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- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
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If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

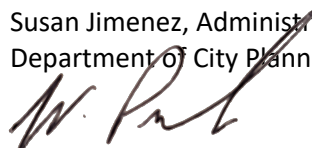
If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

6800 W. Sunset Blvd
DOT Case No. CEN21-50965

Date: July 21, 2021

To: Susan Jimenez, Administrative Clerk
Department of City Planning


From: Wes Pringle, Transportation Engineer
Department of Transportation

Subject: **ACCESS AND CIRCULATION ANALYSIS FOR THE FAST-FOOD RESTAURANT PROJECT AT 6800 WEST SUNSET BOULEVARD**

The LADOT has reviewed the access and circulation assessment prepared by Gibson Transportation Consulting, Inc. dated July 6, 2021, for the fast-food restaurant project at 6800 West Sunset Boulevard. **This project does not require an analysis under CEQA.** However, the State's Office of Planning and Research stressed that lead agencies can continue to apply traditional operational analysis requirements to inform land use decisions provided that such analyses were outside of the CEQA process. The authority for requiring non-CEQA transportation analysis and requiring improvements to address potential circulation deficiencies, lies in the City of Los Angeles' Site Plan Review authority as established in Section 16.05 of the LAMC. Therefore, per the latest version of the Transportation Assessment Guidelines (TAG), LADOT requires the review of a project's site access, circulation, and operational plan to determine if any access enhancements, transit amenities, intersection improvements, traffic signal upgrades, neighborhood traffic calming, or other improvements are needed. **This report summarizes the results of the transportation analysis (see Attachment 1), which accounted for other known development projects in evaluating potential cumulative impacts and adequately evaluated the project's traffic impacts on the surrounding community.**

DISCUSSION AND FINDINGS

1. Project Description

The Project is proposing to remodel an existing fast-food restaurant building into a 2,129 square foot (sf) fast-food restaurant with drive-through operations. The project is pursuing a Conditional Use Permit (CUP) to reinstate the drive-through operations. Vehicular access to the project site would be provided via existing driveways on Highland Avenue and Sunset Boulevard. Both driveways would accommodate right-turn-only operation. The Project is anticipated to be completed in Year 2021.

2. Trip Generation

The project is estimated to generate an approximate net increase of 343 daily trips, a net increase of 36 trips during the a.m. peak hour and a net increase of 29 trips during the p.m. peak hour. The trip generation estimates are based on formulas published by the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition.

PROJECT REQUIREMENTS

A. Non-CEQA Related Requirements and Considerations

To comply with transportation and mobility goals and provisions of adopted City plans and ordinances, the applicant should be required to implement the following:

1. Parking Requirements

The Project would provide 17 parking spaces within an on-site surface parking lot. The applicant should check with the Departments of Building and Safety and City Planning on the number of Code-required parking spaces.

2. Highway Dedication and Street Widening Requirements

Per the new Mobility Element of the General Plan, **Sunset Boulevard** is designated as a Modified Avenue I, which would require a 42.5-foot half-width roadway within a 57.5-foot half-width right-of-way. **Highland Avenue** is been designated as an Avenue I, which would require a 35-foot half-width roadway within a 50-foot half-width right-of-way. The applicant should check with BOE's Land Development Group to determine if there are any other applicable highway dedication, street widening and/or sidewalk/merger requirements for this project.

3. Project Access and Circulation

The conceptual site plan for the project, see **Attachment 2**, is acceptable to DOT. However, the review of this study does not constitute approval of the dimensions for any new proposed driveways. This requires separate review and approval and should be coordinated with DOT's Citywide Planning Coordination Section (201 N. Figueroa Street, 5th Floor, Room 550, at 213-482-7024). In order to minimize and prevent last minute building design changes, the applicant should contact DOT for driveway width and internal circulation requirements prior to the commencement of building or parking layout design. All new driveways should be Case 2 driveways.

4. Worksite Traffic Control Requirements

LADOT recommends that a construction work site traffic control plan be submitted to LADOT's Citywide Temporary Traffic Control Section or Permit Plan Review Section for review and approval prior to the start of any construction work. Refer to <http://ladot.lacity.org/businesses/temporary-traffic-control-plans> to determine which section to coordinate review of the work site traffic control plan. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. LADOT also recommends that all construction related truck traffic be restricted to off-peak hours to the extent feasible.

5. Development Review Fees

Section 19.15 of the LAMC identifies specific fees for traffic study review, condition clearance, and permit issuance. The applicant shall comply with any applicable fees per this ordinance.

If you have any questions, please contact Eduardo Hermoso of my staff at (213) 482-7024.

Attachments

J:\Letters\2021\CEN21-50965_6800 W Sunset Blvd Fast Food Restaurant ltr.docx

c: Meg Healy, Council District 4
 Matthew Masuda, Central District, BOE
 Bhuvan Bajaj, Hollywood-Wilshire, LADOT
 Taimour Tanavoli, Case Management, LADOT
 Emily Wong and Janet Ye, Gibson Transportation Consulting, Inc.

