

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

This file contains correspondence and documents submitted to the Commission which is in compliance with the Commission Rules and Operating Procedures, Rule 4.3. Compliance means that the deadline, delivery method (hard copy and/or electronic) AND the number of copies, when applicable, has been met. This file is divided into three sections and each section has been bookmarked** by the case numbers if additional documents were submitted for specific cases on the agenda.

- **“Initial Submissions”**: Submissions received no later than by end of day Monday of the week prior to the meeting (unlimited).
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting (for the Central, Harbor and South Los Angeles Area Planning Commissions, the deadline is 3:00 p.m. Thursday prior to the Commission meeting). Maximum 10-pages including exhibits.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting. This section also includes material received at the meeting.

Material which does not comply with the submittal rules is not distributed to the Commission. The Commission Rules and Operating Procedures can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

Please note that all complying Initial Submissions **have been transmitted to the Commission,** either integrated with the Staff Report or along side it.

If the material was submitted to the project planner prior to the Monday deadline, it was made part of the staff report which can be accessed in the agenda by clicking on the specific item (correspondence is typically included at the end of the staff report). All other compliant material is included in this file.

Day of Hearing Submissions will be posted after the meeting and will be included at the end of this file.

**If you are using Explorer, you need will need to enable the Acrobat  toolbar to see the bookmarks on the left side of the screen.

If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

INITIAL SUBMISSIONS

SECONDARY SUBMISSIONS



Cox, Castle & Nicholson LLP
2029 Century Park East, Suite 2100
Los Angeles, California 90067-3284
P: 310.284.2200 F: 310.284.2100

Andrew K. Fogg
310.284.2178
afogg@coxcastle.com

File No. 076536

May 18, 2018

VIA EMAIL

Los Angeles City Planning Commission
c/o Rocky Wiles, Commission Office Manager
200 N. Spring Street
Room 532
Los Angeles, CA 90012

Re: 1350 N. Western Avenue, DIR-2016-4510-DB-SPR-WDI; ENV-2016-4511-MND: Request for Continuance of May 23, 2018 Reconsideration Hearing

Dear President Ambroz, Vice President Dake Wilson, and Members of the City Planning Commission:

This office represents 1350 Deluxe Hollywood Investors, LLC, the applicant ("Applicant") for the above-referenced project (the "Project"). On May 10, 2018, the City Planning Commission ("Commission") considered an appeal of the Project. After denying the appeal, the Commission voted to reconsider the appeal at its May 23, 2018 meeting, with the consent of the Applicant.

The Applicant hereby requests that the Commission continue the reconsideration hearing to the next available Commission meeting following the May 23, 2018 meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AKF', is positioned above the printed name of the signatory.

Andrew K. Fogg

AKF/AMD

cc: Lisa Webber, Deputy Director of Planning
Shana Bonstin, Principal City Planner
Christina Toy Lee, Senior City Planner
Mindy Nguyen, City Planner

076536\9718422v1

May 19, 2018

City Planning Commission
City of Los Angeles
200 N Spring St, Room 532
Los Angeles, CA 90012

City Planning Commissioners,

We are writing to you to in support of several projects on this week's Regular Meeting Agenda.

- Item 6, cases DIR-2016-4510-DB-SPR-WDI-1A & ENV-2016-4511-MND: we urge you to reject the appeal of the Planning Director's determination to conditionally approve the Density Bonus Compliance Review, Site Plan Review, and Waiver of Dedication and Improvements for the project, and to adopt the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP). This project will provide 203 new housing units, including 17 dedicated Very Low Income units. Over 70 Abundant Housing LA members submitted letters of support for this project, which is less than half a mile from frequent bus service and high quality rail transit at Hollywood/Western on the Metro Red Line. We have previously sent you correspondence on this project and renew our call for you to approve it.
- Item 7, cases DIR-2015-3566-DB-SPR-1A & ENV-2015-3567-MND: we urge you to reject the appeal of the Planning Director's determination to conditionally approve the Site Plan Review for the project, and to adopt the MND and MMP. This project will provide 75 new housing units, including 7 dedicated Very Low Income units. Over 70 Abundant Housing LA members submitted letters of support for this project, which is less than half a mile from frequent bus service and high quality rail transit at Hollywood/Western on the Metro Red Line. We have previously sent you correspondence on this project and renew our call for you to approve it.
- Items 8 & 9, cases VTT-74377-1A, DIR-2015-3939-DB-SPP-DI-SPR-1A, & ENV-2015-3940-MND: we urge you to reject the appeal of the Deputy Advisory Agency's determination to approve the Vesting Tentative Tract Map for the project. We further urge you to reject the appeal of the Planning Director's determination to adopt the MND and MMP, and approve the Density Bonus On-Menu Incentive. This project will provide 221 new housing units, including 19 dedicated Very Low Income units. This project is just over half a mile from the Metro Red Line stop at Vermont/Beverly, and is well served by nearby Metro bus (Routes 14/37 on Beverly, Route 201 on Virgil, Route 10/48 on Temple, in addition to Routes 204 & 754 on Vermont).
- We further note that between agenda items 6 through 9, almost 600 units of new housing, including 43 dedicated affordable units, will be produced. None of these projects will displace anyone, yet they are being appealed on spurious grounds by a small group of long-time opponents of new housing in the city. City staff are correct in their response to the appeal when they state that "the city is facing an unprecedented housing crisis... not specific to one geography within the City but an issue that should be addressed collectively." Collectively these

projects represent over half a percent of the mayor's 2021 goal for housing production. Please help resolve the housing crisis and approve these projects.

- Item 10, cases CPC-20162944-VZC-SPR-DB-CDO & ENV-2016-2945-MND: we urge you to grant the Vesting Zone Change from [Q]C2-1L-CDO and [Q]P-1VL-CDO to (T)(Q)RAS4-1VL-CDO, approve the Site Plan Review, approve the Density Bonus and Off-Menu Incentive for an additional 25' height, approve the Design Overlay Approval, and adopt the MND and MMP for this project. This project will provide 174 units of housing including 10 dedicated Very Low Income units. This project is in a great location for housing, directly served by the busiest bus corridor in the Valley, Van Nuys Blvd (Metro bus routes 156/656, 233, and 761, which will get even better transit service in the future with Metro's proposed Van Nuys transit corridor).
- Item 11, cases CPC-2017-5245-DB-CDO & ENV-2017-5246-CE: we urge you to grant the Density Bonus On-Menu Incentives and Waivers or Modifications of Development Standards, grant the Community Design Overlay Approval, and find the project Categorically Exempt from CEQA. This project will create 26 units of dedicated affordable senior housing, and is in a great location for such a project. It is just one block from frequent Metro bus service in all directions (Route 163/162 on Sherman Way, Routes 150/240 and 741 on Reseda Blvd).

