

DEVELOPER'S RESPONSE TO THE APPELLANT'S CEQA APPEALS (2465 Purdue Ave.) (ENV-2018-3412-CE)

10/1/2019 - Council File : (CF19-0681)

The appellants Ms. Kathryn Schorr and Mr. Scott Van Opdrop are husband and wife, owners and residents of a four unit apartment building located at 2461-2463 ½ Purdue Avenue which is immediately north of the subject property at 2465 Purdue Avenue.

I first met the appellants on March 16th 2018. *From the very start, Ms. Schorr strongly indicated that she had lived in her residence for many years and that she liked everything to remain exactly the same and did not want any changes around her, including a new building next to her.* Since then, to the end of stopping any new construction, the appellants have attended every Neighborhood Council's meeting and have objected to this project in every which way possible.

The project was approved by the city Planning Department on December 19th, 2018 and the appellants quickly appealed the Planning Department's decision to the Planning Commission in January 2019.

During the City's Planning Commission's hearing in April 11, 2019, the appellants continued to object the project; but given the valid merits of the project, The Planning Commission approved the project and published its Determination letter on May 16, 2019.

On May 31st, 2019 the appellants again appealed the CEQA approval of the Planning Commission to the City council, and this time did so without presenting any specific reason. Basically the system of appeals it seems, can postpone projects for an indefinite amount of time, even when there is no solid basis for the appeal.

The PLUM Committee of the City Council scheduled to have a hearing about their appeal on August 6, 2019.

On August 1, 2019 Ms. Jytte Springer, the owner of the 10 unit apartment building immediately South of the subject property, submitted another CEQA appeal of this project to the Planning Department.

As of now, the City Council's PLUM Committee Hearing for these two baseless CEQA Appeals has been scheduled for October 8th, 2019, causing a 10 month delay for this apartment building (See Exhibit A).

It is of utmost importance to note that this project was approved by the Planning Department back in December 2018. The series of meritless appeals by the appellants has translated into a huge financial burden to the owner of the project by inflicting yet another 10 months of delay. The carrying cost of the current building on site, including mortgages, maintenance as well as the optimal time project start date based on annual seasons has caused a great encumbrance and has brought the owner of the project close to financial insolvency.

It is very frustrating as an owner/developer to witness a proposed apartment building which includes Affordable Housing units getting dragged through the mud on meritless basis, due to the fact that a neighbor that prefers that nothing be built next to her.

All citizens of this city should be afforded the same rights, and a system of appeals should be fair to all, in particular when cases are groundless, the City should exercise protection of both parties equally and justly. We are all citizens and should have equal amounts of protection for our livelihood under the law.

At this juncture, it is a very fair question to ask who in the city government is willing to take responsibility for the tremendous financial loss and burden to its citizen who merely is trying to build a an apartment building, who has addressed every concern and who is getting pulled through the mud, getting crushed by

the carrying cost of an expensive property in West Los Angeles for many more months than envisaged due to a truly unjust wish of neighbors? Who will protect the builder who has risked his livelihood in order to give life to a project that is actually the objective of the City itself?

RESPONSES TO CEQA APPEAL BY KATHRYN SCHORR OF 2461 PURDUE (ENV-2018-3412-CE):

- 1- Her claim that the proposed project cannot be built without cutting off electricity to her home and apartment building is totally false.

The truth is that there is an electrical wire that crosses my property at 2465 Purdue to connect to her triplex apartment building which is located at the front of their property at 2461 Purdue. This wire is on the way of our proposed building and needs to be removed. This issue was resolved in a March 2018 meeting with the DWP representatives and the owners of 2461 Purdue. The solution that DWP came up and the owners of 2461 Purdue agreed to, was by installing an upgraded electrical panel by me at the back of their apartment building, so DWP can reroute that wire within their own property, along the property line (See Exhibits B & C). The upgraded electrical panel was installed by me at \$10,000 cost in April 2018 per DWP instructions, with the agreement of the owners of 2461 Purdue. It will take DWP less than 2 hours to disconnect the existing wire and reroute it. The electricity to their home which is a two story building in the back of the property, will not be affected at all by this work at all based on her false claim, as their home has a separate electrical meter, completely separate from the triplex in the front. DWP technicians went to their property in February 2019 to reroute the wire, but the appellants refused to have the required work done, in order to delay our construction.