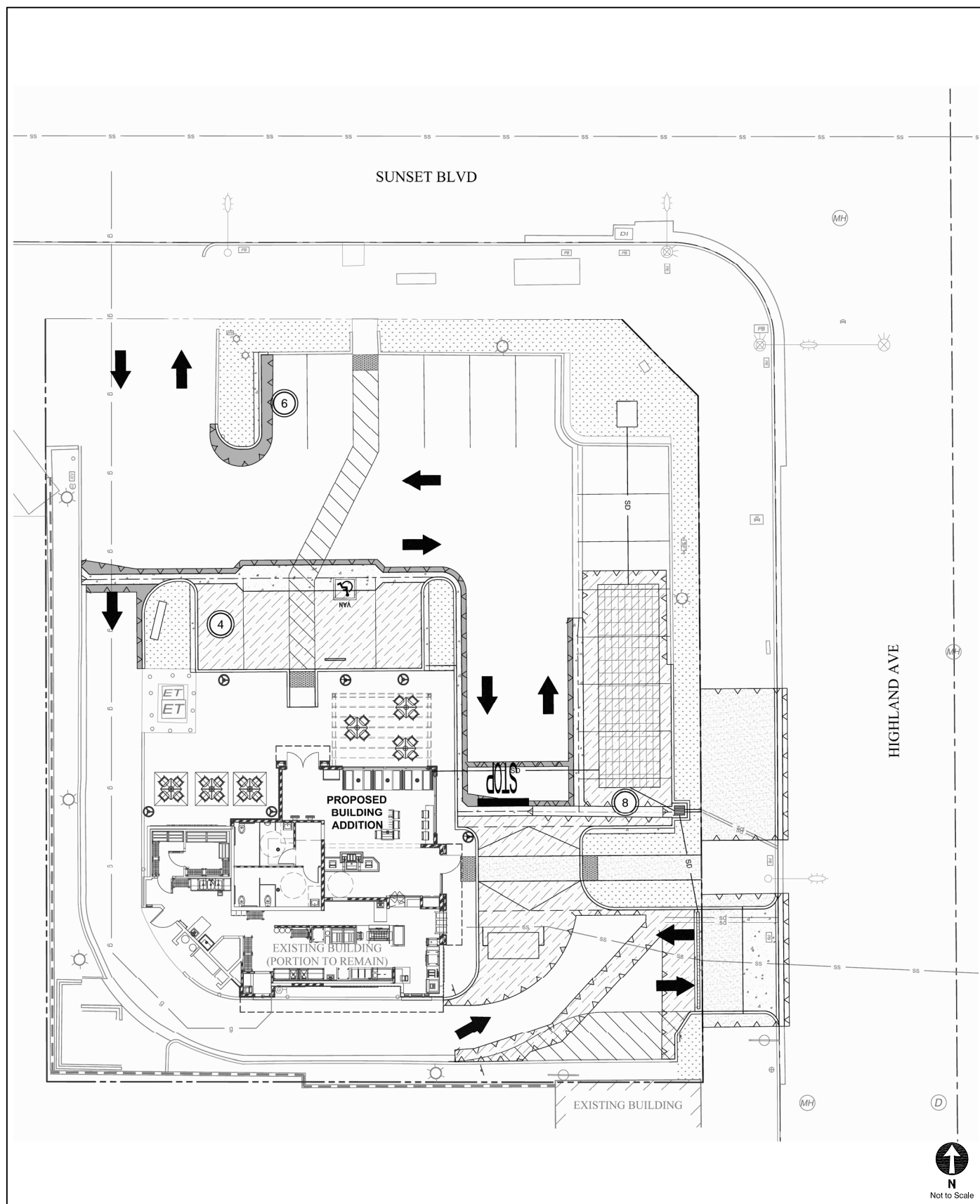
TABLE 7
CUMULATIVE WITH PROJECT CONDITIONS (YEAR 2021)
INTERSECTION PEAK HOUR LEVELS OF SERVICE

No.	Intersection	Peak Hour	Cumulative without Project Conditions		Cumulative with Project Conditions	
			Delay	LOS	Delay	LOS
1.	Highland Avenue &	AM	84.0	F	87.2	F
[a]	Sunset Boulevard	PM	73.7	E	74.9	E

Notes:

Delay is measured in seconds per vehicle. LOS = Level of Service.

[a] Intersection analysis based on HCM 6th Edition Signalized methodology, which calculates the average intersection delay, in seconds, for each vehicle passing through the intersection.



PROJECT SITE PLAN

FIGURE
1

December 2021

Dear Sir or Madam;

We live in the general neighborhood of Sunset Boulevard and Highland Avenue. For years, because the corner lot of Sunset and Highland was vacant, there have been homeless people, drug deals and other things that simply did not make the neighborhood safe or nicer. In addition, when there was fencing put up to control the homeless, they simply broke through leaving it as much or more of a mess as before.

We have learned that the owner of that property, YBM Danur, has entered into a lease with a restaurant that will have a drive through and extended hours.

We are fully in support of this tenant as it will bring order to that corner, security and a more pleasant appearance. It will also liven up the neighborhood with new people, new options for eating and the ability for us to eat there as well. We ask that you approve this use.

	Name	Address	Phone/e-mail
①	Carlos Roman Sanchez	6817 1/4 Leland Way LA Ca. 90028	213-570-5197
②	Haim Torfmann	6819 1/2 Leland Way LA Ca. 90028	323-698-2577
③	Guy Foster Smith	6819 1/2 Leland Way LA CA 90028	323-392-2874
④	Doron BENSHELOM	6833 Leland Way LA Ca. 90028	213-446-2127
⑤	WILLIE MERCER	6811 Leland Way LA 90028	323 469-8026
⑥	Lisa Mercer	6811 1/2 Leland Way LA 90028	323-459-7372
⑦	Wilbert Jones	1433 N. Highland Ave. LA 90028	323-466-9288
⑧	Alem Abebe	1439 N. Highland Ave LA 90028	323-962 6263
⑨	IGOR GEKKER	1441 N. HIGHLAND AVE LA 90028	424 527 1787
⑩	Erik Mikfaryan	1443 N. Highland Ave LA 90028	323-915 7698
⑪	MINT	435 N. Highland Ave	(323) 467-9868
⑫	Renee Werschele	6804 Leland Hollywood ca	323 855.5872

