

February 1, 2020

City Clerk, Room 395
City Hall, 200 North Spring Street
Los Angeles, CA 90012

Re: DIR-2019-3828-COA-1A
ENV-2019-3829-CE
Council District 5/6500 Olympic Pl.

OPPOSITION

To Whom It May Concern:

In regard to the above captioned matter, I am **opposed** to the proposed second story development at 6500 Olympic Pl. (“**Project**”).

I object to this Project because under the California Environmental Quality Act (“**CEQA**”), **a full EIR is required for this Project. CEQA rules prohibit a Categorical Exemption in this case.**

The Project exists in the South Carthay Historic Zone (“**HPOZ**”). “South Carthay is a positive historical asset to the City of Los Angeles as a result of its unique concentration of mid 1930’s residential housing, which is both intact and creates a powerful sense of time and place.”¹ Further, the “majority of [the South Carthay community’s] buildings are designed in the Spanish Colonial Revival Style . . . one of the popular styles of the period [the 1930s]... The Spanish Colonial Revival style symbolizes Southern California’s cultural and historic roots.”²

Because the Project is in the HPOZ, a Categorical Exemption cannot be granted because the Project: 1) significantly and negatively affects a historical resource; 2) has significant negative cumulative effects; 3) has significant negative impacts due to it being built under unusual circumstances; and 4) has particularly significant impacts due to its sensitive location.

The satisfaction of **any one** of these four elements means a Categorical Exemption cannot be applied to this Project.

1. A Categorical Exemption cannot be granted because the Project significantly and adversely affects the HPOZ, which is a historical resource.

Pursuant to CEQA, “A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.”³

It is indisputable that the HPOZ neighborhood and the structures in the zone are a “historic resource” under CEQA.⁴ The HPOZ was created by the City of Los Angeles to preserve structures that were deemed architecturally significant and to preserve the character of the neighborhood.

In the present case, both the home to be altered by the Project and the neighborhood in which the Project is located are historical resources. The Project substantially, irreversibly, and adversely alters the home itself, which is an original single floor Spanish colonial style home. The second floor addition would mean the home would no longer be an example of the original 1930s Spanish colonial architecture that the HPOZ was designed to preserve. Further, the Project substantially and adversely affects the neighborhood generally, as the collection of intact single story 1930s Spanish colonial homes give the neighborhood the uniformity and character that the HPOZ was designed to preserve.

Furthermore, the HPOZ Board and the Central Los Angeles Planning Commission denied the Project, which supports the conclusion that the Project would materially harm a historic resource. The Project was denied because the Project did not conform to the HPOZ prohibition against second story additions, impermissibly altered a historical home, and did not fit in with the historical architecture and character of the neighborhood.

Therefore, because the Project substantially and adversely harms and changes the significance of a historical resource, a Categorical Exemption from CEQA cannot be granted in this case.

2. A Categorical Exemption cannot be granted because the potential cumulative impacts of the Project will significantly and adversely affect the HPOZ.

Pursuant to CEQA, “All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.”⁵

If more homeowners in the HPOZ elect to add a second floor, this will dramatically change the character and architecture of the HPOZ neighborhood. The proliferation of second floors would destroy the HPOZ’s purpose of maintaining the significant architectural quality and character of the neighborhood.

Therefore, because of the significant negative cumulative impacts of other homes in the HPOZ potentially adding second floors, a Categorical Exemption from CEQA cannot be granted in this case.

3. A Categorical Exemption cannot be granted because the Project's effects are significant due to the unusual circumstances of being located in the HPOZ.

Pursuant to CEQA, "A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances."⁶

The Project involves an unusual circumstance because it is in the HPOZ. The Project is not a run-of-the-mill addition of a second floor on a house in Los Angeles. The HPOZ, with its historical designation, has been identified by the City of Los Angeles itself as special, and the architecture in the HPOZ worth preserving. There are relatively few historical zones in Los Angeles.

The Project would irreversibly alter an example of original 1930s Spanish colonial architecture in the HPOZ zone, the very type of architecture the HPOZ was designed to preserve. The Project would alter the character of the neighborhood that the HPOZ was designed to preserve.

The unusual circumstance of the Project being located in the HPOZ renders the negative impacts of the Project significant, and therefore a Categorical Exemption from CEQA cannot be granted in this case.

4. A Categorical Exemption cannot be granted because the location of the Project in the HPOZ makes its impacts significant.

