Quoted text hidden]

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Wed, Jun 20, 2018 at 8:12 AM

To: Gabriel Rabbanian <gabrielrabbanian@gmail.com>

Cc: Jacob Rabbanian <jacob.rabbanian@gmail.com>, Planning <planning@crala.org>

Gabriel,
the CRA will honor the determination we made back in December 2017.

Best regards,

Jim Urquhart

CRA/LA Permit Counter
CRA/LA, a Designated Local Authority
cra-lapermitcounter@lacity.org

[Quoted text hidden]

To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Cc: Gabriel Rabbanian <gabrielrabbanian@gmail.com>, Planning <planning@crala.org>

Jim,

It was nice seeing you today.

Thank you for clearing that up. I am happy the CRA approves the project.

[Quoted text hidden]

--

Best,

Jacob Rabbanian

Tov Equities

Partner

9454 Wilshire Blvd, Penthouse

Beverly Hills, CA 90212

Direct: 310.504.2183

Cell: 310.866.8321

Fax: 213.627.5692



Nuri Cho <nuri.cho@lacity.org>

5717 Carlton Way CRA/TOC Density

2 messages

Nuri Cho <nuri.cho@lacity.org>
To: CRA LA Permit Counter <cra-lapermitcounter@lacity.org>

Tue, Sep 25, 2018 at 2:55 PM

Hi Jim,

My name is Nuri Cho with the City's Planning Department.

I have a project that is proposing a 39-unit apartment at 5717 Carlton Way in the Hollywood CRA Area. The base density permitted by the City's Specific Plan is 23 units, and the applicant is seeking a 70% density bonus under TOC, allowing a total of 39 units.

The CRA Redevelopment Plan allows a base density of 19 units, which is lower than the density permitted by the City's regulations.

Per attached email correspondence, CRA stated that they will allow the 39 unit density and that there is no land use conflict between the the CRA designation and the zone.

I wanted to reach out to you to see if CRA still finds that the proposed number of units is permitted in the CRA area.

I would really appreciate it if you can get back to me at your earliest convenience.

Best,

--



Nuri Cho
Central Project Planning Division
Department of City Planning
200 N. Spring St., Room 621
Los Angeles, CA. 90012
T: (213) 978-1177

 **CRA_LA Email Thread - Carlton .pdf**
92K

CRA LA Permit Counter <cra-lapermitcounter@lacity.org>
To: Nuri Cho <nuri.cho@lacity.org>
Cc: Matthew Hayden <matthew@haydenplanning.com>

Thu, Sep 27, 2018 at 12:29 PM

Hello Nuri,
after consultation with CRA management and legal, it is confirmed that the subject project will be approved by the CRA in accordance with our previous communications with the applicant.

Best regards,

Jim Urquhart

CRA/LA Permit Counter
CRA/LA, a Designated Local Authority
cra-lapermitcounter@lacity.org

Please note the CRA Counter days of operation are now Tuesday/Wednesday/Friday

Exhibit B

Support for 5717 Carlton Way Project



1- Owner of 5545 Carlton Way (36 Units) and 1661 N. Wilton Pl. (14 Units); Owner's Support Email Attached.

2- 9 Tenants of 5724 Hollywood Blvd; Support Letters Attached.

3- Realtor marketing 5727 Carlton Way (5 Units) and 5731 Carlton Way (10 Units); Support Email Attached.

4- Owner of 5741 Carlton Way (51 Units); Owner's Support Email Attached.

5- Per Email Conversation with owner of 1660 N. Wilton Pl. (62 Units) on October 3, 2018 Owner supports the project and plans to send a representative to the hearing to support the project.

6. Per Email Conversation with owner of 1600 Taft Ave. (54 Units) on October 3, 2018 Owner supports the project and plans to send a representative to the hearing to support the project.



Gabriel Rabbanian <gabrielrabbanian@gmail.com>

Rabbanian Carlton Way Follow Up

jeblaich@aol.com <jeblaich@aol.com>

Fri, Oct 5, 2018 at 11:07 AM

To: gabrielrabbanian@gmail.com

Dear R. Rabbanian,

We are the owners of the properties located close to yours at [5545 W. Carlton Way](#) and [1661 N. Wilton Pl.](#) as well as some other properties in Hollywood.

In our opinion that a new apartment building on this block will not only add dwelling units in Hollywood which seem to be in short supply, but also enhance the general looks of the street. We strongly support your planned project.

Unfortunately due to prior commitments we will not be able to attend the scheduled hearing on October 23, however, please use this E-Mail, if you can, to voice our support. Needless to say that if we are contacted by any agency we'll confirm this information.

Wishing you good luck and success with your project.