December 2021

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	Name	Address	Phone/e-mail
(13)	Jamil Sparks	6827 Leland Way Apt. 2 Los Angeles CA 90028	whisparkstly@gmail.com
(14)	Troy Richter	6827 Leland Way Apt H LA, CA 90028	troy.richter@yahoo.com
(15)	Mara Boyce	6827 Leland way, Apt 9 LA, CA 90028	MaraBoyce@gmail.com
(16)	Ladi Yeferey	6827 Leland way, Apt 16	
(17)	Maurice Tyne	6827 Leland way Apt 7	mauriceTyne@hotmail.com
(18)	Tannaz Goharajoh	6827 Leland way #10 90098	tfotowatjoh@gmail.com
(19)			
(20)			
(21)			
(22)			
(23)			
(24)			



December 3, 2021

Case: ZA-2021-2125-CU-1A

For December 14, 2021 Appeal Hearing

ATTACHED DOCUMENTS IN THIS TWO PART EMAIL:

- 1. TABLE OF CONTENTS.**
- 2. FOLLOW-UP LETTER FOR THE APPEAL HEARING
DECEMBER 14, 2021.
a. 5 items**
- 3. ONE VIDEO TO DOWNLOAD.**
- 4. ORIGINAL APPEAL.**
- 5. REQUEST FOR AUDIO AND/OR VIDEO AND LIST OF
NAMES ATTENDED DECEMBER 14TH ZOOM HEARING.**

Thank you,
Lisa Lee

December 3, 2021

Case: ZA-2021-2125-CU /ZA-2021-2125-CU-1A

Hart House Project - 6800 Sunset Blvd.

Appeal follow-up letter for the Zoom Hearing on December 14, 2021.

Attn: David Woon, Planning Assistant and the City Planning Committee

Kevin Hart, Kevin Hart Productions/Hart House LLC

James S. Adams, SRDA Law

Glen Helton, Hart House LLC

Mike Jolly, N Consulting Engineers, Inc.

ITEM NO. 1 - Grievances not met by any party:

My name is Lisa Lee, and I would like to share additional information since Rory Dauson and I submitted our official Appeal with our Attorney. There are about 20 items listed in that Appeal as to why the Hart House project is unfit for this planned location. That documentation alone should be enough for you to make your decision to say NO to the toxic building/planning proposals, but especially NO on the Conditional Use Permit. I have written multiple letters of concern, spent \$1,300 out of pocket with my neighbor, and made phone calls to all parties listed at the top of this document. That includes Kevin Hart, the brain behind this project. No one, not even the millionaire himself has granted any of my simple requests, fixed my concerns nor offered me any solace regarding my grievances. There was zero community outreach from the very beginning. Since February 2021 when this project got going, none of you physically came over to inspect the property either. I personally invited all of you to see how we live down at the foothills. My neighbor Rory and I are \$1,300 more poor just defending our turf, while all of you are making money sitting in this Zoom. I am about to lose my home if Kevin's place moves in.

But how can I move when I cannot afford to? The rent has climbed so high in this city even the pandemic can't take it back down. You want to be our new neighbor Kevin Hart? Well then have some respect for the neighborhood and it's neighbors first. Level with us.

Back in the early 2000s, before I lived at 6817 Leland Way, this corner lot at Sunset and Highland was home to a McDonalds. The Planning Committee back then did NOT grant a 2am Conditional Use Permit closing time to McDonalds. There was compassion and empathy amongst the Planning Committee, and the decision was made to continue following the law and keep the closing time at 11pm. I moved here 8 years ago when that lot was a quaint Plant Nursery. I would have never moved here if it were a fast food restaurant.

My studio apartment windows are 8 feet from the soon-to-be Hart House, Drive-Thru fast food restaurant's garbage dumpster. There will be the toxic smell of not only trash, but artificial meat and car emissions piping through my windows and into my home. The drive-thru loud speaker will echo into my work zone, and affect my peace and sleep/right to quiet enjoyment. I will have to close my windows because of the nuisance and smell. The documented rat infestation problem on our block will come even closer to my home. You're aware of the rat infestation on our block right? How am I supposed to focus, sleep, breathe or work from home? Think if you had to do your work Zooms and calls sitting next to a dumpster and a loudspeaker taking orders all day.

You, the Planning Committee, will ultimately be responsible for my lack of oxygen, lack of work and lack of peace IF you pass this Conditional Use Permit for the Hart House project. This project being the way that it is currently planned, is running me out of my home.

ITEM NO. 2 - Grievances and construction change requests ignored:

For the fourth time, we are requesting these few simple changes in the construction plans if Hart House Drive Thru Restaurant is green lit to be built:

1. Have in-person orders taken and no drive-thru speaker.

- a. The drive through speaker noise and acoustics echo into our homes/windows, causing unrest, nuisance and disruption of our work/jobs and sleep routine.

- b. As the Appeal says, no actual decibel measuring test was done to see if the audio decibels would actually stay low enough for the surrounding neighbors to not be able to hear the loud ordering speaker. The Determination letter promises the surrounding neighbors that we will not hear it.