Combined, these projects will create 799 units of housing, including 79 dedicated affordable units, helping meet the region's housing needs and achieving almost 1% of the mayor's 2021 goal. We urge you to approve these projects.

Best Regards,

The Abundant Housing LA Steering Committee:



Matt Dixon
620 W Wilson Ave, Unit H
Glendale 91203



Mark Vallianatos
3591 Canada St
Los Angeles 90065



Brent Gaisford
3236 Hutchison Ave
Los Angeles 90034



Leonora Yetter
1013 16th St, Unit 102
Santa Monica 90403



Mark Edwards
1174 N Curson Ave, #8
West Hollywood 90046



Gabe Rose



Chelsea Byers

ARMEN MAKASJIAN & ASSOCIATES

5111 SANTA MONICA BLVD #205

LOS ANGELES, CA 90029

Tel. (213) 665-5293 / Fax. (213) 665-0809

May 18, 2018

Los Angeles City Planning Commission
14410 Sylvan St.
Van Nuys, CA 91401

Case # DIR 2016-4510-DB-SPR-WDI-1A
Project address: 1350-1360 N. Western Ave.
5433-5499 Fernwood Ave.
1377 N. Serrano Ave.

Dear Honorable Commission Members:

I am a state of California Certified General Appraiser with over 25 years experience in appraising apartment and non-residential buildings within the county of Los Angeles. I am also a part-time real estate continuing education instructor of various appraisal topics that include highest and best use, site analysis, income property appraisal.

Upon reviewing the transaction history of the proposed project's site, it is clear that the parcels, along with any improvements, have always transferred as a single entity. According to copies of the grant deed documents provided by Lawyer's Title, title vesting has always been under a single entity (refer to documents #2012018683, #20131812982, #20151160187). Title was also held as a single entity during the lot line adjustment process indicating that the parcels were never partitioned or sold off to any other person or entity. Therefore, development of the site was always under the control of the same entity.

Respectfully submitted



Armen Makasjian
Commercial property appraiser
Instructor, RET

RECORDING REQUESTED BY
STEWART TITLE OF CALIFORNIA, INC.
WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:



1377 North Serrano Holdings LLC
35 East 62nd Street
New York, NY 10065
Attn: Michael C. Borofsky

7034-01180-19046

APN: 5544-032-013, 5544-032-014 and 5544-032-016
Title No. 01180-19046

TRANSFER TAX
NOT A PUBLIC RECORD

In accordance with Section 11932 of the California Revenue and Taxation Code, Grantor has declared the amount of the transfer tax that is due by a separate statement which is not being recorded with this Grant Deed.

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, DELUXE LABORATORIES, INC., a Delaware corporation ("Grantor"), does hereby grant, bargain, sell and convey to 1377 NORTH SERRANO HOLDINGS LLC, a Delaware limited liability company ("Grantee"), the following described real property situated in the City of Los Angeles, County of Los Angeles, State of California (the "Property") together with all improvements thereon, and all rights, benefits, privileges, easements, hereditaments, tenements, rights-of-way and appurtenances belonging to such Property:

SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY THIS REFERENCE.

Subject to the taxes and assessments not yet due and payable, reservation in patents and all easements, rights of way, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

[SIGNATURE ON NEXT PAGE]

DATED this 28th day of December, 2012.

GRANTOR:

DELUXE LABORATORIES, INC.,
a Delaware corporation

By: 
Name: John Suh
Its: _____

This page is part of your document - DO NOT DISCARD



20131812982



Pages:
0006

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

12/27/13 AT 08:00AM

FEES:	34.00
TAXES:	NFPR
OTHER:	0.00
PAID:	NFPR



LEADSHEET



201312270140008

00008703232



005959083

SEQ:
02

DAR - Title Company (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

R06

ESM001

WHEN RECORDED MAIL TO
AND MAIL TAX STATEMENTS TO:

SoCal North Serrano SPV 1, LLC
c/o Harridge Development Group, LLC
6399 Wilshire Boulevard, Suite 208
Los Angeles, California 90048
Attn: David Schwartzman



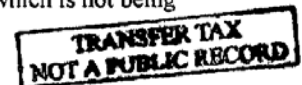
APN: 5544-032-013, 5544-032-014 and 5544-032-016

44

5

In accordance with Section 11932 of the California Revenue and Taxation Code, Grantor has declared the amount of the transfer tax that is due by a separate statement which is not being recorded with this Grant Deed.

GRANT DEED



FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, 1377 NORTH SERRANO HOLDINGS LLC, a Delaware limited liability company ("**Grantor**"), does hereby grant, bargain, sell and convey to SOCAL NORTH SERRANO SPV 1, LLC, a Delaware limited liability company ("**Grantee**"), the following described real property situated in the City of Los Angeles, County of Los Angeles, State of California (the "**Property**") together with all improvements thereon, and all rights, benefits, privileges, easements, hereditaments, tenements, rights-of-way and appurtenances belonging to such Property:

**SEE EXHIBIT "A" ATTACHED HERETO AND
INCORPORATED HEREIN BY THIS REFERENCE.**

Subject to the taxes and assessments not yet due and payable, reservation in patents and all easements, rights of way, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record as of the date hereof.

(SIGNATURE ON NEXT PAGE)

Signature of Declarant or Agent Accepting on Firm Name
SoCal

Mail Tax Statements to Return Address Above

714271.03-LACSR01A - MSW

1

627477-21 29

EXHIBIT A
LEGAL DESCRIPTION

PARCEL A:

THAT PORTION OF LOT 4 AS DESIGNATED ON REFEREE MAP OF PARTITION OF PART OF LOT 66 OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED AS CLERKS FILED MAP 184, ON FILE IN THE OFFICE OF THE COUNTY ENGINEER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT, 25.08 FEET; THENCE SOUTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT, 90 FEET; THENCE EASTERLY AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT TO THE EASTERLY LINE OF SAID LOT; THENCE NORTHERLY ALONG SAID EASTERLY LINE TO THE POINT OF BEGINNING.

