

From: Brian Dyer <bwdyer@hotmail.com>
Sent time: 05/29/2020 05:17:36 PM
To: Mindy Nguyen <mindy.nguyen@lacity.org>
Cc: Anastasia Mann <president@hhwnc.org>; GEORGE@MYHUNC.COM; vince.bertoni@lacity.org
Subject: Request for extension
Attachments: Chan, Bertoni, Planning report.pdf Planning respons 1920 Whitley.pdf

Dear Ms. Nguyen,

Please include this email and attachments in the file for ENV-2018-2116-EIR.

It is baffling that, although the Planning Department has a myriad of requests for an extension to the comment period for the ENV-2018-2116-EIR, the Planning Department, as of yet, has not done so. Planning will not give Los Angeles residents the courtesy of extending the comment period for two weeks, from 45 days to 60 days, per CEQA Guidelines Section 15105, which is well within Planning's jurisdiction to do so. This behavior appears to be a strategic and hostile action against the Los Angeles citizenry and extremely beneficial to the developer, which Planning's behavior appears to only serve.

Attached is an article in the planning report, which quotes, Ray Chan, Vince Bertoni, Joel Jacinto, and John Vildovich. I would like to point out that since the article was written in 2016, two of the gentlemen mentioned in the article, Mr. Chan and Mr. Jacinto, are now being investigated by the FBI for corrupt practices while managing the Planning Department. This is not to say the Hollywood Center project was under their aegis, since this second iteration of Millennium's project was published in 2018. It is only to show that residents continue to be way sided by a Planning Department that has moved from "Safety" to one of "Economic Development" and to do so, actively courts outside developers, making it easy for such corruption to occur.

As a further demonstration of Planning's maddeningly response mechanism to its citizenry, besides the article, I am attaching two correspondences which I received from Planning (please note, even though the emails were sent as a neighborhood council officer, I want to make it clear that I am requesting the extension as a resident. Bylaws and plain old ethics prevent me from doing so. In the attached emails, it is demonstrated that Planning volunteered to organize and initiate a meeting with the developer of a controversial project for my stakeholders to strategize and steer the developer through the planning and planning commission process.

Mr. Bertoni has boasted recently of transparency in Planning, but the truncation of a comment period for the public during the Covid Crisis, where people are now being not only parents, but teachers, food deliverers to elderly family members, and disruptively unemployed and needing to look for work is, paints his comments as a hollow statement.

In this day and age when the Planning Department and City Council members are continually being exposed as betraying the public trust, this resistance by Planning to open the comment period up, even with a meager one of two weeks, comes off as aggressively strategic for the developer, rather than legal. That, and the effects of this pandemic, prevents me from actively participating in my neighborhood.

Planning can and should be able to serve both the citizenry of Los Angeles and the developer by making the extension.

Ms. Nguyen, I know that you do not set Planning's policies, and only apply them to a project.

Please log my request for an extension to the comment period for ENV-2018-2116-EIR.

Brian Dyer



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May 23, 2016 - From the May, 2016 (/issue/may-2016) issue

ULI-LA Forum: LA City Leaders Collaborate to Improve Planning and Development Process

Tags:

los angeles (/tags/los-angeles) david abel (/tags/david-abel)
Ray Chan (/tags/ray-chan) Vince Bertoni (/tags/vince-bertoni)
Joel Jacinto (/tags/joel-jacinto) John Vidovich (/tags/john-vidovich)
Marvin Moon (/tags/marvin-moon) ULI-LA (/tags/uli-la)
Development (/tags/development) Local Government (/tags/local-government)
Los Angeles Department of Building and Safety (/tags/los-angeles-department-building-and-safety)
LADWP (/tags/ladwp)