2. Keep the traditional closing time of 11pm, and not grant a Conditional Use Permit for 2am closing time.

- a. The drive through speaker noise and acoustics echo into our homes/windows, causing unrest, nuisance and disruption of our work/jobs and right to quiet enjoyment.
- b. Customers tend to be under the influence of substance after 10pm, which causes unruly behavior. Crime is up at night in 90028.
- c. Vehicular traffic, loud people and loud stereos in the drive-thru would cause disruption of sleeping hours and right to quiet enjoyment.

3. Change the garbage dumpster location to the North-East side of the property and change the dumpster pickup times.

- a. Change the dumpster pickup times on weekdays and weekends to be past/after 9am, and not before that time.
- b. Building plans have not yet been approved, so please move the dumpster across the parking lot to live on the Northeast side, which is furthest away from my window. Remember, the plans show that it currently sits 8 feet from my window.
- c. This corner lot has documented rat infestations at the neighboring shopping mall and into their dumpsters. Your approval of the dumpster being where it currently is planned to be, attracts more rats within 8 feet of my home.
- d. Mike Jolly denied this request to change the plans.

4. Extend the privacy property line wall.

- a. 5-10 feet extension of the property line wall would solve almost all of the issues stated. Please reconsider.

ITEM NO. 3 - EVIDENCE BACKING UP CLAIMS:

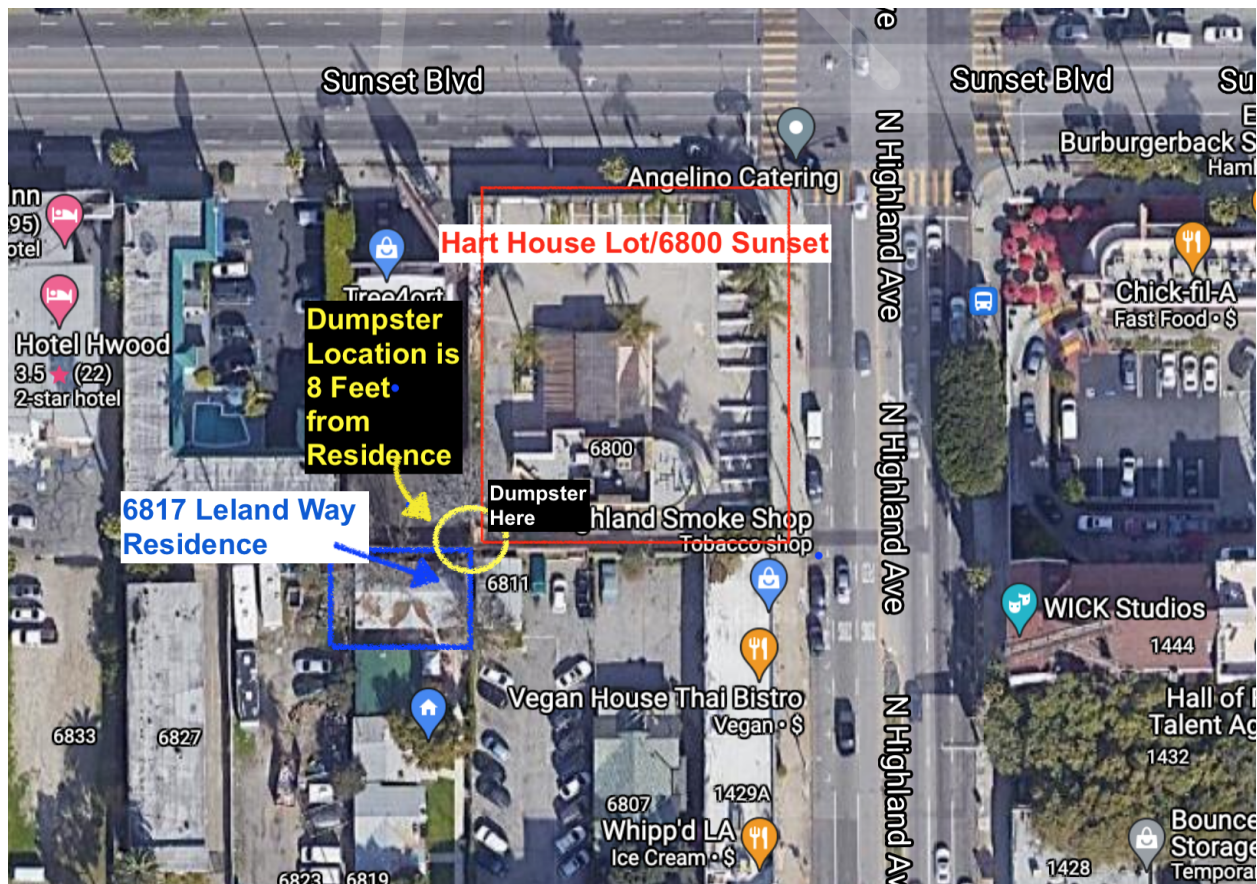
ADDITIONAL VIDEOS AND PHOTOS FOR HART HOUSE APPEAL.

VIDEO LINK SHOWING QUIET SOUND IN NEIGHBORHOOD BEFORE CONSTRUCTION AND BUSINESS OF HART HOUSE: <https://vimeo.com/654288258>

PHOTOS OF THE PROPERTY:

THESE ARE RECENT PHOTOS OF THE 6800 SUNSET BLVD/HART HOUSE PROPERTY LINE, WHICH IS UP AGAINST LISA LEE'S RESIDENTIAL APARTMENT 6817 LELAND WAY.

1. AERIAL VIEW OF 6800 SUNSET BLVD PROPERTY CORNER SHOWING 8 FEET CLOSE PROXIMITY OF GARBAGE DUMPSTER TO NEIGHBORS:



Continued...