PARCEL B:

THOSE PORTIONS OF LOTS 1 AND 2 AS DESIGNATED ON REFEREE'S MAP OF PARTITION OF PART OF LOT 66 OF SUBDIVISION OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FILED IN THE CASE OF SEPULVEDA VS. LAMORA, NO. 7025, SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOTS 1 AND 2, 150 FEET TO A POINT; THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID LOT 1, TO A POINT 90 FEET SOUTH FROM THE NORTH LINE OF SAID LOT 2; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID LOTS 1 AND 2, 150 FEET TO THE WEST LINE OF SAID LOT 1; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1 TO THE PLACE OF BEGINNING.

PARCEL C:

THOSE PORTIONS OF LOTS 2,3 AND 4 AS DESIGNATED ON REFEREE'S MAP OF PARTITION OF PART OF LOT 66 OF THE SUBDIVISION OF THE WEST PORTION OF THE LICK TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN THE CASE OF SEPULVEDA VS. LAMORA NO. 7025 SUPERIOR COURT OF SAID COUNTY, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT 2, DISTANT EASTERLY THEREON 150 FEET FROM THE WESTERLY LINE OF SAID LICK TRACT, SAID POINT OF BEGINNING BEING THE SOUTHEAST CORNER OF THE LAND DESCRIBED IN DEED TO DAVID COHN AND GRACE COHN, RECORDED IN BOOK 3588 PAGE 190, OFFICIAL RECORDS OF SAID COUNTY, THENCE FROM SAID POINT OF BEGINNING NORTH PARALLEL WITH THE WEST LINE OF SAID LOT 2 TO A POINT 90 FEET FROM THE NORTHERLY LINE OF SAID LOT 2, THENCE EASTERLY PARALLEL WITH THE SOUTHERLY LINE OF LOTS 2, 3 AND 4 TO A POINT IN THE EAST LINE OF SAID LOT 4, DISTANT THEREON 90 FEET SOUTHERLY FROM THE NORTHEAST CORNER OF SAID LOT 4, THENCE SOUTH ALONG SAID EAST LINE 204.03 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID LOTS 4, 3 AND 2, 220.92 FEET TO THE POINT OF

19572322.1

BEGINNING.

EXCEPT THEREFROM THOSE PORTIONS OF SAID LOTS LYING WITHIN THE LINES OF
FERNWOOD AVENUE.

PARCEL D:

PARCEL B OF PARCEL MAP #2225, IN THE CITY OF LOS ANGELES, COUNTY OF LOS
ANGELES, STATE OF CALIFORNIA, FILED IN BOOK 33 PAGE 72 OF PARCEL MAPS, IN THE
OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL E:

LOT 5, DESIGNATED ON REFEREES MAP OF PARTITION OF A PORTION OF LOT 66 OF THE
WEST PORTION OF THE LICK TRACT, RANCHO LOS FELIS, IN THE CITY OF LOS ANGELES,
IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED FILED
IN CASE OF SEPULVEDA VERSUS LAMORA, NO. 7025, SUPERIOR COURT, CLERKS
FILE MAP 184.

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**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO
AND MAIL TAX STATEMENTS TO:**

1350 Deluxe Hollywood Investors, LLC
c/o LaTerra Development, LLC
1880 Century Park E, Suite 600
Los Angeles, California 90067
Attn: Charles Tourtellotte



APN: 5544-032-013, 5544-032-014 and 5544-032-016

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DOCUMENTARY TRANSFER TAX ^{230,625.00} ~~234,000.00~~ (City); ^{56,375.00} ~~57,200.00~~ (County)

☒ Computed on the consideration or value of property conveyed;

OR

Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

(89) (44)

The tax has been determined by the undersigned grantor

8015185-27.

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SOCIAL NORTH SERRANO SPV 1, LLC, a Delaware limited liability company ("Grantor"), does hereby GRANT to 1350 DELUXE HOLLYWOOD INVESTORS, LLC, a Delaware limited liability company ("Grantee"), all of that certain real property in the City of Los Angeles, County of Los Angeles, State of California, as more particularly described in Exhibit "A" attached hereto and made a part hereof, subject to (i) non-delinquent real estate taxes and general and special assessments, (ii) such state of facts as are disclosed by the Survey (as that term is defined in that certain Agreement of Sale and Purchase dated August 28, 2015 by and between LaTerra Development, LLC, a California limited liability company ("LaTerra"), and Grantor, as assigned pursuant to that certain Assignment of Agreement of Sale and Purchase dated September 3, 2015 by and between LaTerra, as assignor, and Grantee, as assignee), and (iii) all other covenants, conditions, restrictions, reservations, rights, rights-of-way, dedications, offers of dedication and easements, in each case, of record for such property being conveyed, and all restrictions imposed by law.

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IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this
17th day of September, 2015.

"GRANTOR"

SOCAL NORTH SERRANO SPV I, LLC,
a Delaware limited liability company

By: 
Name: DAVID SCHWARTZMAN
Title: Authorized Signer

ARMEN MAKASJIAN
5111 Santa Monica Blvd, #205
Los Angeles, CA 90029
(323) 665-5293 / Fax: (323) 665-0809

INDEPENDENT APPRAISER D.B.A. ARMEN MAKASJIAN AND ASSOCIATES:

(September 1995 to Present)

Independent appraisal work as a private business. Fee appraiser for mortgage lenders, banks, attorneys, and various real estate brokers involving commercial property including apartment buildings, retail stores and motels, single-family, condominiums, and two-to four-unit properties, including FHA appraisals. Geographic territory covers Los Angeles County and portions of Orange County. Expertise includes property appraisals involving nonconforming and unpermitted uses, and highest and best use. This includes extensive research with various, city building and planning departments.

-Appraisal instructor with Real Estate Trainers Inc., teaching various courses including Advanced and Complex Appraisals, Highest and Best Use, Expert Witness, Cost Approach, Appraising Apartment Buildings, and Report Writing.

-Real estate instructor for the real estate salesperson state exam preparation (Real Estate Trainers).

-Course Written: Appraising Apartment Buildings, March 2015

-January 2001 to January 2002)-Review appraiser for HUD focusing in the south-central Los Angeles area.

ARMEN REALTY INC: (February 1984 to Present)

Real Estate Broker: President of Armen Realty. Family real estate office established in 1963, incorporated in May 2004. Involved in real estate sales specializing in single family and apartment buildings. Provided sellers and buyers with competitive market analyses (CMA's) for property tax and probate considerations, including reports regarding city planning and use code changes. Participated in "canvassing" and solicited for property listings through "cold calls" and door-to-door farming. Rendered market opinions regarding property values based upon market comparisons and interest rate fluctuations.

