

GENERAL INFORMATION ABOUT THE CONTENTS OF THIS FILE

Submissions by the public in compliance with the Commission Rules and Operating Procedures (ROPs), Rule 4.3, are distributed to the Commission and uploaded online. Please note that “compliance” means that the submission complies with deadline, delivery method (hard copy and/or electronic) AND the number of copies. Please review the Commission ROPs to ensure that you meet the submission requirements. The ROPs can be accessed at <http://planning.lacity.org>, by selecting “Commissions & Hearings” and selecting the specific Commission.

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:

**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.

SECONDARY SUBMISSIONS



January 11, 2021

Jeanalee Obergfell, City Planning Associate

jeanalee.obergfell@lacity.org

(213) 978-0092

To whom it may concern,

We are writing to you in support of the proposed 31-unit development, including 4 dedicated Extremely Low Income units, at 1300 Westwood Blvd, cases DIR-2019-2789-TOC-1A/ENV-2019-2790-CE. We urge the city to reject the appeal and approve the project. We also urge the city to find the project Categorically Exempt from the provisions of CEQA and to approve it with the Density Bonus and additional incentives:

- Increased FAR of 3.89:1
- No parking requirements
- Yard setback requirements allowing 5-foot side yards and a 15-foot rear yard
- 25% decrease in Open Space

The greater Los Angeles region is facing a severe housing shortage, particularly affordable housing. By creating new housing in this neighborhood, it will help to reduce issues of gentrification and displacement in other parts of the region. Abundant Housing LA believes that these housing challenges can only be addressed if everyone in the region does their part.

This project is in a highly walkable neighborhood, close to public transportation and in walking and bicycling distance to job and education centers including UCLA and the VA Hospital as well as shopping, restaurants, and schools.

It is great to see the developer using the Density Bonus program to bring new homes, including badly needed affordable housing to the city. Affordable housing programs that depend on a percentage of new construction being affordable need a lot of new construction to have an impact, and the city should work to increase the number of developers using the Density Bonus.

This project is a good project for Los Angeles and for the region. Again, we urge the city to reject the appeal, approve the density bonus and incentives, and find the project Categorically Exempt from the provisions of CEQA.

Best Regards,

Leonora Camner

Leonora Camner
AHLA Executive Director

Roderick Hall

Roderick Hall
AHLA Organizing Director

Tami Kagan-Abrams

Tami Kagan-Abrams
AHLA Project Director

November 3, 2020

Via E-Mail

City Attorney Mike Feuer
City Hall East, Suite 800
Los Angeles, California 90012
mike.feuer@lacity.org

Re: Unlawful Denial of Appeal
4629-4651 W. Maubert Avenue
Case No.: DIR 2019-3760-TOC-SPP-SPR

City Attorney Feuer,

Earlier this year, the Responsible Urban Development Initiative (RUDI) filed an appeal related to the above-referenced transit-oriented community (TOC) project in the Los Feliz area. The appeal was rejected by the City Planning Department. The City Planning Department rejection letter stated the following: "Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the citywide planning commission." The City's rejection of RUDI's appeal with regard to the TOC approval was unlawful and a violation of constitutional due process. Local procedural rules and statutory provisions limiting the right to appeal to adjacent owners and applicants conflict with the Constitutional guarantee of due process. It has been held that restricting the right to appeal only to a dissatisfied applicant was improper and that the State Land Use Law clearly expresses the legislative intent that planning agencies ensure participation by the public in the planning process and that, through that involvement, adjacent property owners gain a right of appeal that may not be restricted by local ordinance. *Concerned Citizens of Murphy's v. Jackson* (1977) 72 Cal. App. 3d 1021-1026. This constitutional right of appeal cannot be limited to just adjacent property owners or applicants. Under *Concerned Citizen of Murphy's and Horn v. County of Ventura* (1979) 24 Cal. 3d 605, 156, if an applicant has a right to appeal, any interested person adversely affected has a similar right, since Constitutional due process requires that notice and opportunity for hearing be given to such interested persons.

The Responsible Urban Development Initiative is a Los Angeles community group whose members aim:

- To preserve existing housing and to promote responsible policies for the creation of new housing.
- To preserve existing cultural resources and to encourage communities to define their own culture.
- To demand transparency and accountability from those who have been elected or appointed to serve us.

RUDI members live, work and recreate in the Los Feliz area and their interests will be affected by the demolition of potentially historic, rent-stabilized housing to make way for a significantly larger project that offers only a tiny net gain of housing accessible to middle and low income Angelenos.