2. THIS IS THE SOUTHWEST CORNER WHICH TOUCHES THE NORTHEAST PROPERTY LINE OF MY APARTMENT. THE DISTANCE MEASURES JUST 8 FEET APART. THIS IS THE CORNER WHERE THE DUMPSTER WAS APPROVED TO SIT:

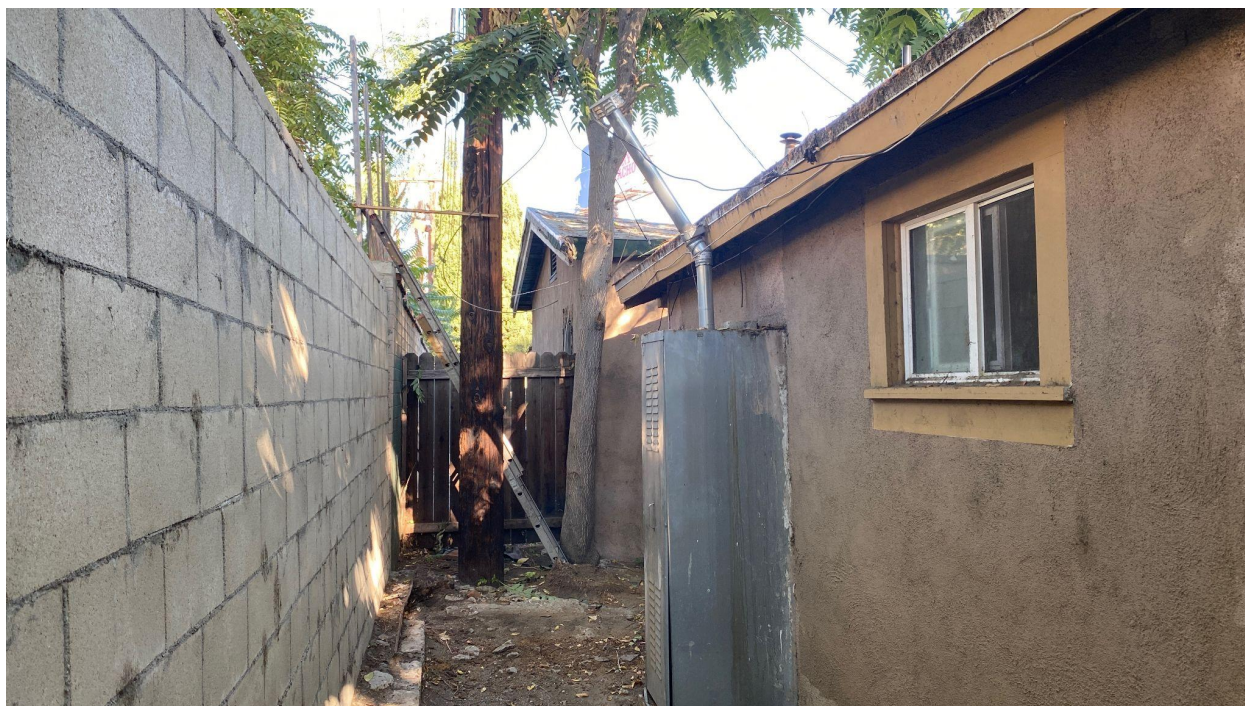


Continued...

2. THIS IS A REVERSE VIEW OF MY APARTMENT JUST 8 FEET FROM THE PROPERTY LINE:



THIS IS 8 FEET OF SEPARATION BETWEEN MY APARTMENT AND HART HOUSE:



Continued...

3. THIS IS AN INSIDE VIEW OF THE 6817 LELAND WAY APARTMENT LOOKING OUT THE WINDOW, WHICH YOU CAN SEE THE YELLOW BUILDING OVER THE WALL WHICH WOULD BECOME THE HART HOUSE STRUCTURE, AND THE DUMPSTER WOULD BE SITTING 8 FEET AWAY FROM THAT WINDOW:



End of photographic evidence of property lines.

ITEM NO. 4 - HOLLYWOOD PLANNING COMMITTEE DESTROYING CITY?:

The Hollywood Planning Committee Gains Backlash Over Recent Determinations

“They’re destroying one community to create another.” -Ged Kenslea, Spokesman for the AIDS Healthcare Foundation, commenting on the famous Crossroads project.

“I just feel like Hollywood’s losing its character. It’s losing its history, and that is a perfect example of not caring about history.” -Alison Martino, Hollywood Historian, commenting on the recent gutting of the famous Pig N’ Whistle.

“This is a challenge not simply about preservation and old buildings. It is also a challenge about the true nature of affordable housing in the district and how it is used to push through new development and construction.” -Hollywood Heritage Inc., commenting on the Hollywood Community Plan/Los Angeles Planning Committee.

As you can see from the quotes above, it is no secret that there is a growing resistance over The Los Angeles Planning Committee and what has been happening on your watch. There is a petition actively being sent around to try to adjust what’s known as “The Hollywood Community Plan.” The people behind this are very passionate about the city of Hollywood, its preservation and its history. The leaders and the people who are citizens of Hollywood, feel that you ‘use’ the current Hollywood Community Plan verbiage to bust down history like a wrecking ball and gentrify as tall and wide as you can. Fast food drive-thrus being approved and going up one after another says a lot about where things are headed.