On April 20, the Urban Land Institute-Los Angeles (ULI-LA) (<http://www.planningreport.com/tags/uli-la>) hosted a forum on the City of Los Angeles' current best practices for development project approval and implementation as part of an ongoing series highlighting the region's preeminent land-use challenges and opportunities. Moderated by TPR publisher **David Abel** (<http://www.planningreport.com/tags/david-abel>), key city departmental managers and officials discussed improvements to each of their respective organizations and explained their vision for a collaborative approval process that reduces obstacles for developers. The speakers included **Ray Chan** (<http://www.planningreport.com/tags/ray-chan>), newly appointed Deputy Mayor for Economic Development; **Vince Bertoni** (<http://www.planningreport.com/tags/vince-bertoni>), Director of Planning for the City of Los Angeles; **Joel Jacinto** (<http://www.planningreport.com/tags/joel-jacinto>), Board of Los Angeles Public Works Commissioner; **John Vidovich** (<http://www.planningreport.com/tags/john-vidovich>), Deputy Chief and Fire Marshal, Los Angeles Fire Department; **Marvin Moon** (<http://www.planningreport.com/tags/marvin-moon>), Electrical Engineering Chief, Los Angeles Department of Water & Power. TPR presents highlights from the morning's conversation.

David Abel: Over the last decade, there have been intermittent proposals for LA City planning and building department reforms. One aimed at speeding project approvals through the city's processes was termed "12 to 2"; another was a proposal to merge Building & Safety with Planning. Ray Chan, what's different about "reform" this year?



Ray Chan

Ray Chan: The difference is that "12 to 2" didn't happen, and the merger didn't work. But partnership does.

We have to understand that LA is a big city, but people don't need to come to LA to build because we're famous or because we have good weather. We must attract them to come. We have to understand that the role of the city in development has changed. Before, we were about safety. Now, it is safety and economic development.

Before, we'd wait for a project to come to LA. Now, we recruit businesses from New York, China, and Seattle. When we talk about expanding and extending the cycle, that does not mean that we are miracle-makers and we can just create more economic boom. What we can do is take jobs that are supposed to invest in Sydney, London, San Francisco, or Seattle, and bring them to LA because of our system.

We all have rules and regulations we have to enforce. Before, we made sure that the project would comply with the rules and regulations. Now, we have hand-holding services so that we advise, guide, and assist projects to comply with the regulations.

In the year that I was born, 1956, the thickness of all the codes put together was four inches. Now it's 14. Who the heck can comply with all those rules and regulations? We've changed from helping people to comply with the verbiage of the code to the intent of the code. Our job is not to make sure your project complies with every single word. Our job is to help your project to build safe and fast.

All these differences will definitely change the cycle. But we cannot do it all by ourselves. We need to have all the departments together.

No one department wants to go under another department because we all have our own expertise. Who's going to be the boss? We can all work together as partners.

Partnership is extremely important. Let's just say that, when you enter the design phase, you have issues. When you have issues with entitlements, Building and Safety, Fire, or Water and Power, we can all help you determine what, when, and who will help you in the project. During construction, we assign one senior inspector to help you solve issues.

David Abel: Vince Bertoni, the City of Los Angeles has labored over how best to expedite landuse and development projects through the city "bureaucracy" before—e.g. by extending the cycle, or blowing away barriers of bureaucracy.

Ray Chan asserts that "partnership" best describes how City Hall is now addressing its land-use and project approval processes. Put in context the Planning Department's contribution to collaboration, and how you are aligning that goal with assuring neighborhoods and communities of Los Angeles that what is approved and built meets their expectations.

Vince Bertoni: I couldn't agree more with Ray on the "12 to 2" and department mergers. Having run planning, building, and code three times in three other cities, I've been so impressed since I've come back to LA—particularly by how Ray and Frank have worked on the Building & Safety process to have meaningful metrics.

The Planning part concerns whether you can build, and Building & Safety is about how. A lot of times, Planning deals with that intersection between community values and development. That's always the struggle—it's where the tension is.