Pursuant to CEQA, "*a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant.* Therefore, these classes [of categorical exemptions] are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies."⁷ [Italics added]

Again, because the Project is in the HPOZ, the Project's impacts are not the usual impacts of a second story addition to a house. The impacts go well beyond the typical impacts of adding a second floor to a home in a typical residential zone because the Project is in a specially designated historic zone.

The HPOZ zone, which has been designated by the City of Los Angeles, has been precisely mapped, and officially adopted pursuant to state and local law. The HPOZ is a particularly sensitive environment, with significant architectural qualities, and the HPOZ Board vigorously enforces rules to protect and preserve the sensitive environment. By virtue of being designated a historical zone, the Spanish colonial architecture in the HPOZ has been deemed an environmental resource of critical concern, as the HPOZ was put in place to preserve the unique architecture and character of the neighborhood.

The Project would irreversibly alter an example of original 1930s Spanish colonial architecture in the HPOZ zone, which would be a very significant outcome given the particularly sensitive environment in which the Project is located. Further, the Project would alter the character of the neighborhood that the HPOZ was designed to protect and preserve, also a very significant outcome given the particularly sensitive environment in which the Project is located.

Because the Project is located in the HPOZ, the typical impacts of adding a second floor to the home are, in this context, extremely significant, and therefore a Categorical Exemption from CEQA cannot be granted in this case.

For any of the 4 reasons provided above, the City cannot grant a Categorical Exemption to CEQA for the Project, and a full EIR is required.

Finally, unrelated to CEQA, the Project violates both the spirit and the letter of HPOZ rules, and has been rejected by the HPOZ board and the Central Los Angeles Planning Commission. I have registered reasons for denying this Project in my November 27, 2019 letter submitted to the Planning Commission, a copy of which is attached hereto and a copy of which has been submitted to the file for this matter.

Sincerely,



Aaron Friedland

Encl.

ENDNOTES

¹ Cultural Resource Documentation Report, Historic Preservation Overlay Zone, South Carthay prepared by the City of Los Angeles' Bureau of Engineering and Roger G. Hathaway and Associates in January 1983 for the City's Cultural Heritage Board and the City's Planning Department, page 11.

² *Id* at pages 8 and 12.

³ Cal Code Regs tit 14, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, §15300.2(f)

⁴ The CEQA Guidelines provides in relevant part as follows:

(a) For purposes of this section, the term "historic resources" shall include the following:

...

(3) Any object, building, structure, site, *area*, place, record or manuscript which a lead agency determines to be *historically significant or significant in the architectural*, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided that the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code § 5024.1, Title 14 CCR, Section 4852) including the following:

...

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction . . . or possesses high artistic values

...

(b) A project with an effect that may cause a substantial adverse change in the significance of an historic resource is a project that may have a significant effect on the environment.

(1) Substantial adverse change in the significance of an historic resource means physical demolition, destruction, relocation, or *alteration of the resource* or its immediate surroundings such that the significance of an historic resource would be materially impaired.

Cal. Code Regs., tit. 14 § 15064.5 (emphasis supplied)

⁵ Cal Code Regs tit 14, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, § 15300.2 (b)

⁶ Cal Code Regs tit 14, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, § 15300.2 (c)

⁷ Cal Code Regs tit 14, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, § 15300.2 (a)

November 27, 2019

VIA FED EX (7 copies) AND EMAIL (apccentral@lacity.org)

Central Los Angeles Area Planning Commission
c/o Etta Armstrong, Commission Executive Assistant
200 North Spring Street
Room 272, Los Angeles 90012

RE: Case #DIR-2019-3828-COA/6500 Olympic Pl.
Second Story Addition/South Carthay HPOZ
OPPOSED

I am a longtime owner of the duplex at 1031-1033 S. Alfred St. in South Carthay. I oppose the 2nd story addition proposed at 6500 Olympic Pl.

The South Carthay preservation plan calls for preserving **single story** Spanish colonial architecture. **The preservation plan specifically states that no second floor additions can be allowed.** The proposed second story is in direct conflict with the legally binding plan that applies to the homes in South Carthay.

Please enforce the HPOZ's very clear prohibition on 2nd story additions -- it does not matter how the 2nd story is designed or how many signatures the appellant gathers on a petition. The 2nd story is a clear, direct violation of the terms of the HPOZ plan.

Furthermore, to allow the proposed second story at 6500 Olympic Pl. would surely mean that all future requests to add a second story would have to be approved. This would dramatically change the character of South Carthay.

I bought my home specifically because it is in an HPOZ protected area. Everyone in the HPOZ must live by its clear rules and general intent to preserve the architecture and feel of the neighborhood. Just because the appellant hires lawyers and consultants to try to evade the rules does not mean they should be exempt from the clear, legally binding rules of the neighborhood.