You, the committee, are making vital decisions for our future and impacting people’s real lives. The way your committee has been ignoring the people in this community for the last few years, is gaining opposition every day. If you think that the current decisions being made for this city and behavior of the Planning Committee are just fine, then maybe now is the time to open your eyes and ears to the people who live in the community, or else step down from the Planning Committee period.

If you are interested in taking steps to supporting the people in the community and the preservation of the community, please consider reading about VISION HOLLYWOOD here: <https://www.hhprc.org/>

ITEM NO. 5: A DOWNLOADABLE VIDEO ATTACHED TO THIS EMAIL

The video includes audio and video evidence of peace and quiet before Hart House construction/before December 14, 2021 Appeal hearing. See link if you cannot download: <https://vimeo.com/654288258>

Thank you,

Lisa Lee
(310) 880-4004
6817 Leland Way
Los Angeles, CA 90028

ATTACHMENT TO APPEAL APPLICATION
SUBMITTED BY RORY KEVIN DAUSON AND LISA MASON LEE
SEPTEMBER 24, 2021
CASE NUMBER ZA-2021-2125-CU AND
CEQA ENV-2021-2126-CE

ITEM 5. JUSTIFICATION/REASON FOR APPEAL

Appellants Rory Kevin Dauson and Lisa Mason Lee (herein collectively “Appellants”) appeal the entirety of the Zoning Administrator’s September 10, 2021 written determination (“Determination”) approving the proposed project at the address of 6800 West Sunset Blvd., Los Angeles, CA 90028. The Determination and project approval have inadequate findings, lack substantial evidence, are erroneous, arbitrary, capricious, contrary to law, and are a prejudicial abuse of discretion. Please immediately proceed with the proper notice and procedure regarding the project and conduct California Environmental Quality Act (“CEQA”) review, including an initial study and environmental impact report (“EIR”), and comply with the Los Angeles Municipal Code (“LAMC”), the Government Code, the U.S. and California Constitutions, and all applicable law.

The proposed project is for a Hart House drive-through fast-food restaurant that abuts a residential use and zone, consists of various parcels with the addresses 6800-6814 Sunset Blvd., Los Angeles, CA 90028 and 1451 and 1459 North Highland Ave., Los Angeles, CA 90028, and the City of Los Angeles (“City”) has assigned case number ZA-2021-2125-CU and CEQA ENV-2021-2126-CE to the project (the “Project”). The Determination lists Hart House LLC as the Applicant and YBM Danur LLC and Yair Ben Mosche as the Owner (herein collectively “Developers”). The Developers have submitted a conditional use permit application for the Project to the City (“CUP”) requiring significant adverse modification of the Project site and hours of operation from 7:00 AM to 2:00 AM daily and the City has erroneously decided that the Project is exempt based on CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and that exceptions in CEQA Guidelines, Section 15300.2, are inapplicable. The Project site was previously used as a gas station, and has significant adverse impacts to noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things, and a fair argument exists as to the same. The City has failed to conduct proper environmental review. Appellants are aggrieved residents and persons who reside toward the southwest of the Project site and they care about the community in which they reside. Moreover, the Project is detrimental to the health, safety, and welfare of the public.

Appellants have not received proper Project notice. They have not been able to determine the extent of the Project because, among other things, they have not had access to the Project plans that are legible and to scale.

The errors and inadequacies of the Project and the points at issue include, but are not limited to, the following:

1. CEQA categorical exemptions do not apply. For example, CEQA Guidelines, §15301, does not apply to the Project. For example, §15301 applies to projects involving negligible or no expansion of existing or former use. The Project site has been vacant for approximately 2 years. Prior to that time, the Project site was used as a flower shop. The Project will greatly and adversely increase noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things. Therefore, the Project provides significant adverse impacts, not negligible or no expansion of existing or former use. In addition, the extent of demolition and construction on the Project site has not been disclosed. Although the City and Developers compare the Project site use to a McDonald's operating at the Project site until approximately 2001, that is an inappropriate comparison. Further, the McDonald's closed at 11:00 PM, not 2:00 AM and ceased operations many years ago.
2. A fair argument as to significant adverse impacts as to noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things, exist, so a categorical exemption cannot apply. Even if a categorical exemption were to apply, but it does not apply, exceptions under CEQA Guidelines §15300.2 apply as cumulative impacts, significant effects due to unusual circumstances, and hazardous waste sites. Appellants reside approximately 10 feet and 50 feet from the Project site, respectively. The Project operations, such as the drive-through lane, traffic, and customer activity until 2:00 AM will prevent Appellants and other residents from being able to sleep at night. The Project site was previously used as a gas station, but the City has not disclosed the particulars, so a categorical exemption should not apply. The Developers must conduct proper environmental review as to a former gas station site. Also, other similar projects exist at the intersection of Highland Ave. and Sunset Blvd. and the City represents that on June 8, 2021, a CUP has been filed for a fast-food restaurant at 1440 N. McCadden Place, which is about one block from the Project site.
3. LAMC §12.24 W.17. does not provide for Project approval. For instance, this section requires the Zoning Administrator to find that the residential uses in the vicinity will be adequately protected from any significant noise resulting from outdoor speakers, autos, or other sources of noise associated with the lot. The Zoning Administrator's Determination has not so found. The Determination has not adequately addressed or mitigated the noise from outdoor speakers, autos, the patio noise, or other sources of noise on the Project site lots. The Determination fails to meet any noise measurement, such as decibels.
4. The Determination, Paragraph 7, at page 2, states that the noise from the speaker box "shall be inaudible beyond the property line." This statement is vague and ambiguous and has no quantification, such as decibels.
5. The Determination, Paragraph 8, at page 2, provides for trash/recycling pick-up on a daily basis. Even though the hours for Saturday and Sunday are shortened,

trash/recycling pick up will provide noise and odor and prevent peace and quiet for the adjoining residents.

