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SECONDARY SUBMISSIONS

April 20, 2021

Los Angeles County Supervisors
Los Angeles City Council Members
Mayor of Los Angeles

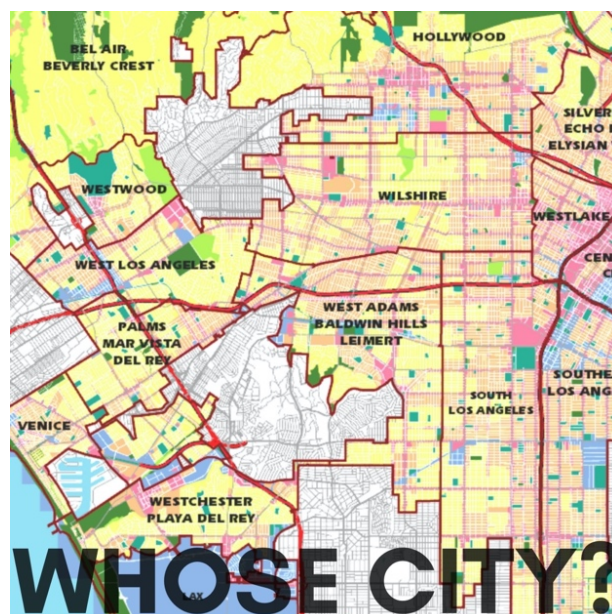


Re: The Regional Housing Needs Assessment (RHNA) and creating a more equitable and livable city and county.

To my Supervisors, Council Members and Mayor,

I believe our homelessness challenge is not insurmountable. We know that homes end homelessness. The problem is that we are not creating enough homes.

What connects us all, what makes livable neighborhoods, are our pink mixed-use commercial zones that weave throughout the region. I believe that concentrating on these boulevards and their edges, increasing the density of them, is a 'no-brainer' and the RHNA updates give you a unique opportunity to work together to make them stronger. All 88 cities in the county are currently studying future housing capacity and now is a perfect time to coordinate and collaborate on updated zoning to support this goal. The Los Angeles County region is a living, breathing organism; it is the heart that pumps the blood to the places where all of us live and work. The City of Los Angeles is 40% of the total county population and is a crucial link in the region's livability. These observations are specific to Los Angeles, but related to other areas. These are issues that I believe are paramount to unlock the key to house everyone, based on my decades of experience working in the region as an architect, a housing policy advocate and social justice designer. R1 (yellow) and C2 (pink/salmon) represent the majority of our residential and commercial zones, so I use them and not others for clarity.



1: Repeal or correct 1986 Prop U's downzone along all of the commercial boulevards

Over the last several decades we have dramatically reduced residential zoning capacity and have lost the potential to house tens of thousands, but gained higher housing costs. In 1986, Ballot Measure Prop U in the City of Los Angeles halved the allowable density on all of our commercial boulevards from 3:1 to 1.5:1, effectively downzoning overnight, lowering the threshold for discretionary approval, creating delays and uncertainties. As a direct result, tens of thousands of housing units did not get built. Because of this one ballot measure, all development now requires discretionary approval to get back to a baseline of 3:1 (3-stories over an entire parcel).....this is a development straight-jacket in our C-zones and along our mixed-use boulevards. Unfortunately, this is precisely where we should have our density...along our commercial mixed-use boulevards!

Links:

<https://www.lewis.ucla.edu/research/proposition-u/>

https://en.wikipedia.org/wiki/Proposition_U

<http://www.betterinstitutions.com/blog/2016/5/16/keep-los-angeles-affordable-repeal-proposition-u>

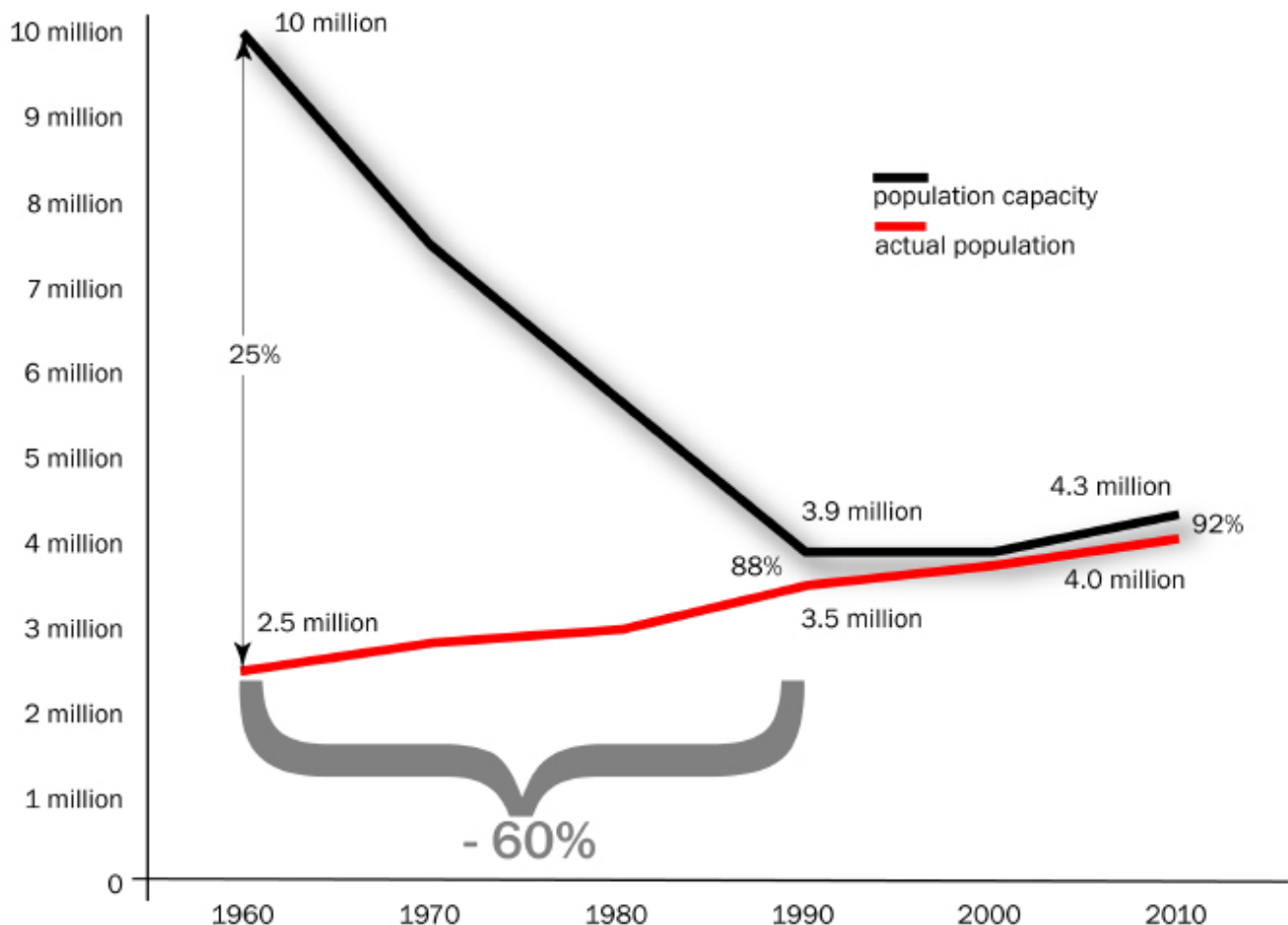


Fig. 1-1: Down-Zoning versus Population Growth

Data Sources: Census and all 104 Community Plans (cumulative population capacity)

Chart from [dissertation of UCLA PhD student Greg Morrow](#).

2: Eliminate height restrictions which effectively downzone our commercial boulevards

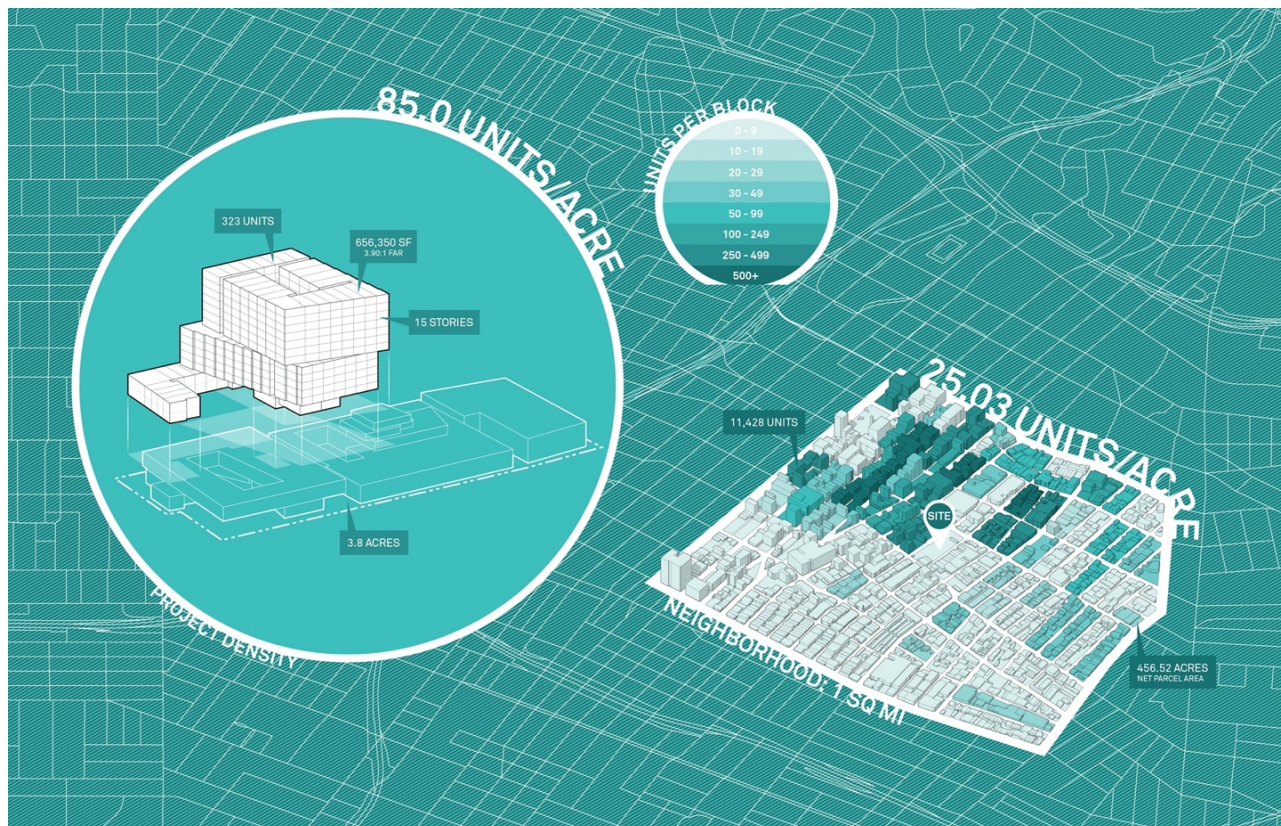
The R1 zone has height limits that reach out of the R1 zone and into the C2 zone, even if density is allowed along the commercial boulevard. If R1 zone/yellow is 49' from any portion of the building in the pink commercial artery, the height is limited to 25' (2-stories). Within 99', it is limited to 33'. Most of our commercial arteries are R1-adjacent! Rather than R1 cholesterol pressing into and hardening our arteries, we should create a 'relief valve' that is a transitional height zone from the C2 into the R1 (the opposite way!). Density at the neighborhood level is best characterized by how buildings, transport, and ultimately people are arranged on the street. Increased density on our commercial boulevards would allow for much more housing around transit, and would contribute to more livable, walkable neighborhoods.



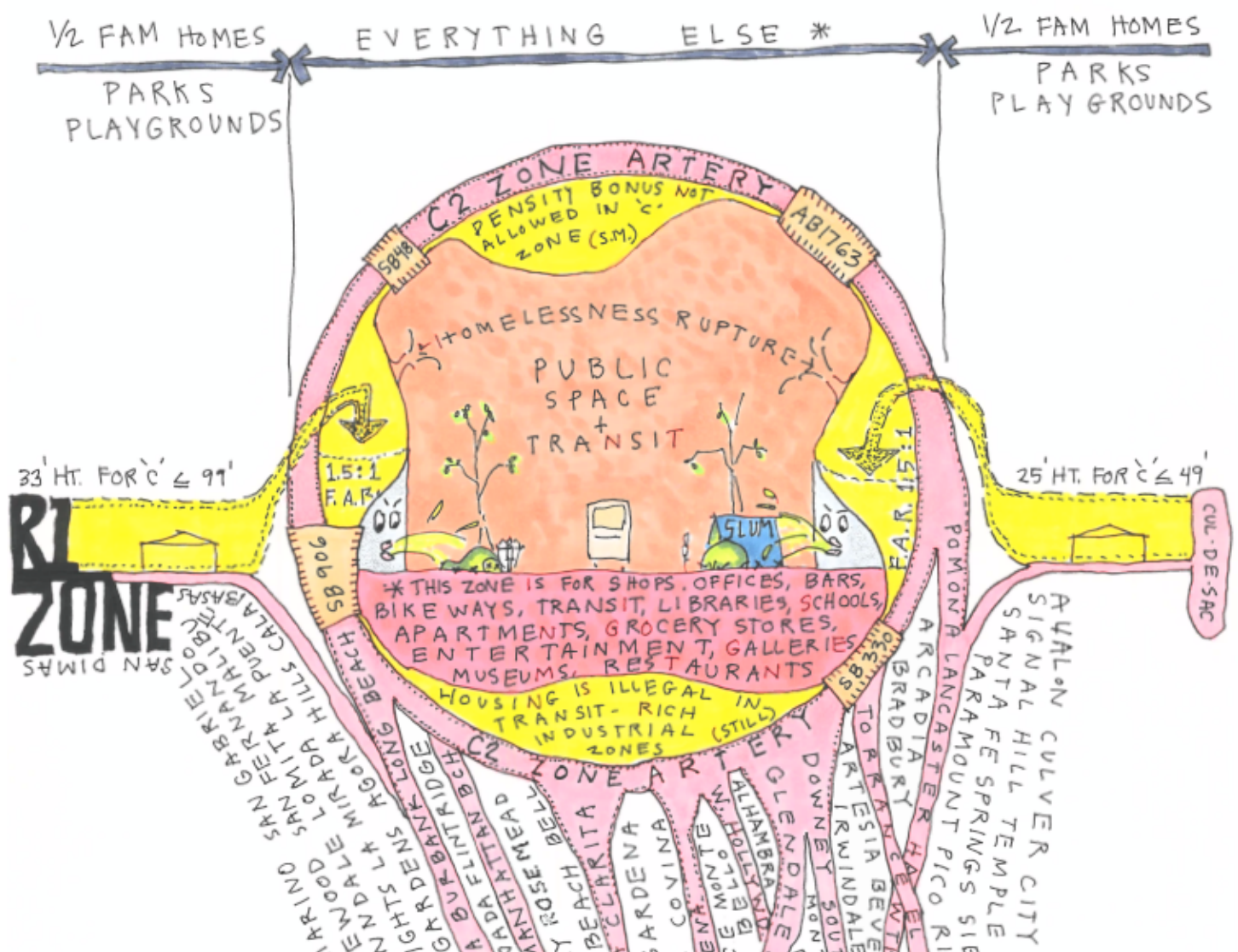
3: Comprehensive Zoning for today and tomorrow includes infrastructure

Most development requires discretionary approvals (because our 'base zoning' is 8 decades old and bears no resemblance to our current city transit, households, neighborhoods or development patterns). This requires political, neighborhood and city approvals, adding years to the development of needed housing. The responsibility for infrastructure (LADWP, Sewer Availability, etc) falls on the developer to determine, after all plans are complete, increasing risk and uncertainty. Risk vs Reward: some of the risk could be placed where it is most effectively controlled, which is at the city. If infrastructure design was consistent/ready and available where density is needed, streamlining would automatically occur. More housing units would get built faster and at less cost. By eliminating discretionary approvals in the Los Angeles region (they should be scarce, not common!) through the creation of a good zoning framework for today and into the future, more housing would get built and our neighborhoods would be more livable. The 'work-arounds' such as the Transit-Oriented Communities (TOC) Ordinance and Measure JJJ, are helpful but they do not get at the root of the problem, which is the lack of comprehensive zoning reform and the restrictive definition of a 'dwelling unit' which precludes shared permanent-housing models. State Bills such as AB1763 are good, but a piecemeal approach, when comprehensive planning is really required.