RESPONSES TO CEQA APPEAL BY SCOTT VAN OPDROP OF 2461 PURDUE (ENV-2018-3412-CE):

- 1- His claim that the proposed project cannot be built without cutting off electricity to his home and apartment building is totally false.

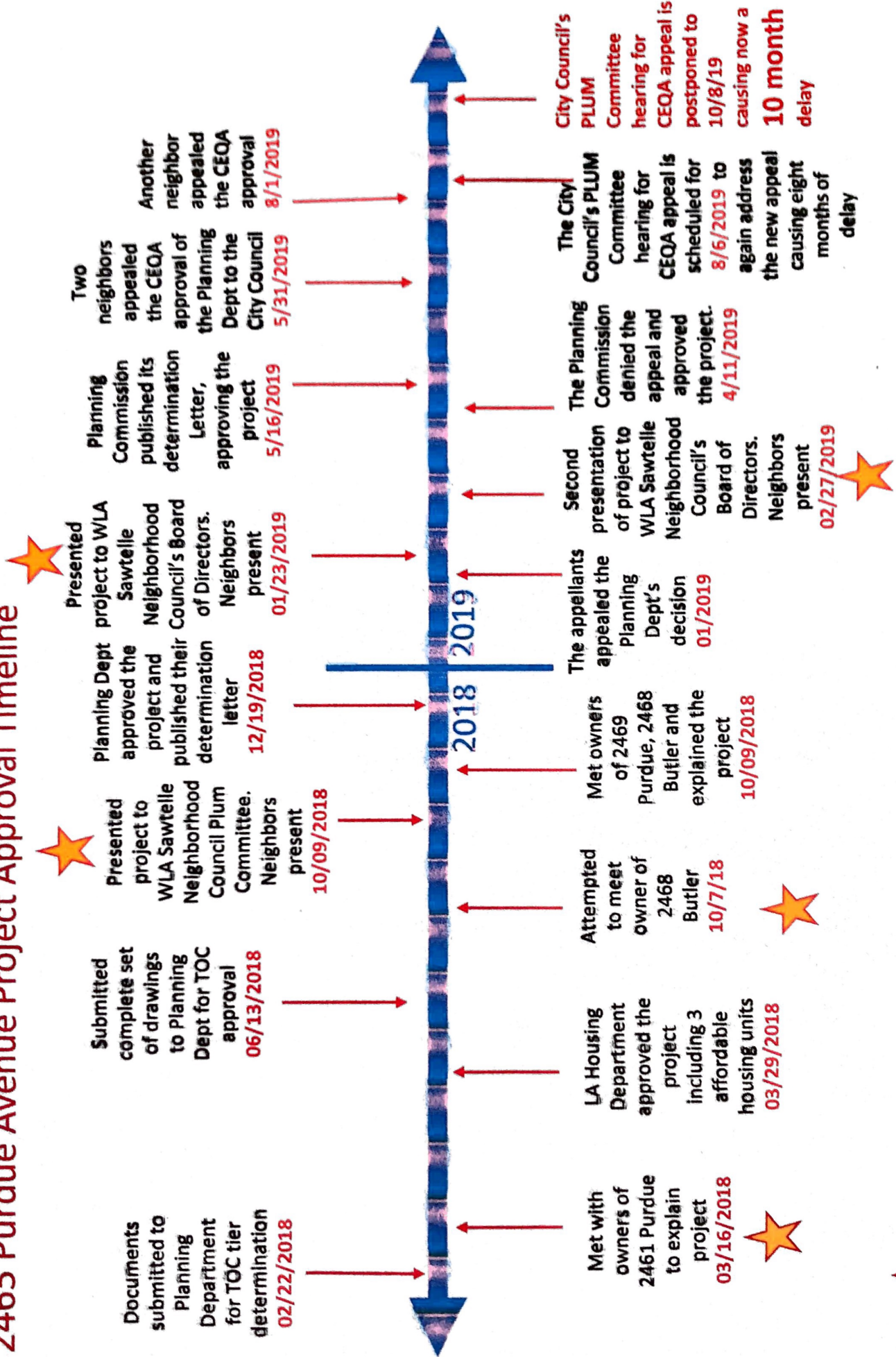
My reply is the same as above in responding to Kathryn Schorr's claim. In addition, he claims that the distance from the rerouted electrical wire to the window of his two story house will be less than 3 feet, as required by DWP. This claim is totally false, as the actual distance between his home and the property line is 5 feet, and the actual distance between the rerouted electrical wire along the property line and his home's windows are more than 4 feet, which meets the DWP requirements (See Exhibit D).