6. The Determination, Paragraph 21, at page 3, and Paragraph on Transferability, at page 5, allow for change of ownership and/or operator of the business, and Appellants object. The CUP application is for the Project and Project Applicant only. Any change of ownership and/or operator of the business requires a new CUP application and City review and procedure. There should be no transferability to some unknown Project or Project owner in the future.
7. Page 7. Findings of Fact. First Paragraph. The Project has not been adequately disclosed. Appellants have not had access to legible plans submitted with the Project application. A map on the City website is too small, illegible, and not to scale. Appellants and the public require access to the Project plans to know the extent of the Project and other Project documents.
8. Page 7. Findings of Fact. Second Paragraph. The Determination fails to identify the “partial demolitions and additions”.
9. Page 7. Findings of Fact. Fourth Paragraph. The Determination lacks any basis for the statement, “Due to the site’s location within a 2D height district, commercial corner regulations are not applicable.”
10. Page 7. Findings of Fact. Fifth Paragraph. The Determination fails to disclose the meaning of the various zones.
11. Page 8. Findings of Fact. First Paragraph. The City denied McDonald’s request to expand the hours beyond 7:00 AM to 11:00 PM, although the City only mentions “drive-through fast-food restaurant” without naming McDonald’s.
12. Page 8. Findings of Fact. Second Paragraph. Case No. ZA-2021-4710-CU-SPR at 1440 N. McCadden Place must be part of environmental review for the Project through an initial study and EIR, including cumulative impacts. Cumulative impacts must consider recent past, present, and probable future projects in close proximity to the Project site. A fair argument as to significant adverse impacts exist regarding noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things.
13. Page 8. Findings of Fact. Third and Fourth Paragraphs. The Determination fails to state the definition of Highland being an Avenue I and Sunset being a Modified Avenue I.
14. Page 8. Findings of Fact. Fifth Paragraph. A fair argument exists as to significant adverse impacts to noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things. The Determination admits traffic and pedestrian safety concerns by the LAUSD related to construction, but fails to specify the concerns. Traffic and pedestrian safety are a concern at the already congested intersection at Highland Ave. and Sunset Blvd., which is across the street from Hollywood High School. The traffic and pedestrian safety go beyond the students at the High School; it also applies to the surrounding residents and other members of the public walking or driving on the streets close to the Project site. Most members of the public would want to avoid this intersection during rush hour of 3:00 PM to 7:00 PM and when school commences in the morning and ends in the afternoon.

15. Pages 9 and 10. Findings of Fact. Mike Jolley Comments. The Developers fail to state the changes being made from McDonald's. The Developers state that garbage pick-up will be 10:00 AM to 6:00 PM on Saturdays and Sundays, state that the speaker box will self-adjust based on ambient noise levels, without providing any concrete measurement, such as decibels, which is important to the adjacent residents that need to sleep at night, state that hedges will be along the property line, which is insufficient to block the noise from the neighboring residents, and state that there are no plans for breakfast, but they are seeking the hours with the intent to use the hours. The Developers did no neighborhood outreach, but reached out to the Mayor's office. Contacting the Mayor's office is not the same as contacting the residents who reside adjacent to the Project site. The adjacent neighbors have their livelihood and community at stake with the Project; the Mayor does not. The Developers fail to acknowledge that the McDonald's drive-through stopped operations many years ago, and were denied extended hours, that a florist was last at the Project site, and the Project site has been vacant for approximately 2 years. The drive-through and speaker system have not been used for over 10 years.
16. Page 11. Findings. Paragraph 1. The Project will not enhance the built environment in the surrounding neighborhood or perform a function or provide a service that is essential or beneficial to the community, City, or region. For example, the Project has significant adverse impacts to noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things. Further, several fast-food drive-through restaurants already exist in the immediate vicinity and the City is processing a recent CUP application for a new drive-through on McCadden Place.
17. The Project's location, size, height, operations, and other significant features will not be compatible with adjacent properties and will adversely affect and further degrade adjacent properties, the surrounding neighborhood, and the public health, welfare, and safety. For example, significant adverse impacts as to noise, traffic, planning and land use, hazardous substances, and cumulative impacts, among other things, exist. The Determination fails to address the neighbor concerns of the rat infestation in many buildings surrounding the Project site. Adding another eating place will further increase the rat infestation in the surrounding area. Again, the Determination fails to identify the meaning of the zones and Commercial Corner Developments regulations. The Determination fails to specify the size of the new outdoor dining patio. It fails to identify the noise adjustments and fails to include measurements such as decibels. The Project is not compatible and will significantly and adversely affect the adjacent property.
18. The Project fails to substantially conform with the purpose, intent, and provisions of the General Plan, the applicable community plan, and any specific plan. The Project fails to comply with the requirements of the LAMC, which is why the Developers have applied for a CUP. The Hollywood Community Plan objectives and policies include: future development should be "compatible" with existing commercial development, "surrounding residential neighborhoods," and the transportation and circulation, with which the Project fails to comply. The Hollywood Redevelopment Plan further states in Section 505.4, Commercial Uses Within Residential Areas; (2) the commercial uses shall

be reviewed and found to be “compatible” with the neighborhood with respect to environmental impact on the residential area such as “noise,” traffic, architectural and/or historic resources, parking and “hours of operation.” The Determination states, in a conclusory manner, and without any basis, that the Community Plan text is silent with regard to drive-through fast-food establishments adjacent to residential uses or zones and that the Administrator must interpret the intent of the Plan. As with any other development Project, the Administrator must conduct proper environmental review and properly apply the LAMC, Government Code, the U.S. and California Constitutions, and the like. This Project does not comply with accepted planning principles, such as those enumerated in this document. The Administrator must consider the entirety of the significant adverse impacts, not solely the purported commercial aspects.