Property Management: Served as off-site manager for multi-family residences. Engaged in rent collections and deposits, rental agreements/negotiations, and tenant relations. Supervised property rehabilitation and remodeling.

LANDMARK APPRAISALS: (September 1992 to September 1995)

Fee-split appraiser on single-family and one to four-unit properties. Have prepared "Broker Price Opinions" (BPO's) and full property appraisals for GMAC involving REO's and foreclosures.

During this period, briefly worked at Benjamin Tunnell Inc., preparing employee relocation appraisals.

EDUCATION:

-Bachelor of Science degree in Finance (real estate option), California State University, Los Angeles, 1987. Courses included real estate principles, practices, finance, appraisal, and real estate law, Uniform Standards of Professional Appraisal Practice, (Current), Federal and State Regulations in Real Estate Appraisals, FHA and the Appraisal Process (The Appraisal Institute), Statistics, Capitalization, Partial Interests, and Reports, FHA Appraisal Practice, Environmental Issues and Obligations, Marshall & Swift Cost Seminar.
-Current completion of continuing education requirements which include the Uniform Standards of Professional Appraisal Practice (USPAP) and Federal Laws and Regulations.

PROFESSIONAL AFFILIATIONS:

-Los Angeles Board of Realtors, California Association of Realtors

LICENSING:

-California Real Estate Appraisal License, #AG018345

-California Real Estate Broker's License, #00861276

May 21, 2018

Doug Haines
P.O. Box 93596
Los Angeles, CA 90093

Los Angeles City Planning Commission
City of Los Angeles Planning Department
200 N. Spring St., 5th Floor
Los Angeles, CA 90012

RE: CASE No.: DIR-2016-4510-DB-SPR-DI-1A; CEQA Case No.: ENV-2016-4511-MND;
Project Addresses: 1377 N. Serrano Ave., 1350-1360 N. Western Ave., 5433-5499 W. Fernwood Ave.

President Ambroz and Honorable Commission members:

At the request of the applicant, this Commission is scheduled to reconsider our appeal of the Deluxe Apartments Project at the Commission's May 23 meeting. This reconsideration was approved without our participation or knowledge. Although the audio recording of the May 10 hearing includes statements by Planning Department staff that the reconsideration is necessary in order to clarify the chronology of the project and its environmental analysis, the reality is that the applicant seeks the reconsideration merely to put pressure on Commissioner Perlman to retract his statements that the project was piecemealed in violation of the California Environmental Quality Act. Such statements constitute substantial evidence in a court of law.

The reality is that the applicant purchased a 3.8-acre former film laboratory complex and surface parking lot. The majority of the site was then demolished, retaining only a 3-level film processing facility that was gutted and converted into an office building. At the same time, the applicant illegally began construction of a 350-parking garage while pretending to only seek City approvals for the 203-unit apartment complex.

As previously noted by staff, the Overland Traffic Study is dated March, 2017. The Certificate of Occupancy for the new office building is listed on the LA Department of Building and Safety website as April 10, 2017, May 4, 2017 and April 11, 2018. The parking garage received its C of O on September 21, 2017. The majority of traffic counts for the Overland study were conducted in 2015. The lab building was vacated on May 4, 2014, gutted and refurbished over a three-year period. The applications were continually submitted and withdrawn while the applicant improperly proceeded with excavation and development of the site.

15010-10002-03713	B16LA10954	Bldg-Alter/Repair	Permit Finaled 6/5/2017	SUPPLEMENTAL PERMIT TO # 15010-10000-03713 FOR POST TENSIONING AND BARRIER CABLES FOR 6- LEVEL OPEN PARKING GARAGE . (See comment) .
15010-10000-03713	B15LA14630	Bldg-New	CofO Issued 9/21/2017	A NEW PARKING GARAGE BUILDING (C of O shall not be issued prior to recordation of lot line adjustment AA-2014-717-PMEX)
15041-10000-35402	E15LA03890	Electrical	Permit Finaled 5/17/2017	New multilevel parking structure with five interior levels and a roof. PC for power and energy. Main switchgear: 600 Amps. Total Sq Ft = 135305.

1362 N WESTERN AVE 90027

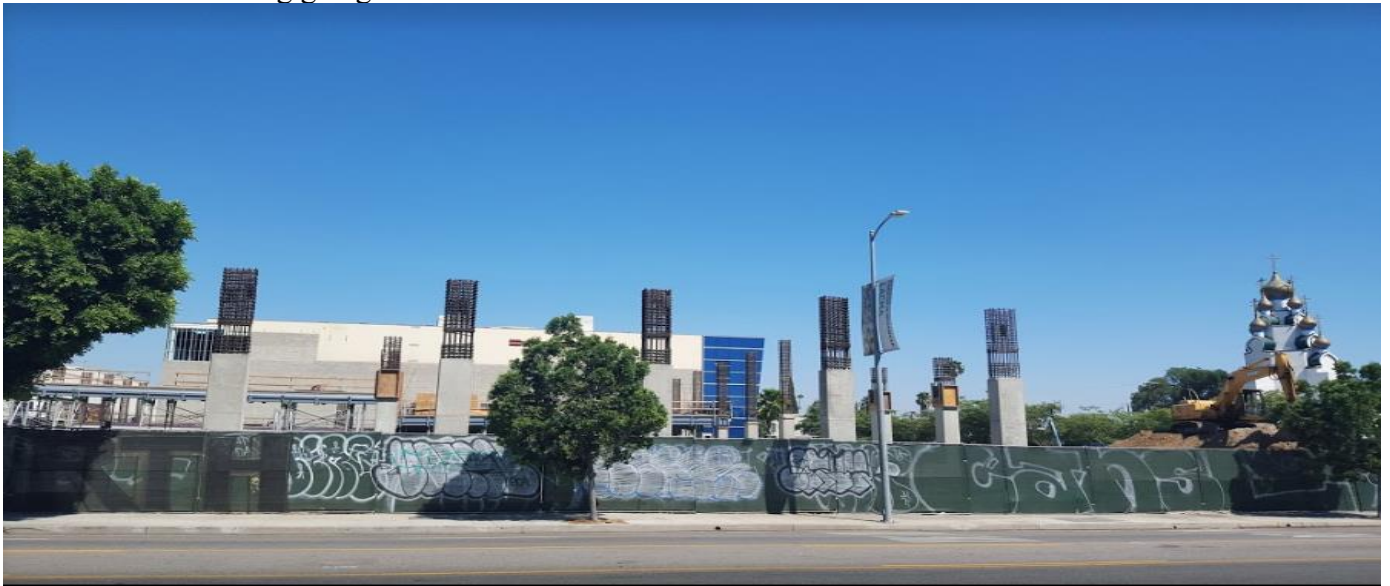
Certificate Of Occupancy Details

Certificate Number 146144
Current Status CofO Issued - 09/21/2017 Hamid Pishehvar (213) 482-0372
Associated Permits [15010-10000-03713](#) , [15010-10001-03713](#) , [15010-10002-03713](#) , [15010-10003-03713](#)