I have attached an October 5, 2016 letter from Michael Olecki, another South Carthay resident, written to the HPOZ board in opposition to this project. It eloquently and clearly lays out reasons no second story should be added, with specific citations to the South Carthay HPOZ preservation plan, and notes the fact that **this project has been repeatedly turned down by the HPOZ board.** I concur with all of Mr. Olecki's points. I provide his letter to the Commission to further explain the reasons this project should not be built.

Please do not allow the second floor to be constructed at 6500 Olympic Pl.

Sincerely,


Aaron Friedland
(415) 637-0704

Michael J. Olecki
1050 South La Jolla Ave.
South Carthay

October 5, 2016

James Caccavo
Chair, South Carthay HPOZ Board
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**Re: 6500 Olympic Place
Consultation
"Second-story addition to a one-story structure on a corner lot"**

Dear Members of the South Carthay HPOZ Board:

Because I will be out of state (and therefore unable to attend Thursday's meeting), I write to provide public comment on the consultation for a "second-story addition to a one-story structure on a corner lot" (6500 Olympic Place, the "Property"). As discussed in more detail below, I request that the Board dissuade the Property's owner, the "Quinn 2012 Irrevocable Trust for the benefit of Jennifer C. Quinn," from attempting to submit an application to add a second-story addition.

My wife (Karen Bodner) and I have lived in our home directly across the street from the Property since 1991. I am the former Chair of the South Carthay HPOZ Board. We bought our home specifically because of the HPOZ protections, particularly the prohibition on second-story additions to single-story structures. Indeed, before buying our home, we had lengthy discussions with then-Chair (and co-founder of the HPOZ) Fred Naiditch. It was very important to us – and to many others who bought here in reliance on the HPOZ status – that our new neighborhood not experience the type of second-story building that was happening in the neighborhood we were attempting to flee. We had seen first-hand how second-story additions and other overbuilding harm the livability, and architectural appeal, of a charming neighborhood.

The South Carthay HPOZ Preservation Plan addresses this issue head-on, leaving no room for guesswork on the issue of second-story additions to single-story structures:

3. Additions that comprise a new floor (for instance a new second floor on a single-story house) are not appropriate.

See South Carthay HPOZ Preservation Plan, Ch. 8, at p. 57 (emphasis supplied). Because the Board's mission is to determine whether proposed additions to structures are appropriate, the Preservation Plan provides the straightforward answer here: no, a second-story addition to a single-story structure IS NOT. See also Ch. 8 of Preservation Plan (descriptions of the types of additions that *are* appropriate).

Beyond that, this is the Property owner's second (or third) attempt to seek approval for such a second-story. In 2011, the Board sent a strong message that such a second-story would be inappropriate. Although the Board members have changed, in part, since 2011, the preservation plan has not. A change in Board members should not be a means to achieve a different result. If anything, HPOZ preservation is about consistency and continuity.

6500 Olympic Place is a stellar example of the architecture that makes South Carthay special. It is also a prominent corner property at the intersection of two streets of single-story homes. It is also *already* a large structure, being several hundred square feet larger than almost all the surrounding homes. A second-story would create a remarkably *inconsistent* exclamation point in a place where it does not belong (despite the applicant's apparent contention that a second-story would provide "consistency" on corner lot properties). There may be ways for the Property's owner to achieve greater living space, but a second-story is not an appropriate one.

Finally, we understand that the applicant has gone door-to-door with a petition regarding the issue. Although there are a number of reasons why such a petition is unpersuasive, the most pertinent are that those signing the petition may not be familiar with the express prohibitions in the Preservation Plan, may simply have been trying to be friendly during a neighbor's face-to-face request, or may have signed based on hearing information that is *inconsistent* with or irrelevant to the HPOZ requirements. The HPOZ process provides for public comment if an actual application were to be submitted, and I am confident that a large number of residents – including some who actually signed the petition – will express their opposition to any second story addition at that time.

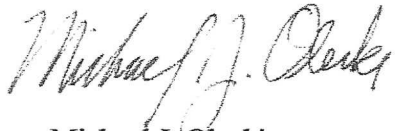
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James Caccavo *et al.*
October 5, 2016
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In summary, we urge the Board to cite the Preservation Plan in encouraging the Property's owner to avoid pursuing a proposal that is *per se* inappropriate.

Thank you.

Respectfully submitted,



Michael J. Olecki

cc: Blair Smith
(By email)

BLAIR.SMITH@LACITY.ORG