It should also be noted that when the voters adopted Measure JJJ, they specifically concluded that any aggrieved person or resident should have the right to file appeals - including the right to seek an action for equitable relief to restrain violation of the ordinance. Section 7 of Measure JJJ entitled "Enforcement" states as follows: "Any aggrieved person or resident of the City of Los Angeles shall have the right to maintain an action for equitable relief to restrain any violation of this ordinance or city failure to enforce the duties imposed on it by this ordinance. The provisions of this act shall be construed liberally to effectuate its intent and purposes." The courts have liberally construed the definition of "aggrieved" in cases giving the right to appeal to any person aggrieved by determination by a public agency. See *Marina Plaza v. California Coastal Zone Conservation Commission* (1977) 73 Cal. App. 3d 311, 321 and *Pillsbury v. South Coast Regional Commission* (1977) 71 Cal. App. 3d 740, 749. It would make no sense for the City to preclude an appeal to an aggrieved person who was not an adjacent property owner but to nonetheless allow any aggrieved person to bring an action for equitable relief in the Los Angeles County Superior Court. The City would effectively be precluding that aggrieved person from exhausting his or her administrative remedies, which is a prerequisite to bringing a legal action in Superior Court. The City's actions also violate City Charter 563.

For the reasons stated above, RUDI insists that the City rescind the denial of the appeal pertaining to the TOC approval and process the appeal. RUDI is prepared to seek relief from the courts if the City refuses to adhere to the Constitution's guarantee of due process.

Sincerely,
Carol Cetrone
Responsible Urban Development Initiative

DAY OF HEARING SUBMISSIONS



Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

January 13, 2021

TO: City Planning Commission

FROM: Jeanalee Obergfell, City Planning Associate

TECHNICAL MODIFICATION TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. DIR-2019-2789-TOC-1A; 1300 SOUTH WESTWOOD BOULEVARD

The following technical modifications are to be incorporated into the staff recommendation report to be considered at the City Planning Commission meeting on January 14, 2021 related to Item No. 7 on the meeting agenda.

The following is a proposed additional Condition of Approval to the staff recommendation report and Planning Director's determination dated September 10, 2020.

23. **[ADDED]** Electric Vehicle Parking. All electric vehicle charging spaces (EV Spaces) and electric vehicle charging stations (EVCS) shall comply with the regulations outlined in Sections 99.04.106 and 99.05.106 of Article 9, Chapter IX of the Los Angeles Municipal Code.



Planning CPC <cpc@lacity.org>

Proposed project at 13104 Glenoaks Blvd Sylmar 91342

Jennifer Sanchez <jens91355@gmail.com>

Thu, Jan 14, 2021 at 9:12 AM

To: cpc@lacity.org

I am contacting anyone regarding this proposal project to inform you that background on property in proposal is false. There are 2 current dwellings on the property and both are occupied. I am disabled and have been living on the property since 2012 and the new owners David Randall refused to issue a lease agreement to me once he took over the property. I really am contacting you because David R. has been lying to us and the planning office regarding this matter and I want to clarify my position. If you need to contact me regarding this matter please call 661-476-9406

Thank you
Jennifer Ashmore

PROJECT ANALYSIS

Project Summary

The Proposed Project is the demolition of an existing single-family dwelling and accessory structures and the construction, use, and maintenance of a 2-story, approximately 43 feet, eight inches in height, 13,135 square-foot mixed-use building. The Proposed Project would include eight dwellings (including two live-work dwelling units), a 927 square-foot café, 2,552 square-feet of other commercial uses, and 2,608 square feet of common open space. To achieve the proposed Project, the applicant is requesting a General Plan Amendment to the Sylmar Community Plan from Very Low I Residential to Neighborhood Commercial, and a Zone and Height District Change from RA-1-K to C1-1VL-K.



FIGURE 1. Project Rendering from Glenoaks Boulevard.

Background

The subject property is an approximately 26,478 square foot, regularly-shaped lot and is currently developed with a single-family dwelling and two accessory buildings proposed for removal as part of this action. Per the applicant, the buildings are currently vacant, with gravel and weedy species covering the surface of the site. The property is located on the north side of N. Glenoaks Boulevard between Polk Street to the east and Tyler Street to the west, within the Sylmar Community Plan area. The subject property has approximately 86 feet of frontage along the east side of N. Glenoaks Boulevard, a designated Boulevard II in the Mobility Plan 2035, and is relatively flat. The subject site is currently developed with a one-story single-family residence, two accessory buildings, and is devoid of any landscape.

