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All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

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ENABLE BOOKMARS ONLINE:

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

SECONDARY SUBMISSIONS

Keith Nakata
811 N. Croft Ave.
Los Angeles, CA 90069
keithnakata@mac.com

Central Area Planning Commission
200 N. Spring Street
Los Angeles, CA 90012
attn: Etta Armstrong Commission Exec. Assist.
apccentral@lacity.org

October 13, 2020

RE: VTT-82420-CN ENV 2019-4137-CE
411-439 South Hamel Road

Honorable Commissioners,

In response to the Appeal Recommendation Report prepared for the Appeal Hearing, I would like to add the following comments to my Initial Submission.

The project does not qualify for a Class 32 Categorical Exemption because it eliminates Naturally Occurring Affordable-RSO Housing without replacing it.

A project qualifies for a Class 32 Categorical Exemption if a developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;

The General Plan Housing Element states:

Policies:

1.2.2-Encourage and incentivize the preservation of affordable units, to ensure that demolitions and conversions do not result in the net loss of the City's stock of decent, safe, healthy or affordable housing.

Policy:

2.5.2 -Foster the development of new affordable housing units citywide and within each Community Plan area, ...

1.3.3 -Collect, report and project citywide and local housing needs on a periodic basis.

Objective 2.5 Promote a more equitable distribution of affordable housing opportunities throughout the City...

The Department of City Planning is not collecting housing needs and does not maintain data on lost RSO units or affordable units with expiring covenants. DCP is also not creating an equitable distribution of affordable housing opportunities by relying on private developers to utilize density program programs.

The Developer applied for 5 Demolition Permits for properties with RSO Units (NOAH).

They signed a declaration stating a “project” as defined by CEQA, is a whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for the purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the **demolition**

proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

This declaration was signed by Afshin Etebar, President of Etco Homes.

Etco Homes is now seeking a discretionary approval for a tract map by the use of “piecemealing”, which they have done on all 5 projects in the area.

Additionally, there is only a single HCID Approval Letter to allow for demolition to proceed for 425 S. Hamel Road Parcel Number 4334015012, Landlord Declaration Case Number; LD054694 in the file

Nothing exists in the file for the other 4 properties that were demolished in the file as of October 7, 2020 as requested by the DAA.

Notice of Exemption and Justification for Project Exemption for Case No. ENV-2019-4137-CE:

Project Description Baseline for Evaluation:

“The project is for the demolition of five two-story multi-family residential buildings, the removal of five non-protected trees on site, and three street trees along Colgate Avenue for the merger of

five lots comprised of 35,055 net square feet into one (1) new lot for the construction, use, and maintenance of two (2) four-story multi-family residential buildings with 37 new condominium units. The project will provide a total of 84 vehicular parking spaces, including 11 guest parking spaces all located within one level of subterranean parking garage. The site is located within the City of Los Angeles Transit Priority Area, Liquefaction Zone, Methane Zone, and located approximately 2.5 kilometers from the Hollywood Fault. As a residential development, and a project, which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption. “

The demolition permits attached below for addresses 411-417 S. Hamel Road, 423 S. Hamel Road, 425 S. Hamel Road, 433 S. Hamel Road, 439 S. Hamel Road all state that no further CEQA Clearances are required. Since the CEQA Categorical Exemption has not been granted for the Project, no demolition should have taken place prior to the receiving of the Categorical Exemption and Project Approval.

The Housing Accountability Act (HAA) does not apply to projects that are not providing any very low, low, low or moderate-income households. This project is not providing any of these housing types, so does not apply.

For all of the reasons listed in this letter and the Initial Submission, the appeal should be supported to deny the Tract Map because of errors in considering General Plan Policies listed with equal weight and because Of the demolition permit declarations stating that the developer would not be seeking any discretionary zoning or map approvals or facilitate a larger project at the site.

Sincerely,

Keith Nakata

**DEPARTMENT OF
CITY PLANNING**
COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

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DEPUTY DIRECTOR

JUSTIFICATION FOR PROJECT EXEMPTION CASE NO. ENV-2019-4137-CE

The Director of Planning has determined that based on the whole of the administrative record, that the project is exempt from CEQA pursuant to CEQA Guidelines, Section 15332, Class 32 In-Fill Development Projects, and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to CEQA Guidelines, Section 15300.2 applies.

A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with the applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The project is for the demolition of five two-story multi-family residential buildings, the removal of five non-protected trees on site, and three street trees along Colgate Avenue for the merger of five lots comprised of 35,055 net square feet into one (1) new lot for the construction, use, and maintenance of two (2) four-story multi-family residential buildings with 37 new condominium units. The project will provide a total of 84 vehicular parking spaces, including 11 guest parking spaces all located within one level of subterranean parking garage. The site is located within the City of Los Angeles Transit Priority Area, Liquefaction Zone, Methane Zone, and located approximately 2.5 kilometers from the Hollywood Fault. As a residential development, and a project, which is characterized as in-fill development, the project qualifies for the Class 32 Categorical Exemption.

The project site consists of five contiguous rectangular lots with approximately 269.9 feet of street frontage along the westerly side of Hamel Road and approximately 130 feet of street frontage along the northerly side Colgate Avenue, for a total area of 35,055 net square feet after dedications. The demolition of the five lots were finalized under the following permits:

- Lot 72 located at 411-417 South Hamel Road was previously developed with a two-story multi-family apartment building and two detached garages. On March 19, 2019 the Department of Building and Safety (LADBS) finalized demolition permit (#18019-10000-04724) for the demolition of the multi-family apartment building. On March 20, 2019,

433 S Hamel Road #1-4



Application #: 18019 - 10000 - 04715

Printed: 09/26/18 12:18 PM

City of Los Angeles - Department of Building and Safety
**Attachment to Application for Demolition Permit:
Notice and Owner's Declaration Related to CEQA
and Project Scope**

I. Notice to Owner

If you are applying for a demolition permit to facilitate the construction or development of the project site, you may be referred to the Planning Department for further assistance.

The California Environmental Quality Act (CEQA) directs public agencies to assess and disclose the environmental effects of the projects it approves. In determining whether a proposed project is subject to CEQA, the City is required to consider all of the parts and phases of the project and may not limit its review to the specific permits or approvals sought. (Public Resources Code Section 21065) Failure by a project applicant to disclose future construction or development activities on the project site may result in a violation of CEQA. If the City determines that an application or approval is part of a larger undisclosed project, the City may revoke and/or stay any approvals until a full and complete CEQA analysis of the whole project is reviewed and an appropriate CEQA clearance is adopted or certified.

Please contact the Planning Department if you have additional questions after reviewing this notice.