- 2- His claim that project cuts down 17 trees without adequate replacement is false. I hired a certified arborist who identified 11 existing trees at the site, which none of them are protected trees. We are going to plant 12 trees, including 2 street trees, where there are none right now (See Exhibit D).
- 3- His claim that the 80 year old landmark tree on his property which is 0 feet from the excavation is totally false. The subject tree is a Pine tree which is not a landmark tree and it's trunk is located about 7 feet away from the excavation line. He is claiming that this Pine tree may die as a result of our proposed excavation for a subterranean parking garage is totally false. We hired a certified arborist who investigated the site conditions and concluded that the proposed excavation of the subterranean garage will have no harmful effect on the subject tree, since the tree is about 7 feet away from the line of excavation, where there is a concrete driveway on our property at that location. The arborist concluded that the shallow roots of the Pine tree have not grown under the concrete pavement of the driveway, where they don't get any surface water, and therefore their removal will not affect the health of the subject tree (See Exhibits E & F & G).

RESPONSES TO CEQA APPEAL BY JYTTE SPRINGER

Her CEQA appeal to the City Council is a copy of her appeal to the Planning Commission, which was rejected by the Planning Commission on 4/11/2019. She has nothing new to appeal that is related to CEQA approval of this project.

2465 Purdue Avenue Project Approval Timeline



★ Meetings with Neighbors & Attending Neighborhood Council's Public Hearings Presenting the Project

