

# MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

1.

**APPEAL TO THE:** City Council  
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

**REGARDING CASE #:** CPC-2010-1554-DB-SPP, ENV-2012-110-EIR (SCH No. 20120314)

**PROJECT ADDRESS:** 1601-1605 N. Hobart Boulevard, 1600-1608 N. Serrano Avenue

**FINAL DATE TO APPEAL:** June 18, 2015

- TYPE OF APPEAL:**
1.  Appeal by Applicant
  2.  Appeal by a person, other than the applicant, claiming to be aggrieved
  3.  Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

**APPELLANT INFORMATION** – Please print clearly

Name: Charles J. Fisher

- Are you filing for yourself or on behalf of another party, organization or company?

Self       Other: \_\_\_\_\_

Address: 140 S. Avenue 57

Highland Park, CA      Zip: 90042

Telephone: (323) 256-3593      E-mail: arroyoseco@hotmail.com

- Are you filing to support the original applicant's position?

Yes       No

**ORIGINAL**

**REPRESENTATIVE INFORMATION**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

**JUSTIFICATION/REASON FOR APPEALING** – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

- Entire  Part

Your justification/reason must state:

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

**ADDITIONAL INFORMATION/REQUIREMENTS**

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
  - Master Appeal Form
  - Justification/Reason for Appealing document
  - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K “Appeals from Building Department Determinations” are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

*“If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any.”*  
 --CA Public Resources Code § 21151 (c)

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

Appellant Signature: Charles J. Fair Date: 06/15/2015

**Planning Staff Use Only**

Amount <u>\$108.60</u>	Reviewed and Accepted by <u>LFS</u>	Date <u>6/16/15</u>
Receipt No.	Deemed Complete by	Date

- Determination Authority Notified  Original Receipt and BTC Receipt (if original applicant)

*Charles J. Fisher, Historian  
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June 12, 2015

Los Angeles City Council,  
Planning and Land Use Management  
200 N. Spring Street, Room 340  
Los Angeles, CA 90012

Attn: Hon. Jose Huizar

RE Coronel Apartment Project,  
ENV 2012-110-EIR

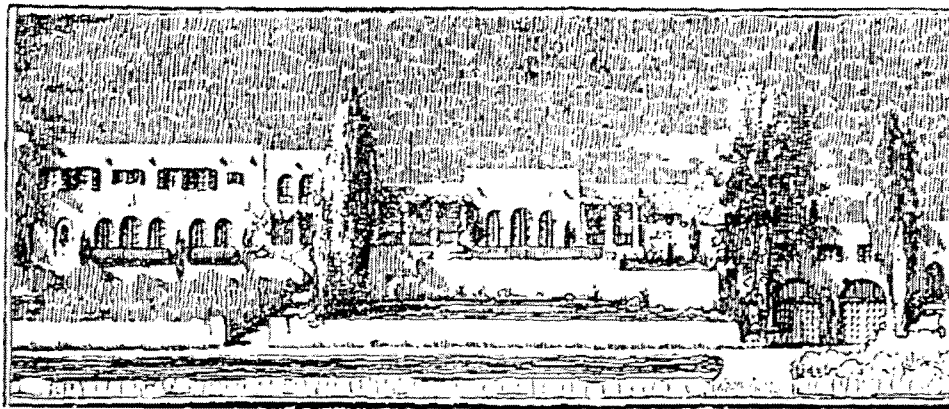
Dear Chairman Huizar,

I have filed this appeal of the certification of the Environmental Impact Report for the above project to express my concern over the demolition of the Harwood Hewitt designed Ehrbar Residence, located at 1601-05 N. Hobart Boulevard. Built in 1920, this house is an extremely rare example of Pueblo Revival architecture designed by an important architect, who, at the end of his life, had a major part in the design of the City Hall itself.

The argument has been made in the EIR document, specifically the report by PCR Services Corporation, that the house is not historic and therefore no reuse alternative was explored. It was also turned down by the Cultural Heritage Commission as a Historic Cultural Monument. It is our contention that the house is of a unique historic design that is rare in Southern California and as such, qualifies as a historic resource under the California Environmental Quality Act. Therefore, the failure of the EIR to acknowledge that and explore preservation alternatives to the demolition of the Ehrbar Residence has left the document incomplete and it that should not be certified until the preservation options are fully delineated and explored.

This house has been called out as historic by numerous experts, including the Los Angeles Conservancy, Hollywood Heritage, ICF International and Christy Johnson-McAvoy as being individually eligible for the National Register. A position which I concur with. Of the latter two, the report by ICF International, which was intended as part of a Section 106 review, has been discounted because it was never submitted to the file, as the applicant opted not to pursue any Federal funding for the Coronel Apartment Project (very possibly because of the preliminary determination by ICF.) Christy Johnson's original determination of individual National Register eligibility was made in 1979. She has subsequently noted that the house has "lost its context" but has never disputed her earlier opinion. "Lost its context" is merely an observation that almost every other home on Hobart has been replaced by multi-unit housing over the last half century. Context is not ordinarily a determining factor on whether or not a resource is individually eligible for the National Register.