II. Owner's Project Information

Based upon the above-stated rule, is the proposed demolition part of a larger development project at the demolition site, and if so, will the larger project require any discretionary approvals from the City? (Select "Yes" or "No," and follow the related instructions)

Yes ☐ A CEQA clearance from the Planning Department will be required prior to the issuance of the demolition permit for the proposed project. Return this form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

No ☒ Sign and notarize the signature at the bottom of the form and return the notarized form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

III. Owner's Declaration

I own the property located at 433 HAMEL RD.. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts, including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Signature]

(See page 2 of 2 For Notary Acknowledgment)

425 S Hamel Road 1-4



Application #: 18019 - 10000 - 04719

Printed: 09/26/18 11:44 AM

City of Los Angeles - Department of Building and Safety
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No ☒ Sign and notarize the signature at the bottom of the form and return the notarized form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

III. Owner's Declaration

I own the property located at 425 HAMEL RD. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

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Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Signature]

(See page 2 of 2 For Notary Acknowledgment)



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No ☒ Sign and notarize the signature at the bottom of the form and return the notarized form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

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I own the property located at 423 S HAMEL RD. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts, including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Signature]

(See page 2 of 2 For Notary Acknowledgment)

1060109201969755



City of Los Angeles - Department of Building and Safety
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No ☒ Sign and notarize the signature at the bottom of the form and return the notarized form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

III. Owner's Declaration

I own the property located at 411 S HAMEL RD. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts, including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Signature]

(See page 2 of 2 For Notary Acknowledgment)



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III. Owner's Declaration

I own the property located at 439 S HAMEL RD.. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts, including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Signature]

(See page 2 of 2 For Notary Acknowledgment)

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Ref: 75596-0008

October 8, 2020

BY EMAIL

President Oliver DelGado
Members of the Central Area
Planning Commission
200 N. Spring Street, Rm. 272
Los Angeles, CA 90012
Email: apccentral@lacity.org

Re: VTT-82420-CN-1A
ENV-2019-4137-CE
411-439 South Hamel Road
Secondary Submission
Hearing Date: October 13, 2020

Dear President DelGado and Members of the Central Area Planning Commission:

Our office represents EtcoHomes (“Etco”), owner and applicant for the above-referenced vesting tentative tract map (the “Map”) for residential condominium units. We respond on their behalf to the letter submitted by Appellant Keith Nakata, which provides several grossly inaccurate legal and factual claims. Most significantly, the letter falsely asserts the Housing Accountability Act¹ (“HAA”) only applies to affordable housing projects. The letter also continues to assert a number of factors that are not properly considered under the Subdivision Map Act or CEQA, and which the Courts have already addressed and disposed. We briefly address those issues below. As with the appeal, nothing presented in the letter provides a valid basis to overturn the Deputy Advisory Agency (“DAA”) approval of the Map, and State law prohibits denial of the Map on the grounds asserted by the appellant. The Area Planning Commission (the “Commission”) should deny the appeal and uphold the decision of the DAA.

1. The Housing Accountability Act Indisputably Applies to the Project.

The Appellant asserts in his letter that the HAA applies only to affordable housing projects. This is demonstrably false, based on the plain language of the law, as the Court of Appeal has already clarified. Further, the intended sweep of the HAA was broad:

¹ Govt. Code §65589.5.

“California’s home ownership rate is at its lowest level since the 1940s.”² Even further, the Legislature expressly intended to limit local agency discretion:

“The Legislature’s intent . . . was to significantly increase the approval and construction of housing for all economic segments of California’s communities by ***meaningfully and effectively curbing the capability of local governments to deny***, reduce the density for, or render infeasible ***housing development projects*** and emergency shelters. That intent has not been fulfilled.”³

(a) The Project is a “Housing Development Project” within the Meaning of the HAA.

The HAA, by its terms, applies to all housing development projects.⁴ The HAA defines a “housing development project” as “a use consisting of any of the following: “[. . .] Residential units only.”⁵ The proposed Map indisputably consists entirely of residential uses. Therefore, it comprises a “housing development project” within the plain-language of the HAA.

The definition does not distinguish among projects that provide affordable housing, rent-stabilized housing, or market-rate housing. Appellant points to no such distinction, nor could it do so.

(b) The Protections of the HAA Described in Our Prior Correspondence Apply to “Housing Development Projects.”

Our prior correspondence referenced the protections for, and requirements for denial of, “housing development projects.” Those are provided in subdivision (j) of the HAA. By their terms, both clauses of subdivision (j) apply to housing development projects:

“When a proposed ***housing development project*** complies with applicable, objective general plan, zoning, and subdivision standards and criteria . . .”⁶

² *Id.*, §65589.5(a)(2)(E).

³ *Id.*, subd. (a)(2)(K); emphasis supplied.

⁴ *Id.*, subd. (b) (“It is the policy of the Legislature that a local government not reject or make infeasible housing development projects . . .”)

⁵ *Id.*, subd. (h)(2)(A).

⁶ *Id.*, subd. (j)(1); emphasis supplied.

“If the local agency considers a proposed **housing development project** to be inconsistent, not in compliance, or not in conformity with applicable plan, program, or policy . . .”⁷

Nothing in subdivision (j) applies only to affordable housing projects, or excludes market-rate units. This was affirmed by the Court of Appeal in *Honchariuv v. City of Stanislaus* (2011), 200 Cal. App. 4th 1066 (applying subdiv. (j) to a market-rate residential subdivision).

Certain protections within the HAA apply only to affordable housing projects: those protections are located in subdivision (d) of the law. But we do not suggest subdivision (d) applies here. The protections described in our prior correspondence only concern subdivision (j), which does not distinguish between projects that provide affordable dwelling units and those that do not. Appellant’s claim regarding the application of the HAA is simply wrong.

2. The Law Deems the Map to Comply with the General Plan.

As we previously described, the HAA contains a series of legal presumptions regarding compliance with applicable and objective General Plan policies. As the HAA states, a project:

“**shall** be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision if there is substantial evidence that would allow a reasonable person to conclude that the housing development project or emergency shelter is consistent, compliant, or in conformity.”⁸

Thus, the question is not whether substantial evidence supports Appellant’s reading; rather, the standard is whether a reasonable person could conclude the Map complies. Here, a reasonable person—the City’s DAA—has already concluded the Map complies with applicable policies, regulations, and standards. The reasoning for that conclusion is set forth in the DAA’s letter of determination. Thus, this standard is met.

But even if the above had not occurred, the City had an obligation to notify the applicant, in writing, of any potential inconsistency that could serve as a basis for denial. Absent that notification within the required time, regarding the specific policies Appellant cites, the HAA presumes compliance.⁹

⁷ *Id.*, subd. (j)(2); emphasis supplied.

⁸ *Id.*, subd. (f)(4).

⁹ *Id.*, subds. (j)(2)(A), (B).

3. Economic Housing Distinctions are Not Cognizable under CEQA, and Appellant Cannot Demonstrate a Significant Effect Would Occur.

Even if the Commission looked beyond the physical conditions existing at the time the City commenced its environmental review (described in our prior correspondence)¹⁰, a reduction in a type of housing stock is a socioeconomic issue, not an environmental one. For such socioeconomic effects to be considered under CEQA, they must also cause or contribute to a physical environmental impact. The record contains no substantial evidence of a secondary physical effect on the environment, and certainly not a significant unavoidable impact within the meaning of the HAA.