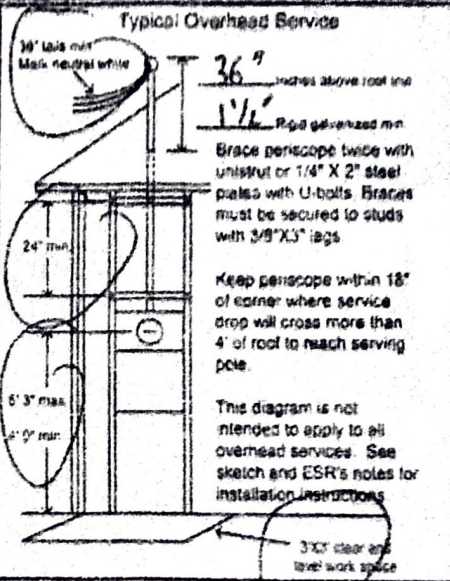
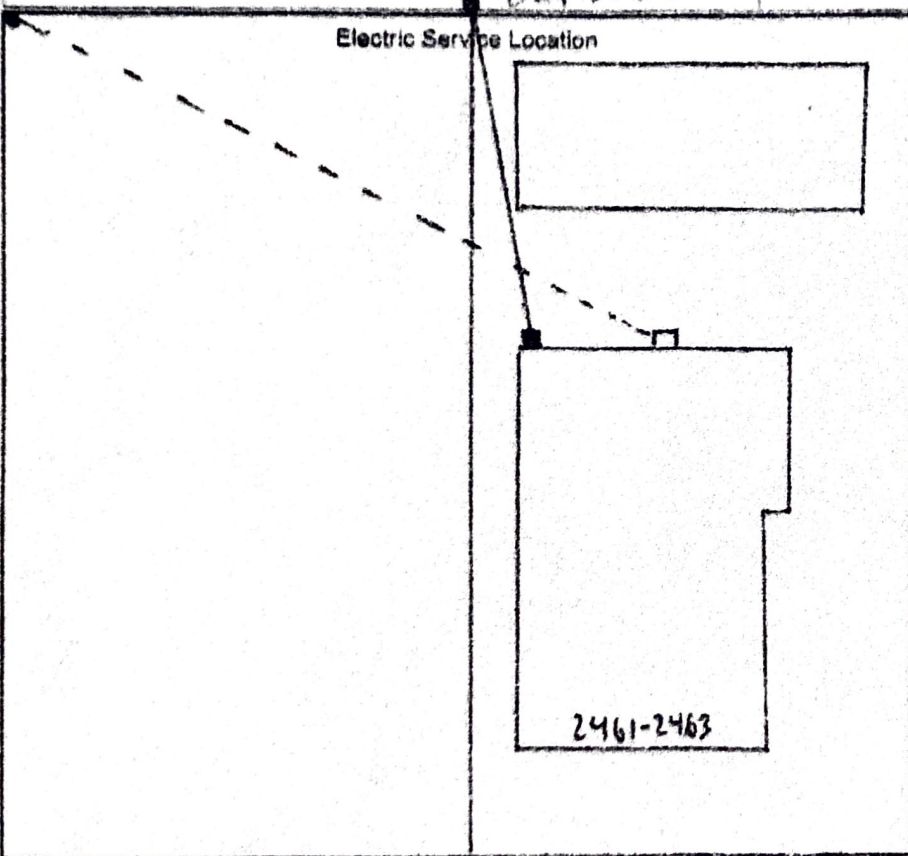
LADWP SERVICE PLANNING

City of Los Angeles Metro or Valley Service Planning (213) 367-6937 Email: ConnectionCenter@ladwp.com Complete: _____
 Department of Water & Power Metro West Fax: (213) 367-6089 Metro East Fax: (213) 367-6027 Valley Fax: (818) 771-4066

Address		Work Request #	Main	Meter #	Service #
2461 Purdue Av Triplex		1800998	100	F00009 1241435	041236 RSL
LOS ANGELES, CA 90064					OH
Contacts	Type	Telephone	Type	Telephone 2	Type
Michael	GC	310-429-9397			
Electric Service Representative (ESR)		Telephone Hours	Planning Office	Council District	Date
Randy Quan 213-367-8008		7:00AM - 8:30AM	Metro West		04/23/2018
Thomas Guide	Trans. Station #	Customers	KVA	Pole #	DWP Wire Size
				Map #	Project ID
					P274481
Remarks			Additional Remarks		

REQUIRES DWP BRIDLE TO CLEAR NEIGHBORING PROPERTY

DWP Bridle



- ### Important Information
- For single-family residential, overhead services that are 200 amps and less, call only the Dept. of Building & Safety for inspection. (See permit for details.)
 - For all other services, both the DWP ESR and Building & Safety inspector must be called for inspection.
 - For new construction or where there is no existing electric service, an application for electric service must be obtained. Call (800) DIAL DWP, visit a payment center or go to www.ladwp.com to apply.
 - If more than two weeks have passed since final inspection and the DWP work has not occurred, call the Connection Center at (213) 367-6937 to inquire about job status or visit: <http://wmisweb.ladwp.com/powerwmis>
 - Meter Lock Ring Removal: (213) 367-8340 (Metro) or (818) 771-2750 (Valley)