Certificate Of Occupancy Clearances: OK for CofO

Date	Description	Status	Phone	Comment
09/21/2017	Building Verification	OK for CofO	(213) 482-0372	

Photos below: Parking garage under construction in 2016





Parking garage today. Note that no cars are visible, despite the commercial use being rented.

1377 N SERRANO AVE 90027

Application / Permit	16016-70000-01233
Plan Check / Job No.	B16SL00069
Group	Building
Type	Bldg-Alter/Repair
Sub-Type	Commercial
Primary Use	(13) Office
Work Description	Change of use from Film Production Laboratory to Office with interior and exterior alterations
Permit Issued	Issued on 3/30/2016
Issuing Office	Valley
Current Status	CofO Issued on 4/10/2017
Certificate of Occupancy	CofO Issued More Information

Permit Application Status History

Submitted	1/20/2016	APPLICANT
Assigned to Plan Check Engineer	2/4/2016	ALLEN MANALANSAN
Corrections Issued	2/8/2016	ALLEN MANALANSAN
Disabled Access Plans Picked Up	2/10/2016	APPLICANT
Reviewed by Supervisor	2/12/2016	JOHN VASQUEZ
Building Plans Picked Up	2/16/2016	APPLICANT
Plan Check Approved	3/17/2016	ALLEN MANALANSAN
Issued	3/30/2016	LADBS
CofO in Progress	3/22/2017	TED RIES
CofO Issued	4/10/2017	HENRY BAGHDASSARIAN
Permit Finalized	4/10/2017	HENRY BAGHDASSARIAN

Permit Application Clearance Information

LA DBS permit history for new office building, with C of O issued April 10, 2017.

		Alter/Repair	Finaled 2/27/2017	parking NO FEES, NO CHANGE IN VALUATION
16016-70000-01233	B16SL00069	Bldg- Alter/Repair	CofO Issued 4/10/2017	Change of use from Film Production Laboratory to Office with interior and exterior alterations
16016-10002-01233	B17LA05196	Bldg- Alter/Repair	Permit Finaled 4/6/2017	Supplemental to 16016-70000-01233 to remove comment from DAS clearance NO FEE, DEPARTMENT ERROR.



Photo above: Site demolition in 2015. Note gutted film processing building at left.

The chronology of the record is clear.

Thank you,

May 20, 2018

Doug Haines
La Mirada Ave. Neighborhood Assn.
P.O. Box 93596
Los Angeles, CA 90093

Los Angeles City Planning Commission
City of Los Angeles Planning Department
200 N. Spring St., 5th Floor
Los Angeles, CA 90012

RE: Case No.: DIR-2016-3566-DB-SPR-1A; CEQA Case No.: ENV-2015-3567-MND;
Project Addresses: 1276 N. Western Ave., 5460 W. Fountain Ave.

President Ambroz and Honorable Commission members:

Note the following response to the Staff Appeal Report for the 1276 N. Western Ave. project. The Commission is scheduled to consider our appeal of the project at its May 23, 2018 hearing.

I. The project as proposed violates the findings necessary to approve a Site Plan Review, as the development is incompatible with its surroundings and environmental setting.

Staff contends that the project is compatible with existing and future development in the surrounding area. As proposed, the project would consist of a 75-unit, 6-story, 62-foot-tall density bonus development on a 21,142 sq. ft. lot located immediately across from the northbound entrance to the 101 Freeway.

Under Los Angeles Municipal Code (LAMC) Section 16.05, the purpose of a Site Plan Review is “to promote orderly development, evaluate and mitigate significant environmental impacts, and promote public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and environmental setting, and to control and mitigate the development of projects which are likely to have a significant adverse effect on the environment.”

Staff argues that “*the surrounding area is developed with buildings of similar heights as the proposed project,*” citing three examples: 1) The Holy Transfiguration Russian Orthodox Church at 5428 Fernwood Ave.; 2) A reference that “*the structure located at the southwest corner of Western Avenue and Sunset Boulevard has a height of approximately 74 feet;*” and 3) “*The existing office space located one block north of the subject site is approximately 60 feet in height.*”