(a) Housing Does Not Constitute a Physical Environmental Effect.

The Appellant attempts to generate sympathy for his position by pointing to generalized effects of inadequate housing, such as homelessness, poor access to healthcare, and chronic illness. All of these issues absolutely are distressing: neither Etco nor the City in any way downplays them; and the City remains committed to programs, policies, and regulations designed to promote social welfare by correcting the market failures that have contributed to the unmet housing need. But that is not enough to prevail here.

The law is clear that social and economic impacts lie outside CEQA's purview. As stated in the State CEQA Guidelines, "[e]conomic and social changes resulting from a project **shall not** be treated as significant effects on the environment."¹¹ Further, "[e]conomic or social effects of a project **shall not** be treated as significant effects on the environment."¹² Courts have consistently ruled that CEQA does not require consideration of economic and social effects that do not contribute to a secondary physical impact.¹³ Courts also have ruled that impacts on the housing market are social and economic, **not** environmental, and outside CEQA's purview.¹⁴

¹⁰ See *Christward Ministry v. Super. Ct.*, 184 Cal.App.3d 180, 190–191 (1986) (CEQA analysis should focus on project's impact on the existing environment, not on previous impacts).

¹¹ Cal. Code Regs, tit. 14, § 15064(e); emphasis is supplied.

¹² *Id.*, § 15131(a); emphasis supplied.

¹³ See *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1182; *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1206; *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560, 579–580; *Joshua Tree Downtown Business Alliance v. County of San Bernardino* (2016) 1 Cal.App.5th 677, 689 ("Joshua Tree"); *Placerville Historic Preservation League v. Judicial Council* (2017) 16 Cal.App.5th 187, 195–196.)

¹⁴ *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1989) 209 Cal.App.3d 1502, 1521, fn. 13.

The Appellant bears the burden here. Under CEQA, the Appellant must show that substantial evidence demonstrates the Project *will* have a significant impact on the physical environment. Under the HAA, Appellant must show that the preponderance of the evidence demonstrates a significant, unavoidable impact. The entirety of Appellant's argument relies on speculative, unsubstantiated opinions untethered to facts in the record, along with generic studies of socioeconomic impacts unrelated to significant physical environmental effects: this cannot and does not amount to substantial evidence under CEQA. As stated in section 21082(e)(2), "speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, **or evidence of social or economic impacts**" is not substantial evidence. (Emphasis supplied.) As the claimed impact is social, and no evidence links the Project to any secondary physical effects, the Appellant cannot satisfy this standard.

The Appellant points to a prior City Council action regarding a similar project. However, that action violated the law in the same ways described here and in our prior correspondence, and is not evidence of the legal sufficiency of Appellant's position. That action remains the subject of litigation.

(b) No Evidence Supports the Finding of a Significant Unavoidable Impact under the HAA

Under the HAA, the Appellant must show that the preponderance of the evidence demonstrates a significant, unavoidable impact.¹⁵ The HAA strictly defines a "specific, adverse impact" as "a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions ...". The Legislature intended that such conditions will arise *infrequently*.¹⁶ Thus, such impacts are rare by design, and the circumstances surrounding them must be similarly rare. As described above, the impacts Appellant alleges do not constitute physical impacts under CEQA, and no evidence indicates a specific impact within the meaning of the HAA. Consequently, the Appellant cannot meet this standard and provides no basis to reverse the decision.

4. The Appeal Has Failed to Satisfy Its Burden of Proof, and the Commission Should Affirm the DAA's Approval of the Map.

For all of the reasons described above, the appeal is wrong on the law and facts, and it provides no evidence to support any of its claims. Because the appellant bears the burden of proof to overcome the approvals, and because the actual approvals at issue

¹⁵ Govt. Code §65589.5(j)(1). As stated in a committee report on Assembly Bill 678, which modified the HAA, the stronger "preponderance of the evidence" standard was intended to limit agencies' ability to deny housing projects on that basis.

¹⁶ *Id.*, subd. (a)(3).

Central Area Planning Comm'n
VTT-82420-CN-1A
411-439 S. Hamel
October 8, 2020
Page 6

bear no relationship at all to the majority of the appellant's claims, no evidentiary basis exists to overturn the approval of the Map. Therefore, we respectfully request the Commission reject the appeal and affirm those approvals, which facilitate a development that provides affordable housing and has already been subject to substantial review by the City.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neill E. Brower", with a long horizontal flourish extending to the right.

NEILL E. BROWER of
Jeffer Mangels Butler & Mitchell LLP

NB:neb

cc: Iris Wan, Department of City Planning
Chi Dang, Department of City Planning

411 - 417 1/2 S Hamel Road



Permit #:
Plan Check #: B18LA20417
Event Code:

18019 - 10000 - 04724

Printed: 12/21/18 02:02 PM

Bldg-Demolition Apartment Plan Check at Counter Plan Check	City of Los Angeles - Department of Building and Safety APPLICATION FOR INSPECTION TO DEMOLISH BUILDING OR STRUCTURE	Issued on: 12/21/2018 Last Status: Issued Status Date: 12/21/2018
---	--	---

1. TRACT TR 7616	BLOCK 72	LOT(s)	ARB	COUNTY MAP REF # M B 88-24/26	PARCEL ID # (PIN #) 138B169 784	2. ASSESSOR PARCEL # 4334 - 015 - 010
----------------------------	--------------------	---------------	------------	---	---	---

3. PARCEL INFORMATION Area Planning Commission - Central LADBS Branch Office - LA Council District - 5 Certified Neighborhood Council - Mid City West Community Plan Area - Wilshire	Census Tract - 2149.02 District Map - 138B169 Energy Zone - 9 Earthquake-Induced Liquefaction Area - Yes Methane Hazard Site - Methane Zone	Near Source Zone Distance - 2.2 Thomas Brothers Map Grid - 632-J1
ZONES(S): R3-1-O		

4. DOCUMENTS ZI - ZI-1022 ZI - ZI-2452 Transit Priority Area in the Cit RENT - YES ORD - ORD-133909	ORD - ORD-165331-SA1000 ORD - ORD-183497 CPC - CPC-1986-823-GPC CPC - CPC-1988-342-ZC	CPC - CPC-2013-4028-GPA-ZC-SPR-ZAA CPC - CPC-2018-3731-GPA-ZC-HD-CDO CPC - CPC-20220
--	--	--

5. CHECKLIST ITEMS Sewer Cap - Permit Required
--

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION Owner(s): CWV HAMEL LLC 8447 WILSHIRE BLVD STE 400, BEVERLY HILLS CA 90211 -- Tenant: Applicant: (Relationship: Agent for Owner) KEVIN TSAI - 834 S BROADWAY #1206, 90014 -- (310) 968-2892
--