We're going to try to make the development process as clear as possible. It can't always be predictable, because what we do is all discretionary. The big challenge here is: How do we create that balance? How do we create that center where people can come together and agree to how and where the city should grow?

You're hearing from communities that their city is changing very dramatically in certain places, and it seems like it's happening overnight. Anyone here knows that it's not overnight; it's taken many years to get there.

But they see a parking lot yesterday, then they see construction starting, and within a couple of years there's a 30-story building. They're not seeing any rhyme or

"I'm not interested in necessarily having more staff, as much as having staff that is doing things differently"
 —Vince Bertoni,
 Director of Planning, City of Los Angeles

reason.

It seems to them that it's happening on an ad-hoc basis. The real challenge is communicating the vision for planning so that it seems more predictable.

Audience Question: How are your departments dealing with affordable housing and homelessness—such as getting SROs, micro-units, and adaptive-reuse projects fast-tracked?

Ray Chan: Mayor Garcetti (<http://www.planningreport.com/tags/eric-garcetti>) has focused on this particular issue. He has a task force to work on both homelessness and affordable housing, which, again, is a partnership. The Housing Department, the Fire Department, Public Works, ourselves, and also, I believe, the Police Department are involved.

The question is always a long-term stream of funding. There's a proposal that, for all the projects that build a beautiful high-rise, there would be a fee attached to the number of units that they built. That fee would be used to support homeless and affordable housing.

John Vidovich: The mayor's budget is being released today with \$138 million put toward the homeless issues here in the City of Los Angeles.

The Fire Department has implemented three significant initiatives within the last year. First, a nurse practitioner can now issue medication on site. That avoids filling up the Emergency Rooms. Second, we are implementing fast response vehicles, specifically in the Skid Row area, to jump on radio calls. Lastly, in regards to temporary homeless shelters, there is an initiative allowing facilities to turn into a temporary shelter.

Audience Question: The Housing Department could be part of the solution, but right now it's not providing assistance—it's actually part of the problem. How do we work with the Housing Department to legalize unpermitted units throughout the city and to better navigate the system?

Ray Chan: Last night, I had dinner with Housing Department General Manager Rushmore Cervantes. After four or five hours of talking and two bottles of wine, Rushmore agreed to have a partnership with us. Rushmore said he is going meet with a team of industry people so that you guys can tell him all the horror stories.

Many departments are not designed to focus on development, like Water & Power. Development, for them, is 2 to 5 percent of their work. Sometimes, they just overlook issues. But they need people like you to give them the reality, and they will change.

Audience Question: What more do you think you would need in order to complete the vision of being fully integrated and resourced with the latest and greatest technology, so that you have the best services of any city around?

John Vidovich: Specifically for the Fire Department, we need technology. Technology is our biggest Achilles' heel to making us more efficient.

On the maintenance side, when we have to inspect a building, I have an archaic 1992 system. It's not integrated. We had a budget request moving forward to update that. It's on hold because everyone thinks Build LA is the savior. It could be, but that's three to four years away. I need it now. I need funding to upgrade the system to make sure we have better services for the citizens.

David Abel: Marvin, let's add to the discussion LADWP's perspective on collaboration with Building and Safety and Planning.

Marvin Moon: Our General Manager, Marcie Edwards (<http://www.planningreport.com/tags/marcie-edwards>), prioritizes customer service. In the last year, we've hired over 300 customer service reps to answer the phones and 27 people for development assistance.

David Abel: Vince, reflect on the staffing and budgetary needs of your City Planning Department.

Vince Bertoni: Planning is somewhat different from other departments because we do things that are discretionary. We do public hearings. If you don't meet what the General Plan or the zoning says, a lot of people ask for exceptions. What we are getting in the budget is an effort to update our Community Plans and our re:code LA (<http://www.planningreport.com/tags/recode-la>) project, which I think is very helpful.