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JULIAN K. QUATTLEBAUM, III
JAMIE T. HALL *
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Texas

January 14, 2020

VIA ELECTRONIC MAIL

City Planning Commission
City Hall East, Suite 800
Los Angeles, California 90012

**Re: TOC Project Located at 4629-4651 West Maubert Avenue; Case No.:
DIR-2019-3760-TOC-SPP-SPR**

Dear Honorable Members of the City Planning Commission:

This firm represents the Los Feliz Improvement Association ("LFIA" or "Association"), a longstanding non-profit organization that represents the interests of the residents of Los Feliz in the City of Los Angeles. The Association has been in existence for over 100 years.

On or about August 20, 2020, my client filed an appeal related to the above-referenced transit-oriented community (TOC) project. However, the appeal was rejected by the City Planning Department. The rejection letter from the City Planning Department stated the following: "Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the citywide planning commission." LFIA was then forced to resubmit the appeal and limit it to the Site Plan Review and the Project Permit Compliance Review for the Project. LFIA submitted a formal letter to the City Attorney objecting to the City's actions on November 3, 2020. To date, LFIA has not received a response from the City Attorney; however, the Staff Report issued for the Project discusses this dispute. This letter explains why the City's actions are unlawful and violate fundamental constitutional principles.

The Staff Report argues that the City is entitled to limit appeals to adjacent owners and/or tenants because existing local law for other types of projects (e.g. planning determinations, density bonus projects, etc.) authorizes such restrictions. The Staff Report also argues that the State Density Bonus Law does not prescribe notice, hearing or appeal procedures. The Staff Reports also justifies the actions by noting that the City consistently applies its regulations. All of this is completely irrelevant. The question is not what the Los Angeles Municipal Code or

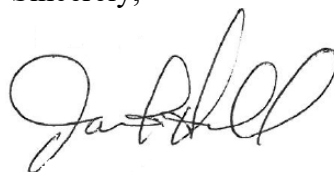
City Charter authorizes but what our Constitution requires. Local laws must yield when they are in conflict.

Local procedural rules and statutory provisions limiting the right to appeal to adjacent owners and applicants simply do not pass legal muster. It has been held that restricting the right to appeal only to a dissatisfied applicant was improper and that the State Land Use Law clearly expresses the legislative intent that planning agencies ensure participation by the public in the planning process and that, through that involvement, adjacent property owners gain a right of appeal that may not be restricted by local ordinance. *Concerned Citizens of Murphy's v. Jackson* (1977) 72 Cal. App. 3d 1021-1026. This constitutional right of appeal cannot be limited to just adjacent property owners or applicants. Under *Concerned Citizen of Murphy's and Horn v. County of Ventura* (1979) 24 Cal. 3d 605, 156, if an applicant has a right to appeal, any interested person adversely affected has a similar right inasmuch as constitutional due process requires that notice and opportunity for hearing be given to such interested persons.

There is no question that the Association is an interested person with regard to the above-referenced project that will be adversely affected. For over 100 years the Association has served the Los Feliz community through advocacy and action, including planting and caring for the landmark Deodar Cedars on Los Feliz Boulevard, helping to preserve the unique urban wilderness of Griffith Park, organizing community clean-up days, speaking out on traffic and safety issues, maintaining records of our historic residences, and supporting thoughtful development. The Association's membership includes persons that reside in close proximity to the project that will be impacted by the project.

It should also be noted that when the voters adopted Measure JJJ, they specifically concluded that any aggrieved person or resident should have the right to file appeals - including the right to seek an action for equitable relief to restrain violation of the ordinance. Section 7 of Measure JJJ entitled "Enforcement" states as follows: "Any aggrieved person or resident of the City of Los Angeles shall have the right to maintain an action for equitable relief to restrain any violation of this ordinance or city failure to enforce the duties imposed on it by this ordinance. The provisions of this act shall be construed liberally to effectuate its intent and purposes." The courts have liberally construed the definition of "aggrieved" in cases giving the right to appeal to any person aggrieved by determination by a public agency. See *Marina Plaza v. California Coastal Zone Conservation Commission* (1977) 73 Cal. App. 3d 311, 321 and *Pillsbury v. South Coast Regional Commission* (1977) 71 Cal. App. 3d 740, 749. It would make no sense for the City to preclude an appeal to an aggrieved person who was not an adjacent property owner but to nonetheless allow any aggrieved person to bring an action for equitable relief in the Los Angeles County Superior Court. The City would effectively be precluding that aggrieved person from exhausting his or her administrative remedies, which is a prerequisite to bringing a legal action.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jamie T. Hall', written in a cursive style.