The image below illustrates potential new housing above the downtown So Ca Flower Market, (entitlements approved after 3 years) a with a project density of 85 units/acre, the surrounding neighborhood is only 25 units/acre. Los Angeles' downtown core (where dense, tall housing should be located) has +25% industrially zoned land where it is illegal to build apartments, even though most of the industry is light or non-existent.



Out of our total developable land, about 75% is zoned for detached single family/duplexes and 25% is for multi-family (approximately opposite the land use of the 1930s). Rather than 'exclusionary zoning' we should have 'inclusionary zoning', more affordability and less restrictions on multi-unit buildings. Some cities have removed all R1 exclusionary zones and Los Angeles could do this too. In particular, we should not let R1 dictate C2. Our zoning policy is making our commercial arteries sick and the result is unaffordability and homelessness, which stretches back into our R1 neighborhoods. Rather, we could house people by removing restrictions on density and incentivizing new shared-house models, especially along our commercial boulevards and our high-opportunity single family neighborhoods that are much less dense.



UrbanFootprint, the world's first and only Urban Intelligence Platform, was named among the most innovative companies of 2021 and they are ranked #2 in the Social Good category of the list. With interactive dashboards and city and neighborhood data in one place, it is a great tool for urban design, a comprehensive urban, climate and community tool: <https://urbanfootprint.com/>

3: Risk vs Reward for Permits and Approvals

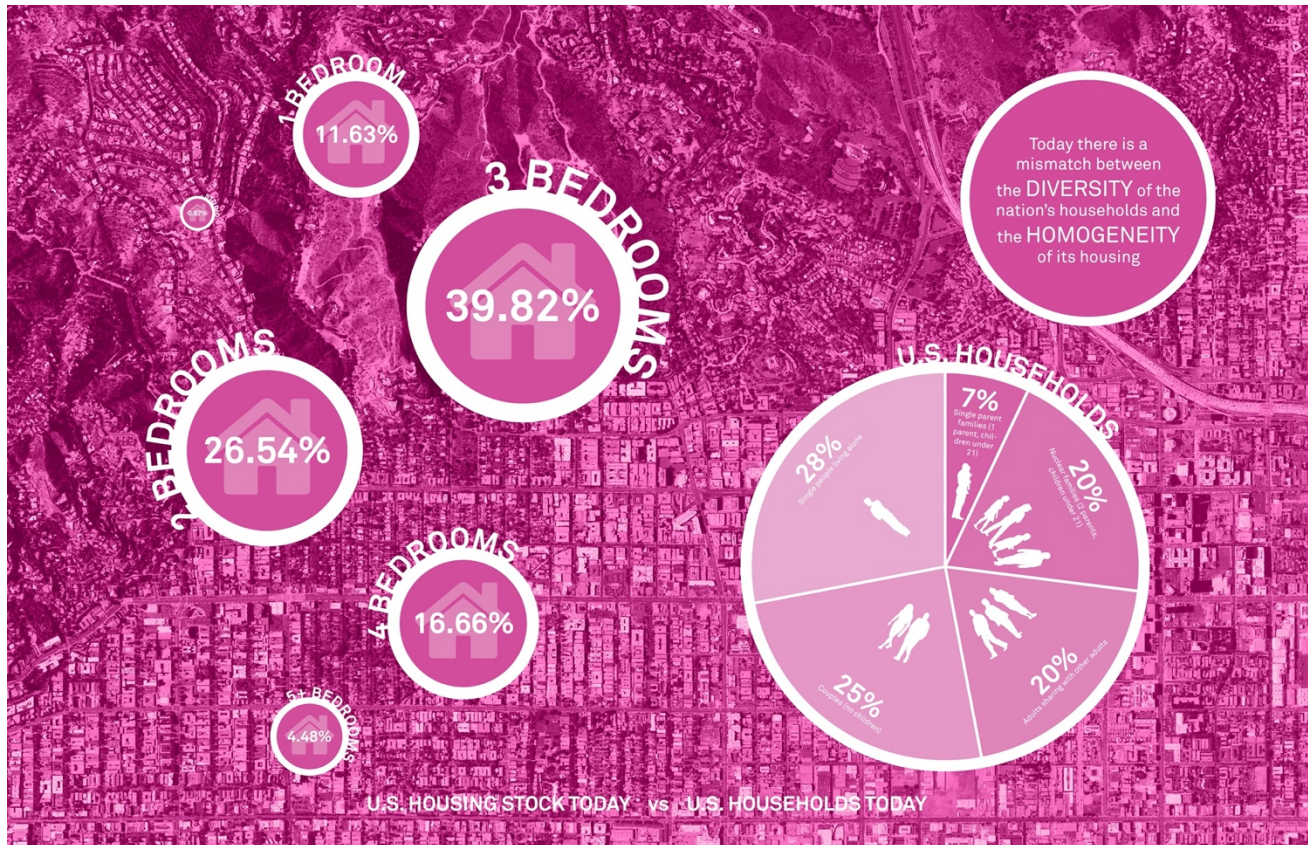
Obtaining approvals and building permits takes an extraordinary amount of time, specialty and legal consultation, and leaves the developer open to possible CEQA legal action which stops or slows down beneficial projects. Our zoning framework is sick and has little to do with the way people actually live, or the way a healthy city is supposed to operate. 'Risk vs Reward' is lopsided and the onus is always on the development team to navigate a byzantine system, with no certainty. If we, as a society, are serious about solving homelessness, then Risk should be more balanced. For instance, currently a shared permanent-housing model is illegal. The non-profit Skid Row Housing Trust rehabilitated an apartment building that consisted of rooms with shared baths and showers on each floor and a common kitchen on the ground floor. The Zoning Code does not allow this type of permanent housing...even though the density is over 500 dwelling units/acre and is permanent housing for many people. The Risk is attributed to the non-profit developer who has to explain and cajole the building plan checkers to allow this- this is not incentivized, so why would any other developer try this as a new project? We need new models of housing types like this, allowed by-right, for both private and non-profit developers. All dwelling units do not need their own bathrooms and kitchens to be called 'home' for some.

4: Help the Silos Effectively Communicate (see #3)

The onus is on the architect and developer to navigate multiple approvals through the city silos (LADWP, Planning, B&S, BOE, Metro, Transportation, Fire), each with their own personnel, own varying and changing submittal requirements, supervisors and fees. Online one-stop digital plan submittal is a basic need for both private and non-profit developers (other cities successfully do this and could be a template). This could save time. The Urban Design Studio, with proper authority, could be the glue that provides for effective communication among silos for the design team and developer.

5: Incentivize and allow as standard, new models of housing

In LA County 8% of the population identifies as Black, but 33% make up the homeless population, so creating/allowing/incentivizing new shared-housing models will lower the cost of housing, allow more density and will be more just. The definition of a dwelling unit could be simply a room with a sink and refrigerator only (similar to a hotel) and this would allow models with shared kitchens and shared showers and bathrooms to exist. The point is that we need more options for everyone. This simply provides a relief valve at this end of the scale for those who are young and need to live independently, those living on limited incomes, people that need a step up or lower rent or do not want an individual kitchen. This is a perfect housing model for young adults and transitional-age-youth who are homeless or in danger of becoming homeless. The definition of a typical family has changed and our codes should reflect that. Only about 20% of the US population are traditional families, yet we have a lack of small-unit and shared housing stock.



These 5 ideas are presented in the hope that they will start a conversation and may provide an opportunity for future growth at the same time that we increase livability in the region.

Sincerely,

Angie Brooks, FAIA, Principal Brooks + Scarpa Architects

Current member of the West Hollywood RHNA Advisory Group

I have lived and worked in the Los Angeles region for 33 years, over two decades as Principal of an architectural/planning firm that has been working with non-profit developers of affordable housing over this time. Our firm has researched density, policy and design and has held exhibits, lectures and panel discussions on good density and what constitutes a livable city. We have published 'Ordinary and Extraordinary: Brooks + Scarpa' about the housing, schools and other spaces we have created to enrich the cultural fabric of our cities- as architects, we work across disciplines including landscape architecture, planning and environmental design.

Cc:

Los Angeles City Planning Commission: Samantha Millman, Caroline Choe, David Ambroz, Helen Leung, Karen E. Mack, Dana M. Perlman, Yvette Lopez-Ledesma, Ajay Relan

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Los Angeles Housing and Community Investment Department (HCIDLA)

Ann Sewill, General Manager, HCIDLA anne.sewill@lacity.org

Tricia Keane, Executive Officer, HCIDLA tricia.keane@lacity.org

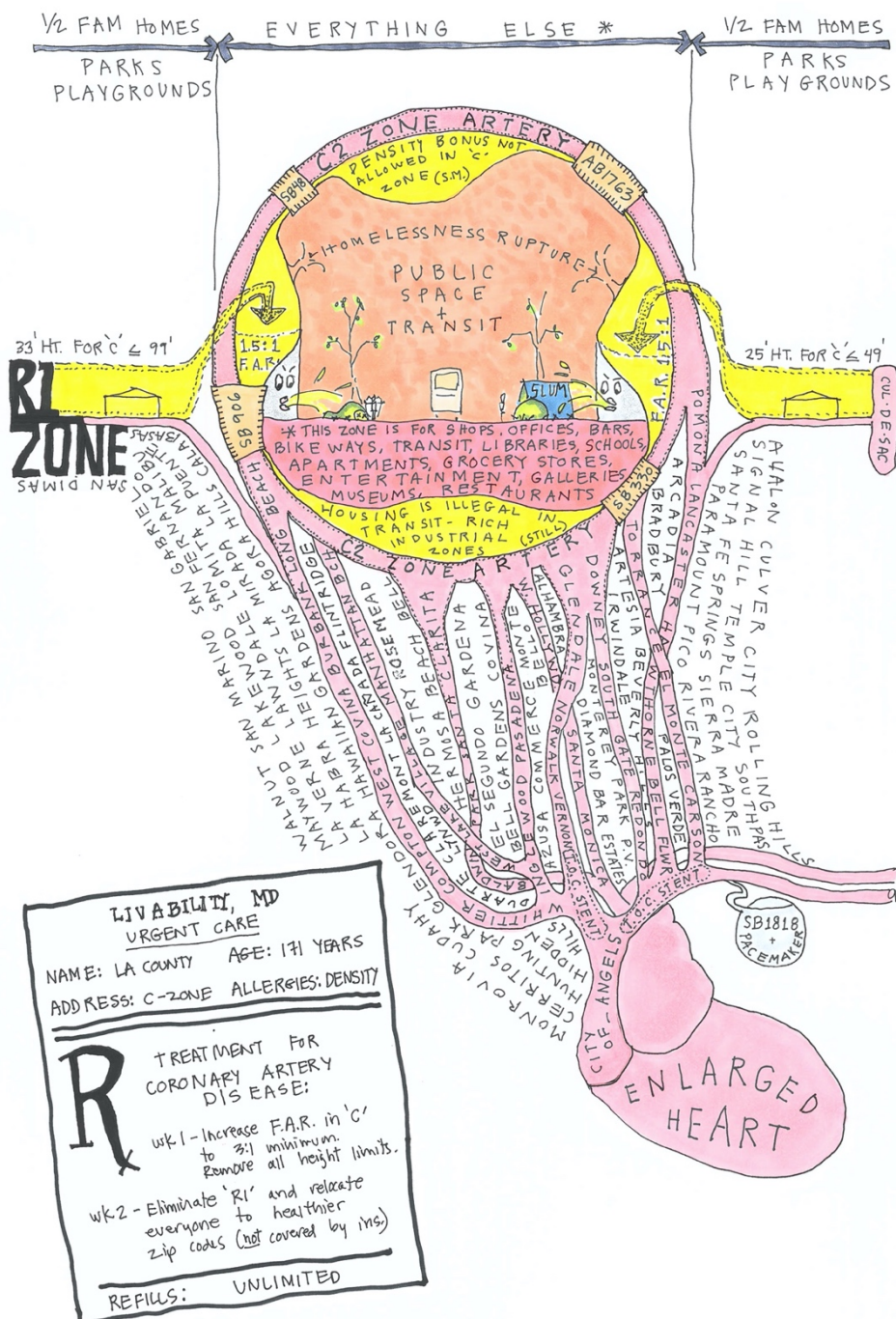
Los Angeles County Dept of Regional Planning housing@planning.lacounty.gov

Los Angeles Director of Planning vince.bertoni@lacity.org

Los Angeles Chief Deputy City Engineer and Architect deborah.weintraub@lacity.org

Los Angeles Chief Design Officer christopher.hawthorne@lacity.org

Abundant Housing LA anthonydpdedousis@gmail.com





Item #7- Justice Demands Rejection of 1434 S. Robertson Hotel

Aryeh Cohen <ar2yeh@gmail.com>

Thu, Jun 3, 2021 at 6:22 PM

To: cpc@lacity.org, oliver.netburn@lacity.org, paul.koretz@lacity.org, daniel.skolnick@lacity.org, joan.pelico@lacity.org

Hi my name is Rabbi Dr. Aryeh Cohen, I live at the corner of Shenandoah and Airdrome Streets, and I am a Professor of Rabbinic Literature at the Ziegler School of Rabbinic Studies. I am urging the City to reject the project. The developer is seeking a conditional use permit and a zone change, a change of the law, to allow a hotel twice the size of what would usually be allowed. The project would displace tenants and small business owners and permanently remove rent stabilized housing units from the market.

The question I want to ask everyone here, is the question I ask my students. What is the obligation we have as members of a political community, the City? A Just City is a community of obligation. In the rabbinic tradition, it is the City that is obligated to provide aid to the poor, shelter for the wayfarer, in short to establish justice. And so too, the Housing Element of the City's General Plan establishes that LA must be a "City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs." This project, by displacing our neighbors, is fundamentally inconsistent with these goals. The City has authority to look after the residents and businesses to be displaced, and the interests of the whole community which would permanently lose 10 housing units. It must use that authority and stop this project. In a just city, in the City of Angels, none of us are alone. All of us are responsible for each other. Please deny this project and come back with something that replaces these housing units and protects our small businesses, especially Le Petit Jardin which should be included in the new development.

Aryeh Cohen

ar2yeh@gmail.com

1657 S. Shenandoah St.

Los Angeles, California 90035

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Aryeh Cohen

Read my blog [Justice in the City](#)

Buy my book [Justice in the City: An Argument from the Sources of Rabbinic Judaism](#)

Twitter: [@IrMiklat](#)





March 24, 2020

Krystal Návar, Chair
SORO Neighborhoods Council Land Use Committee
landusechair@oronc.org

To whom it may concern,

We are writing to you to express our opposition to the hotel project at 1434-1456 S. Robertson Boulevard, originally on the agenda for your March 5 Land Use Committee meeting. The hotel would eliminate 10 rent-stabilized residential units and not provide any new housing, at a time when we can ill-afford to lose any housing, let alone rent-stabilized housing.

The SORO neighborhood is a very walkable area, with many schools - public and private - and large and small grocery stores in the neighborhood, as well as restaurants and other shops. Permanent residents support and strengthen the community with their spending and their participation.

We urge you and your fellow committee members to oppose the building of the hotel at the expense of 10 rent-stabilized residential units, and to support building permanent housing in the SORO neighborhood.

Best Regards,

Tami Kagan-Abrams

Tami Kagan-Abrams
Abundant Housing LA Projects Director



Rabbi Jason Weiner, DBe, BCC

Senior Rabbi

Director, Spiritual Care

8700 Beverly Blvd. - NT

Suite 2508

Los Angeles, CA 90048

310-423-5238

cedars-sinai.org/spiritualcare

June 26, 2020

Oliver Netburn, Department of City Planning

Aviv Kleinman, CD 5

Subject: Case No. CPC-2019-7522-VZC-CUP-SPR

I am writing to express my support of the proposed Robertson Hotel project located at 1434 -1454 Robertson Blvd. I serve as the rabbi of Cedars-Sinai Medical Center and as the rabbi of Congregation Knesset Israel on 2364 S. Robertson Blvd. As a local resident and rabbi in the community, I feel strongly that the proposed hotel will be a welcomed amenity to the community, providing much needed hotel service.

I would also like to recognize the applicant for their effort in being transparent with our community about the development plans, sharing the details and allowing our opinion to be heard.

We urge the Planning Department and the City Planning Commission to approve this project without delay.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jason Weiner', with a stylized flourish.