Think about how many times you see a project that completely fits into the neighborhood, and then read about it afterward. How many of those required changes to the zoning and the General Plan? They almost all did. That's why they're there. All these projects completely fit in with the neighborhoods, because our codes and our plans are so out of date. We'll never reduce that to zero, but we've got to make it a lot less. I think we'll be seeing more funding when it comes to that.

I'm not interested in necessarily having more staff, as much as having staff that is doing things differently. I'm looking at integrating in our training unit with the people who are doing the metrics and measuring it, and also having staff members whose fulltime job is just to reengineer the systems. The Golden Gate Bridge is continuously repainted—they don't just paint it once every five years. That's what we need to do in Planning, when it comes to our systems.

David Abel: Joel, in terms of servicing demand, how is City Public Works managing?

Joel Jacinto: In addition to hiring more staff, we are thinking entrepreneurially—to use fees as a sort of enterprise fund to increase our ability to respond to staff and issues. That leeway is going to help us provide better service and be more responsive.

Audience Question: How long is the current plan-check process in Building & Safety, on both a standard basis and an expedited basis?

Ray Chan: Building & Safety checks 67,000 plans every year. Among those, approximately 40,000 of those plans we check over the counter on the same day, because they are small jobs. We have a system called Expanded Counter Plan Check (ECPC). That allows another 5,000 jobs to be checked the same day.

You qualify for the Parallel Design-Permitting process if your project is more than \$5 million. Many of the mega-jobs (anything \$10 million and above) can submit a plan check while they're doing the design. For the plan checks, the turnaround time is about 20 days. But we are not holding you up because you're still designing.

Audience Question: Do you have backing from the mayor's office to do planning differently and create a new Planning Department?

Vince Bertoni: Our answer in LA has always been to measure backlog, which is how many files are on a planner's desk. That's not something that our customers experience. Let's make sure to measure things correctly—namely, the customer experience. Then, let's reengineer the system. I'm trying to figure out how I can create the most amount of efficiency before I bring more people on board.

We do have a very challenging system in that we hire people with broad discretion at the very entry level. Then, all the way up, it's pretty much promotion. We've hired some amazing people with brilliant degrees and experience. It's just a matter of training them, creating the culture, and bringing them up in a different system than we have had before. I'm looking at hiring people who may be management analysts. If I get different positions, then I get different experience and I get different skillsets. Then we get to change the culture.

David Abel: Could the City of LA streamline its approval processes with Community Plans, and a General Plan that took 80-90 percent of the projects out of the system and made them build by-right?

Vince Bertoni: There's so much development that goes on in this city that no one disagrees with. We focus on the handful that people do disagree with and that go through the process. The big, controversial projects are always going to be messy. Let's not pay attention to those as much as we do to the 90 percent that don't have controversy but still have this huge bureaucratic process. That's where we need to pay attention to our Community Plans and our zoning.

David Abel: In closing, what is the core message each of you wants to convey?

John Vidovich: The Fire Department is here to serve. During budget cuts, we closed 17 fire companies. We're growing companies back using metrics to bring our fire engines where they need to be. For the development cycle, our staff is here to serve. We have changed the culture within the LAFD Development Services section.

Marvin Moon: Our job is to get you connected smoothly and quickly. I have a manager whose favorite saying is, "Be a connector, not a resistor." That's what we want to do, and a good chunk of it is listening to industry. What are the problems you're facing? Give us problems that we can work on. In fact, I have a focus group tomorrow with some developers and that's exactly what we'll do. Then we kick those problems back and work with other team members to make this thing happen. It's showing real, successful results. I'm very encouraged by it and I want to continue making it successful.

Ray Chan: I'm here to help you close your deal. I want businesses to come here. So if you have any potential clients, bring us in. What's the gain for us? Projects stay in LA, and that's how we expand the cycle.