Jamie T. Hall

January 13, 2021

VIA E-MAIL

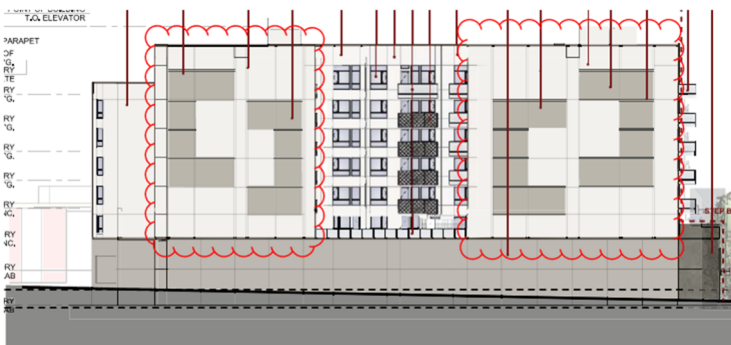
Los Angeles City Planning Commission
City of Los Angeles
Los Angeles City Hall
200 N. Spring Street, Suite 525
Los Angeles, CA 90012

Re: 4629- 4651 West Maubert Avenue; DIR-2019-3760-TOC-SPP-SPR-1A

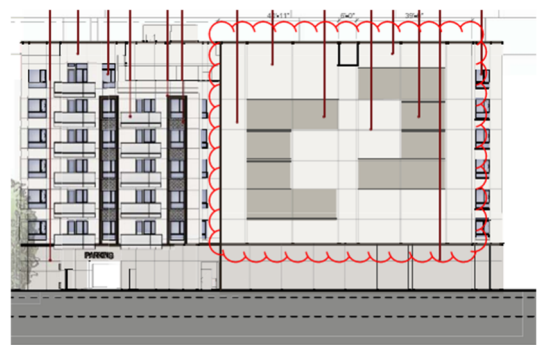
Honorable Commissioners:

We write on behalf of the Project Applicant, Maubert LA VI, LLC, regarding the appeal of the above referenced Project located at 4629-4651 West Maubert Avenue. Staff has requested additional information on the Project Applicant's design intent for the north and west facing facades of the Project. The areas of concern are called out in the elevations below.

1. West Elevation



2. North Elevation



Due to the building's proximity to the adjoining lot line, these facades present a design challenge because the building code prohibits windows or other openings.

While the existing design complies with the requirements of the Vermont-Western Station Area Plan Design guidelines, it has always been the Applicant's intent to treat these portions of these façade with murals in lieu of the geometric pattern shown in the current plans. The Applicant's objective is to use the space to work with a local artist to create a mural with

relevance to East Hollywood and the surrounding community. To that end, the Applicant volunteers the following additional condition of approval:

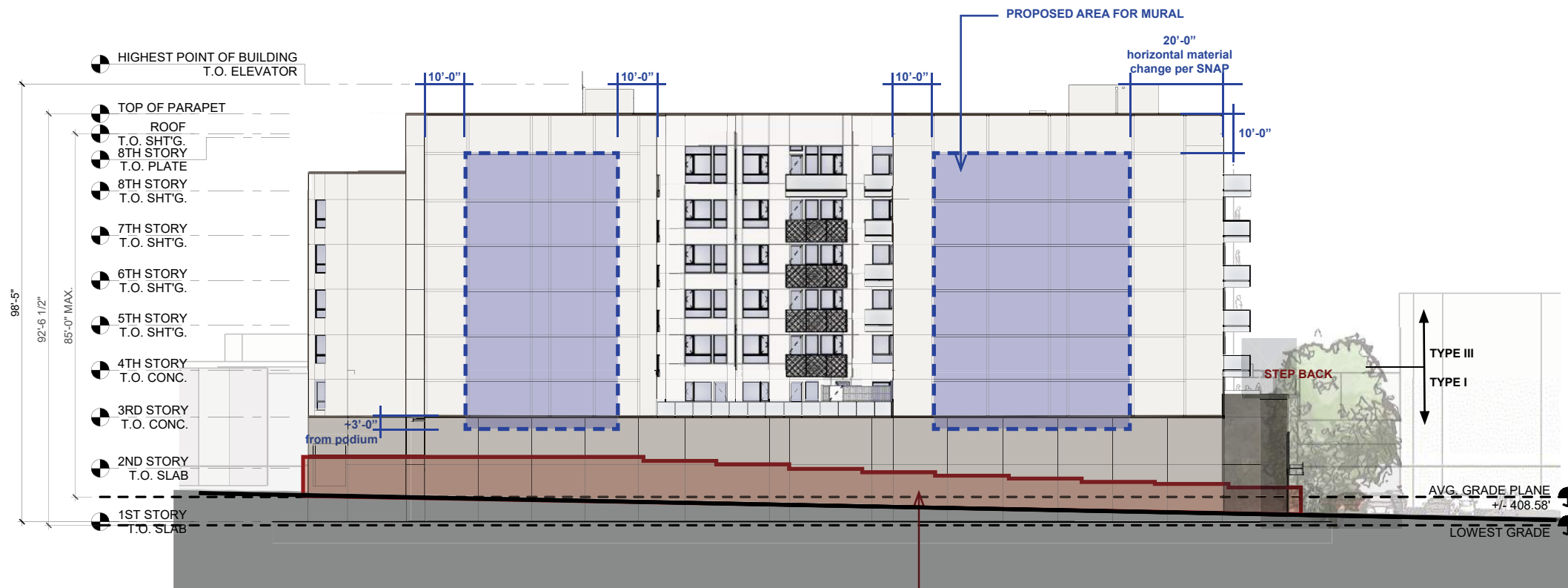
Applicant shall incorporate artistic murals or similar installations on the western and northwestern building facades to create an additional visual break in any large areas that cannot include windows or other openings due to building code constraints related to the building's proximity to the adjoining lot line, as approved to the satisfaction of the Planning Director or its designee prior to issuance of a Certificate of Occupancy.