Rabbi Jason Weiner

120+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT FOR YOUR CONSIDERATION:

Honorable Councilmember Koretz and Members of the City Planning Commission ,

Los Angeles has a housing crisis, NOT a hotel crisis. Pico-Robertson is already well-served by hotels, with the Carlyle Hotel only blocks away and hundreds of hotel rooms less than a mile away at Pico & Beverly. If the 1434 Robertson site is redeveloped, it should be a mixed-use housing project with small business space at the bottom. As opposed to a hotel development, a mixed-use housing project would ensure existing tenants have the right to return to their homes and require a percentage of the units to be affordable.

The City should follow the lead of the South Robertson Neighborhood Council and oppose this project.



NO ON ITEM #7

borieelizabeth <borieelizabeth@gmail.com>
To: cpc@lacity.org

Mon, Jun 7, 2021 at 12:51 PM

Hello, My name is Elizabeth Borie, I am a resident at [1438 1/2 South Robertson Boulevard](#), I have lived in my apartment for almost 10 years I am begging you not to let a hotel be built on this property and this rent-controlled building to be destroyed I am a senior citizen with pets and I have been living here for almost a decade in the last few years I have been living under extreme stress of my home being torn down and threats from the landlord's agent of being thrown out because of the building of a hotel on this property lately I have been harassed and asked to leave during this pandemic and recession from my apartment my rent is always paid on time yet the landlords agent keeps sending me messages asking you to move out during this pandemic crisis there is already a shortage of rent-controlled buildings in Los Angeles and not to mention the homeless crisis the landlord and his agent have not kept us informed on this project except once in awhile to send us a letter saying we need to move out because the hotel is being built in fact three years ago the landlord's agent said that we are all going to be kicked out and there's nothing we can do about it this has been an ongoing stressful matter and harassment caused by the landlord's agent. This building is full of tenants and speaking for myself as a senior citizen with pets I cannot afford a higher rent than I am paying in this rent control building and if this hotel is built and I lose my home I will be homeless, I cannot express to you the fear, anxiety and stress that I have been going through at my age being a senior scared that I will be homeless if this hotel project goes through please don't allow one of the last rent-controlled buildings in this area to be destroyed and senior citizens among other residents and beloved store owners who have also been here some of them over 20 years to be displaced in this Time of Need for rent control housing safety for seniors and residence and safe housing for people in the community I am urging you to please help us keep our homes. Thank you, Elizabeth Borie

Sent from my T-Mobile 4G LTE Device

*Larry Friedman
1707 S. Wooster Street
Los Angeles, CA 90035
Larry.Friedman79@yahoo.com*

June 1, 2021

City Planning Commission
Los Angeles City Hall
200 North Spring Street, 5th Floor
Los Angeles, CA 90012
cpc@lacity.org

June 10, 2021 CPC Meeting Agenda:

MND COMMENTS – CASE NOS. CPC 2019-7522-VZC-CU-SPR and ENV 2019-7523-MND FOR PROPERTY LOCATED AT 1434-1456 SOUTH ROBERTSON BOULEVARD

Dear Hon. Members of the City Planning Commission:

This comment letter and attachment concern the Initial Study (IS) Checklist/Mitigated Negative Declaration (MND) prepared for the proposed mixed-use hotel project at 1434-1456 South Robertson Boulevard. This letter supplements my comment letter to the Commission dated May 25, 2021 concerning the proposed project and requested land use entitlements.

Comments specific to various environmental factors are provided in Attachment “A”, while more general comments are presented below.

Environmental Factors Potentially Affected

The first paragraph, second sentence of Section 1.3.1 of the IS states: “This Initial Study determined that the proposed Project could have potentially significant environmental impacts but mitigation measures agreed to by the applicant would avoid or reduce such impacts to a point where clearly no significant impacts would occur.” However, the IS Checklist contains only one environmental factor that is assessed to be “Less Than Significant with Mitigation Incorporated” – i.e., Transportation, XVII.a. Yet there are other environmental factors considered where potentially significant impacts could result from the project but are instead checked to have “Less Than Significant Impact”. Examples include the assessment of project impacts attributed to Air Quality and Noise. More often than not, the narrative accompanying these factors indicate that compliance with regulatory requirements such as the SCAQMD Rule 403 and the City’s Noise Ordinance

will reduce potentially significant impacts to less than significant levels. Even if true, where mitigation is required, the mitigation measures need to be identified, grouped by impact category and explicitly presented in the body of the MND.

The IS Checklist should reflect those areas where potentially significant impacts could result from the project regardless whether specific mitigation measures are identified or compliance with regulatory requirements would avoid adverse effects to less than significant levels. Therefore, the tendency to mark Checklist items "Less Than Significant Impact" should be reevaluated and perhaps more accurately marked as "Less Than Significant with Mitigation Incorporated". In turn, those additional environmental factors should be checked on page 8 of the document under the heading "Environmental Factors Potentially Affected".

Mitigation Measures Must Be Fully Enforceable Through Permit Conditions

Section 15126.4(a)(2) of the State CEQA Guidelines states:

Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. In the case of the adoption of a plan, policy, regulation, or other public project, mitigation measures can be incorporated into the plan, policy, regulation, or project design.

The subject IS/MND substantially relies upon compliance with regulatory requirements to avoid potentially significant environmental impacts resulting from the project. But regulatory requirements in themselves are not mitigation measures unless they are to be clearly referenced and listed as conditions in the permit conditions. This MND provides no such list of mitigation measures. Instead, the mitigations mostly tend to be described in a general manner within the narrative portions of the IS. As a consequence, if the mitigation measures are not specified and made an integral part of the permit conditions (including project approvals, development permits and final project plans), they will escape detection from LADBS plan checkers and other agencies that issue project clearances. They will also go unnoticed in the archived documents of final project approvals, which are necessary for CEQA enforcement and mitigation monitoring.

Sincerely,



Larry Friedman

Attachment "A": ENV-2019-7523-MND Comments

cc: Hon. Paul Koretz, Councilmember, 5th District
Daniel Skolnick, Planning Deputy, Council District 5

Initial Study Topic	Section	Page(s)	Comments
Project Description	3	Cover Page, 7, 11	(a) No reference is made to the project's proposed demolition of all existing structures and removal of 10 Rent Stabilized Units. (b) No information is provided about total project floor area. (c) The list of requested entitlements do not disclose the permitted FAR modification resulting from the vesting zone change request -- i.e., from 1.5:1 to 3:1 FAR.
Project Overview, Requested Permits & Approvals	3.3.1 3.4	12, 13	Although more project details are provided, the list of requested entitlements still do not disclose the permitted FAR modification resulting from the vesting zone change request -- i.e., from 1.5:1 to 3:1 FAR.
ENVIRONMENTAL STUDY CHECKLIST	4		
Aesthetics	I.a	14, 15	The IS incorrectly concludes that the " <i>project is not located on or near any scenic vista</i> ." In fact, the Hollywood Hills and the iconic Hollywood Sign are visible from several vantage points along Robertson Boulevard, such as at the intersection of Robertson and Airdrome Street. This scenic vista will likely be diminished by the project's 84-foot building height and considerable building mass, which would be unique characteristics by comparison to the built environment of the immediate vicinity. The bulk and design of the project <u>would</u> contrast with a visually interesting view so that the quality of the view is permanently affected.

Initial Study Topic	Section	Page(s)	Comments
Aesthetics	I.c, d	15, 16	It is somewhat misleading to describe the proposal as a "<i>mixed-use residential project</i>". More accurately, it is a mixed-use residential hotel project, or a mixed-use hotel project. Also, there are not grounds to conclude that, due to its location "on an infill site within a transit priority area, aesthetic impacts shall not be considered a significant impact on the environment. Therefore, project impacts will be less than significant." Although Section 21099 (d)(1) of the Public Resources Code (PRC) states that a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if the project is a residential, mixed-use residential, or employment center project, and the project is located on an infill site within a transit priority area, Section 21099 (d)(2)(A) specifies: "<u>This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies.</u>"
Air Quality	III.b	20, 21	The last sentence of paragraph (b) erroneously describes the project as containing nine residential units. As a result, the conclusion of a less than significant impact based on "<i>a project of this size</i>" is also erroneous.
Air Quality	III.c	20-22	The project site is adjacent to the Pico Wooster Senior Housing development, which is comprised of 50 dwelling units located at 1425 S. Wooster Street, approximately 45 feet to the northeast. (See https://www.mhfla.org/properties/pico-wooster-senior-housing/) Construction activities producing dust, diesel emissions and other potentially harmful air quality effects should be evaluated in light of this and other similar sensitive receptors in the vicinity, including seniors and families with young children.

Initial Study Topic	Section	Page(s)	Comments
Air Quality	III.d	20-22	Construction-related emissions could be substantial and adversely affect the surrounding population. The IS Checklist for this environmental factor is not limited just to odor impacts, and the determination of "No Impact" is not defensible. The proposed MND fails to consider impacts such as fugitive dust impacts and emissions from construction vehicles. Compliance with SCAQMD Rule 403 regulatory requirements may help address potential air quality impacts, but the MND does not consider or specify customary mitigation measures for activities such as demolition, site excavation/preparation and construction. At minimum, the project constructor should be required to implement an Air Quality Management Plan ("AQMP"), which identifies Best Available Control Measures ("BACM") and Best Available Control Technologies ("BACT") for area sources and point sources, respectively.
Land Use & Planning	XI.b	45	Among the three requested entitlements, the applicant seeks a vesting zone change to the RAS4 Zone in order to permit a 3:1 FAR that is otherwise restricted to 1.5:1 within the existing C2 Zone. A hotel use is permitted in both the C2 and RAS4 Zones. However, the preamble of the RAS4 Zone, in LAMC Sec. 12.11.5, states the purpose of this zone <i>"is to provide a mechanism to increase housing opportunities, enhance neighborhoods, and revitalize older commercial corridors."</i> Hotels are not specifically included in the preamble's statement of purpose and intent. Also, the Mixed-Use Boulevards provisions of the Wilshire Community Plan, that include a reference to Robertson Boulevard, contain the following policy: <i>"The intent of mixed-use development is to provide housing in close proximity to jobs and services, to reduce vehicular trips, traffic congestion and air pollution, to provide rental housing, and stimulate vibrancy and activity in pedestrian-oriented areas."</i> These zoning and policy considerations should be taken into account in informing decision-makers of the full extent of land use and planning environmental factors.

Initial Study Topic	Section	Page(s)	Comments
Noise	XIII.a	47-48	The IS Checklist/MND does not acknowledge potentially significant noise impacts that exceed ambient sound levels could result due to construction-related project activities (demolition, site preparation/excavation, new construction). The City's Noise Ordinance sets forth standards and criteria for compliance but they do not establish methods to assure compliance. In addition to limiting hours of construction activity, further consideration should be given to imposing mitigation measures such as the use of sound barriers to shield noise and equipment controls (e.g., equipment mufflers, enclosures), along with limits on engine idling from construction equipment such as bulldozers and haul trucks, to the extent feasible.
Noise	XIII.b	47-48	The rationale given that the project would result in a less-than-significant impacts related to construction vibration is that it would comply with unspecified regulations. The conclusion is vague and lacks sufficient analysis.
Population & Housing	XIV.b	49	Public testimony during the Hearing Officer's hearing on July 15, 2020 confirmed that the displacement of residents from 10 Rent Stabilized Units on the subject property is a significant concern of the existing tenants and others in the community. Relocation assistance requirements of the Municipal Code will only provide a modicum of relief, especially during the present shortage of affordable rental housing. The proposed hotel project offers no opportunity for replacement housing. The project should be subject to the Affordable Housing Linkage Fee (Ordinance Nos. 185,342 and 185,341) administered by the Housing Department.

Initial Study Topic	Section	Page(s)	Comments
Transportation	XVII.a	54-56, LADOT Traffic Assessment Memo 07-06-2020	The driveway and circulation analysis on pages 3 and 4 of the LADOT Traffic Assessment Memo should be expanded to include further evaluation of the following: (a) For southbound Robertson Boulevard traffic, access to the project's driveway entrance will require a left-turn against oncoming northbound traffic. LADOT should review a plan to determine how this can be accomplished in a safe and efficient manner. (b) The site plan shows two internal driveway egress points onto the rear alley. Vehicles exiting the site via the alley going <u>northbound</u> will not have direct access to either Pico or Robertson Boulevards. A left-turn toward Robertson Boulevard at the alley's T-intersection with an east-west alley will encounter additional off-street vehicular and pedestrian traffic from the Walgreens parking lot and the store entrance adjacent to the alley. A right-turn at the same T-intersection toward Wooster Street will encounter off-street parking back-up maneuvers from a City-owned parking lot that is integrated into the Pico Wooster Senior Housing development (1425 S. Wooster Street). (c) Vehicles exiting the site via the alley going <u>southbound</u> will need to travel approximately 315 feet to access Cashio Street. (d) In either direction, travel along the narrow alley will encounter conflicts with service vehicles or other vehicles accessing various commercial and residential properties along the alleyway. (e) No vehicular ingress should be permitted to the project's on-site parking from the rear alley, except for vehicles used for loading, deliveries and emergency access.

Initial Study Topic	Section	Page(s)	Comments
Transportation	XVII.b	54-56, LADOT Traffic Assessment Memo 07-06-2020	According to Table 2 of Appendix D of the LADOT Traffic Assessment Memo, the project would generate 52 AM Peak Hour trips and 48 PM Peak Hour Trips, which apparently resulted in the applicant's traffic engineer having to prepare a traffic analysis of certain intersections per local Congestion Management Plan (CMP) requirements. As indicated in Table 4 of Appendix C, the project would degrade Level of Service (LOS) at the intersection of Robertson and Pico Boulevards from LOS C (Good) to LOS D (Fair) during the PM Peak Hour. Although this worsening of intersection traffic delays did not cross LADOT's significance threshold for Level of Service volume-to-capacity (V/C) analysis and would not require mitigation for purposes of CEQA review, the effect of the project is nonetheless noteworthy as to how it contributes to worsening traffic conditions during the PM Peak Hour at Robertson and Pico Boulevards.

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin Café and Beverlywood Tobacco. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,

Kevin Lewis
1474 WOOSTER ST.

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin Café and Beverlywood Tobacco. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,

Matthew Bowen
1444 S. Wooster St #1
LA CA 90035

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin Café and Beverlywood Tobacco. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

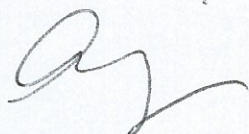
Regards,

Mor Abadi 1472 S rochester st
Niv Shavit 1472 S rochester st

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin Café and Beverlywood Tobacco. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,



April Karpie

1474 1/2 S. Wooster #4

LA 90035

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin cafe. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards, SERVAN MATMOUDI

Email: SERVAN180000@gmail.com

FN: IN ANY REGARDS: To Any ~~ASS~~
HELP NEEDED. CONTACT email

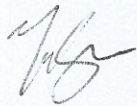
ALSO CONTACT info for Sina M., Sibar M.,
Nasrin H Amin -
IS THE SAME.

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin Café and Beverlywood Tobacco. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,

FUYUAH SHIRKIN



1936 Wootton #12

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin cafe. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

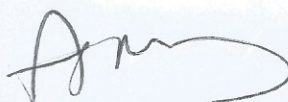
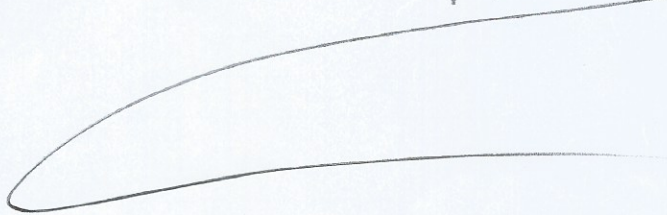
Regards,

Sina Mahmoudi

Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin cafe. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,

NKSN D 


Dear Councilmember Koretz and Members of City Planning Commission,

I urge the City to oppose the 1434 S. Robertson Project, which would demolish beloved small businesses like Le Petit Jardin cafe. Small business is incredibly important to the fabric and character of our community. Please stand up for small businesses and reject this project.

Regards,

This Restaurant is a staple to this Community, and it would Be a Tragedy. to Remove the wonderful neighborhood Gem!!

Charles Edwards

To: Oliver Netburn, Department of City Planning oliver.netburn@lacity.org

Aviv Kleinman, CD 5 aviv.kleinman@lacity.org

Subject: **Case No. CPC-2019-7522-VZC-CUP-SPR**

I/we, Risa and Marc Dauer am/are writing to offer our support of the proposed Robertson Hotel project located at 1434-1454 Robertson Boulevard. The proposed hotel will be a welcomed amenity to the community, providing a needed hotel service.

As residents of the location's surrounding neighborhood, I/we look forward to the benefits and opportunities this hotel will offer our community.