For Cashier's Use Only W/O #: 81904724

7. EXISTING USE (05) Apartment	PROPOSED USE (23) Demolition
--	--

8. DESCRIPTION OF WORK DEMO (E) APARTMENTS; DEMO BY HANDWRECK, SEWER REQD; CLEAR LOT. PEDESTRIAN FENCE IS REQUIRED.
--

9. # Bldgs on Site & Use: 2 OF 3

10. APPLICATION PROCESSING INFORMATION	
BLDG. PC By: Farshad Alimohamadi OK for Cashier: Ronald Allen Signature:	DAS PC By: Coord. OK: Date: 12/21/2018

11. PROJECT VALUATION Final Fee Period
Permit Valuation: \$15,000 PC Valuation:
Sewer Cap ID: Total Bond(s) Due:

12. ATTACHMENTS	
CEQA Bldg Demolition Notice Demo Affirmation Posting	Owner-Builder Declaration Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org . To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.
--

LA ESTE 104147838 12/21/2018 2:01:58 PM
DEMO PERMIT \$227.50
BUILDING PLAN CHECK \$0.00
EI RESIDENTIAL \$1.95
DEV SERV CENTER SURCH \$6.88
SYSTEMS DEVT FEE \$13.77
CITY PLANNING SURCH \$13.65
MISCELLANEOUS \$10.00
PLANNING GEN PLAN MAINT SURCH \$15.93
CA BLDG STD COMMISSION SURCHARGE \$1.00
BUILDING PLAN CHECK \$0.00

Sub Total: \$290.68

Permit #: 180191000004724
Building Card #: 2018LA16330
Receipt #: 0104983339



* P 1 8 0 1 9 1 0 0 0 0 4 7 2 4 F N *

13. STRUCTURE INVENTORY

(Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

18019 - 10000 - 04724

(P) Dwelling Unit: -6 Units / 0 Units

(P) R2 Occ. Group: -5780 Sqft / 0 Sqft

14. APPLICATION COMMENTS:

DPI PER 18019-10000-04546 (E) APARTMENT BUILDING VERIFIED PER 1939LA44826.

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:**16. CONTRACTOR, ARCHITECT & ENGINEER NAME****ADDRESS****CLASS****LICENSE #****PHONE #**

(O) OWNER-BUILDER

0

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. OWNER-BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the following reason (Section 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500).):

☒ I, as the owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year from completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale).

OR

☐ I, as the owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.)

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

☐ I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

☐ I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

☒ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

- (1) I accept all the declarations above namely the Owner-Builder Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, and Final Declaration; and
- (2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: GENOVEVA URTEAGASign: Date: 12/21/2018☐ Owner☒ Authorized Agent

OWNER'S ACKNOWLEDGMENT AND VERIFICATION OF
INFORMATION

(OWNER-BUILDER DECLARATION)

Application Number: 18019-10000-04724

Project Address: 411 1/2 S HAMSL ROAD

DIRECTIONS: Read and initial each statement below to signify you understand or verify this information.

1. I understand a frequent practice of unlicensed persons is to have the property owner obtain an "Owner-Builder" building permit that erroneously implies that the property owner is providing his or her own labor and material personally. I, as an Owner-Builder, may be held liable and subject to serious financial risk for any injuries sustained by an unlicensed person and his or her employees while working on my property. My homeowner's insurance may not provide coverage for those injuries. I am willfully acting as an Owner-Builder and am aware of the limits of my insurance coverage for injuries to workers on my property.

2. I understand building permits are not required to be signed by property owners unless they are responsible for the construction and are not hiring a licensed Contractor to assume this responsibility.

3. I understand as an "Owner-Builder" I am the responsible party of record on the permit. I understand that I may protect myself from potential financial risk by hiring a licensed Contractor and having the permit filed in his or her name instead of my own.

4. I understand Contractors are required by law to be licensed and bonded in California and to list their license numbers on permits and contracts.

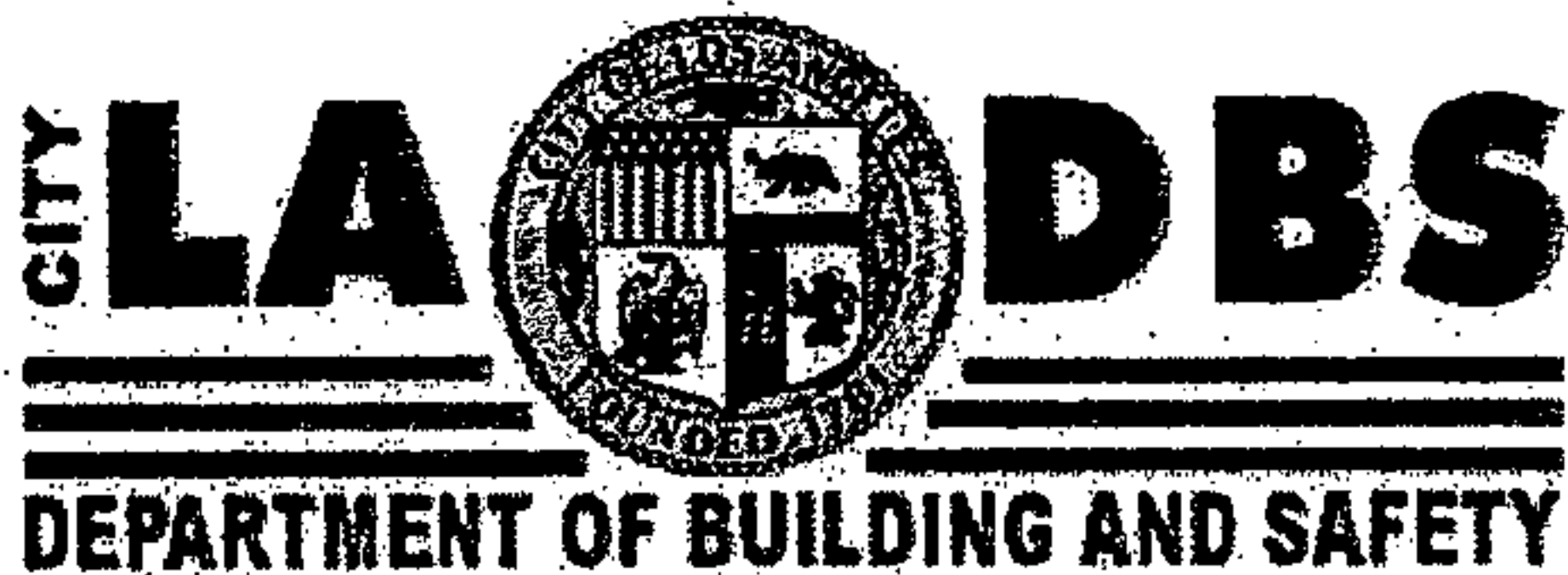
5. I understand if I employ or otherwise engage any persons, other than California licensed Contractors, and the total value of my construction is at least five hundred dollars (\$500), including labor and materials, I may be considered an "employer" under state and federal law.

6. I understand if I am considered an "employer" under state and federal law, I must register with the state and federal government, withhold payroll taxes, provide workers' compensation disability insurance, and contribute to unemployment compensation for each "employee." I also understand my failure to abide by these laws may subject me to serious financial risk.