The PCR report as well as their letter to Lambert Giessinger that is included in the Errata 2 for the final EIR attempts to downplay the importance of the design of the Ehrbar Residence by stating that it is nothing more than a minimalist example of Spanish Colonial Revival that happens to have some elements of Pueblo Revival. One of their arguments is that the arched windows are truly not emblematic of the Pueblo Revival style and cites Hewitt's design of a Pueblo Revival residence for author/playwright Hector Turnbull as a much better example of Pueblo Revival. However, it appears that the Turnbull house was never built, or, if built, is no longer extant. The rendering of it in the Los Angeles Times shows the same arched windows as are found in the Ehrbar Residence:



*Hollywood Foothill Home.*

Figure 17. Residence in La Brea Canyon, Hollywood, built for author and playwright Hector Turnbull, Harwood Hewitt architect ("Charming Homes for City and Suburbs," *Los Angeles Times*, January 18, 1920 p. V1)

The Errata 2 report goes on to argue that the Ehrbar House is neither a good example of Pueblo Revival or of a Flat Roof Spanish Colonial/Spanish Eclectic style, which is a common subset of the Spanish Colonial style. It is interesting that the PCR letter uses mostly examples from outside of the City of Los Angeles to make its case. Adrian Fine from the Los Angeles Conservancy refers to this issue in his letter of April 8, 2013:

“Although the residence is properly classified as a subtype of the Spanish Colonial style, its design and appearance strongly references the Pueblo Revival and examples of the flat roof subtype of Spanish Colonial Revival style that may incorporate Pueblo Revival influences, *architecture associated with Pueblo Revival design is highly uncommon in the City of Los Angeles, thus making the Ehrbar Residence a rare resource type.*”

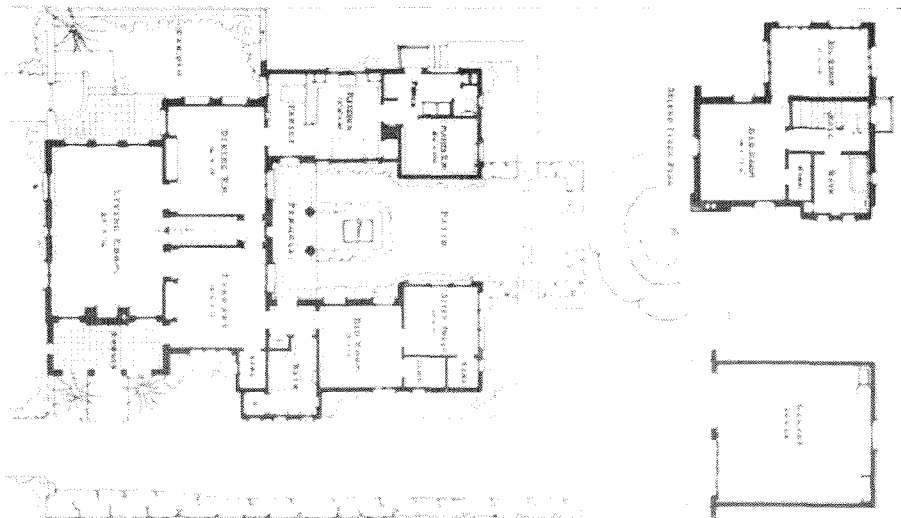
It is important to note that in Southern California, not every building is completely pure in styling. Architects have frequently used elements from one style to augment a building of another style. In the opinion of this writer, the Ehrbar Residence is a Pueblo Revival design, which incorporates some elements of the Spanish Colonial, such as the use of some clay tile roofing and the arched windows. However the overall look of the house is of Pueblo Revival, which is why it is more of that style than of any variation of Spanish Colonial Revival.

The PCR document goes on to disagree that Henry Harwood Hewitt was one of the earliest practitioners of the Pueblo Revival style. While that assertion is true in the larger context, there were virtually no examples of the style in Los Angeles prior to the time that the Ehrbar Residence was built. This partially explains why the PCR document cites earlier examples built outside of the City. Examples of the style and more importantly, variations of it are found throughout the Southwestern United States. However, there are very few examples in Los Angeles.

While the PCR document acknowledges that Hewitt was an important architect, it insists that the Ehrbar Residence is not a distinguished example of his work. In contrary, the house was recognized by various architectural publications at the time of its construction, including “California Homes by California Architects”, which is a compilation of photos and some floorplans of significant homes designed by important California architects. The Ehrbar Residence is represented by both a photo and a floorplan.