Frank Bush: A lot of the changes you've heard about have come from us listening to our customers and to industry. If you ever have the opportunity to be on a panel or to sit with any department, don't hold back. Don't hesitate to share your experience, whether it's positive or negative. If we don't hear the stories, we can't make the changes. We won't see them or know they're there.

Joel Jacinto: We have major development services on a monthly basis, where we're going to have our city family present. Bring your clients to the table. We really want to continue this idea of the LA show.

Vince Bertoni: We need to be seeking independent and honest advice in terms of how to do things better. We all need to work together within our departments and among departments, as you see here. We need to create work expectations on our side. We need to measure ourselves in a very honest way, utilize technology better, and communicate. Above all, we need to be empathetic. I really want to bring to my department an ability to put ourselves in the shoes of our customers.

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Planning respons 1920 Whitley.pdf

Brian Dyer

From: Brian Dyer
Sent: Monday, October 22, 2018 4:25 PM
To: Nuri Cho
Subject: Fw: 1920 Whitley

Hi Nuri,

Just point of clarification, the email I received from you, to which you refer, was one from several weeks ago clarifying CRAs position. If there was another one you sent, please let me know..

Best,

Brian

From: Brian Dyer
Sent: Saturday, October 20, 2018 5:24 PM
To: 'Nuri Cho' <nuri.cho@lacity.org>
Subject: RE: 1920 Whitley

Hi Nuri,

I just found the email. Thanks for keeping me posted.

Best,

Brian

From: Nuri Cho [<mailto:nuri.cho@lacity.org>]
Sent: Thursday, October 18, 2018 8:23 AM
To: Brian Dyer <area3chair@hhwnc.org>
Subject: Re: 1920 Whitley

Hi Brian!

I'm sorry about your last name! I kept thinking it has two R's...

I was referring to Brian Prince, the applicant, in my previous email. Please disregard.

Best,

On Wed, Oct 17, 2018 at 11:18 PM, Brian Dyer <area3chair@hhwnc.org> wrote:

Hi Nuri,

Thank you for adding me to this email. I did not receive yesterday's. Would you double check?

FYI, there is only one R in my name. There are a couple famous people with that spelling, but I am not one of those. :_)

Thanks,

Brian

From: Nuri Cho [mailto:nuri.cho@lacity.org]
Sent: Wednesday, October 17, 2018 2:14 PM
To: w techentin <warren@wtarch.com>
Cc: Dana <dana@wtarch.com>; Brian Dyer <area3chair@hhwnc.org>
Subject: Re: 1920 Whitley

Hi Warren,

No problem! I think it was helpful to meet and discuss the CPC meeting so that everyone is on the same page and knows what to expect.

I sent Brian an email yesterday. Brian Dryer is the chair of the Neighborhood Council. He can be reached at area3chair@hhwnc.org.

The audio from the 10/11 CPC meeting and the agenda with the staff report link for the 10/25 CPC meeting are both available here:

https://planning.lacity.org/InternetCalendar/DSP_RESULTS_CPC.aspx?APC=CPC&Subtype=Agenda

You can click the agenda and then the hyperlink on the case number for item 9.

Best,

On Wed, Oct 17, 2018 at 12:44 PM, w techentin <warren@wtarch.com> wrote:

Hi Nuri-

Thank you for organizing the meeting yesterday. I thought it was useful and I know Brian did as well. And apologies about my voice - a casualty of my trip with USC through Asia and related lack of sleep...

I wanted to follow up with you about the report you have put / are putting together which you had mentioned during the meeting. Have you posted it yet? Is there any way you can send that to us so we can review it? Would be good to reference some of that in what we prepare.

Thank You,
Warren

On 10/15/2018 10:12 AM, Nuri Cho wrote:

Hi Warren,

Sorry I missed your call. The meeting is to discuss potential issues that may come up during CPC, including design, demolition of RSO units and any outreach efforts to existing residents on site and the Neighborhood Council. I also thought it'd be good to walk through the process with you since this is one of the first projects going before CPC for you.