7. I understand under California Contractors' State License Law, an Owner-Builder who builds single-family residential structures cannot legally build them with the intent to offer them for sale, unless all work is performed by licensed subcontractors and the number of structures does not exceed four within any calendar year, or all of the work is performed under contract with a licensed general building Contractor.

8. I understand as an Owner-Builder if I sell the property for which this permit is issued, I may be held liable for any financial or personal injuries sustained by any subsequent owner(s) that result from any latent construction defects in the workmanship or materials.

9. I understand I may obtain more information regarding my obligations as an "employer" from the Internal Revenue Service, the United States Small Business Administration, the California Department of Benefit Payments, and the California Division of Industrial Accidents. I also understand I may contact the California Contractors' State License Board (CSLB) at 1-800-321-CSLB (2752) or www.cslb.ca.gov for more information about licensed contractors.



OWNER'S ACKNOWLEDGMENT AND VERIFICATION
OF INFORMATION

(OWNER-BUILDER DECLARATION, cont.)

Application Number: 18019-10000-04724

Project Address: 411-417 1/2 S HAMSL RD

[Signature] 10. I am aware of and consent to an Owner-Builder building permit applied for in my name, and understand that I am the party legally and financially responsible for proposed construction activity at the following address: 411-417 1/2 S HAMSL RD

[Signature] 11. I agree that, as the party legally and financially responsible for this proposed construction activity, I will abide by all applicable laws and requirements that govern Owner-Builders as well as employers.

[Signature] 12. I agree to notify the issuer of this form immediately of any additions, deletions, or changes to any of the information I have provided on this form. Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license, the Contractors' State License Board may be unable to assist you with any financial loss you may sustain as a result of a complaint. Your only remedy against unlicensed Contractors may be in civil court. It is also important for you to understand that if an unlicensed Contractor or employee of that individual or firm is injured while working on your property, you may be held liable for damages. If you obtain a permit as Owner-Builder and wish to hire Contractors, you will be responsible for verifying whether or not those Contractors are properly licensed and the status of their workers' compensation insurance coverage. Before a building permit can be issued, this form must be completed and signed by the property owner and returned to the agency responsible for issuing the permit.

[Signature] 13. I understand that to obtain an Owner-Builder permit for electrical, plumbing or mechanical work that require a qualified installer, I must abide by all of the following restrictions:

- (1) Perform the work prior to sale of the dwelling
- (2) Be a homeowner that has resided in the residence for at least 12 months prior to the completion of the work described in the permit
- (3) Obtain Owner-Builder permit for not more than two structures during any three year period

I declare that I have complied or will comply with these requirements by the time the work described in the permit is completed.

Note: A copy of the property owner's driver's license, form notarization, or other verification acceptable to the agency is required to be presented when the permit is issued to verify the property owner's signature.

Owner's Name: GENOVEVA URTAGA

Signature of property owner [Signature] Date: 12-21-18

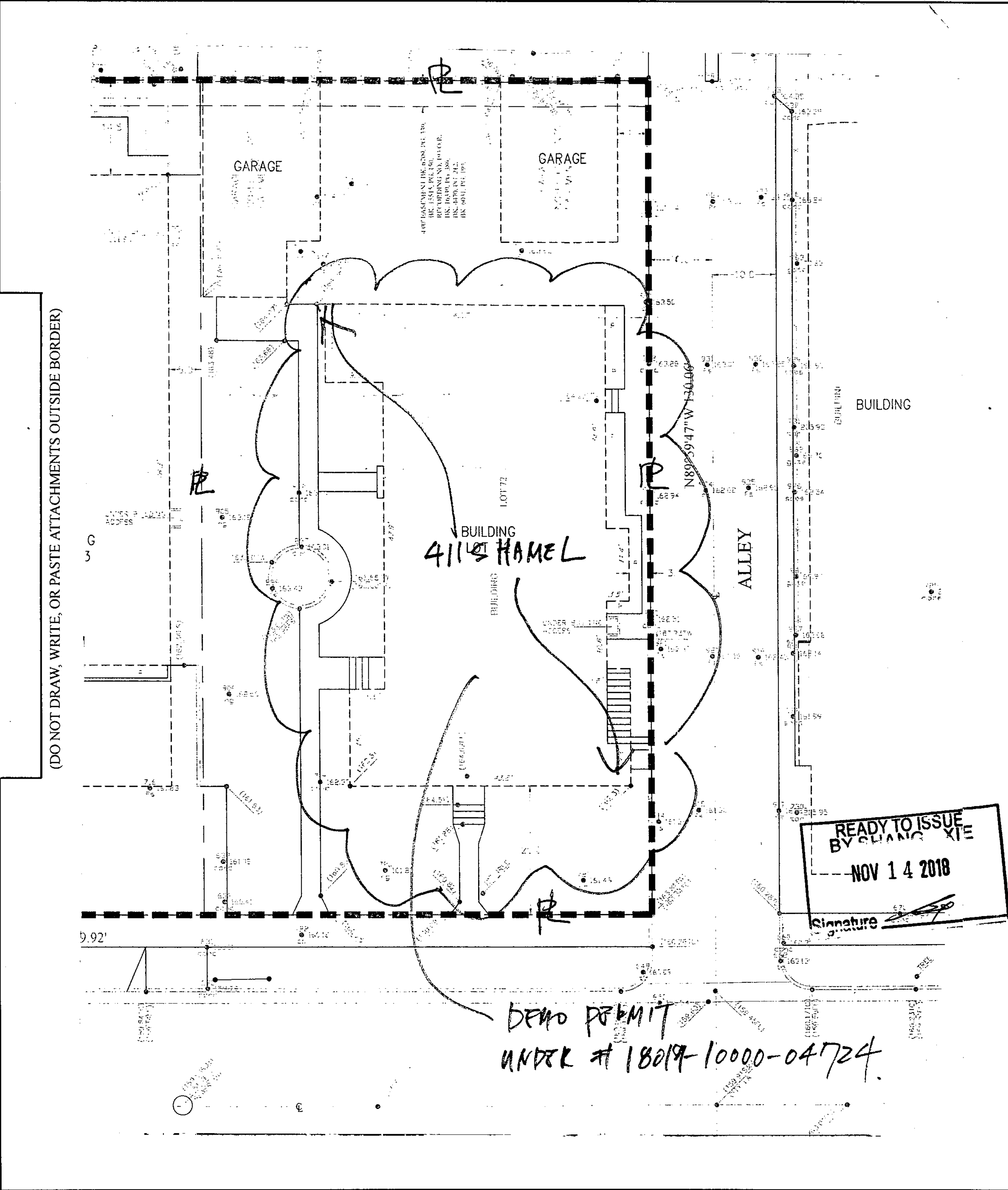
SEC. 3. Section 19830 of the Health and Safety Code is repealed.
SEC. 4. Section 19831 of the Health and Safety Code is repealed.
SEC. 5. Section 19832 of the Health and Safety Code is repealed.