We urge the Planning Department and the City Planning Commission to approve this project without delay.

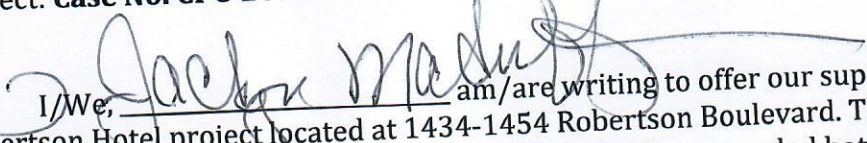
Sincerely,

A handwritten signature in black ink, appearing to read "Risa Dauer". The signature is written in a cursive, flowing style.

To: Oliver Netburn, Department of City Planning oliver.netburn@lacity.org

Aviv Kleinman, CD 5 aviv.kleinman@lacity.org

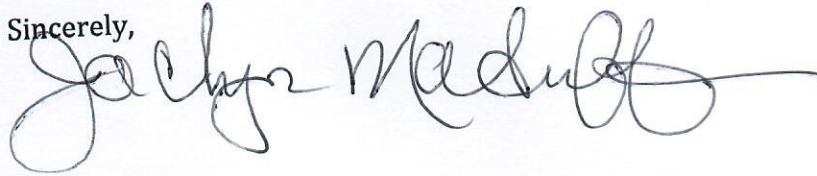
Subject: **Case No. CPC-2019-7522-VZC-CUP-SPR**

I/We,  am/are writing to offer our support of the proposed Robertson Hotel project located at 1434-1454 Robertson Boulevard. The proposed hotel will be a welcomed amenity to the community, providing a needed hotel service.

As residents of the location's surrounding neighborhood, I/we look forward to the benefits and opportunities this hotel will offer our community.

We urge the Planning Department and the City Planning Commission to approve this project without delay.

Sincerely,



YSCC

YOUNG SEPHARDIC COMMUNITY CENTER

February 9, 2021

Office of Councilmember Paul Koretz City of Los Angeles, Fifth District 200 N. Spring Street, Room 440

Los Angeles, CA 90012

RE: 1431-1456 Robertson Blvd.

Dear Councilmember Koretz:

I am writing to let you know of our support for the Robertson Hotel project to be located at 1431-1456 Robertson Blvd. As you know, a hotel in the neighborhood would add great benefit to the community. Located near residences as well as nearby synagogues, this hotel will accommodate our members as well as their families in consideration of our/their religious observance.

The developers of this project, the Harkham family, are no strangers to our community. They have a history of philanthropy, specifically in the support of schools, as well as the general Jewish community. We urge you to support this project when it comes before the Planning Commission hopefully this coming March 2021.

If you should need any additional information, please feel free to contact me at 310.402.4225.

Sincerely, 
Rabbi Ishay Gabay

To: Oliver Netburn, Department of City Planning oliver.netburn@lacity.org

Aviv Kleinman, CD 5 aviv.kleinman@lacity.org

Subject: **Case No. CPC-2019-7522-VZC-CUP-SPR**

I/We, Nabmi Preo am/are writing to offer our support of the proposed Robertson Hotel project located at 1434-1454 Robertson Boulevard. The proposed hotel will be a welcomed amenity to the community, providing a needed hotel service.

As residents of the location's surrounding neighborhood, I/we look forward to the benefits and opportunities this hotel will offer our community.

We urge the Planning Department and the City Planning Commission to approve this project without delay.

Sincerely,



Los Angeles Intercommunity Kollel

1453 S. Robertson Blvd • Los Angeles, CA 90035
(310) 470- 5465 • Fax: (310) 421-9136 • www.linkla.org

Dean
Rabbi Asher Brander

Rosh Kollel
Rabbi Mordechai Lebhav

Outreach Director
Rabbi Eli Stern

Executive Director
Meyer Beren

Faculty
Rabbi Daniel Weinstock
Mrs. Tally Weinstock
Rabbi Daniel Amar
Mrs. Sarah Amar
Rabbi Tzvi Haber
Rabbi Avishai Neydavidov
Rabbi Menashe Rashti
Mrs. Sara Rashti
Rabbi Shlomo Yisraeli
Rabbi Yisroel Casen
Rabbi Avi Gruen
Mrs. Aliza Gruen
Rabbi Aryeh Steinman
Rabbi Ephraim Rauch
Mrs. Devorah Rauch
Rabbi Ahron Becker
Mrs. Carli Becker
Rabbi Yehuda Kraft
Mrs. Sarah Kraft
Rabbi Yehoshua Maslow
Rabbi Rafi Fisgus
Mrs. Sara Fisgus
Rabbi Hanoch Teller

Lamed Vov Counsel
Dorian & Frances Bilak
Dr. Roy & Laurie
Blumenstrauch
Michael & Sandy Feldmar
Rabbi & Mrs Avraham
Fruchthandler
Jay Morris Foundation
Alain & Myra Gabbay
Gregg & Naomi Gittler
Alan & Sharon Lipman
David & Judy Sacks
Brian & Marlene Siegel
Ahron & Ellen Wolfson

Board of Directors
Avy Azeroual
Roy Blumenstrauch M.D.
Dorian Bilak
Batyah Brander
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Pinchas Gelb
Gregg Gittler
Cheston Mizel
Herb Meyers
Roy Rayn
Ryan Schneider

Federal Tax ID #
42-1548771

February 9, 2021

Office of Councilmember Paul Koretz
City of Los Angeles, Fifth District
200 N. Spring Street, Room 440
Los Angeles, CA 90012

RE: 1431-1456 Robertson Blvd.

Dear Councilmember Koretz:

I am writing to let you know of our support for the Robertson Hotel project to be located at 1431-1456 Robertson Blvd. As you know, a hotel in the neighborhood would add great benefit to the community. Located near residences as well as nearby synagogues, this hotel will accommodate our members as well as their families in consideration of out their religious observance.

The developers of this project, the Harkham family, are no strangers to our community. They have a history of philanthropy, specifically in the support of schools, as well as the general Jewish community. We urge you to support this project when it comes before the Planning Commission hopefully this coming March 2021.

If you should need any additional information, please feel free to contact me at 310-927-1853.

Sincerely,

Rabbi Asher Brander



CPC-2019-7522-VZC-CU-SPR - defective notice and lack of access to materials

Michael Salman <salman@history.ucla.edu>

Fri, Jun 4, 2021 at 3:12 PM

To: cpc@lacity.org, Cecilia Lamas <cecilia.lamas@lacity.org>

Cc: Irene Gonzalez <irene.gonzalez@lacity.org>, James Williams <james.k.williams@lacity.org>

Dear Ms. Lamas and the CPC

I am writing to request that the CPC consideration of CPC-2019-7522-VZC-CU-SPR scheduled for June 10, 2021 please be postponed, rescheduled, and re-noticed.

I am making this request for two procedural reasons:

1) The Hearing Notice is Defective.

The Notice (copy attached) says the environmental clearance is an ND:

CEQA No.: ENV-2019-7523-ND

It is not an ND. It is an MND. The clearance did not change.

I confirmed that today when I found the CPC agenda posted under the DCP "Public Hearings" tab online. The CPC meeting is not listed under the "Events Calendar" tab, which I checked today and several times over the past couple of weeks.

2) The day I received the Notice from the City Planner handling the case, May 19, 2021, I immediately wrote to him to inquire about the apparent change from a MND to a ND, and I requested access to the case file. He did not respond until after I wrote to him again today.

My May 19, 2021 email to Mr. Netburn is appended below my signature on this email.

Mr. Netburn replied to my follow-up email today. His reply just arrived after I contacted James K. Williams by email and received his response, and after I left a phone message for Ms. Lamas.

Mr. Netburn's failure to reply to my May 19 email deprived me and others of adequate time to review the case file.

The Hearing Notice states:

FILE REVIEW - The complete file is available for public inspection between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday.
Please call or email the staff identified on the front page, at least three (3) days in advance to assure that the files will be available. Files
are not available for review the day of the hearing.

Access to the file was effectively denied.

There is also a substantive reason that makes the procedural violations more significant than if this were a case without controversy: There is widespread and strong opposition to the proposed project because it is directly contrary to public policy and law.

The reason and justification for rescheduling and re-noticing is procedural and rooted in the legal requirements for 1) proper Notice and 2) access to the case file.

The extent and depth of controversy add weight, making rescheduling a matter of equity as well as law.

Thank you

Michael Salman

323-333-1238

From: Michael Salman <salman@history.ucla.edu>

Sent: Wednesday, May 19, 2021 6:58 AM

To: Oliver Netburn <oliver.netburn@lacity.org>

Subject: Re: comment letter on ENV-2019-752-MND & CPC-2019-7522-VZC-CU-SPR

Dear Mr Netburn

Thank you for sending me this notice. I do have a couple of questions:

1) What happened to the MND produce last summer? The CEQA clearance is now listed as an ND.

2) Would you please send a me pdf copies of all materials, submissions, documents, and communications that have been added to the case file since the closing of the date for comments on the MND which was, roughly, in early August 2020? This request is inclusive of communications, documents, etc concerning environmental review and the CEQA process.

I am eager to see the DCPs responses to comments on the MND concerning RSO housing, City public policy on the housing crisis, and violation of SB330 (rezoning parcels in ways that reduce housing).

Michael Salman

From: Oliver Netburn <oliver.netburn@lacity.org>

Sent: Wednesday, May 19, 2021 6:40 AM

To: Michael Salman <salman@history.ucla.edu>

Subject: Re: comment letter on ENV-2019-752-MND & CPC-2019-7522-VZC-CU-SPR

Hello Michael,

Attached is the hearing notice for this case which is scheduled to go before the CPC on June 10th.

Let me know if you have any questions.

Thanks!

On Thu, Aug 27, 2020 at 8:48 AM Michael Salman <salman@history.ucla.edu> wrote:

Thanks. Glad we are both dotting all the i's and crossing all the t's

On 8/27/2020 8:40 AM, Oliver Netburn wrote:

Thank you. I just wanted to confirm I didn't miss anything.

On Thu, Aug 27, 2020 at 8:35 AM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr Netburn

Probably my emails to you requesting access to case file materials should be included in the case file, too.

So I submitted those emails, this email, and that one comment letter dated August 4, 2020, before the official closing of the comment period on the MND. So the August 4 letter was timely.

I am attaching a copy of the letter to this email for convenience.

It demonstrates:

1) The MND is grotesquely inaccurate and insufficient, and runs counter to public policy established at the City, County, and State levels, and

2) The project as proposed appears to be illegal since it includes and depends upon a rezoning of the parcels that will reduce the intensity of housing on the site (RSO low income housing, to be precise) down to zero. That violates SB330, the Housing Crisis Act of 2019, which prohibits the rezoning of parcels that reduces the intensity of housing in any way that would reduce the intensity of housing. the project is certainly against public policy, which alone is grounds for rejection, too.

Thank you

Michael Salman

On 8/27/2020 8:24 AM, Oliver Netburn wrote:

Hi Michael,

I just wanted to confirm that you only submitted the one letter dated August 4, 2020, correct?

Thank you!

On Mon, Aug 10, 2020 at 11:41 AM Oliver Netburn <oliver.netburn@lacity.org> wrote:

Hi Michael,

Deemed Complete letters are not always prepared as once the timelines in the permit streamlining act are hit, the project is automatically deemed complete. Yes, the documents I sent you were the ones presented at the public hearing. And lastly, we have not received any official statement or letter from CD5.

Let me know if you have any other questions.

On Wed, Aug 5, 2020 at 5:09 PM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr Netburn

Thank you for sending me the additional files last night. I have been working through them today.

May I ask you to please confirm or clarify a few points?

1) In your email last night at 8:01PM (copy below), are you saying that no "deemed complete letter" has been issued? Is such a letter typically issued in a case like this? Is there plan to issue one now or in the future?

2) In the files you have sent, several files are titled as being "updated," such as "Updated FINDINGS Robertson.pdf" which has a file saved date of 7/7/20. Does that mean this was a file updated by the applicant? And that is was presented to Planning on or after 7/7/20?

3) In the materials you sent me last night in both of your emails I do not see a communication from CD5 about supporting or opposing the project, only various inquiries from CD5 and relays of comments from the community. Is that correct? Has there no statement from CD5 about their position on the project as of this date?

Thank you

Michael Salman

On 8/4/2020 8:01 PM, Oliver Netburn wrote:

Hi Michael,

Attached are the documents you've requested. I apologize for the delay in getting these to you. In the event you wish to augment your letter, of course that will be acceptable and made part of the record.

Also, there have been no hold letters or a deemed complete letter issued. I'm finishing up compiling the emails and will send that tonight.

I'm available to talk if you'd like. Let me know.

Thank you for your patience.

 **CPC-2019-7522 - Application Materials.zip**

On Tue, Aug 4, 2020 at 2:54 PM Michael Salman

<salman@history.ucla.edu> wrote:

Mr. Netburn

I forgot to ask:

Would you please confirm receipt of my comment letter?

Thank you

Michael Salman

On 8/4/2020 2:12 PM, Michael Salman wrote:

> Dear Mr Netburn

>

> Please see the attached comment letter on ENV-2019-752-MND and the
> underlying case, CPC-2019-7522-VZC-CU-SPR, concerning the proposed
> project at 1434-1456 S Robertson Blvd.

>

> Please include the letter in the files for both ENV-2019-752-MND and
> CPC-2019-7522-VZC-CU-SPR.

>

> Thank you

>

> Michael Salman

>

--



Oliver Netburn
City Planner
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1382



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Oliver Netburn
City Planner
Los Angeles City Planning
200 N. Spring St., Room 763
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T: (213) 978-1382



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Oliver Netburn

City Planner

Los Angeles City Planning

200 N. Spring St., Room 763

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1382



E-NEWS

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Oliver Netburn

City Planner

Los Angeles City Planning

200 N. Spring St., Room 763

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1382



E-NEWS



CPC Hearing Notice - CPC-2019-7522-VZC-CU-SPR.pdf

210K



Planning CPC <cpc@lacity.org>

CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND - Urgent Submission to Case File

2 messages

Michael Salman <salman@history.ucla.edu>

Mon, Jun 7, 2021 at 12:58 PM

To: Planning CPC <cpc@lacity.org>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, James Williams <james.k.williams@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>

Dear Ms. Lamas and the CPC

Please include the following comment letter in the case file for CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND. This submission is timely, in advance of the 48 hour cut off for submissions.

Response to City Planner Oliver Netburn's June 4, 2021 erroneous statement about SB 330, which highlights the illegality of the requested zoning change on which the proposed project for CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND is predicated.

As I have previously informed you, on May 19, 2021, the City Planner who has handled this case sent me the Hearing Notice by email. I replied to him that same day by email. I pointed out the Notice asserted the environmental clearance was an ND, when it was an MND. And I requested access to the case file.

Mr. Netburn did not reply. Consequently, the case is scheduled for hearing before the CPC on June 10 with a defective Notice AND Mr. Netburn deprived me and others of access to the case file, despite timely access being required by law (not just the CPRA but also CEQA and Zoning laws) and Department policy as state on the Hearing Notice.

On Friday, June 4, 2021, I contacted the CPC and Commission staff about this issue. I also sent a follow-up email to Mr. Netburn. Mr. Netburn replied to my June 4 email while I was communicating with you and the CPC on Friday afternoon.

Mr. Netburn's June 4, 2021 email to me highlights one of the fundamental legal errors he has made in processing this case. A copy of his June 4, 2021 email to me is appended below my signature.

In his June 4 email, Mr. Netburn responded to my August 2020 critique of the MND that he drafted. In his June 4, 2021 email to me, Mr Netburn wrote:

We don't not prepare a response to comments for MNDs, however as the project is not a housing development project, it is not subject to SB330's prohibition on reduced density.

Mr. Netburn makes a profound error in asserting, wrongly, that SB330 only comes into play if the project being proposed is a housing development project. His assertion is incorrect and obviously so.

Not all of SB330 is contingent upon there being a proposed housing development. Some of SB330 governs rezoning of parcels, revising General Plans, setting standards and conditions for development, etc, which can happen in the absence of any proposed development project.

The case at hand proposes demolishing RSO housing units and replacing them with a hotel. To do so, the project proposal is predicated on a request to rezone the parcel(s).

Rezoning parcels in any way that "would lessen the intensity of housing" (full text: "anything that would lessen the intensity of housing") is prohibited by SB330, period. There need not be a proposed housing development nor any proposed development.