Purdue Av

Notes: _____

Legend

□ - Existing Service

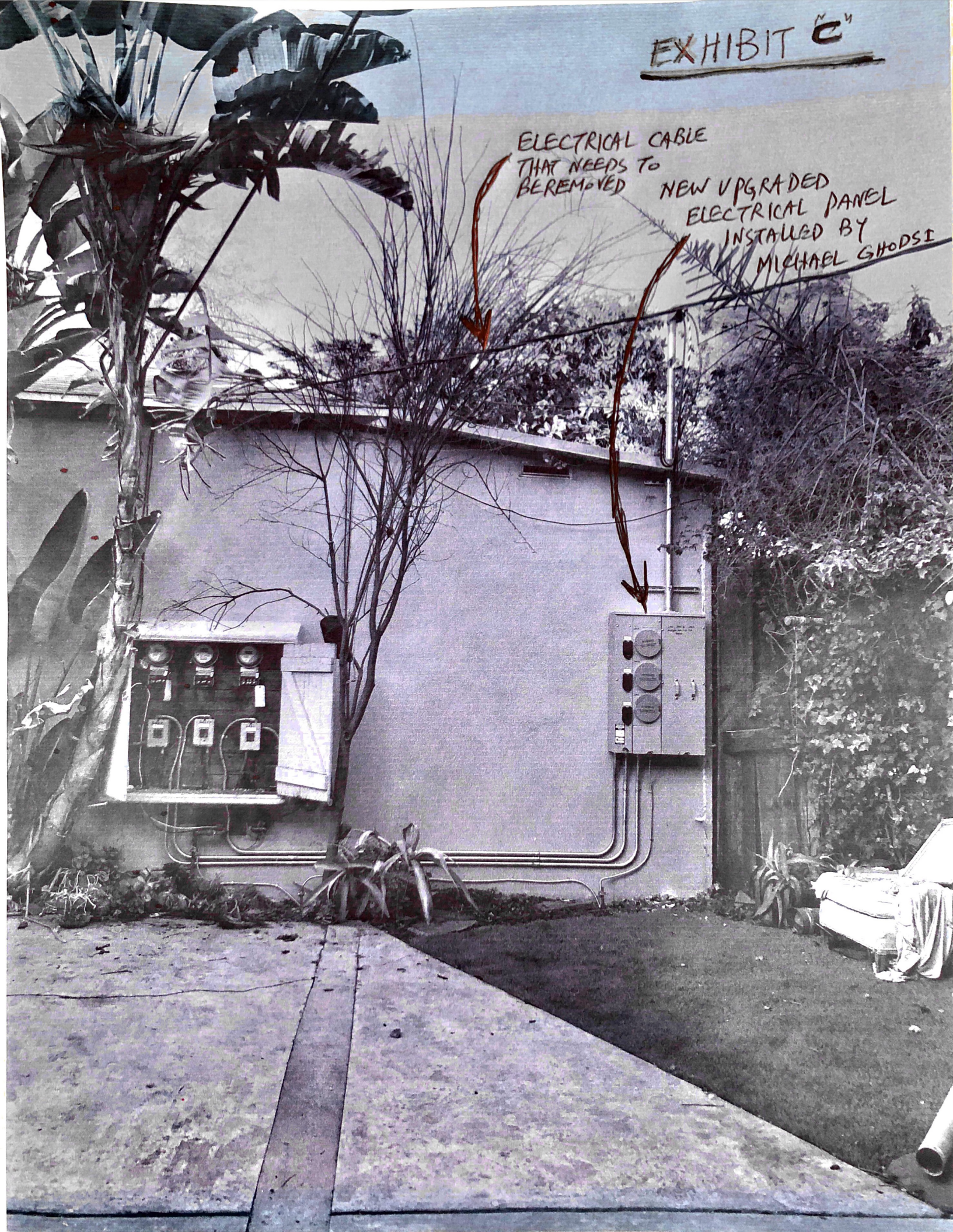
■ - New Service

X - Optional Location