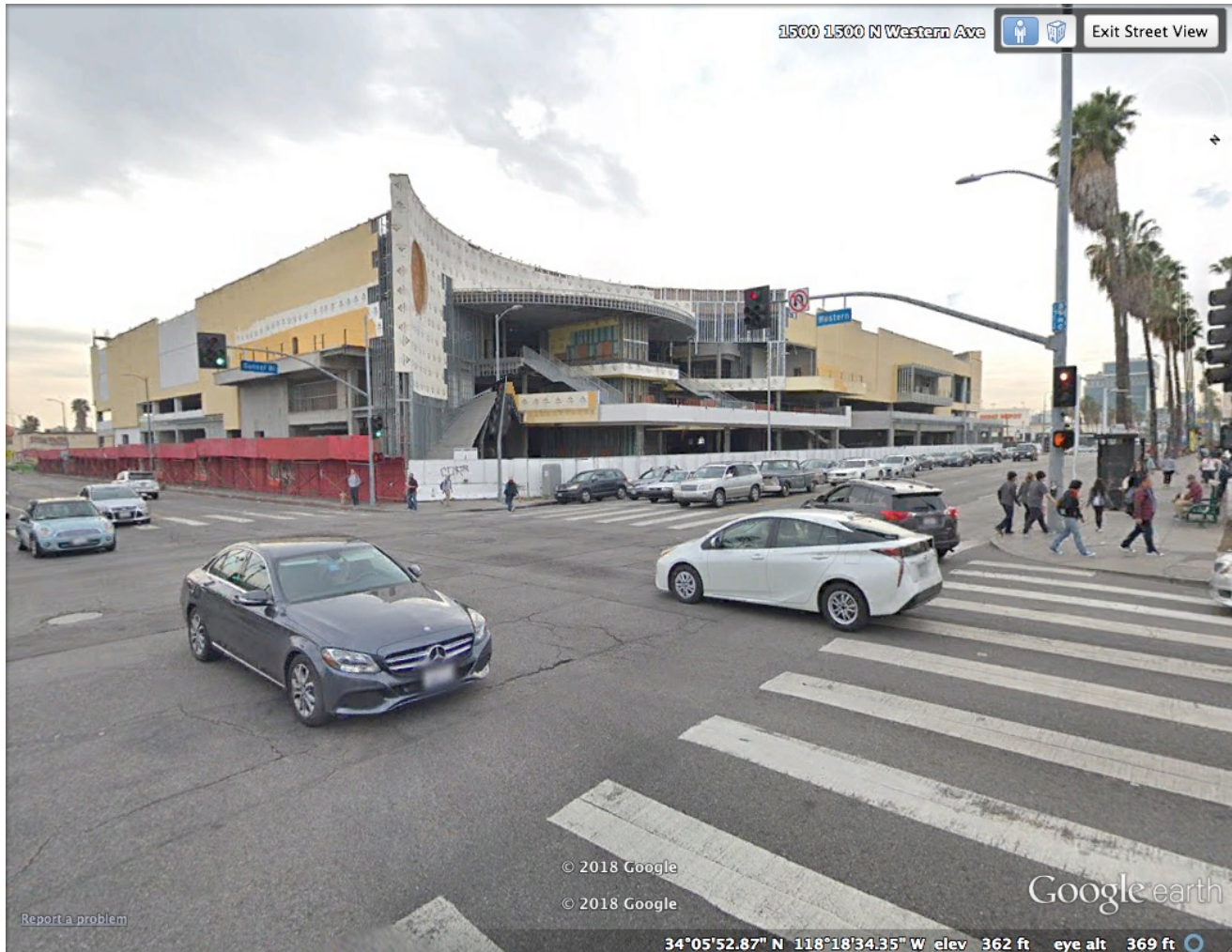
First, the City’s Zone Information and Map Access System (ZIMAS) lists the Holy Transfiguration Church as “Church – One Story.” A church steeple is an ornamental structure incidental to the main building, and is not considered residential, commercial, or office space. The comparison to the project is inapposite.



Above and below: Exterior and interior of Holy Transfiguration Russian Orthodox Church



Second, Planning Staff's identification of a 74-foot-tall "structure" at the southwest intersection of Sunset Blvd. and Western Ave. is in reference to a partially completed Target store at that location (Case No.: APCC-2008-2703-SPE-CUB-SPP-SPR-1A). In 2014, the courts threw out the City's approval of the "Target at Sunset and Western" development, including the City's approval of a 75-foot building height. It is therefore questionable why the City Planning Department has chosen to use this illegal development as an example of a project comparable to the scale and massing of the Fountain/Western Apartments.



The illegal Target project at the intersection of Sunset Blvd. and Western Ave. is cited by Planning Staff as "compatible with the scale and massing" of the proposed Fountain/Western development.

Third, staff's statement that an "*existing office space located one block north of the subject site is approximately 60 feet in height*" apparently is in reference to the former Deluxe Laboratories building at 1377 N. Serrano Ave. That facility, which was a 3-level film processing plant, has been gutted and remade into an office building while other entitlements are pending under Case No. DIR-2016-4510-DB-SPR-DI-1A. In 2007, Deluxe Laboratories received a variance under Case No. ZA 2007-0024(ZV) to allow the building to have a 59-foot height in lieu of the 45-foot height limitation imposed upon commercial corner developments.

In the 2007 findings, Zoning Administrator Daniel Green pointed out that the then [Q]CM-1 zoning for the site limited the Floor Area Ratio to 0.82:1 (which was stated as being more restrictive than 99% of the lots in Los Angeles), and that all other abutting and adjoining properties possessed a FAR of 1.5:1 or greater. Mr. Green also noted that the building was sited at the center of the Deluxe campus to lessen its impacts (located 300 feet from Western Ave. and 200 feet from Fernwood Ave.), and that the height increase *“involves no privacy diminution as there are no windows or observation decks or balconies that will peer down into residential yards.”* Zoning administrator Green further pointed out that 40% of the height increase was required for screens to hide rooftop mechanical equipment.



Deluxe Film Laboratories' 3-story film processing facility, shown in January of 2015 being gutted to convert it into an office building.

In summation, Planning Staff references a church steeple, an illegal, over-height Target store, and a former film processing facility that received a hardship height variance as the only known examples of buildings in the area with a height comparable to the proposed project.

In reality, the area surrounding the project site primarily consists of single-family homes, one- and two-story multi-unit residential buildings, and low-scale commercial properties. In recognition of the low-density nature of the existing community, the City Planning Commission in 2011 reduced the area's zoning from [Q]R4-1VL to restricted density RD1.5-1XL as part of the Hollywood Community Plan Update. The City Council approved this change in 2012. In so doing, the City found that the downzoning was necessary to *“re-scale zoning for compatibility with rest of block,”* and *“that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.”*



Data Sources: Department of City Planning, Bureau of Engineering

Map from 2012 Hollywood Community Plan Update, showing downzoning of properties adjacent to the proposed project (reduced in zoning from [Q]R4-1VL to RD1.5-1XL).

Although the City's approval of the Hollywood Community Plan Update was overturned in court (due to the City's densification of many areas based upon erroneous population statistics), the draft revised Update, consistent with the court's ruling, maintains the down zoning.

23:4A ([Q]R4-1VL FAR 3:1)	Existing "Q" Qualifying Condition imposed by Ordinance 165666: Residential density shall be limited to a maximum of one dwelling unit for each 800 sq. ft. of lot. No existing "D" Development Limitation.	R3-1 FAR 3:1 Delete existing "Q" Qualifying Condition.	Rescale zoning for compatibility with rest of block.
23:4B ([Q]R4-1VL FAR 3:1)	Existing "Q" Qualifying Condition imposed by Ordinance 165666: Residential density shall be limited to a maximum of one dwelling unit for each 800 sq. ft. of lot. No existing "D" Development Limitation.	RD1.5-1XL FAR 3:1 Delete existing "Q" Qualifying Condition.	Rescale zoning for compatibility with rest of block.