I want to stress again that the prohibition is against any rezoning of a parcel or parcels that does "anything that would lessen the intensity of housing." That encompasses indirect effects, bank shots, and rezoning that may not prohibit housing but opens the door to housing being demolished with no replacement.

In this case, housing is not prohibited by the rezoning per se, but the rezoning is a necessary predicate to the hotel proposal that, if approved, will destroy RSO housing units. Hence the rezoning requested for this proposed violates the prohibition set out in SB 330. This was the point I made about SB330 in my August 2020 comment letter on the proposed MND.

Here is the relevant section of SB 330, with my highlighting

SEC. 13. Chapter 12 (commencing with Section 66300) is added to Division 1 of Title 7 of the Government Code, to read:

CHAPTER 12. Housing Crisis Act of 2019
66300.

(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) **Changing the** general plan land use designation, specific plan land use designation, or **zoning of a parcel or parcels of property to a less intensive use** or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). **For purposes of this subparagraph, "less intensive use" includes, but is not limited to,** reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or **anything that would lessen the intensity of housing.**

The proposed project is profoundly illegal and obscenely against public policy as defined by SB330 and myriad other State and City declarations of housing emergencies, affordable housing emergencies, and pandemic housing emergencies.

Both the proposed MND and Mr Netburn's report favoring approval of the project are plagued by fatal legal errors, factual errors, and obscene abuses of discretion during a pandemic (approval to destroy RSO housing during a pandemic and a homelessness crisis on top of an old affordable housing crisis, and dismissing this as not a significant impact is obscene).

Plus the processing of the case with a defective Hearing Notice and failure to allow public access to the case file upon request are fatal errors for bring the case to hearing on June 10, 2021.

Yours

Michael Salman

Hi Michael,
Sorry, the project is still an MND and has not been downgraded to an ND.

We don't not prepare a response to comments for MNDs, however as the project is not a housing development project, it is not subject to SB330's prohibition on reduced density. In addition, the RAS4 and the C2 have the same residential density and any conditions would be to reflect the proposed project.

Attached is the staff report and all public comments received up until Monday of this week. Also are the final set of plans and the MND, which has not changed.

I want to bring to your attention that our recommendation to CPC limits the building to 6 stories, as opposed to the applicant's request of 7 stories.

Thanks!

 [Item 07 - CPC-2019-7522 - Exhibit A - Site Plan...](#)

 [Item 07 - CPC-2019-7522 - Exhibit B - Mitigated...](#)

 [Item 07 - CPC-2019-7522 - Exhibit C - Public Co...](#)

 [Item 07 - CPC-2019-7522 - Staff Report.pdf](#)

On Fri, Jun 4, 2021 at 1:39 PM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr. Netburn

I have not received a response from you to my email request on 5/19/21 for documents related to the case in the subject line, which is being heard by the CPC in 6 days.

Requests for documents do not have to say they are CPRA requests to be covered by the CPRA.

My email request for documents is below.

Michael Salman

From: Michael Salman <salman@history.ucla.edu>
Sent: Wednesday, May 19, 2021 6:58 AM
To: Oliver Netburn <oliver.netburn@lacity.org>
Subject: Re: comment letter on ENV-2019-752-MND & CPC-2019-7522-VZC-CU-SPR

Dear Mr Netburn

Thank you for sending me this notice. I do have a couple of questions:

- 1) What happened to the MND produce last summer? The CEQA clearance is now listed as an ND.
- 2) Would you please send a me pdf copies of all materials, submissions, documents, and communications that have been added to the case file since the closing of the date for comments on the MND which was, roughly, in early August 2020? This request is inclusive of communications, documents, etc concerning environmental review and the CEQA process.

I am eager to see the DCPs responses to comments on the MND concerning RSO housing, City public policy on the housing crisis, and violation of SB330 (rezoning parcels in ways that reduce housing).

Michael Salman

From: Oliver Netburn <oliver.netburn@lacity.org>
Sent: Wednesday, May 19, 2021 6:40 AM
To: Michael Salman <salman@history.ucla.edu>
Subject: Re: comment letter on ENV-2019-752-MND & CPC-2019-7522-VZC-CU-SPR

Hello Michael,
Attached is the hearing notice for this case which is scheduled to go before the CPC on June 10th.

Let me know if you have any questions.

Thanks!

On Thu, Aug 27, 2020 at 8:48 AM Michael Salman <salman@history.ucla.edu> wrote:

Thanks. Glad we are both dotting all the i's and crossing all the t's
On 8/27/2020 8:40 AM, Oliver Netburn wrote:

Thank you. I just wanted to confirm I didn't miss anything.

On Thu, Aug 27, 2020 at 8:35 AM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr Netburn
Probably my emails to you requesting access to case file materials should be included in the case file, too.
So I submitted those emails, this email, and that one comment letter dated August 4, 2020, before the official closing of the comment period on the MND. So the August 4 letter was timely.
I am attaching a copy of the letter to this email for convenience.
It demonstrates:
1) The MND is grotesquely inaccurate and insufficient, and runs counter to public policy established at the City, County, and State levels, and
2) The project as proposed appears to be illegal since it includes and depends upon a rezoning of the parcels that will reduce the intensity of housing on the site (RSO low income housing, to be precise) down to zero. That violates SB330, the Housing Crisis Act of 2019, which prohibits the rezoning of parcels that reduces the intensity of housing in any way that would reduce the intensity of housing. the project is certainly against public policy, which alone is grounds for rejection, too.

Thank you

Michael Salman

On 8/27/2020 8:24 AM, Oliver Netburn wrote:

Hi Michael,
I just wanted to confirm that you only submitted the one letter dated August 4, 2020, correct?

Thank you!

On Mon, Aug 10, 2020 at 11:41 AM Oliver Netburn <oliver.netburn@lacity.org> wrote:

Hi Michael,

Deemed Complete letters are not always prepared as once the timelines in the permit streamlining act are hit, the project is automatically deemed complete. Yes, the documents I sent you were the ones presented at the public hearing. And lastly, we have not received any official statement or letter from CD5.

Let me know if you have any other questions.

On Wed, Aug 5, 2020 at 5:09 PM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr Netburn

Thank you for sending me the additional files last night. I have been working through them today.

May I ask you to please confirm or clarify a few points?

1) In your email last night at 8:01PM (copy below), are you saying that no "deemed complete letter" has been issued? Is such a letter typically issued in a case like this? Is there plan to issue one now or in the future?

2) In the files you have sent, several files are titled as being "updated," such as "Updated FINDINGS Robertson.pdf" which has a file saved date of 7/7/20. Does that mean this was a file updated by the applicant? And that is was presented to Planning on or after 7/7/20?

3) In the materials you sent me last night in both of your emails I do not see a communication from CD5 about supporting or opposing the project, only various inquiries from CD5 and relays of comments from the community. Is that correct? Has there no statement from CD5 about their position on the project as of this date?

Thank you

Michael Salman

On 8/4/2020 8:01 PM, Oliver Netburn wrote:

Hi Michael,

Attached are the documents you've requested. I apologize for the delay in getting these to you. In the event you wish to augment your letter, of course that will be acceptable and made part of the record.

Also, there have been no hold letters or a deemed complete letter issued. I'm finishing up compiling the emails and will send that tonight.

I'm available to talk if you'd like. Let me know.

Thank you for your patience.

 **CPC-2019-7522 - Application Materials.zip**

On Tue, Aug 4, 2020 at 2:54 PM Michael Salman

<salman@history.ucla.edu> wrote:

Mr. Netburn

I forgot to ask:

Would you please confirm receipt of my comment letter?

Thank you

Michael Salman

On 8/4/2020 2:12 PM, Michael Salman wrote:

> Dear Mr Netburn

>

> Please see the attached comment letter on ENV-2019-752-MND and the

> underlying case, CPC-2019-7522-VZC-CU-SPR, concerning the proposed

> project at 1434-1456 S Robertson Blvd.

>

> Please include the letter in the files for both ENV-2019-752-MND and

> CPC-2019-7522-VZC-CU-SPR.

>

> Thank you

>

> Michael Salman

>

--



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Los Angeles City Planning
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E-NEWS

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E-NEWS

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E-NEWS

Planning CPC <cpc@lacity.org>

Mon, Jun 7, 2021 at 1:00 PM

To: Michael Salman <salman@history.ucla.edu>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, James Williams <james.k.williams@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>

Good afternoon,

Please note your submission has been received and it will be distributed for the City Planning Commission meeting of June 10, 2021.

Thank you.



Cecilia Lamas, Commission Executive Asst.

City Planning Commission - Citywide

Harbor Area Planning Commission

200 N. Spring St., Room 272

Los Angeles, CA. 90012

Planning4LA.org

T: (213) 978-1300



Note: Regular Day Off Alternating Fridays

On Mon, Jun 7, 2021 at 12:58 PM Michael Salman <salman@history.ucla.edu> wrote:

Dear Ms. Lamas and the CPC

Please include the following comment letter in the case file for CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND. This submission is timely, in advance of the 48 hour cut off for submissions.

Response to City Planner Oliver Netburn's June 4, 2021 erroneous statement about SB 330, which highlights the illegality of the requested zoning change on which the proposed project for CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND is predicated.

As I have previously informed you, on May 19, 2021, the City Planner who has handled this case sent me the Hearing Notice by email. I replied to him that same day by email. I pointed out the Notice asserted the environmental clearance was an ND, when it was an MND. And I requested access to the case file.

Mr. Netburn did not reply. Consequently, the case is scheduled for hearing before the CPC on June 10 with a defective Notice AND Mr. Netburn deprived me and others of access to the case file, despite timely access being required by law (not just the CPRA but also CEQA and Zoning laws) and Department policy as state on the Hearing Notice.

On Friday, June 4, 2021, I contacted the CPC and Commission staff about this issue. I also sent a follow-up email to Mr. Netburn. Mr. Netburn replied to my June 4 email while I was communicating with you and the CPC on Friday afternoon.

Mr. Netburn's June 4, 2021 email to me highlights one of the fundamental legal errors he has made in processing this case. A copy of his June 4, 2021 email to me is appended below my signature.

In his June 4 email, Mr. Netburn responded to my August 2020 critique of the MND that he drafted. In his June 4, 2021 email to me, Mr Netburn wrote:

We don't not prepare a response to comments for MNDs, however as the project is not a housing development project, it is not subject to SB330's prohibition on reduced density.

Mr. Netburn makes a profound error in asserting, wrongly, that SB330 only comes into play if the project being proposed is a housing development project. His assertion is incorrect and obviously so.

Not all of SB330 is contingent upon there being a proposed housing development. Some of SB330 governs rezoning of parcels, revising General Plans, setting standards and conditions for development, etc, which can happen in the absence of any proposed development project.

The case at hand proposes demolishing RSO housing units and replacing them with a hotel. To do so, the project proposal is predicated on a request to rezone the parcel(s).

Rezoning parcels in any way that "would lessen the intensity of housing" (full text: "anything that would lessen the intensity of housing") is prohibited by SB330, period. There need not be a proposed housing development nor any proposed development.

I want to stress again that the prohibition is against any rezoning of a parcel or parcels that does "anything that would lessen the intensity of housing." That encompasses indirect effects, bank shots, and rezoning that may not prohibit housing but opens the door to housing being demolished with no replacement.

In this case, housing is not prohibited by the rezoning per se, but the rezoning is a necessary predicate to the hotel proposal that, if approved, will destroy RSO housing units. Hence the rezoning requested for this proposed violates the prohibition set out in SB 330. This was the point I made about SB330 in my August 2020 comment letter on the proposed MND.

Here is the relevant section of SB 330, with my highlighting

SEC. 13. Chapter 12 (commencing with Section 66300) is added to Division 1 of Title 7 of the Government Code, to read:

**CHAPTER 12. Housing Crisis Act of 2019
66300.**

(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected county or an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) **Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use** or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B). **For purposes of this subparagraph, "less intensive use" includes, but is not limited to,** reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or **anything that would lessen the intensity of housing.**

The proposed project is profoundly illegal and obscenely against public policy as defined by SB330 and myriad other State and City declarations of housing emergencies, affordable housing emergencies, and pandemic housing emergencies.

Both the proposed MND and Mr Netburn's report favoring approval of the project are plagued by fatal legal errors, factual errors, and obscene abuses of discretion during a pandemic (approval to destroy RSO housing during a pandemic and a homelessness crisis on top of an old affordable housing crisis, and dismissing this as not a significant impact is obscene).

Plus the processing of the case with a defective Hearing Notice and failure to allow public access to the case file upon request are fatal errors for bring the case to hearing on June 10, 2021.

Yours

Michael Salman

Hi Michael,
Sorry, the project is still an MND and has not been downgraded to an ND.

We don't not prepare a response to comments for MNDs, however as the project is not a housing development project, it is not subject to SB330's prohibition on reduced density. In addition, the RAS4 and the C2 have the same residential density and any conditions would be to reflect the proposed project.

Attached is the staff report and all public comments received up until Monday of this week. Also are the final set of plans and the MND, which has not changed.

I want to bring to your attention that our recommendation to CPC limits the building to 6 stories, as opposed to the applicant's request of 7 stories.

Thanks!

 [Item 07 - CPC-2019-7522 - Exhibit A - Site Plan...](#)

 [Item 07 - CPC-2019-7522 - Exhibit B - Mitigated...](#)

 [Item 07 - CPC-2019-7522 - Exhibit C - Public Co...](#)

 [Item 07 - CPC-2019-7522 - Staff Report.pdf](#)

On Fri, Jun 4, 2021 at 1:39 PM Michael Salman <salman@history.ucla.edu> wrote:

Dear Mr. Netburn

I have not received a response from you to my email request on 5/19/21 for documents related to the case in the subject line, which is being heard by the CPC in 6 days.

Requests for documents do not have to say they are CPRA requests to be covered by the CPRA.

My email request for documents is below.

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Sent: Wednesday, May 19, 2021 6:58 AM

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Mr. Netburn

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> Thank you

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> Michael Salman

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Oliver Netburn



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CITY PLANNING**Oliver Netburn**

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Fwd: 1434-1456 S. Robertson Blvd. Proposed Hotel

1 message

Bill Przylucki <bill@groundgamela.org>

Wed, Jun 2, 2021 at 8:30 PM

To: cpc@lacity.org

Cc: priscilla.klisch@gmail.com

Please find attached a forwarded message intended for this commission re the proposed development at 1434-1456 S. Robertson, also copied in the body in case the original message gets clipped. Thank you!

To Whom It May Concern,

My name is Priscilla Sotelo Klisch and I writing to discuss the 1434 - [1456 South Robertson](#) hotel that is currently being proposed for construction by Harkham and Sinanian Development. This unnecessarily large hotel will destroy the livelihood of my family and countless other small businesses as well as displace senior citizens living in multiple rent-controlled units. It will also set a bad precedent for the rest of the community that developers can alter and change neighborhoods at their will. I am the owner of the small restaurant and flower shop Le Petit Jardin Café & Flowers that has been located at 1456 S. Robertson Blvd. for almost 30 years. My family and I live upstairs and from downstairs we run our business. We have our entire lives connected to this building and constructing this hotel will not only put my family's home but our livelihoods in jeopardy. It would also take away a unique asset to my community. Many of our customers have grown up with us and make visits to our business part of their routines. When my mother passed away in February, my customers shared in my family's grief. I was absolutely devastated to see the hotel layout plans and learn that my home of almost 30 years, which was only just bought by the developers last January, would be demolished to end up as a drop off zone for this project. We have a place on our block whereas this proposed hotel and its drop off zone do not. They are not aiming to serve my neighborhood but the pockets of the developers for a vanity project that grew from a reasonable 4 stories to an ever-expanding monstrous construction that is unrealistic in proportion to the size of the block or the scope of the neighborhood. It also would exacerbate the traffic on an already congested street. Further, they have no respect for the tenants and lack understanding of the community and its needs. They send bullies and thugs to threaten and coerce tenants "to leave" without even offering reasonable compensation. They flash millions of dollars to gloss over their construction proposals but when it comes to the tenants, they dismiss them as mere nuisances when they ask for legitimate consideration for their businesses and welfare. The way that I've been treated as a tenant has been very disrespectful and hurtful. After a year of the Covid pandemic, small businesses need our support more than ever and not bullies masking as developers who are actually bringing destruction to our Los Angeles neighborhoods.