A. L. EHRBAR HOUSE, HOLLYWOOD  
HARWOOD HEWITT, ARCHITECT



One of the arguments made was that the house has not been written up in any of the more recent write-ups on Hewitt's work. That assertion could (and has) been made for many buildings that are now recognized as historic which were designed by many important architects. Hewitt's Waite Residence (HCM #890) in Eagle Rock was unknown as a Hewitt design until I traced down the original Eagle Rock building permit while writing the Historic Cultural Monument nomination. I also wrote the nomination for the T. R. Craig Residence (HCM #992) which turned out to be a forgotten design by Paul Revere Williams. I have also written successful nominations for previously forgotten designs by such important architects as Arthur B. Benton, Robert Brown Young, R. M. Schindler, Milwaukee Building Company, Charles E. Shattuck, Sumner P. Hunt, George H. Wyman and others.

In fact, if the argument that something has not been recently published is a criteria for not designating a monument, most of the now listed Historic Cultural Monuments would not have been declared. An interesting case, which has similarities to this one, is that of R. M. Schindler's Purviance Residence (HCM #844). This house was also slated for demolition and the initial nomination was turned down by the CHC. It was subsequently brought to the City Council by then Councilmember Eric Garcetti and was again reviewed by the CHC. An owner sponsored consultant's report had made many of the same assertions that were made against the Ehrbar Residence, but this time, the commission realized that they had not seen the whole story and voted unanimously to declare the house an HCM. The property was sold and the Purviance Residence is now one of the City's Mills Act properties.

Another argument is that the Ehrbar Residence has undergone too many alterations. These changes included the two front windows being replaced with aluminum and a one-story addition at the rear (not visible from the street) that has filled in the original rear patio and the removal of the internal staircase.

While the original two front windows have been changed out, the original fenestrations have remained as have the other casement windows. It would be a fairly simple matter to use the other windows as a pattern and recreate the two missing windows within the existing (original) openings.

Likewise, the addition was placed inside of the original walls surrounding the patio. Much of the original stucco as well as several of the original windows remain in place within the addition. It would not be hard to remove the addition and do a restoration of the patio.

The original internal staircase was never removed. Instead, it was walled up and a kitchen was built over it when the second story bedrooms were converted to an apartment. A staircase was built over the rear addition to supply access to this apartment.

When the house was inspected by the Cultural Heritage Commission, they were not shown the historic original interiors. Rather, they were taken up that now rickety stairway at the rear to the boarded up apartment that had been carved out of the upstairs of the house. They were not shown how intact the rest of the house was.

The Commissioners were told that there had never been any arrangement made with the tenants to gain access to the other parts of the house. I realize now that I should have just knocked on the door to the unit containing the original living room and dining room, just as I had done several years earlier when I took the photos that were included with the original Historic Cultural monument application. The commission was purposely shown the least significant parts of the house.

The result of the tour was that the house did not present itself well, in spite of the photographic evidence and the previous evaluations that had given it a 3S rating as being eligible for an individual listing on the National Register. This left the Cultural Heritage Commission with an incomplete view of the house. A view that was intended to display it in the worst possible light. At the same time, the PCR report specifically downplayed the interior elements that the CHC never observed as not in keeping with the Pueblo Revival style. Nor does that report discuss the local aspects of the interior or the aspects of the architect's own interpretation of the style in Southern California.

In spite of what the owner's consultant has stated, the fact that other experts have weighed in that this house is an important historic resource cannot be ignored. The closest thing to a peer review from an independent consultant was the work done by ICF International for the Section 106 Review, which stopped when the owners decided not to pursue any Federal funding for this project. The proper peer review would be one that is done by consultants that have no ties to any of the parties, such as the case with ICF. Until this is done, there is no basis for the conclusion that the resource is not of a historic nature

In conclusion, it is important to note that I am not opposed to the Coronel Apartment Project. My only objection is to the demolition of the Ehrbar Residence



as a part of that project. The project could have been initially designed to include the house either on its original site, or relocated to the Serrano Avenue frontage. Instead, because Ehrbar was outside of the former CRA boundary, the Hollywood Community Housing Corporation chose what they believed to be that path of expediency and incorporated two small insignificant bungalows in the design because they were inside the CRA zone. This decision has been unfortunate for all of the parties as it has delayed a project that should have otherwise been easily approved.

This appeal is asking that the Ehrbar Residence be given a truly independent review, with a complete analysis of its historic merit, and if ruled historic be given full analysis of all preservation alternatives in the Environmental Impact Report

Sincerely Yours,

A handwritten signature in cursive script that reads "Charles J. Fisher".

Charles J. Fisher,  
Historian