La Mirada Pocket Park and adjacent homes, one block east of the project site.

As previously noted, under LAMC Section 16.05, a Site Plan Review is intended to “*promote public safety and the general welfare by ensuring that development projects are properly related to their sites, surrounding properties, traffic circulation, sewers, other infrastructure and environmental setting.*” As noted in our appeal, the project site is located on Western Avenue immediately across from the 101 Freeway and the Western Ave. on-ramp, yet the Planning Department has failed to conduct any assessment whatsoever regarding the known health risks associated with residential proximity to freeways and heavily utilized highways.

Staff argues that our comment is “CEQA in reverse,” stating that the California Environmental Quality Act “*does not require an analysis of impacts of existing environmental conditions on a discretionary project’s future users;*” and that “*there is no substantial evidence in the record that proposed incentives granted through the Density Bonus approval will have a specific adverse impact.*”

Staff confuses the issues. The purpose of a Site Plan Review is to “promote public safety and the general welfare.” Placing residential housing in close proximity to roadway particulate matter does not promote public safety, especially when the proposed Fountain/Western Apartments project emphasizes balconies on the building’s façade that directly face Western Ave. and the 101 Freeway.

Staff contends that there is “no substantial evidence in the record” that approval of the project would have a specific adverse impact to public health and safety. This is incorrect. There is in fact a wealth of scientific evidence spanning the past decade that residential proximity to freeways has significant impacts to the long-term health of its occupants. The City Planning Department and this Commission have acknowledged this connection with the department’s ongoing presentations on the subject, most recently at the Commission’s April 26, 2018 meeting. The planning department cannot speak out of both sides of its mouth on this issue by both acknowledging the health risks during one meeting and denying them at another.

II. The traffic study omits information critical for proper CEQA analysis.

In response to our contention that the Fountain/Western apartment project’s traffic study is fatally flawed, staff reiterates the same commentary stated in response to objections raised with the publication of the Mitigated Negative Declaration. Staff dismisses comments that the traffic analysis from December of 2015 is outdated; that it has no listing of related projects to establish a baseline; and that it omits any traffic signal warrant analysis that may reveal significant impacts.

Staff responds that an Errata was issued in February of 2018, but this document contained no additional substantive analysis, instead merely correcting an erroneous conclusion that was pasted in from a different project. Staff states that LADOT determined that the City’s threshold of significance was not reached to consider a need for a new traffic signal at the intersection of Western Ave. and the Northbound 101 Freeway on-ramp, but this conclusion ignores significant cumulative impacts that would have been potentially acknowledged if other recent projects announced since 2015 had been factored into the analysis.

Cumulative impacts may trigger preparation of an environmental impact report and support a finding of significant project impacts. A “drop in the bucket” rationale is not allowed under CEQA. Kings County Farm Bureau v. City of Hanford (1990) 221 Cal.App.3d 692; Los Angeles Unified School District v. City of Los Angeles (1997) 58 Cal.App.4th 1019 (an EIR cannot find a cumulative impact insignificant based solely on the project’s small relative contribution to the already significant problem).

As noted in our appeal, the Western Ave. NB 101 Freeway on-ramp was identified in the 2005 Paseo Plaza project’s environmental impact report (ENV-2005-7720) as a significant impact with an existing PM Level of Service of “F” and a Critical Movement Analysis (“CMA”) of 1.007.

Level “F” is defined in the project’s Traffic Study (pg.21) as “**Failure...Tremendous delays with continuously increasing queue lengths.**” The Paseo Plaza project, at 5651 Santa Monica Blvd., required legislative approval of a Statement of Overriding Considerations to proceed, due to the acknowledged significant impacts from any additional traffic on this freeway on-ramp.

Yet the traffic study provides no assessment of the northbound Western Ave. left turn lane to this on-ramp, as well as the southbound Western Ave. lane. The updated study (revised December 20, 2017) instead states that the on-ramp was not analyzed “*as LADOT prejudged that the number of new trips would be insufficient to warrant assessment of a new traffic signal for this project.*”

This omission is particularly critical since the RTPG analysis states that the Existing LOS Plus Project would generate a PM increase of 0.140 V/C at the intersection of Fountain Ave. and Western Ave., immediately north of the 101 NB Freeway on-ramp.

Since the RTPG traffic study’s 2015 completion, a 24-hour Starbucks drive-through café has opened immediately across from the Project site (at 1277 N. Western Ave., Case # ZA-2015-1734-CU). Note below other projects proposed or approved in the vicinity of the Project site since the 2015 study was completed:

- 1350 N. Serrano Ave., DIR-2016-4510-DB: 204-unit mixed-use development with 5,500 sq. ft. of retail located at Fernwood and Western Avenues, one block north of the Project site;
- 5420 Sunset Blvd., DIR-2017-1083-SPR: 735-unit mixed-use development with 95,820 sq. ft. of retail, at the Food 4 Less site at the southeast intersection of Sunset Blvd. and Western Ave., two blocks north of the Project site;
- 1375 N. St. Andrews Pl., ZA-2015-4628-ZAA-ZAI-SPR: 185-unit apartment building located two blocks northwest from the Project site;
- 1370 N. St. Andrews Pl., ZA-2016-1530-CUB-SPR: 66,860 sq. ft. office/restaurant located one block northwest of the Project site, with a 1,116-seat, 24-hour restaurant;
- 5525 Sunset Blvd., DIR-2015-2447-DB-SPR: 293-unit mixed-use development with 26,457 sq. ft. of retail, at the northwest intersection of Sunset Blvd. and Western Ave., three blocks north of the Project site;

The above list is in addition to the proposed 192,680 sq. ft. Target retail shopping center at Sunset Blvd. and Western Ave. (Case Number APCC-2008-2703-SPE-CUB-SPP-SPR), located two blocks north of the Project site, and the Paseo Plaza project, re-named “East Marketplace” by the new developer, CIM Group. Located three blocks southwest of the Project site, East Marketplace will have a total floor area of 822,999 sq. ft.: 377,900 sq. ft. for commercial uses and 445,099 sq. ft. for its 437 dwelling units.

An additional factor is the recently approve Paramount Pictures Specific Plan (Case Number CPC-2011-2459-GPA-ZC-SP-SN-CA), which allows up to 1,922,300 sq. ft. of further development at 5555 Melrose Ave. and surrounding properties controlled by Paramount Pictures. The Paramount Pictures traffic analysis studied an area of nine square miles, predicted a doubling of car trips for just the studio’s workers, and identified 121 neighborhood street segments significantly impacted by the studio’s planned expansion.