Sincerely,

Priscilla Sotelo Klisch

[1456 S. Robertson Blvd.](#)

[Los Angeles, CA](#)

[90035](#)

----- Forwarded message -----

From: **Priscilla Klisch** <priscilla.klisch@gmail.com>

Date: Tue, Jun 1, 2021 at 9:01 PM

Subject: [1434-1456 S. Robertson Blvd. Proposed Hotel](#)

To: <bill@power-la.org>, <bill@groundgamela.org>

To Whom It May Concern,

My name is Priscilla Sotelo Klisch and I writing to discuss the 1434 - [1456 South Robertson](#) hotel that is currently being proposed for construction by Harkham and Sinanian Development. This unnecessarily large

hotel will destroy the livelihood of my family and countless other small businesses as well as displace senior citizens living in multiple rent-controlled units. It will also set a bad precedent for the rest of the community that developers can alter and change neighborhoods at their will. I am the owner of the small restaurant and flower shop Le Petit Jardin Café & Flowers that has been located at 1456 S. Robertson Blvd. for almost 30 years. My family and I live upstairs and from downstairs we run our business. We have our entire lives connected to this building and constructing this hotel will not only put my family's home but our livelihoods in jeopardy. It would also take away a unique asset to my community. Many of our customers have grown up with us and make visits to our business part of their routines. When my mother passed away in February, my customers shared in my family's grief. I was absolutely devastated to see the hotel layout plans and learn that my home of almost 30 years, which was only just bought by the developers last January, would be demolished to end up as a drop off zone for this project. We have a place on our block whereas this proposed hotel and its drop off zone do not. They are not aiming to serve my neighborhood but the pockets of the developers for a vanity project that grew from a reasonable 4 stories to an ever-expanding monstrous construction that is unrealistic in proportion to the size of the block or the scope of the neighborhood. It also would exacerbate the traffic on an already congested street. Further, they have no respect for the tenants and lack understanding of the community and its needs. They send bullies and thugs to threaten and coerce tenants "to leave" without even offering reasonable compensation. They flash millions of dollars to gloss over their construction proposals but when it comes to the tenants, they dismiss them as mere nuisances when they ask for legitimate consideration for their businesses and welfare. The way that I've been treated as a tenant has been very disrespectful and hurtful. After a year of the Covid pandemic, small businesses need our support more than ever and not bullies masking as developers who are actually bringing destruction to our Los Angeles neighborhoods.

Sincerely,
Priscilla Sotelo Klisch
[1456 S. Robertson Blvd.](#)
[Los Angeles, CA](#)
[90035](#)

--

Bill Przylucki
Ground Game LA
bill@groundgamela.org
310-439-8564 (cell)



Planning CPC <cpc@lacity.org>

Item #7: As a Tenant of 23 years I oppose the hotel

yitshak barselah <yitshakbarselah@yahoo.com>

Fri, Jun 4, 2021 at 12:10 PM

To: "cpc@lacity.org" <cpc@lacity.org>, "paul.koretz@lacity.org" <paul.koretz@lacity.org>, "daniel.skolnick@lacity.org" <daniel.skolnick@lacity.org>

Hi, my name is Yitshak Barselah at 1438 1/2 S. Robertson #6. I have lived here for almost 24 years (since October 1st, 1997) and love living in this neighborhood because I keep Shabbat and this is where my community is. The developer is not being fair with us, the tenants and not ensuring that we can stay in this neighborhood. My rent is only \$950. The relocation amounts are not enough to continue to live in this neighborhood with what I have. To rent an apartment of this size, the minimum I find is \$2200 for one room. I am against this hotel because I won't be able to afford to live here. I would also support them rebuilding our units in the new hotel at the same rent for us tenants. Please don't support this hotel.

Regards,
Yitshak Barselah
1438 1/2 S. Robertson #6

To: Oliver Netburn, Department of City Planning oliver.netburn@lacity.org

Aviv Kleinman, CD 5 aviv.kleinman@lacity.org

Subject: **Case No. CPC-2019-7522-VZC-CUP-SPR**

I/We, Judah Zavdi am/are writing to offer our support of the proposed Robertson Hotel project located at 1434-1454 Robertson Boulevard. The proposed hotel will be a welcomed amenity to the community, providing a needed hotel service.

As residents of the location's surrounding neighborhood, I/we look forward to the benefits and opportunities this hotel will offer our community.

We urge the Planning Department and the City Planning Commission to approve this project without delay.

Sincerely,



Judah Zavdi

June 7, 2021

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

Los Angeles City Planning Commission
200 N. Spring St., Room 272
Los Angeles, CA 90012

Comments on the Recommendation Report for item 8 on the CPC's Thursday, June 10 agenda:

**Project addresses: 4750-4760 W. Santa Monica Blvd.; 1033-1039 N. New Hampshire Ave.
Case Nos.: DIR-2020-4249-TOC-SPP-VHCA-1A; ENV-2020-4250-CE**

Please note the following comments to planning staff's Recommendation Report regarding an appeal of the 4750 Santa Monica Blvd. Transit Oriented Communities (TOC) project (item 8 on the Commission's 6/10/21 agenda). This letter is written to support the appeal by Citizens for Reasonable Development.

I. The project has been improperly granted four (4) additional TOC incentives, including two not on the menu of incentives

The Recommendation Report states at page 6 that the proposed project is taking three (3) "Base Incentives" under the TOC Guidelines, and two (2) "Additional Incentives." This statement is incorrect.

The Project has instead been improperly granted four (4) Additional Incentives, including two that are not on the menu of incentives. Note below the four Additional Incentives granted by planning staff:

- 1) A 22-foot increase in total height;
- 2) A 25% reduction in the required open space;
- 3) An 11-foot increase in the **stepback** requirement under the Vermont Western Transit Oriented District Specific Plan (also referred to as the Station Neighborhood Area Plan, or SNAP), which requires that a project not exceed 30 feet in height within 15 feet of the front property line; and
- 4) A one-story increase in height to the SNAP **stepback** regulation that requires that the second floor on projects fronting a commercial street be set back 10 feet from the first floor.

Under the TOC Guidelines, eligible housing developments are allowed three base incentives and up to three additional incentives. The Menu of Additional Incentives permits waivers of the following restrictions: yard setbacks; open space; lot coverage; lot width; averaging of FAR, density, and parking; density calculation; total height and transitional height (counted as one incentive); and PF Zone limitations. Nowhere do the TOC Guidelines grant a waiver of building stepback requirements.

Planning staff is reinterpreting the language of the Guidelines to grant additional unauthorized incentives. The TOC height incentive clearly refers to "*Total Height and Transitional Height standards.*" The total height of the project is 97 feet. There is no transitional height limitation. There is no language in the Guidelines waiving stepback requirements, and no description as to how a stepback requirement would be relieved under the Guidelines.

The applicant's requests for waivers of the project's stepback requirements must be processed as either off-menu incentives under the city's density bonus ordinance or as exceptions to the specific plan. Planning staff is not authorized by the Guidelines to include stepback restrictions within the total and transitional height incentives.

There is also no explanation by either the applicant or planning staff as to why granting a waiver of the SNAP stepback requirements is necessary in order to incentivize the project's affordable housing component. Since relief from a building stepback requirement is not on the menu of incentives, the required findings under Los Angeles Municipal Code (LAMC) Section 12.22.A.25 that would otherwise necessitate approval of incentive requests do not apply.

Furthermore, the applicant has been granted a complete waiver of any required parking for the project, which is located across the street from a subway portal. Yet the project includes 72 residential parking spaces in two subterranean levels to provide for the 75 units of market-rate luxury housing and 10 units of affordable housing. Clearly the applicant is utilizing the affordable housing incentives -- with its 80% density bonus and significant increase in Floor Area Ratio -- merely to reap as many financial benefits as possible from the TOC program.

II. The project will result in significant effects relating to traffic and noise construction and operational impacts, and therefore does not qualify for a CEQA Categorical Exemption

A) The traffic VMT Calculator improperly identifies the existing use as General Retail when the actual existing use is a house with a permanent yard sale.

The city relies on a May 26, 2020 project trip generation assessment by Crain and Associates to determine that the proposed mixed-use project will not result in any significant increase in daily trips that would trigger the need for a formal transportation impacts analysis. The city's Transportation Assessment Guidelines require a transportation assessment when a project is likely to add 250 or more net daily trips to the street system on a typical weekday.

The Crain assessment gives the project a Vehicle Miles Traveled (VMT) credit of 115 daily vehicle trips for existing uses. When subtracted from the proposed project's estimate of 347 daily vehicle trips, the net increase was estimated to be 232 daily trips, or 18 daily trips less than the 250 vehicle trip threshold that would trigger a traffic report.

Yet the Crain and Associates assessment improperly identified the existing site use as General Retail in order to receive the generous VMT credit, when in fact the existing use is a house with a semi-permanent yard sale and kids' jumper rental business, with no on-site "customer" parking. Note photos below illustrating that the site is not a General Retail store and therefore does not qualify for the generous VMT credit. The city's reliance on the Crain and Associates generation assessment is misplaced and a formal traffic study is required.



Photos above and below: 4750 Santa Monica project site, misidentified as General Retail for traffic analysis



B) The project's Noise and Vibration analysis acknowledges that construction noise will exceed the threshold for significant impacts.

The applicant submitted two noise and vibration assessment reports by Rincon Consultants. Yet both reports acknowledge that the proposed project will exceed the threshold for significant construction noise impacts.

The June, 2020 Rincon Consultants noise and vibration study states at page 18 that "*construction noise levels may intermittently and temporarily exceed 75 dBA,*" and that "*reducing noise to 75 dBA throughout the duration of construction may not be technically feasible.*" The project site is located immediately adjacent to residential housing to the south and west.

The May 7, 2021 Rincon Consultants noise and vibration report states at page 5 that mitigation measures including "*temporary noise barriers adjacent to noise-sensitive uses (i.e. multi-family residences on the southern and western boundaries of the site)*" would reduce construction noise levels to 74 dBA at 50 feet.

Yet equipment operations may occur as close as 10 feet from the property line. Under typical geometrical spreading loss, the predicted noise level at 10 feet is 14 dBA higher than at 50 feet. That would raise the reference noise level to 89 dBA when operating close to the site boundary. If a distance adjustment is correctly applied, residential uses listed as "adjacent" would in fact experience a 50+ dBA increase. Any conclusions based upon a 74 dBA reference noise level are invalid when equipment operates near the site boundary.

The Rincon report proposes noise barriers with a minimum height of 10 feet. Yet the proposed project would be 97 feet tall, and the determination letter contains no construction noise mitigation measures because the project received a categorical CEQA exemption, precluding the city from imposing any such requirements. Unless a mitigation measure is included that completely restricts equipment operation closer than 50 feet, the city's CEQA categorical exemption cannot be supported. There is therefore no basis for the city and the applicant to contend that there will be no significant noise impacts.

III. The project does not comply with the applicable regulations, findings, standards and provisions of the underlying zoning restrictions.

The Planning Department has abused its authority in approving the 4750 Santa Monica Blvd. project in reliance on TOC incentives that were not authorized by the voters of Measure JJJ. In doing so, they have undercut the promise to the voters who enacted Measure JJJ that it would provide both more affordable housing and good paying jobs.

In drafting the TOC Guidelines, the Planning Department went far beyond the scope of the incentives set forth in Measure JJJ by adding incentives not included in the initiative and awarding them to projects that do not meet the measure's labor standards. In granting the project incentives not approved by the voters, Planning and the CPC exceeded the scope of their authority, superseded the scope of Measure JJJ and overturned properly enacted ordinances.

The 4750 Santa Monica Blvd. project has received entitlements that rest upon incentives that invalidly expand the scope of a voter initiative. The project received more incentives than authorized by Measure JJJ, as well as incentives that were not included in the initiative.

The adoption of the TOC Guidelines by the Planning Department is not consistent with Planning's or the City Planning Commission's powers under the City Charter and the LAMC. The Charter and LAMC delineate the powers of the CPC and Director of Planning, as well as the City Council, with respect to regulation of the use of land. Charter Section 558 governs the adoption of "*zoning or other land use regulation concerning permissible uses, height, density, FAR, location or use of buildings or structures, size of yards, open space, setbacks, and other requirements, including specific plan ordinances.*"

Such ordinances may be proposed by the City Council, the CPC, or the Director of Planning, and are to be referred to the CPC for its report and recommendation. It is however up to the City Council to approve the ordinance after review of the CPC's recommendation.

Yet the City Council never reviewed the TOC Guidelines, which remain a policy and not an ordinance, subject to change at any point. The Guidelines supersede and replace the requirements in numerous city ordinances, setting new requirements that contradict the substantive requirements of existing law. The Guidelines were adopted by the Planning Department, not the CPC, which bizarrely merely made a recommendation back to the department. But the TOC Guidelines as approved were not within the Planning Department's power to adopt.

To the contrary, Measure JJJ specifies that TOC Incentives and Eligibility "*may be adjusted for an individual TOC Affordable Housing Incentive Area through a Community Plan update, Transit Neighborhood Plan, or specific plan,*" all of which are legislative processes that require approval by the City Council.

In order to depart from the incentives established in the ordinance, a legislative process is required. Nowhere does Measure JJJ state that Planning may write its own additional or different incentives than those listed in Measure JJJ.

Any contrary interpretation of Measure JJJ would render this aspect of the initiative invalid as an improper delegation of the legislative function from the City's legislative body. There is no authority in Measure JJJ to create what is essentially a zoning overlay, giving greater rights to building intensity and density to lots with the same underlying zoning on the basis of the distance to transit.

Measure JJJ authorized different intensity based upon legislatively created zoning. It did not authorize the Planning Department or the CPC to create what are essentially new zones for properties with the same underlying zoning, regardless of the intensity of the underlying zone.

Likewise, Measure JJJ nowhere authorizes Planning or the CPC to rewrite ordinances involving height, yards, or open space. In addition, the TOC Guidelines omit the requirement for Section 5-compliant labor to qualify for incentives. This omission has resulted in few projects under the TOC program meeting the labor standards, contrary to how the measure was presented to voters.

The TOC Guidelines effectively amend Measure JJJ without following the procedures for the amendment of an initiative ordinance. The TOC Guidelines constitute a change to the scope and effect of Measure JJJ, because the Guidelines expand the applicability of the program to projects that do not utilize the labor standard, offer more incentives and different types of incentives than provided in the Measure, and create a Tier system that alters the rights of property owners apart from their base zoning. The TOC Guidelines alter the scope and substance of Measure JJJ, and thus constitute an impermissible amendment to the initiative.

There is simply no authority granted in Measure JJJ for staff or this commission to step into the shoes of the legislative body and adopt incentives that were not enacted by any ordinance or approved by the voters.

IV. Limiting TOC appellant rights to adjacent and abutting property owners and tenants is unconstitutional and in violation of the clear language of Measure JJJ.

The city restricts the right to appeal TOC and density bonus entitlements to those who are adjacent and abutting property owners and tenants only. Due to this arbitrary limitation, the appellants in this case, Citizens for Reasonable Development, were forced to file a partial appeal of the development's entitlements, specifically the Project Permit Compliance Review approvals and the categorical exemption from the California Environmental Quality Act (CEQA).

Planning staff claims at page 6 of the Recommendation Report that "*it was within the voters' and City's authority*" to limit appellant rights, stating that Measure JJJ instructs the city to follow the procedures for density bonus projects outlined in LAMC Section 12.22.A.25. Yet such restrictions are in conflict with the text of Section 7 of Measure JJJ, which states: "*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...The provisions of this Act shall be construed liberally to effectuate its intent and purposes.*"

The City's attempt to preclude an appeal by 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 effectively precludes that aggrieved person from exhausting his or her administrative remedies.

The City's restrictions on the right to petition the government on behalf of issues of public concern amounts to an unconstitutional restraint on the public's free speech rights, as guaranteed under the California Constitution and the 1st amendment of the U.S. Constitution.

The citywide ordinance limiting the public's right of appeal is unconstitutional on its face, because unless there are other project entitlements that the general public is permitted to appeal in addition to the TOC approvals, residents who do not live immediately next to the project site would have no opportunity to challenge the development, including no notice or public forum allowing the public an opportunity to be heard.

The city denied appellant Citizens for Responsible Development the right to file a TOC appeal, but the Recommendation Report acknowledges that "*the instant TOC project and its appeals will be considered at a public meeting of the City Planning Commission.*" This concession illustrates the frivolous nature of the appeal restrictions, as appellant Citizens was denied the right to file an appeal of the TOC approvals, but the commission will be considering and reaffirming those approvals anyway at the hearing.

The Recommendation Report's comment that Government Code Section 65915 and the City Charter do not proscribe notice, hearing or appeal procedures is misplaced, as the City Charter establishes the area commissions and city commission as appellant bodies, and the lack of a hearing and appeal process under Government Code Section 65915 doesn't permit the violation of other Government Code sections and case law that guarantee such rights.