Sincerely,

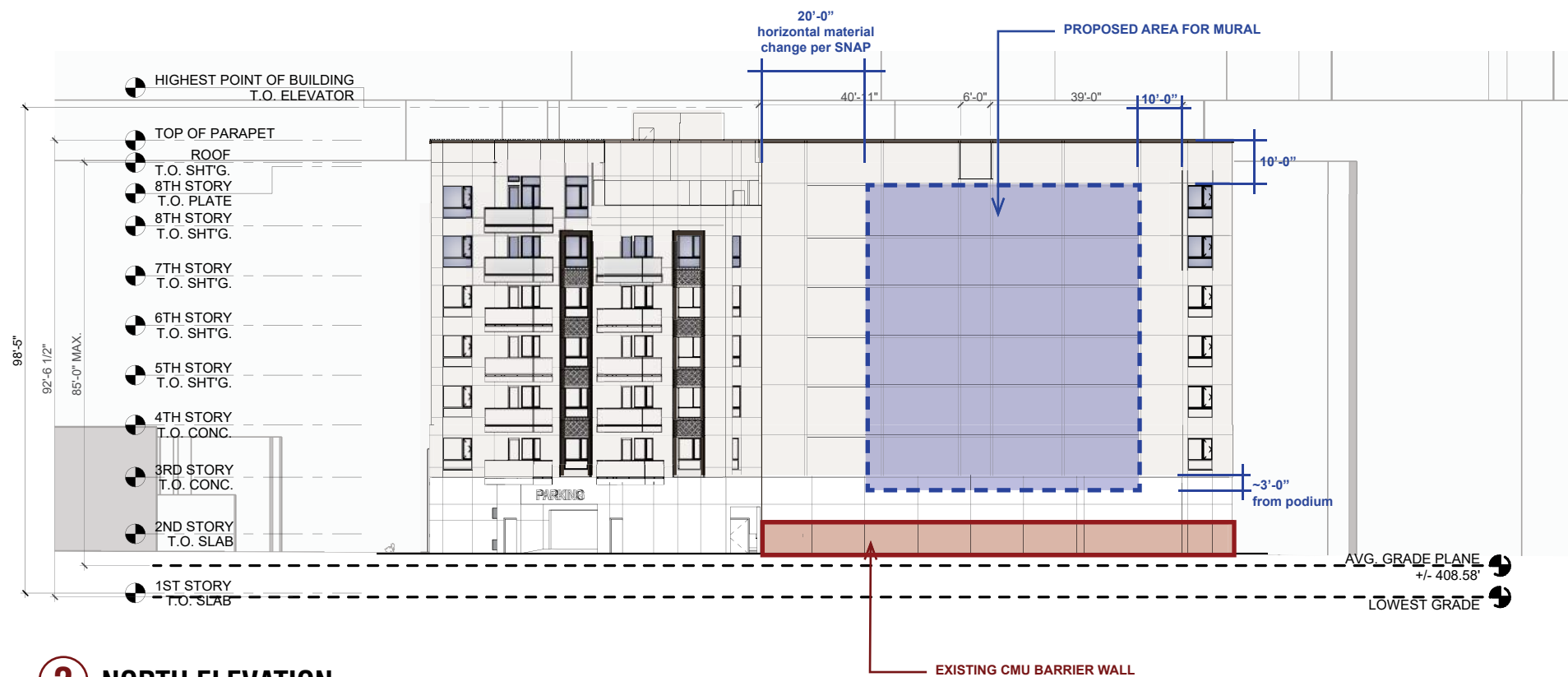


Andrew K. Fogg

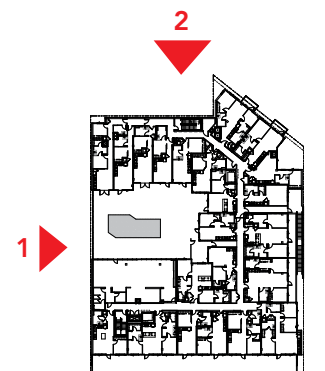
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1 WEST ELEVATION



2 NORTH ELEVATION







January 11, 2021

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

Re: 4629 – 4651 W. Maubert
Case Nos.: DIR-2019-3760-TOC-SPP-SPR-1A
VTT-82654-1A
ENV-2019-3761-SCPE
SUPPORT APPEALS

Members of the City Planning Commission,

I am writing to voice my opposition to the project proposed for 4629 – 4651 W. Maubert. This project is problematic in a number of ways, and should be rejected by the Commission for the following reasons:

The Project Does Not Qualify for a Sustainable Communities Project Exemption

CA PRC 21155.1 says the legislative body must find that a transit priority project meets all of the requirements of subdivisions (a) and (b). The proposed project does not meet all of these requirements.

CA PRC 21155.1 (a) (1) requires that the project can be served by existing utilities. It absolutely cannot be adequately served by the City's solid waste/recycling program. AB 939 requires that all California cities divert at least 50% of their solid waste to recycling. The project will be served by the RecyclA program, which currently diverts less than 35% of solid waste to recycling. While the City claims it will reach a 90% diversion rate by 2025, it has presented no evidence and no plan to support this assertion. Therefore the project is out of compliance with State law, and the City cannot find that it will be adequately served by existing utilities.

The Project Will Have Significant Impacts to the Health of Patients at Children's Hospital

The project site is in close proximity to the daycare and playground facilities at Children's Hospital. The potential absolutely exists for adverse impacts to the health of the children on site from diesel exhaust, fugitive dust and other particulate matter. The developer has offered no credible plan to mitigate these impacts.

Serious Ethical Questions Regarding Actions by Developer Carmel Partner

Why is the City considering handing out generous entitlements worth millions of dollars to a developer whose actions have repeatedly raised red flags when it comes to ethics? Carmel Partners recently paid \$1.2 million to avoid prosecution for its part in a transaction whereby Jose Huizar allowed the company to reduce the amount of affordable housing required in its 520 Mateo project. CP previously managed to avoid a requirement to build affordable housing at its massive Cumulus project with the help of Councilmember Herb Wesson, who coincidentally saw substantial funds go to a ballot measure he backed around the same time his son got a job at Cumulus radio. And who can forget the extreme measures used by Carmel Partners to evict tenants at the Koinonia housing complex in Pasadena back in 2015? Does the City really wish to reward a developer who has so often and so brazenly placed profits over people?

The Project Destroys 14 Existing RSO Units for Meager Gain of 3 Affordable Units

The developer proposes the construction of 153 new units, of which only 17 units will be affordable. When we weigh this against the loss of the 14 existing RSO units, we get a tiny net gain of 3 units accessible to middle-income and low-income households. The City proposes approving an 80% increase in allowed density, in addition to numerous other entitlements which are worth millions to the developer, and yet the public only receives a negligible number of additional affordable units. The value of the entitlements awarded to the developer far exceeds the benefit realized by the public.

The City Planning Commission should uphold the appeals and reject the project.

Sincerely,
Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068