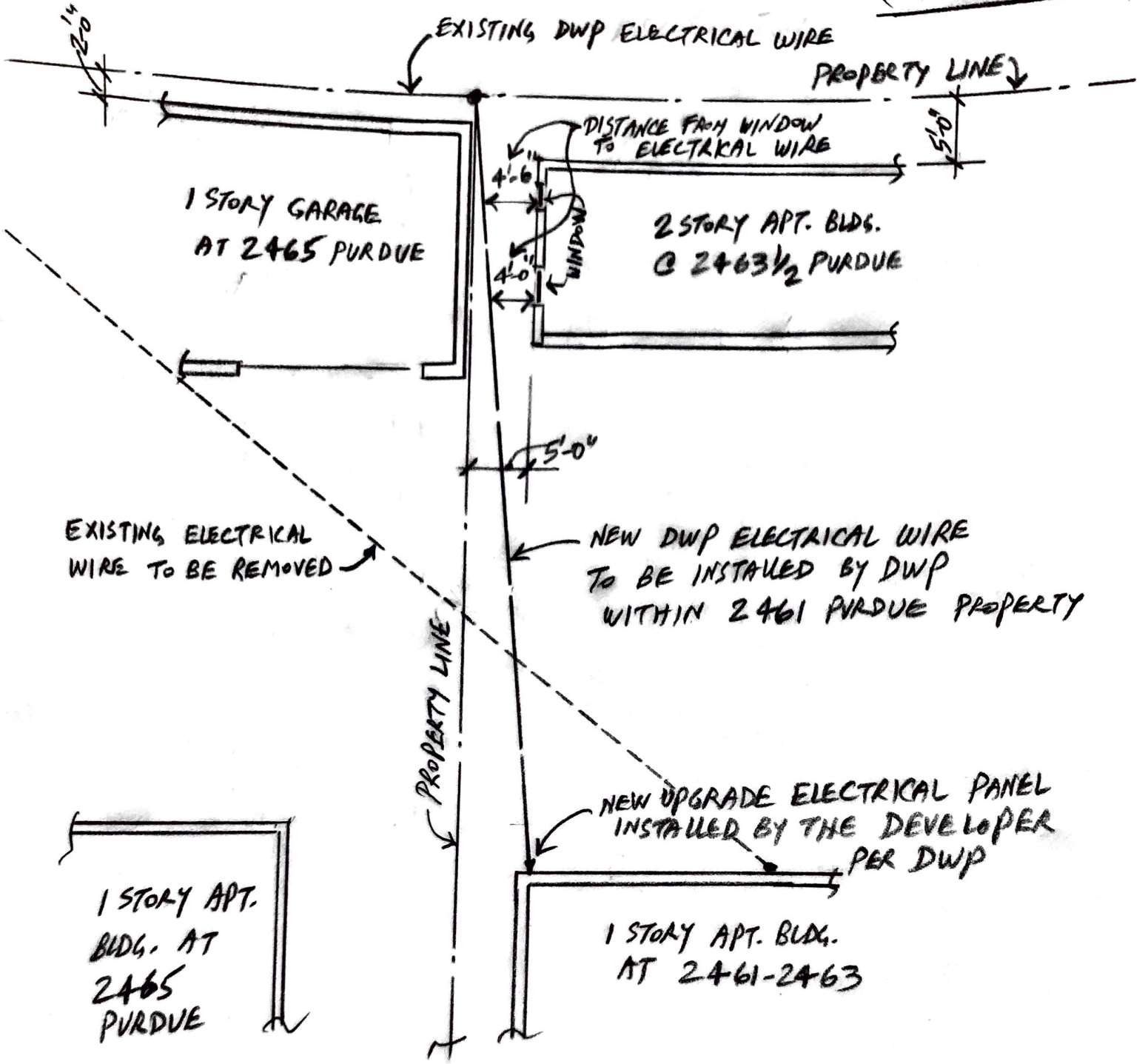
EXHIBIT C

ELECTRICAL CABLE
THAT NEEDS TO
BE REMOVED

NEW UPGRADED
ELECTRICAL PANEL
INSTALLED BY
MICHAEL GHODSI



(EXHIBIT D)