Sincerely,

Esther Blaich
BRIMCO, LLC

[Quoted text hidden]

1

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed: 

Print Name: Angelica Coba

Address: 5724 Hollywood Blvd. 702

Dated: 10-9-18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed: D. Serrano

Print Name: DORIS SERRANO

Address: 5724 HOLLYWOOD BLVD. #102

Dated: 10-8-18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed:

Jean Moran

Print Name:

Laura Moran

Address:

5724 Hollywood Blvd. #103

Dated:

10/8/18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed: Christopher James Lewis

Print Name: Christopher James Lewis

Address: 5724 Hollywood Blvd

Dated: 10/8/18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

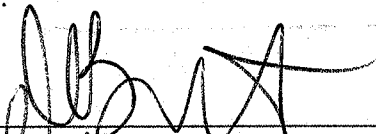
I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed: 

Print Name: Janet Bennett

Address: # 307

Dated: 10/8/18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed: Edgar Villagran

Print Name: Edgar Villagran

Address: 5724 Hollywood Blvd. 308

Dated: 10-5-18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

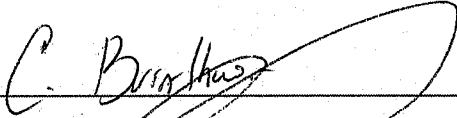
I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

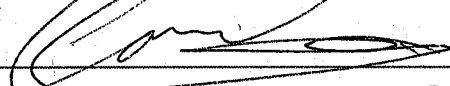
I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed:  _____

Print Name:  _____

Address: 5724 Hollywood Blvd.

Dated: 10-8-18

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed:

Rita Wright

Print Name:

Rita Wright

Address:

5724 Hollywood Blvd #203

Dated:

10/09/2018

In Support of Development at 5717 Carlton Way

To Whom It May Concern:

I am a longtime East Hollywood resident and I am writing in support of the project at 5717 Carlton Way. This building will be a terrific addition to our community. It will bring a currently abandoned section of Carlton Way back to life and help eliminate crime and deter homeless people from crowding around this area.

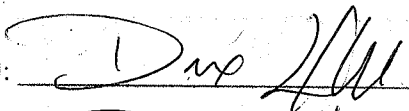
I am supportive of the 5717 Carlton Way project and the much-needed 39 units that it would add to the rental market. The development as a whole would bring more vibrancy and beauty to the neighborhood.

The complex will make our community cleaner and safer, while strengthening the local economy and creating new housing opportunities for working people and families.

I offer my support of 5717 Carlton Way and hope you approve this project.

Thank you.

Signed:



Print Name:

Dax Hill

Address:

5724 Hollywood Blvd #311

Dated:

10/12/18

Support for Future Development of 5717 Carlton Way

1 message

Kyle Mirrafati <kyle.mirrafati@matthews.com>

Tue, Oct 16, 2018 at 3:00 PM

To: "jacob.rabbanian@gmail.com" <jacob.rabbanian@gmail.com>

To whom it may concern:

My name is Kyle Mirrafati and I am a real estate broker at Matthews Real Estate. I have been involved in many real estate transactions in Hollywood and currently have two offerings for sale on Carlton Way: 5727 Carlton Way and 5731 Carlton Way. I have attached the offerings below.

I would like to voice my support for the proposed project at 5717 Carlton Way.

I believe this project is adding rental units to an area with high demand. The proposed projects' close proximity to the Hollywood / Western Metro Line poses a great opportunity for tenants to live in the area without even needing a car.

In conclusion, I believe this project will have a positive impact for the community and surrounding neighborhood.

Thanks,
Kyle

Kyle Mirrafati

Senior Associate | Matthews Multifamily Advisors
Direct +1 310 295 4269 | Mobile +1 949 533 4650
Main +1 866 889 0550 | Fax +1 310 388 0788

Kyle.Mirrafati@matthews.com

License No. 01911204

-

MATTHEWS | MULTIFAMILY™
ADVISORS

[View Available Inventory](#)

Matthews Retail Advisors, Inc.
841 Apollo St., Suite 150 | El Segundo CA 90245 | USA
www.matthews.com

5

CONFIDENTIALITY NOTICE and DISCLAIMER: This email message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message. If you are the intended recipient but do not wish to receive communications through this medium, please so advise the sender immediately. Nothing in this communication should be interpreted as a digital or electronic signature that can be used to authenticate a contract or other legal document. The recipients are advised that the sender and Matthews Retail Advisors are not qualified to provide, and have not been contracted to provide, legal, financial, or tax advice, and that any such advice regarding any investment by the recipients must be obtained from the recipients' attorney, accountant, or tax professional.

2 attachments

 **5731 Carlton Way - OM.pdf**
5176K

 **5727 Carlton Way - 90028.pdf**
84K

5.2

5717 Carlton Way Support

1 message

Morris Maky <fantomf14@aol.com>
To: jacobrabbanian@gmail.com

Tue, Oct 16, 2018 at 3:29 PM

Dear Commissioners,

My name is Morris Maky and I am the owner of the 51-unit apartment building located at [5741 Carlton Way](#).

I support the planned project located at [5717 Carlton Way](#).

Unfortunately , I will not be able to attend the Commission Hearing on Tuesday the 23rd of October, but I would like this letter to serve as my support for this project.

Morris Maky
Owner at [5741 Carlton Way](#)