Furthermore, the courts have liberally construed the definition of "aggrieved" in allowing the public the right to appeal a determination by a public agency. As noted in "Marina Plaza v. California Coastal Zone Conservation Commission (1977) 73 Cal.App. 3d 311, 321:

"'Aggrieved'" is defined by Section 13903 of title 14 of the California Administrative Code: 'A person is 'aggrieved' within the meaning of Public Resources Code Section 27423(a) only if he or she is dissatisfied with a determination of a [decisionmaker], and he and his or she and her representative opposed the application on which the determination was made in person at the public hearing or by letter or other appropriate means suitable to inform the [decisionmaker] of the nature of the opposition, or would have opposed the application but for good cause were unable to do so. Under the Code, such a person need not be a resident of the county in which the development is proposed.'"

TOC and density bonus projects are unlike any other entitlement review process in the city, as they have no public hearings, no notification, and decision letters are mailed only to adjacent and abutting property owners (not to tenants). The list of adjacent property owners who are mailed the determination letter is generated by the project applicant, not the city, and is often outdated and inaccurate. This results in TOC projects being even further shrouded in secrecy.

There is no purpose to restricting appellant rights, unless the purpose is to prevent public participation.

V. The project cannot be approved and the appeal must be upheld.

As proposed, the 4750 Santa Monica Blvd. site is not qualified for a CEQA exemption, the city improperly approved waivers of stepback requirements not included on the menu of incentives, and the TOC Guidelines greatly exceed the authorization for land use change granted by the people to the city in their approval of Measure JJJ.

For the above reasons, I ask that this commission reject the 4750 Santa Monica project. Thank you.

DAY OF HEARING SUBMISSIONS



Planning CPC <cpc@lacity.org>

Opposition to 1434 S. Roberston Blvd (Item #7)

anne marie molina <annemarie.molina@gmail.com>

Tue, Jun 8, 2021 at 10:14 AM

To: cpc@lacity.org, +Paul.Koretz@lacity.org

Dear Councilmember Koretz and Members of City Planning Commission,

we strongly oppose the proposed hotel at 1434 S. Robertson, developed by Sinanian Development and Harkham Enterprises. This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The developer is asking for a zone change and a conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and the general plans. Demolishing RSO rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community.

Please respect the Community Plan and reject this project.

Thank you

Anne Marie Molina



616 Shatto Place ★ Los Angeles ★ California ★ 90020
Mailing Address: 14320 Ventura Bl – PMB 537 ★ Sherman Oaks ★ California ★ 91423
Telephone: (213) 252-4411 ★ Fax: (213) 252-4422

June 8, 2021

Councilmember Paul Koretz &
Members of the PLUM Committee
Los Angeles City Council
200 N Spring Street
Los Angeles, CA 90012

RE: **Opposition to 1434 S. Robertson Blvd (Item #7).**

Dear Councilmember Koretz and Members of City Planning Commission,

On behalf of the Coalition for Economic Survival, I am writing to urge you to oppose the 1434 S. Robertson Project, which would demolish 12 Rent Stabilized units without replacement in order to build a hotel project.

Since 2001, we have lost over 27,000 rent stabilized units in Los Angeles. We can't needlessly afford to lose more. CES urges you not approve a zone change which contrary to public policy, would foster the loss of even more RSO units.

The developer is asking for a zone change and conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and general plans. Demolishing rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community.

Please respect the Community Plan and reject this project.

Thank you.

Sincerely,

Larry Gross
Executive Director



Planning CPC <cpc@lacity.org>

Opposition to 1434 S. Roberston Blvd (Item #7)

Elisa Cohen <elisac8@sbcglobal.net>
To: cpc@lacity.org, Paul.Koretz@lacity.org

Tue, Jun 8, 2021 at 11:32 AM

Dear Councilmember Koretz and Members of City Planning Commission,

I am a resident of LA for over 30 years, and I strongly oppose the proposed hotel at 1434 S. Robertson, developed by Sinanian Development and Harkham Enterprises. This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The developer is asking for a zone change and a conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and the general plans. Demolishing RSO rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community.

Please respect the Community Plan and reject this project.

Thank you for your attention to this matter.

Sincerely,
Elisa Cohen
Elisac8@sbcglobal.net

Sent from my iPhone



Planning CPC <cpc@lacity.org>

Opposition to 1434 S. Roberston Blvd (Item #7)

Josh Hoffman <joshh@thecenterinhollywood.org>

Tue, Jun 8, 2021 at 1:26 PM

To: "cpc@lacity.org" <cpc@lacity.org>, "Paul.Koretz@lacity.org" <Paul.Koretz@lacity.org>

Dear Councilmember Koretz and Members of City Planning Commission,

I strongly oppose the proposed hotel at 1434 S. Robertson, developed by Sinanian Development and Harkham Enterprises. This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The developer is asking for a zone change and a conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and the general plans. Demolishing RSO rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community.

Please respect the Community Plan and reject this project.

Sincerely,



Josh Hoffman | CES Regional Coordinator – Midtown, SPA 4

The Center | Ending Isolation and Homelessness in Hollywood

6636 Selma Avenue Hollywood, CA 90028

Email: joshh@thecenterinhollywood.org | Work Cell: 714.257.5413

Case No: CPC-2019-7522-VZC-CU-SPR

June 9, 2021

Dear Planning Director Bertoni and City Planner Oliver Netburn,

I write to share my significant concerns with the proposed destruction of 12 rent-controlled housing units and their replacement with a 7-story, 131-room hotel project at 1434-1456 South Robertson Boulevard.

Putting aside concerns around height and massing, the permanent loss of RSO units is unacceptable. We're seeing this incremental—but cumulatively significant – loss of rent stabilized units across the City, and we cannot continue to allow for their destruction. Rent stabilized units present the best opportunity to provide stable, reliable, relatively affordable housing to large swaths of our City's population. Maintaining rent stabilized units likewise maintains stable neighborhoods, and provides folks with the comfort and economic security of knowing that they can count on their rent—often the largest line item in a household's monthly budget – to stay relatively stable. As a renter, I'm grateful to live in a rent stabilized unit and know that countless other Angelenos feel the same way.

As you know, Los Angeles is in the midst of a crushing affordable housing and homelessness crisis, and the City must do everything in its power to preserve affordable rental stock whenever possible. If preservation isn't possible, replacement units that are similarly affordable and protective of renters' rights should be provided by the project proponent either on-site or in the same neighborhood as a condition of approval.

The project proponent here requests several discretionary entitlements as part of this approvals package—approvals that the City is under no obligation to approve. Unless and until the project proponent mitigates the significant, negative impact on local rental housing stock by providing on- or off-site alternatives, no approval should be considered.

I therefore respectfully ask that you reject the requested project approvals.

Sincerely,

Katy Young Yaroslavsky
CD5 Resident



Planning CPC <cpc@lacity.org>

Tenant Letter on Item #7 (ROBERTSON HOTEL)

1 message

M Roc <morthyn@me.com>

Wed, Jun 9, 2021 at 7:02 PM

To: cpc@lacity.org, Paul.koretz@lacity.org, Daniel.skolnick@lacity.org

Cc: joan.pelico@lacity.org, oliver.netburn@lacity.org

I am writing to express my strong opposition to the hotel development proposed on Robertson & Pico. My name is morthyn Brito. I am a tenant at 1438 1/2 Robertson blvd apt number 5. I have lived in this neighborhood for the last 8 years.

First of all, as resident my experience has been horrible. I lived in unit #9 which was constantly flooded. After years of asking to be moved to another unit. A unit that was empty for a year was given to me "as is" I had to paint, clean and deal with any issues I had myself.

The property manager has harassed me for years to move. This experience has been extremely traumatic. There is a literally a hotel down the street. We should not be replacing housing with hotels. The relocation we would get is simply not enough to continue living in this neighborhood, and they have never offered to relocate us to a different apartment at the same rent.

Replacing the units in the hotel (and helping out the small businesses, finding a place for Le Petit Jardin in the hotel would be great too) would be a perfect solution for us and for the community. Otherwise, please reject this hotel.



Planning CPC <cpc@lacity.org>

Reject 1434 S. Robertson Project1 message

Mark Rothman <mark.a.rothman@gmail.com>

Thu, Jun 10, 2021 at 8:50 AM

To: cpc@lacity.org, oliver.netburn@lacity.org, paul.koretz@lacity.org, daniel.skolnick@lacity.org, Joan Pelico

<joan.pelico@lacity.org>

Cc: carnow@gmail.com

Dear Councilmember Koretz and Members of the City Planning Commission,

I strongly oppose the 1434 S. Roberston Project, which would demolish 12 RSO units without replacement in order to build a hotel project. Since 2001, we have lost over 27,000 rent stabilized units in Los Angeles. Do not approve a zone change which--contrary to public policy--would foster the loss of even more RSO units.

Additionally, the project would destroy beloved businesses like Le Petit Jardin and others in that block, which have served the community for years. They would lose their businesses and their housing.

Please reject this project.

Yours,

Mark Rothman



Planning CPC <cpc@lacity.org>

CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND - Urgent Submission to Case File

Michael Salman <salman@history.ucla.edu>

Tue, Jun 8, 2021 at 11:52 AM

To: Planning CPC <cpc@lacity.org>

Cc: Cecilia Lamas <cecilia.lamas@lacity.org>, Irene Gonzalez <irene.gonzalez@lacity.org>, James Williams <james.k.williams@lacity.org>, Oliver Netburn <oliver.netburn@lacity.org>, Heather Bleemers <heather.bleemers@lacity.org>

Dear Ms. Lamas

This is an additional submission for CPC-2019-7522-VZC-CU-SPR & ENV-2019-752-MND, further demonstrating the extraordinary errors in the Planning Department's processing of this case.

I have previously shown that there are portions of SB330 concerning rezoning of the parcels that apply whether or not the proposed project is a "housing development," and that makes the proposed project illegal.

Now I must add that the proposed project is, in fact, a "housing development project" under the definitions used in SB330. This also makes the proposed project illegal, and further illustrates the depth and breadth of errors made by Planning in drafting the MND and the Recommendation Report.

Here is the relevant portion of SB330 that defines the term "housing development project" (this definition is repeated again later in the legislation and used throughout):

SEC. 3. Section 65589.5 of the Government Code is amended to read:

65589.5.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) **"Housing development project" means a use consisting of any of the following:**

(A) Residential units only.

(B) Mixed-use developments consisting of residential and nonresidential uses with at least two-thirds of the square footage designated for residential use.

Please note that the MND and proposed findings sent to the CPC by Planning repeatedly call the proposed project a "residential project" and a "mixed-use residential project." Hence Planning cannot at the same time say it is not a "housing development project" under SB 330.

The examples of Mr. Netburn and the Planning department declaring that the proposed project is a "residential project" are too numerous to list on short notice. They are easy to find by executing a search for the word "residential" on the online Recommendation Report linked to the CPC agenda.

Here are just a couple of examples:

On Page F-11 of the report, Planning declares the proposal is for a "residential project":

8. That any residential project provides recreational and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties.

The hotel project, while defined as a residential project, is not required to provide any recreational or service amenities. Nevertheless, the proposed hotel includes 131 guest rooms, in addition to the 945 square foot ground floor commercial space. The project provides

On page 15 of the MND, Planning declares "the project is a mixed-use residential project":

a) Have a substantial adverse effect on a scenic vista?

A significant impact would occur if the proposed project would have a substantial adverse effect on a scenic vista. A scenic vista refers to views of focal points or panoramic views of broader geographic areas that have visual interest. A focal point view would consist of a view of a notable object, building, or setting. Diminishment of a scenic vista would occur if the bulk or design of a building or development contrasts enough with a visually interesting view, so that the quality of the view is permanently affected. The project is not located on or near any scenic vista. Furthermore, pursuant to Section 21099(d)(1) of the California Public Resources Code (PRC), the project is a mixed-use residential project located on an infill site within a transit priority area. As such, aesthetic impacts shall not be considered a significant impact on the environment. Therefore, no impact would occur.

There are many more examples in the Recommendation Report, including insistence that the project accords with the General Plan and related public policy directives, when it obviously is an obscene violation of State and local laws and emergency measures aimed at the housing crisis, the affordable housing crisis, the homelessness crisis, and the pandemic.

The re-zoning to make possible the replacement of RSO units by a hotel is in violation of SB330, whether or not the rest of the development proposal is covered by SB330.

And the entire project, which Planning alternately says is residential or mixed-use residential, is in fact covered by the other parts of SB330.

Michael Salman

Rabbi Yonah Bookstein
1480 Rexford Dr.
LA CA 90035

June 8, 2021

RE: 1434 S. Robertson Project.

Dear Councilmember Koretz and Members of City Planning Commission,

The SoRo Hotel project eliminates needed low income housing. Lack of affordable housing is the #2 issue in our community after homelessness. Until the issue of net loss of affordable rental units is mitigated, I must ask you to oppose the 1434 S. Robertson Project.

Specifically, the hotel project will remove 12 RSO units, without replacement. Since 2001, we have lost over 27,000 rent stabilized units in Los Angeles. A zone change would foster the loss of even more RSO units.

Additionally, the project would take out popular small businesses like Le Petit Jardin, which has served the community for years. They would lose their business and their housing.

Thank you for your consideration.

Peace and Blessings,

Rabbi Yonah Bookstein



The Salvation Army

California South Division

16941 Keegan Avenue, Carson, CA 90746
(562) 264-3600 • calsouth.salvationarmy.org

William Booth
Founder

Brian Peddle
General

Kenneth G. Hodder
National Commander

Douglas Riley
Territorial Commander

John Chamness
Divisional Commander

The Honorable Paul Korte
Council Member of District 5
200 N. Spring St.
Los Angeles, CA 90012

RE: Letter of Opposition to 1434 S. Robertson Blvd (Item #7)

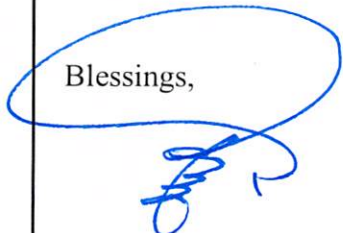
Dear Councilmember Korte and Members of City Planning Commission,

On behalf of The Salvation Army, California South Division, I write to strongly oppose the proposed hotel at 1434 S. Robertson, developed by Sinanian Development and Harkham Enterprises. This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The developer is asking for a zone change and a conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and the general plans. Demolishing RSO rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community.

Please respect the Community Plan, reject this project and protect low-income housing to your constituents.

Blessings,


Captain J. Koebel

Divisional Secretary for Business

50+ CONSTITUENTS SUBMITTED THE FOLLOWING STATEMENT FOR YOUR CONSIDERATION:

Honorable Councilmember Koretz and Members of the City Planning Commission ,

Los Angeles has a housing crisis, NOT a hotel crisis. Pico-Robertson is already well-served by hotels, with the Carlyle Hotel only blocks away and hundreds of hotel rooms less than a mile away at Pico & Beverly. If the 1434 Robertson site is redeveloped, it should be a mixed-use housing project with small business space at the bottom. As opposed to a hotel development, a mixed-use housing project would ensure existing tenants have the right to return to their homes and require a percentage of the units to be affordable.

The City should follow the lead of the South Robertson Neighborhood Council and oppose this project.



June 9, 2021

RE: Letter of Opposition to 1434 S. Robertson Blvd (Item #7)

Honorable Councilmember Koretz and Members of City Planning Commission:

United Way of Greater Los Angeles submits this letter in opposition to the proposed hotel at 1434 S. Robertson, developed by Sinanian Development and Harkham Enterprises. This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The United Way of Greater Los Angeles has spent years focusing on the growing humanitarian crises of housing unaffordability and homelessness. In 2010, we launched Home For Good, a collective impact initiative that develops, funds, and scales equitable and effective solutions to end homelessness in Los Angeles County. In 2018, we launched the Everyone In campaign – a grassroots education, engagement, and activation campaign with more than 137,000 supporters. Through these two multi-sector initiatives, we have invested our time, political capital, and philanthropic resources into solutions that scale, and we've witnessed the challenges of our unhoused neighbors and those working tirelessly to rehouse them.

We know that the housing crisis is our homelessness crisis. As the threat of COVID-19 lessens and the end of the eviction moratorium looms, we must take the lessons learned from the last year into account in our decision-making for the future. The pandemic has had a disproportionate impact on low-income, communities of color, and the long-term economic effects of this crisis will continue to hit them the hardest. As we work collectively to increase affordable housing and bring everyone in from the streets, we urge you to think about each new development as a piece of the puzzle.