Yet instead of compiling a list of related projects to accurately assess future traffic congestion, the RTPG study still relies upon a DOT-estimated 3 percent annual ambient traffic growth rate to determine future levels of service. This figure grossly undercuts the area's realistic traffic growth. By merely adding the projects noted above, there would be an increase of 1,854 dwelling units and the amount of commercial space would increase by millions of square feet. Obviously, such development vastly exceeds a conservative 3 percent annual traffic growth rate.

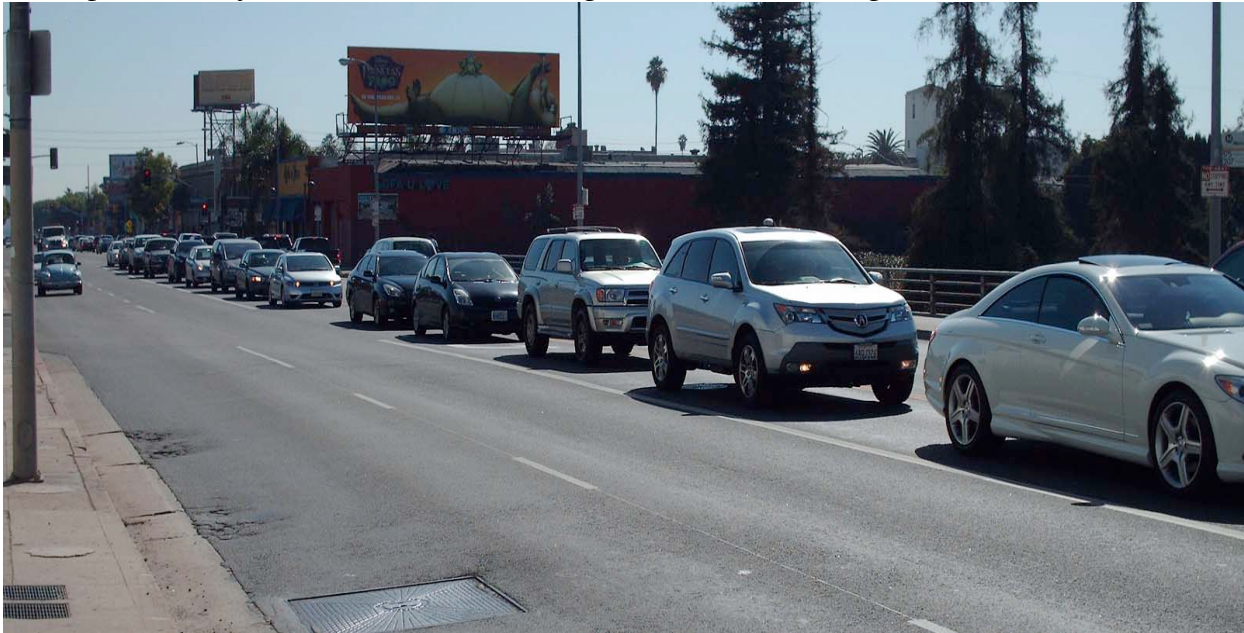


Photo showing queuing of northbound traffic on Western Ave., with vehicles experiencing lengthy idling to turn left to enter the NB 101 Freeway on-ramp across from the Project site.

III. The Hazards and Hazardous Materials assessment ignores contamination from nearby sites, and the migration of those pollutants to the Project site.

The Staff Report notes that a Phase 1 Environmental Site Assessment was conducted for the former gasoline station site in 2015. However, as noted in our appeal this assessment was site specific, involved minimal boring penetration, and did not include analysis of contamination dispersion from other LUST locations in close proximity to the project. In particular, the former Gas to Go site at 1353 N. Western Ave., and the Mobil station formerly located at 1277 N. Western Ave., both had leaking underground storage tanks that require on-going remediation efforts. The groundwater flow from these sites is southeast, placing contaminants directly beneath the project, with a potential airborne release of such toxins during excavation of the site.

IV. The City's restriction on appellant rights is a denial of due process.

The Staff Report states: *"it was within the City's authority to determine applicable appeal procedures for the Density Bonus process..As such the City did not arbitrarily restrict the rights and ability for abutting owners from filing a Density Bonus appeal."*

There are no “abutting owners” near the project site that live in the neighborhood. As noted in the appeal, to the immediate south of the Project site is a vacant office building. To the west of the Project site across Western Ave. is the 101 Freeway (owned by the State of California), and a Starbucks drive thru (owned by an international corporation). To the north of the Project site is a Union 76 gasoline station (owned by an international corporation). To the east of the Project site across the alley is a surface parking lot leased by Toyota of Hollywood (which is a franchise of an international corporation). None of these entities have the same concerns as residents in regards to land use development.

“[Common] sense and wise public policy...require an opportunity for property owners to be heard before ordinances which substantially affect their property rights are adopted...” Kissinger v. City of Los Angeles (1958) 161 Cal.App.2d 454, 464

Our community has been unlawfully and prejudicially restricted in its rights and ability to fairly challenge the Fountain/Western Apartments project on proper legal grounds under the State’s SB 1818 density bonus law. This is particularly egregious since the Director has refused to require that the applicant submit economic information which allows the public and City a meaningful opportunity to demonstrate how, if, and to what extent the incentives sought are actually needed in order for the proposed development to “pencil out.”

Our community’s denial of proper due process extends to the limitations imposed upon our right to respond to Staff Recommendation Reports, restricting such responses to ten pages of text **and** exhibits that must be submitted within 48 hours of the hearing, no matter when the report is released, while no such limitation is imposed upon the Planning Department. As a result, it is impossible to both respond to the reports while also including exhibits that support our claims.

In conclusion, both the Site Plan Review and the MND for the Fountain/Western Apartments project are inadequate in assessing project impacts and approving a development compatible with the surrounding environment. An Environmental Impact Report is necessary. The site’s proximity to the 101 Freeway and Western Avenue must be reviewed due to the potential risk to public health and safety. And potential hazardous containments have not been reviewed through the limited soil analysis.

Thank you,

Doug Haines, for the La Mirada Avenue Neighborhood Association of Hollywood, and joint
appellants Save Hollywood and Ed Hunt

DAY OF HEARING SUBMISSIONS