Bldg-Demolition
Apartment
Plan Check

City of Los Angeles - Department of Building and Safety

Plan Check #: B18LA20417
Initiating Office: METRO
Printed on: 09/24/18 12:19:32

PLOT PLAN ATTACHMENT





**AFFIRMATION OF POSTING FOR DEMOLITION OF
EXISTING BUILDINGS OR STRUCTURES**
LAMC Section 91.106.4.5.1

Project Address: 411 S Hamel Rd Demolition Permit #: 18019-10000-04724

Affirmation of Posting

The Los Angeles Municipal Code (LAMC) Section 91.106.4.5.1 requires posting of a notice prior to the issuance of a permit for demolition of an existing building or structure for which the original building permit was issued more than 45 years prior to the date of submittal of the application for demolition preinspection, or where information submitted with the application indicates that the building or structure is more than 45 years old based on the date the application is submitted, the property shall be posted in a conspicuous place near the entrance of the property where demolition will occur, with a public notice of the application for demolition preinspection.

I hereby affirm that the property located at 411 S. Hamel Rd. was posted on 9-17-18 (mm/dd/yyyy) in accordance with LAMC 91.106.4.5.1 at least 30 days prior to the issuance of this permit for demolition of the existing building(s) or structure(s).

Print Name: Carl Steinberg

Signature: *Carl Steinberg* Date: 9-27-18

Please check one: ☒ Owner, () Contractor, () Authorized Agent for owner/contractor

FOR DEPARTMENT USE ONLY

DPI Application #: 18019-10000-04546 Date notification letters mailed: 9/20/18

Note: Verify notification and posting were completed at least 30 days prior to demolition permit issuance.

Reviewed by (print name): Faizah Alimohamed Signature: *[Signature]*



City of Los Angeles - Department of Building and Safety
**Attachment to Application for Demolition Permit:
 Notice and Owner's Declaration Related to CEQA
 and Project Scope**

I. Notice to Owner

If you are applying for a demolition permit to facilitate the construction or development of the project site, you may be referred to the Planning Department for further assistance.

The California Environmental Quality Act (CEQA) directs public agencies to assess and disclose the environmental effects of the projects it approves. In determining whether a proposed project is subject to CEQA, the City is required to consider all of the parts and phases of the project and may not limit its review to the specific permits or approvals sought. (Public Resources Code Section 21065) Failure by a project applicant to disclose future construction or development activities on the project site may result in a violation of CEQA. If the City determines that an application or approval is part of a larger undisclosed project, the City may revoke and/or stay any approvals until a full and complete CEQA analysis of the whole project is reviewed and an appropriate CEQA clearance is adopted or certified.

Please contact the Planning Department if you have additional questions after reviewing this notice.

II. Owner's Project Information

Based upon the above-stated rule, is the proposed demolition part of a larger development project at the demolition site, and if so, will the larger project require any discretionary approvals from the City? (Select "Yes" or "No," and follow the related instructions)

Yes ☐ A CEQA clearance from the Planning Department will be required prior to the issuance of the demolition permit for the proposed project. Return this form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

No ☒ Sign and notarize the signature at the bottom of the form and return the notarized form to a Department of Building and Safety Plan Check Engineer at the time of plan check.

III. Owner's Declaration

I own the property located at 411 S HAMMILL RD.. I have read the above "Notice to Owner." I understand that a "project," as defined by CEQA, is the whole of the proposed activity and is not limited to the demolition subject to this application. I further understand that CEQA prohibits treatment of each separate approval as a separate project for purposes of evaluating environmental impacts. I acknowledge and understand that should the City determine that the demolition proposed is part of a larger project requiring any discretionary permits, the City may revoke and/or stay any approvals (including certificates of occupancy) until a full and complete CEQA analysis is prepared and clearance is adopted or certified.

I certify that (i) the demolition authorized by this permit is not to facilitate the construction or development of a larger project at the project site, or (ii) the demolition is part of a larger project and, after using all reasonable efforts, including consulting with the City Planning Department, I have determined there are no discretionary permits required for the project, including but not limited to haul route permits, permits to remove protected trees, historic resource review, or any discretionary zoning or map approvals.

Date 9/28/2018 Name of the Owner (Print) Afshin Etebar

Signature [Handwritten Signature]

(See page 2 of 2 For Notary Acknowledgment)



City of Los Angeles - Department of Building and Safety
Attachment to Application for Demolition Permit:
Notice and Owner's Declaration Related to CEQA
and Project Scope

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Los Angeles

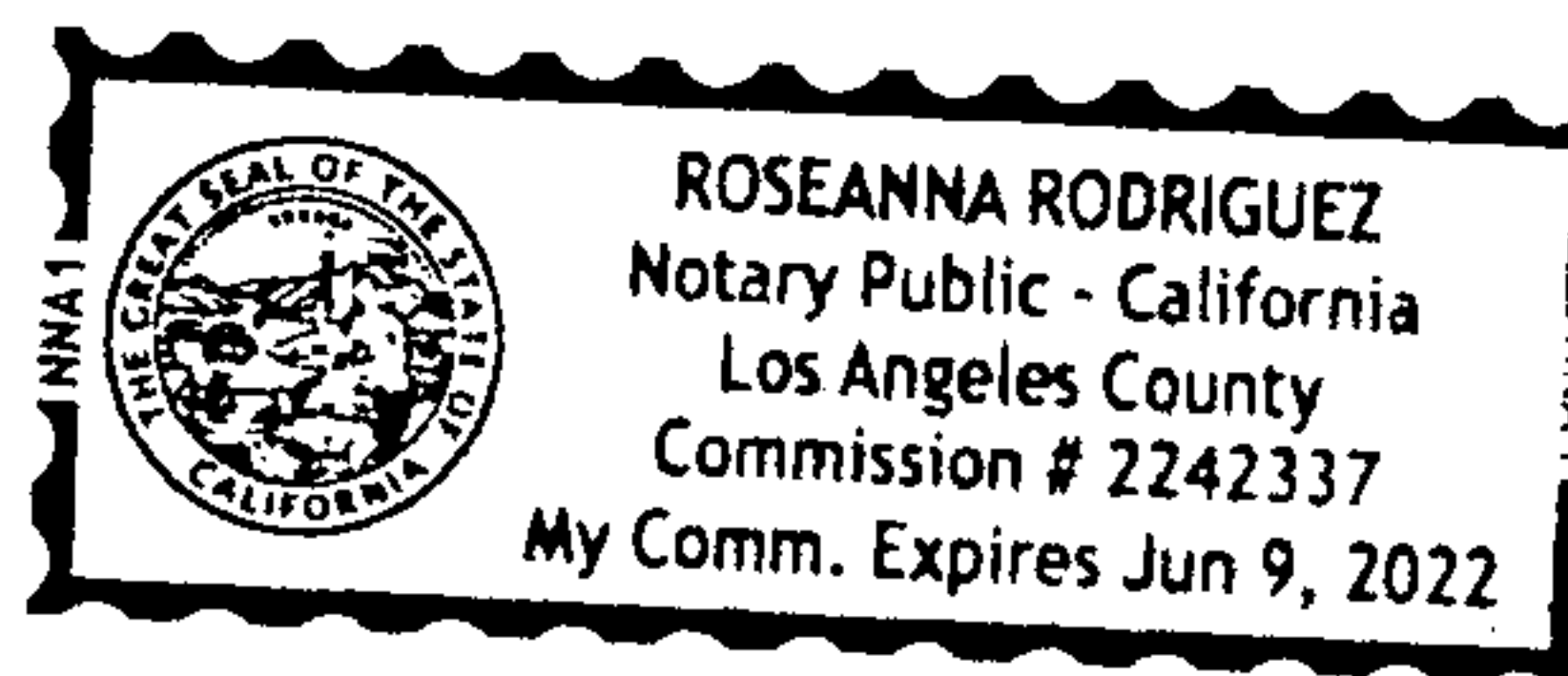
On September 28, 2018 before me, Roseanna Rodriguez, Notary Public,
 (insert name and title of the officer)

personally appeared Afshin Etebar
 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Roseanna Rodriguez (Seal)