19. The residential uses in the vicinity of a proposed drive-through fast-food establishment will not be adequately protected from any significant noise resulting from outdoor speakers, autos, or other sources of noise associated with the Project lots. For instance, the Determination fails to state the location of the outdoor dining areas. The Determination vaguely and ambiguously uses the terms “oriented away” and “distance”, and the public cannot know what this means. The Determination also fails to quantify and specify the noise levels, such as decibels, of the speaker box and of the Project operation.
20. All stationary light generated on the lot is not screened to avoid any significant adverse impact on nearby residential uses. For example, the Determination fails to specify what it means by stationary light. Also, light from the moving vehicles and stationary vehicles will face the residential areas from various angles of the Project site.
21. The trash storage, trash pickup hours, driveways, parking locations, screening walls, trees and landscaping are not provided for nor located so as to minimize disturbance to the occupants of nearby residential uses, and to enhance the privacy of those uses. Trash pickup will occur 7 days a week in an existing rat-infested location. The adjoining residents will have no break from the trash pick-up noise and the rat infestation will increase with added trash bins and trash. The Determination also fails to specify the location of the 2,000 square-foot patio and fails to define “oriented towards” and “well buffered from the residential uses.” The area surrounding the Project site has existing parking and traffic safety problems. For example, double parking on Sunset Blvd. and North Highland Ave. due to spill-over from an overextended drive-through. The Department of Transportation needs to conduct a thorough review of traffic as it pertains to the Project, especially rush hours, 7:00 AM to 9:00 AM and 3:00 PM to 7:00 PM. The No Parking is strictly enforced because it’s an Anti-Gridlock Zone.
22. The Developers expect the Project site to operate as a busy location so that they can maximize their profit. The more customers that go to the Project site, the less privacy and more disturbances that the adjoining residents and surrounding community will have. The area is home to Appellants and their neighbors. The area is merely a business

venture to the Developers.

Based on the foregoing, the decision-makers erred and abused their discretion.

Appellants reserve the right to amend and/or supplement this Appeal.

Respectfully submitted,

Rory Dauson and Lisa Lee

cc: Councilmember Nithya Rama



CENTRAL HOLLYWOOD NEIGHBORHOOD COUNCIL

6501 Fountain Avenue, Los Angeles 90028

December 6, 2021

Los Angeles City, Planning Department
Office of Zoning Administration
200 N. Spring Street
Los Angeles, CA 90012

Address: 6800 Sunset Blvd.

Case Number: ZA-2021-2125-CU

Dear Zoning Administrator,

The Central Hollywood Neighborhood Council voted at its meeting on Monday, November 22, 2021 and supported the request as listed below with the following conditions:

Project Description: Conditional use permit for drive-through adjacent to residential (Section 12.24 W. 17) and Conditional use permit to allow restaurant hours of operation from 7 am-2 am, 7 days a week (Section 12.22 A.23)

- Installation and maintenance of a doggie waste station
- Installation of trash cans on our property to deter customers littering in peripheral / adjacent neighborhood areas
- Manage parking lot with onsite staff for efficient order taking and customer vehicular management at peak times
- Maintain trash cleaning of the neighborhood peripheral/adjacent to our site and around the property

Applicant: Liz Williams

Company: Hart House, LLC.

Representative: Moni Dosanjh - Vice President of Operations; RSI - Phone: 714-966-9400

A handwritten signature in grey ink, appearing to read 'Elvina Beck'.

Elvina Beck, CHNC President

A handwritten signature in grey ink, appearing to read 'Alex Massachi'.

Alex Massachi, CHNC PLUM Chair

Cause of the homeless situation every business in the area is suffering a loss of money and constant complaints by clients that find the street "disgusting and not safe". Unfortunately all the activities are suffering this decrease of work. Clients prefer to go to other locations that they find more clean and safer. Our own parking lot has been invaded for multiple nights and our trucks have been used by homeless as "a tent to sleep in". Our clients are scared to come here by the night to drop off after hour store and this makes the work very hard. About one month ago cause of a homeless we had all the building without electricity (he cut the external wires to connect his phone thinking to charge it and unhappy he dropped an entire can of cola on the wires). Every day we have to deal with some of them trying to break the window or entering the office unlawfully to steal objects. This situation is very difficult for every business owner. We just ask to run our activity in a normal environment without having problems every day cause of that situation.

Igor gekker

Autolux car rental

12/8/21

AUTO LUX RENT A CAR

1441 N. Highland Ave.

Hollywood, CA 90028

(323) 828- 3707

12-8-21

To Whom It may concern

I am Willie Mercer leave in

6811 $\frac{1}{2}$ Leland Way for ~~43~~ Year's.

~~From~~ My apartment it just behind
6800 Sunset Blvd. LA.

I was leaving in while Mac'donald
drive through was open and I never
has noise problem or any other
problem because of the restaurant and
the Drive Through.

If you need to Contact me please
feel free to call me at 323-469-8026

Willie Mercer 12/8/21
Willie Mercer

Lisa Mercer 12/8/21
Lisa Mercer

DAY OF HEARING SUBMISSIONS