This development would demolish 12 RSO units without replacing the existing affordable units. The loss of ANY affordable units can be devastating to tenants who cannot afford the higher rent. The city must preserve affordable and rent stabilized housing at all costs by mandating replacement units.

The developers are asking for a zone change and a conditional use permit for 1434 S. Robertson Hotel Project, which requires consistency with both the community and the general plans. Demolishing RSO rental units and displacing our neighbors is inconsistent with several community and general plan goals, objectives, and policies that encourage the preservation of affordable and rent stabilized housing and a vibrant small business community. Please respect the Community Plan and reject this project. This location should remain as affordable homes and small businesses, not another hotel.

Twelve less units may seem small, but the compounded impact of this choice and choices like it is the difference between L.A., particularly West L.A., being affordable to the average Angeleno or not. If we allow this loss of affordable units, knowing that creating new units is expensive and politically fraught, we are conceding the fight for an L.A. that's affordable for all. Please reconsider this project and ones like it in the future.

The United Way of Greater Los Angeles strongly opposes to the proposed hotel at 1434 S. Robertson and the subsequent loss of affordable, rent-stabilized units at a time of crisis in our community.

Thank you for your partnership in ensuring every neighborhood in L.A. is affordable.

Sincerely,

A handwritten signature in black ink, appearing to read "Tommy Newman".

Tommy Newman, Senior Director of Impact Initiatives
United Way of Greater Los Angeles

ARMBRUSTER GOLDSMITH & DELVAC LLP

LAND USE ENTITLEMENTS □ LITIGATION □ MUNICIPAL ADVOCACY

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June 9, 2021

VIA E-MAIL

President Millman and Honorable Commissioners
Los Angeles City Planning Commission
200 N. Spring Street, Room 395
Los Angeles, CA 90012

Re: June 10, 2021 City Planning Commission Meeting, Agenda Item 8
DIR-2020-4249-TOC-SPP-VHCA-1A, 4750 W. Santa Monica Blvd.

Dear President Millman and Honorable Commissioners:

This firm represents Canfield Development, the proponent of a new 85-unit eight-story mixed-use project ("Project") to be developed at 4750-4760 W. Santa Monica Boulevard and 1033-1039 North New Hampshire Avenue ("Site") in Subarea C of the Vermont/Western SNAP Specific Plan. We are in receipt of the supplemental appeal letter dated June 7, 2021 submitted to your Commission by Mr. Doug Haines ("Haines Letter") and have reviewed its allegations regarding the Project. In short, the Haines Letter consists of erroneous interpretations of City zoning regulations including the Transit Oriented Communities ("TOC") Guidelines as well as unsubstantiated claims regarding the Project and its environmental clearance. For the reasons outlined below, the Haines Letter's claims as well as the entirety of the appeal before you should be rejected.

A. The Project's Traffic Analysis Correctly Identifies the Site's Existing Uses.

The Haines Letter alleges that the Site's existing building at 4750 W. Santa Monica Boulevard should be considered a residential use and not a retail use, and therefore the Project's net increase in daily vehicle trips has been incorrectly calculated. This claim appears to be based exclusively on two photos of the building's exterior. However, the Site's historical and present uses were carefully examined for the Project's City-approved historic report, which concluded that while this building was originally constructed in 1906 as a residence, it has subsequently been converted into a multi-unit commercial building. Specifically, the property was apparently being used exclusively as a residence when a re-roofing and repair permit was issued in 1933. However, in 1948, permit records indicate that a new real estate office use was established at the property, and in 1950 and 1955, Sanborn maps identified the building as a commercial use. Subsequent permit records show that interior alterations were made in 1963 in connection with a used furniture store, additional alterations were made in connection with other unspecified retail uses in 1977, and the entire building was shown to consist of retail uses in 2012 in connection with a permit to install ADA improvements. Moreover, in recent years, this building's various commercial tenant spaces have been consistently and exclusively rented to a variety of retail and service businesses, as evidenced by the attached photographs of active commercial uses, commercial signage, and commercial leasing advertisements. Accordingly, the building's classification as a general retail use is proper, and the Project's net daily trip calculation was performed in conformance with City requirements.

President Millman and Honorable Commissioners

June 9, 2021

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B. The Project's Construction Noise Levels Will Comply With City Regulations.

As noted in the noise study and supplemental cumulative noise analysis prepared for the Project, LAMC Section 112.05 limits noise from construction equipment located within 500 feet of a residential zone to 75 dBA between 7:00 a.m. and 10:00 p.m., as measured at a distance of 50 feet from the source. Based upon industry-standard reference noise levels as well as a conservative assumption that multiple pieces of equipment would be operating at the same time, the Project's noise analysis determined that noise levels in excess of this regulatory threshold could occur, measured at a distance of 50 feet. However, as required by the LAMC, the Project would implement noise-reducing measures such as industrial-grade mufflers, equipment enclosures, and noise barriers, each of which would significantly reduce equipment noise levels. The Haines Letter cites one discrete finding of the Project's noise analysis (that the use of noise barriers alone would reduce construction noise levels to below regulatory levels) and without technical explanation or citation, goes on to assert that "geometrical spreading loss" and a hypothetical noise measurement distance of less than 50 feet renders the remainder of the noise analysis flawed. However, LAMC requirements clearly specify a 50-foot distance for equipment noise measurement, and the Project's noise analysis appropriately conforms by analyzing construction noise at 50 feet from the source, thereby demonstrating compliance. Furthermore, based on the parameters of the Site, 50 feet is the approximate distance between the nearest receiver and the center of on-site construction activity, and the FTA's *Transit Noise and Vibration Impact Assessment* (2018) guidance recommends that construction noise analyses "assume that all equipment operates at the center of the project" for the distance variable in the construction noise calculation, because this location represents where noise generation will most prevalently occur as equipment regularly moves around the site. No substantial evidence of a noise impact has been provided, and the Haines Letter's claims are unfounded.

C. Remaining Objections.

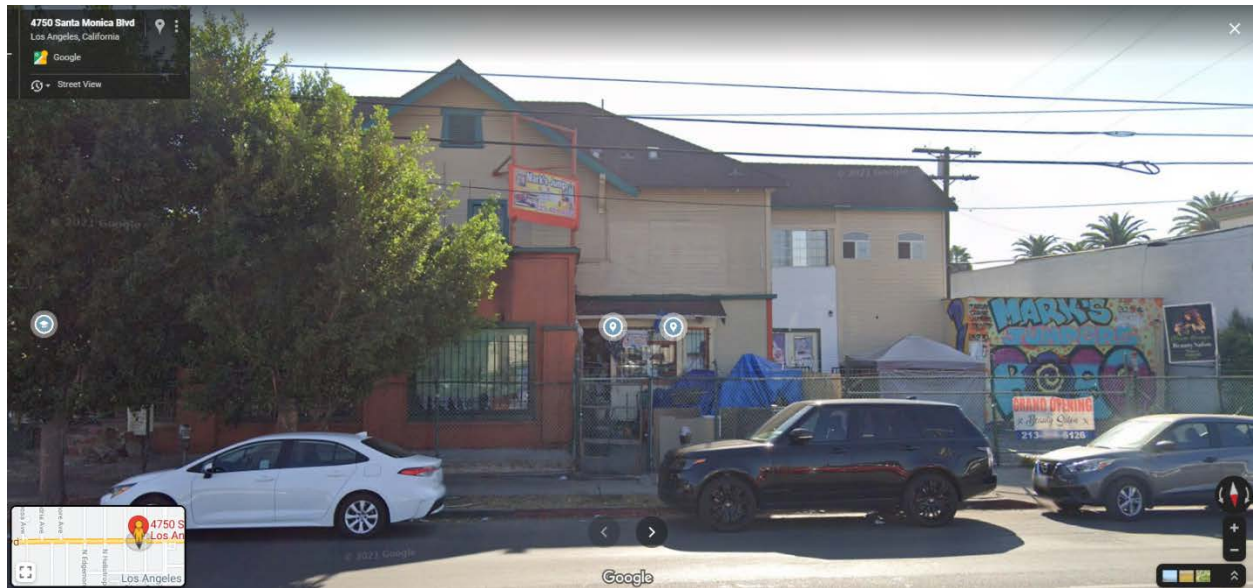
The Haines Letter restates several objections from the original appeal regarding the alleged illegality of the TOC Guidelines and its allowable incentives, which have been comprehensively responded to and rebutted in staff's Recommendation Report, and do not require further discussion here. The Haines Letter also claims that the Project's additional TOC height incentive cannot be applied to SNAP Design Standard V.6's stepback requirements, notwithstanding the fact that this Standard clearly imposes separate 30-foot and one-story *height* limits for specified portions of the Project, and the TOC Guidelines themselves require stepbacks in connection with height increases for buildings located within Specific Plan areas. This claim should also be rejected.

In conclusion, the Haines Letter fails to provide any substantiated objections and should be dismissed, along with the appeal of the Project.

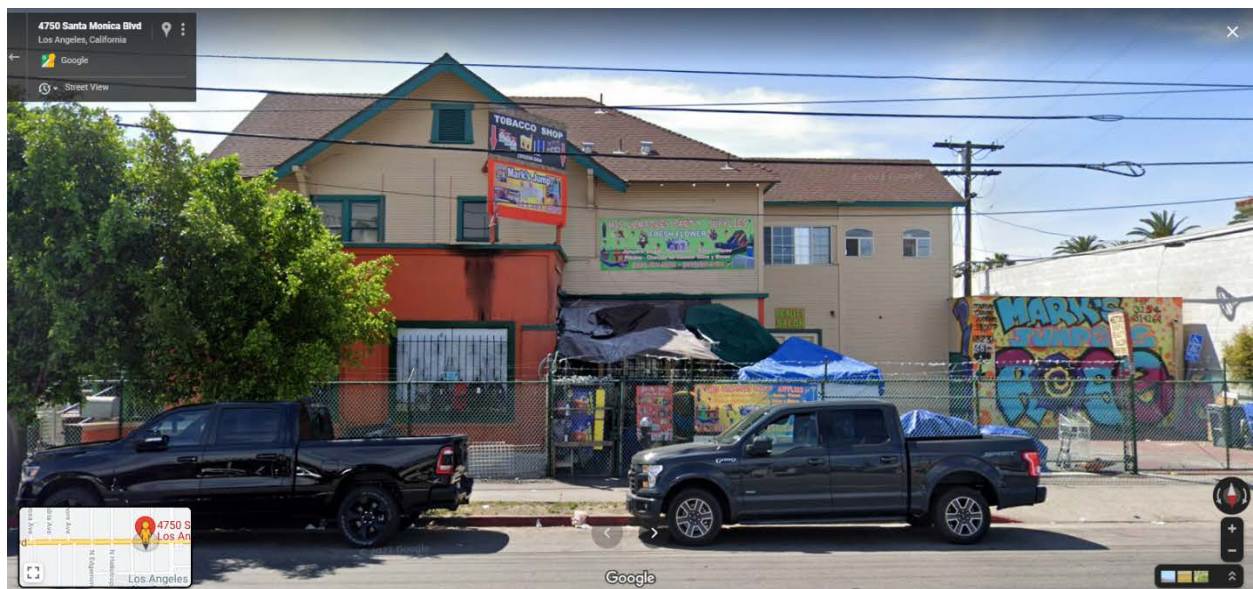
Sincerely,



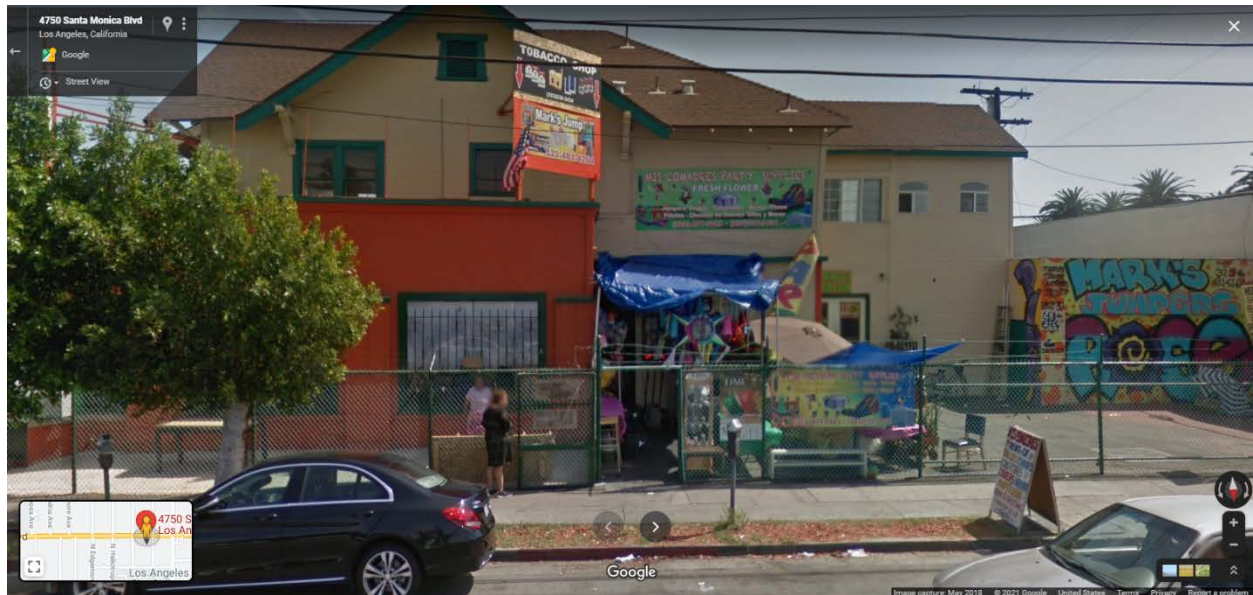
Todd Nelson



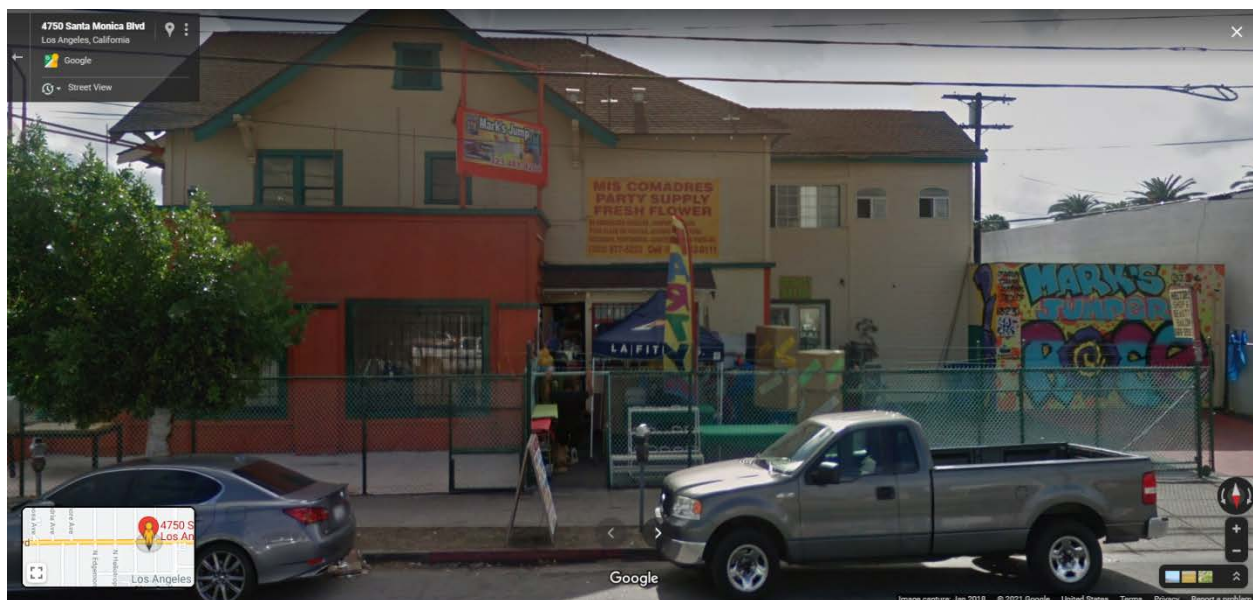
Santa Monica Boulevard – December 2020



Santa Monica Boulevard – April 2019



Santa Monica Boulevard – May 2018



Santa Monica Boulevard – January 2018



Santa Monica Boulevard – November 2016



New Hampshire Avenue – April 2019



New Hampshire Avenue – May 2018



New Hampshire Avenue – January 2018