DAY OF HEARING SUBMISSIONS



DLA Piper LLP (US)
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Los Angeles, California 90071
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Matthew Nichols
matthew.nichols@us.dlapiper.com
T 213.694.3134
F 310.595.3418

October 13, 2020

Oliver DelGado, President
Ilissa Gold, Vice President
Jennifer Chung-Kim, Commissioner
Maleena Lawrence, Commissioner
City of Los Angeles
Central Los Angeles Area Planning Commission
200 North Spring Street
Los Angeles, California 90012

Re: Supplement to Appeal – Proposed Conditions - Case No. ZA-2006-5732-CUB-CUX-ZV-PA2

Dear President DelGado and Honorable Commissioners:

This firm represents 6506 Hollywood Holdings, LLC ("Applicant") in connection with the property it owns located at 6506 West Hollywood Boulevard ("Property") and more particularly with respect to the subject appeal of the Zoning Administrator's June 10, 2020 determination under City Planning Case No. ZA-2006-5732-CUB-CUX-ZV-PA2, scheduled for hearing before the Central Los Angeles Area Planning Commission ("Commission") today. In advance of the hearing, on behalf of the Applicant, we provide this letter to supplement and clarify the Applicant's appeal submitted on June 25, 2020.

Specifically, based on further review of the Zoning Administrator's determination, discussions with LAPD, and status of the Applicant's efforts to engage a new operator for the entertainment venue portion of the Property, we would respectfully amend the request on appeal to consist only the following changes to the Conditions 6 and 17 considered under the June 10, 2020 Zoning Administrator determination:



APC
October 13, 2020
Page Two

Proposed modifications to Condition No. 6:

6. Project authorization shall be for the serving and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction ~~with an approximately 13,000 square-foot entertainment component which includes dancing, stages, five bars and a restaurant which includes outdoor seating for 42-16-20 patrons along Hollywood Boulevard and up to 10 seats in the existing indoor hallway space depicted in the attached revised First Floor Plan (p. A-3), and subject to the restrictions identified in Condition No. 17 below. Notwithstanding any other Condition herein, this grant temporarily suspends the serving and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the balance of the premises, consisting of an approximately 13,000 square-foot entertainment component including dancing, stages, five bars until and unless landowner, in conjunction with a future operator, files a plan approval within 24 months of the date of the effective date of this determination and obtains LAPD and Council Office concurrence relative to such operator and operational plan. In the event landowner fails to apply for such plan approval within the time period specified, the entertainment component of this grant for the area not to exceed 13,000 square feet comprised of dancing, stage, and bar uses shall be deemed denied as to the non-restaurant portion and no longer of effect relative to the rights granted hereby. If a plan approval application is not timely filed, a new Conditional Use Permit will be required for any alcohol serving or dispensing use in any portion of the premises not occupied by the restaurant use referenced above which is limited to the indoor hallway space depicted in the attached revised First Floor Plan (p. A-3).~~

Proposed modifications to Condition No. 17:

17. The applicant shall operate a restaurant with a bona fide operational kitchen, which shall serve lunch and dinner, daily. Prior to the restaurant obtaining a Certificate of Occupancy, the applicant shall obtain a revocable permit from the Bureau of Engineering, Department of Public Works, to permit ~~42-16-20~~ outdoor seats along Hollywood Boulevard. The sidewalk dining area shall be located in front of the restaurant, as shown on the floor plan marked Exhibit "A". Patron access to the sidewalk dining area shall only be from the interior of the restaurant. There shall be a 36-inch high barrier separating the patron sidewalk seating area from the public right-of-way. Subject to and until a future plan approval action under Condition No. 6 herein, whereby an operator is identified for the entertainment component of the premises, the restaurant shall limit gross alcohol sales to no more than 25% of gross combined food and alcohol sales for the restaurant.



APC
October 13, 2020
Page Three

For reference by the Commission, we have attached a revised First Floor Plan which delineates the proposed indoor portion for the restaurant use in the existing hallway area with up to ten seats.

The above conditions and more focused request on appeal will be further explained through oral testimony at today's hearing.