* THE ACTUAL DISTANCE FROM THE NEW ELECTRICAL WIRE TO THE WINDOWS AT 2463 1/2 PURDUE ARE 4'-0" & 4'-6" AS SHOWN ABOVE, THEREFORE COMPLY WITH DWP'S MIN. 3'-0" DISTANCE

PURDUE AVENUE \rightarrow
SCALE: $3/32" = 1'-0"$

(* NEW DWP ELECTRICAL WIRE)

February 3, 2019

(EXHIBIT E)

TO : Michael Ghodsi

**RE : The existing Pine tree near the Southeast corner
Of 2461 S. Purdue Avenue, Los Angeles**

I went by 2461 S. Purdue this morning to look at the existing Pine tree that is located near the Southeast corner of this property.

The purpose of this field investigation was to determine if the proposed excavation of approximately 14 feet for a subterranean parking garage at the Southern adjacent property at 2465 S. Purdue Avenue, will have an adverse effect on this existing Pine tree.

Based on my observation, the proposed excavation will not have an adverse effect on this Pine tree, since there has been a concrete driveway at 2465 S. Purdue Avenue adjacent to this tree, which prevents any major roots of the subject Pine tree to substantially grow under the concrete driveway, due to lack of adequate rain water penetrating the concrete driveway and reaching the roots.

Therefore, I don't see a problem for the subject Pine tree due to excavation for the subterranean garage at 2465 S. Purdue Avenue.

Sincerely,

Arturo Davila

Arturo Davila, ISA

Certified Arborist

Certification Number WE-9263AT

May 30, 2018

To: City of Los Angeles Planning Department

RE: **Tree Report for 2465 S. Purdue Avenue**

This Tree Evaluation Report is for the property owned by Franklin Views LLC located at 2465 S. Purdue Avenue, LA 90064. This property is currently occupied by a one story four unit apartment building.

The survey area associated with this report is limited to the trees that occur within the property lines of this property. Please refer to the attached site plan.

I visited the site on May 27 2018, to document the type and quantity of trees that exist in the survey area. All my observations were from ground level and dimensions were estimated. My inspection was of a preliminary nature and did not involve any climbing or detailed investigation beyond what was visible from accessible points at ground level.

The trunk, branches, and foliage were examined for each tree during the site visit, and the following observations were recorded: tree species and trunk diameter at breast height.

Description of Trees:

Eleven (11) trees representing 7 species were observed within the property. No street trees existed.

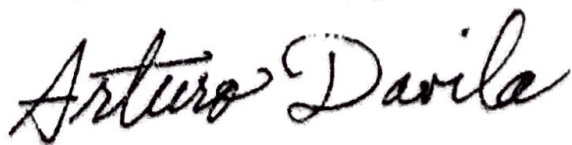
None of the trees in the survey area for this report are "protected trees" as defined in the City's Municipal Code.

The observed 11 trees at the property are all along the South side of the property, as follows:

- Two 10" Cypress trees
- One 5" Golden Crown tree
- One 8' Carolina Cherry tree
- Three 5" Eugenia trees
- One 8" Ash tree
- Two 10" Queen Palm trees
- One 6" Ash tree

All the above trees are proposed to be removed to allow construction of a subterranean parking garage at the site.

Report Prepared by:



Arturo Davila, ISA
Certified Arborist
Certification Number WE-9263AT

* EXHIBIT G



PINE TREE

2465 PURDUE

2465 PURDUE

CONCRETE DRIVEWAY

PROPERTY LINE

* EXHIBIT G

2461 PURDUE

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