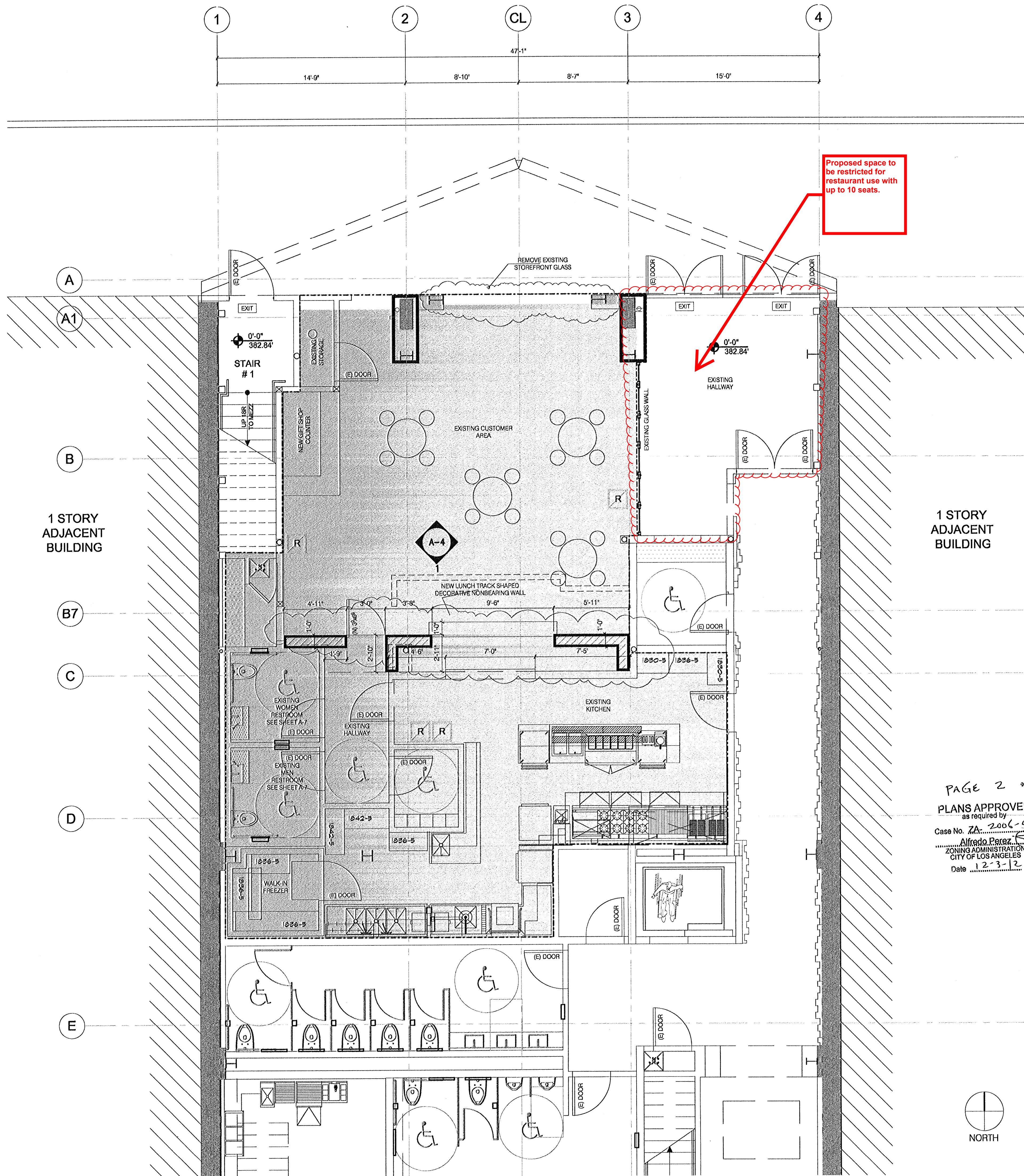
The foregoing does not constitute a complete recitation of the facts or law, nor a waiver of any of the Applicant's rights, remedies, claims or defenses, all of which are hereby expressly reserved. The Applicant specifically reserves its right to further supplement this appeal.

Very truly yours,

DLA Piper LLP (US)

A handwritten signature in black ink, appearing to read 'Matt Nichols', written over a light gray rectangular background.

Matt Nichols



Proposed space to be restricted for restaurant use with up to 10 seats.

ENVIRONMENTAL CONDITION NOTES:

BUSINESS OPERATOR SHALL INSTALL AIR FILTERS CAPABLE OF ACHIEVING A MINIMUM EFFICIENCY RATING VALUE (MERV) OF AT LEAST 11 OR BETTER IN ORDER TO REDUCE THE EFFECTS OF DIMINISHED AIR QUALITY ON OCCUPANTS OF THE PROJECT.

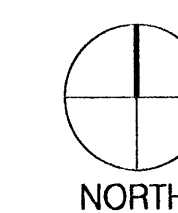
SCOPE OF WORK

REMOVE STOREFRONT GLASS WINDOWS;
INSTALL DECORATIVE NON BEARING PARTITION.
THE FACILITY WILL REMAIN FULLY ENCLOSED.

PAGE 2 of 5
PLANS APPROVED
as required by
Case No. ZA-2006-5732 (evb)(evx)(zv)(PA1)
Alfredo Perez
ZONING ADMINISTRATOR
CITY OF LOS ANGELES
Date 12-3-12

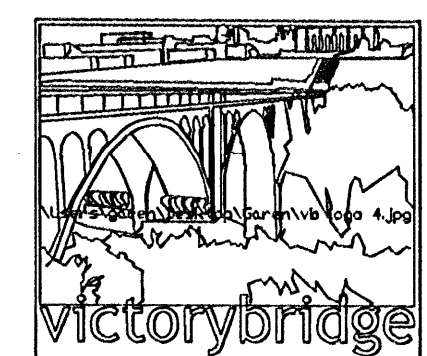
LEGEND

- (E) WALL TO BE REMOVED
- (E) WALL
- AREA OF WORK
- RECYCLING BINS FOR PAPER, GLASS, METAL, AND OTHER RECYCLABLE MATERIALS



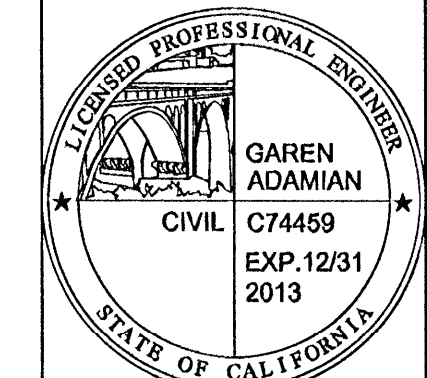
FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"



VICTORYBRIDGE.COM

THE ABOVE DIMENSIONS AND SPECIFICATIONS AND ALL DESIGN AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LOS ANGELES ZONING ORDINANCES AND THE CITY OF LOS ANGELES BUILDING DEPARTMENT REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES.



PROJECT: PLAYHOUSE NIGHT CLUB
ADDRESS: 6506 HOLLYWOOD BLVD., HOLLYWOOD, CA 90028
OWNER: 6506 HOLLYWOOD ASSOCIATES, LP.

ARMBRUSTER GOLDSMITH & DELVAC LLP

LAND USE ENTITLEMENTS □ LITIGATION □ MUNICIPAL ADVOCACY

TODD NELSON
DIRECT DIAL: (310) 254-9058

12100 WILSHIRE BOULEVARD, SUITE 1600
LOS ANGELES, CA 90025

Tel: (310) 209-8800
Fax: (310) 209-8801

E-MAIL: Todd@AGD-LandUse.com

WEB: www.AGD-LandUse.com

October 9, 2020

VIA E-MAIL

Henry Chu, Associate Zoning Administrator
Department of City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012

henry.chu@lacity.org

Re: ZA-2017-4610-CU-MCUP-SPR/ ENV-2017-3933-CE (949 South Hope Street):
Continuance Request

Dear Mr. Chu:

We are writing on behalf of the applicant, Forest City Southpark Two, LLP ("Forest City"), in connection with the appeal of the above-referenced case, which the Central Area Planning Commission ("CAPC") is scheduled to consider at its meeting on October 13, 2020. The CAPC has continued the appeal hearing several times to allow additional time for Forest City and the Appellant, the Skyline Owners Association, to continue their discussions in an effort to resolve the issues raised in the appeal.

Forest City and the Appellant continue to have productive discussions; however, these discussions have been delayed in large part due to the Covid-19 pandemic. Accordingly, Forest City is requesting a continuance of the CAPC's consideration of the appeal to its meeting on January 26, 2021 to allow time for the parties to reach final agreement. We have conferred with the Appellant, who by their signature below confirms no objection to the continuance.

We thank you for your time and consideration. Since the CAPC appeal hearing has already been set, Forest City will appear and repeat the request for a continuance at the hearing.

Sincerely,



Todd Nelson

Skyline Owners Association has no objection to the requested continuance:


For Skyline Owners Association